

Open

Planning Committee

Agenda

6pm
Tuesday, 21st July 2015
Council Chamber
Wyre Forest House
Finepoint Way
Kidderminster



Planning Committee

Members of Committee:

	Chairman: Councillor S J Williams
	Vice-Chairman: Councillor G C Yarranton
Councillor J Aston	Councillor S J M Clee
Councillor J Greener	Councillor J A Hart
Councillor M J Hart	Councillor D Little
Councillor F M Oborski MBE	Councillor M Rayner
Councillor C Rogers	Councillor J A Shaw

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

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 the Council’s 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.

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

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

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

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

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

NOTES

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

Wyre Forest District Council

Planning Committee

Tuesday, 21st July 2015

Council Chamber, Wyre Forest House, Finepoint Way, Kidderminster

Part 1

Open to the press and public

Agenda item	Subject	Page Number
1.	Apologies for Absence	
2.	Appointment of Substitute Members To receive the name of any Councillor who is to act as a substitute, together with the name of the Councillor for whom he/she is acting.	
3.	Declarations of Interests by Members 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.	Minutes To confirm as a correct record the Minutes of the meeting held on the 14 th April 2015.	7
5.	Applications to be Determined To consider the report of the Development Manager on planning and related applications to be determined.	13
6.	Planning and Related Appeals 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.	62
7.	Section 106 Obligation Monitoring To consider a report from the Director of Economic Prosperity & Place that gives details of the most current Section 106 Obligations which require monitoring.	73

8.	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.	
9.	<p>Exclusion of the Press and Public</p> <p>To consider passing the following resolution:</p> <p>“That under Section 100A(4) of the Local Government Act 1972 the press and public be excluded from the meeting during the consideration of the following item of business on the grounds that it involves the likely disclosure of “exempt information” as defined in paragraph 3 of Part 1 of Schedule 12A to the Act”.</p>	

Part 2

Not open to the Press and Public

10.	<p>New Enforcement Case</p> <p>To receive a report from the Director of Economic Prosperity & Place on a new enforcement case.</p>	-
11.	<p>Enforcement Matters</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>	-
12.	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.	

WYRE FOREST DISTRICT COUNCIL

PLANNING COMMITTEE

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

14TH APRIL 2015 (6.00 PM)

Present:

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

Observers:

Councillors: H E Dyke and M Rayner.

PL.78 Apologies for Absence

Apologies for absence were received from Councillor B T Glass.

PL.79 Appointment of Substitutes

Councillor G W Ballinger was appointed as a substitute for Councillor B T Glass.

PL.80 Declarations of Interests by Members

Councillor R Lloyd declared a Disclosable Pecuniary Interest in application number 15/0129/FULL Car Park at the Swan, 9 Birmingham Road, Blakedown as he is an employee of the applicant.

Councillor M J Stooke arrived at the meeting at this point (18.03pm).

Councillor M J Hart stated in connection with application number 15/0129/FULL Car Park at the Swan, 9 Birmingham Road, Blakedown that he had been contacted by the landlord of the Swan public house and attended a meeting where he had discussed the application but came to the meeting with an open mind. He also stated in connection with application number 15/0090/OUTL, Broad Street Car Park, Kidderminster that he chaired the Cabinet meeting that took the decision to dispose of the car park but came to the meeting with an open mind in respect of the planning application. He was not declaring an interest in respect of either item.

PL.81 Minutes

Decision: The minutes of the meeting held on 10th March 2015 be confirmed as a correct record and signed by the Chairman.

PL.82 Applications To Be Determined

The Committee considered those applications for determination (now incorporated in Development Control Schedule No. 530 attached).

Decision: The applications now submitted be determined, in accordance with the decisions set out in Development Control Schedule No. 530 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.83 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 7.35 p.m.

WYRE FOREST DISTRICT COUNCIL

PLANNING COMMITTEE

14th April 2015 Schedule 530 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.

Councillor R Lloyd left the meeting at this point, (18.06pm).

Application Reference 15/0129/FULL
Site Address: CAR PARK AT THE SWAN, 9 BIRMINGHAM ROAD, BLAKEDOWN, KIDDERMINSTER
REFUSED for the following reason: <ol style="list-style-type: none">1. The absence of suitable car parking facilities would result in the displacement of vehicles on to the surrounding road network including the A456 Birmingham Road, a route of strategic importance. It would also lead to vehicles queuing on a live carriageway waiting to enter the site. Insufficient evidence has been submitted to demonstrate that the adopted parking standards should be reduced for the proposed development. As such the proposal is contrary to the purpose of ensuring a safe free flowing highway network and therefore fails to accord with Policies SAL.CC1 and SAL.CC2 of the Adopted Site Allocations and Policies Local Plan, the Adopted Local Transport Plan and the NPPF as the impact of this shortfall will have a severe detrimental impact on the highway network.2. The siting of the store would cause the loss of an existing Yew Tree (T2) protected by TPO No. 282. It is considered that this tree has existing high amenity value and has a significant safe useful life expectancy (SULE), and therefore its loss would be contrary to Policy SAL.UP7 of the Adopted Site Allocations and Policies Local Plan.3. The proposed new store would neither be a conversion of nor an extension to an existing facility. It is therefore contrary to Policy SAL.GPB3 of the Adopted Site Allocations and Policies Local Plan, and as such it is considered that the proposal would be detrimental to the viability of the Swan public house as an existing business. The potential loss of the public house would be contrary to Policies DS04 and CP07 of the Adopted Core Strategy, Policy SAL.DPL11 of the Adopted Site Allocations and Policies Local Plan, and the NPPF.

Councillor R Lloyd came back to the meeting at this point, (18.50pm).
Councillor M Wrench left during the consideration of the following application, (19.10pm).

Application Reference 12/0090/OUTL
Site Address: BROAD STREET CAR PARK, KIDDERMINSTER
APPROVED subject to the following conditions:
<ol style="list-style-type: none"> 1. A1 (Standard outline). 2. A2 (Standard outline – reserved matters). 3. A3 (Submission of reserved matters). 4. A11 (Approved plans). 5. A12 (No approval of layout). 6. B1 (Samples/details of materials). 7. B11 (Details of enclosure). 8. B13 (Levels details). 9. C6 (Landscaping – small scheme). 10. C8 (Landscape implementation). 11. E2 (Foul and surface water). 12. F5 (Construction site noise/vibration). 13. J9 (Open plan frontages). 14. Contaminated Land. 15. Archaeology. 16. Visibility splays. 17. Parking estate development – (1 + house). 18. Cycle Parking (Multi Unit). 19. Highway improvements / offsite works. 20. A Construction Environmental Management Plan shall be submitted to and approved. <p>Notes</p> <ol style="list-style-type: none"> A. Mud on highway. B. Private Apparatus within the Highway. C. Section 278 Agreement. D. No drainage to discharge to highway. E. Protection of visibility splays.

Councillors G W Ballinger and M Rayner left the meeting at this point, (19.25pm).

Application Reference 15/0113/FULL
Site Address: CRUNDALLS COTTAGE, CRUNDALLS LANE, BEWDLEY
REFUSED for the following reasons:
<ol style="list-style-type: none"> 1. The combined volume of the extensions has resulted in disproportionate additions over and above the size of the original building which are considered to constitute inappropriate development within the Green Belt and is harmful by definition. No very special circumstances have been provided and as such the proposals are contrary to the guidance laid out in Section 9 of the National Planning Policy Framework and Policy SAL.UP1 of the Adopted Wyre Forest District Site Allocations and Policies Local Plan. 2. The scale and design of the extensions result in disproportionate and overwhelming additions to the property which have a detrimental impact on appearance of the original dwelling as well as existing development in the vicinity and the character of the area. The development is not considered to accord with

the requirements of Policies SAL.UP7 and SAL.UP8 of the Adopted Wyre Forest District Site Allocations and Policies Local Plan.

Application Reference 15/0053/FULL

Site Address: 26 RECTORY LANE, ROCK, KIDDERMINSTER

APPROVED subject to the following conditions:

1. A6 (Full with no reserved matters).
2. A11 (Approved plans).
3. B1 (Samples of materials).

Note

SN12 (Neighbours' rights).

Application Reference 15/0013/S73

Site Address: BURLISH PARK GOLF CLUB, ZORTECH AVENUE, KIDDERMINSTER

REFUSED for the following reason:

The proposed variation of condition would result in lorry movements on the highway network during times of high concentration of traffic flows. The split nature of times proposed would provide a condition that could be easily breached and that would not be practicably possible to enforce. To approve the variation of condition under these circumstances would be in conflict with Policy SAL.CC1 of the Adopted Wyre Forest Site Allocations and Policies Local Plan.

Application Reference 15/0061/LIST

Site Address: BROUGHTON COTTAGE, THE VILLAGE, CHADDESLEY CORBETT, KIDDERMINSTER

APPROVED subject to the following conditions:-

1. A7 (Listed Building/Conservation Area Consent).
2. A11 (Approved plans).
3. B1 (Samples).
4. The flats formed as a result of this development shall not be brought into use until details of screens to be fitted to the bin store area have been submitted to and approved by the Local Planning Authority. These screens shall be installed prior to first occupation of the flats and shall be retained thereafter.

Application Reference 15/0089/FULL

Site Address: BANNUT TREE FARM, CROSS BANK, BEWDLEY

APPROVED subject to the following condition:

1. J1(Removal of permitted development – residential).

Note

Identification of approved drawings

**EXECUTIVE SUMMARY TO REPORT OF
DEVELOPMENT MANAGER**

Planning Committee

21/07/2015

PART A Report

Ref.	Address of Site	Recommendation	Page No.
14/0661/OUTL	LAND AT STATION YARD OFF LYNWOOD DRIVE BLAKEDOWN KIDDERMINSTER	REFUSAL	14

PART B Reports

Ref.	Address of Site	Recommendation	Page No.
15/0292/FULL	50 JAMES ROAD KIDDERMINSTER	APPROVAL	29
15/0302/ADVE	WYRE FOREST HOUSE FINEPOINT WAY KIDDERMINSTER	APPROVAL	31
15/0305/OUTL	SITE OF FORMER SION HILL MIDDLE SCHOOL SION HILL KIDDERMINSTER	DELEGATED APPROVAL	33
15/0316/ADVE	BEWDLEY BYPASS/CLEOBURY ROAD BEWDLEY	DELEGATED APPROVAL	57
15/0336/FULL	THE SCOUT HUT PARK ALLEY BEWDLEY	DELEGATED APPROVAL	59

WYRE FOREST DISTRICT COUNCIL

PLANNING COMMITTEE

21ST JULY 2015

PART A

Application Reference:	14/0661/OUTL	Date Received:	05/11/2014
Ord Sheet:	387935 278528	Expiry Date:	04/02/2015
Case Officer:	Paul Round	Ward:	Wyre Forest Rural

Proposal: Outline application with access and layout to be determined for up to 16 residential dwellings and provision of parking for railway station

Site Address: LAND AT STATION YARD, OFF LYNWOOD DRIVE, BLAKEDOWN, KIDDERMINSTER, DY10 3JZ

Applicant: Callow Oils Ltd

Summary of Policy	DS01, DS04, CP01, CP02, CP03, CP04, CP11, CP12, CP14 (CS) SAL.PFSD1, SAL.DPL1, SAL.DPL2, SAL.DPL3, SAL.CC1, SAL.CC2, SAL.CC7, SAL.UP7, SAL.UP9 (SAAPLP) Affordable Housing SPD Planning Obligations SPD Design Quality SPG Highway Design Guide Sections 4, 6, 7,11,12 (NPPF) Planning Practice Guidance Noise Policy Statement for England
Reason for Referral to Committee	'Major' planning application
Recommendation	REFUSAL

1.0 Site Location and Description

1.1 The application site consists of a strip of previously developed land of approximately 0.34 hectare (0.8 acre) situated between the railway line and Lynwood Drive within the centre of Blakedown, and is bounded by residential properties. Historically the site formed the goods yard for the railway, subsequently being used as a depot for Callow Oils, and recently has become vacant and derelict. The site is separated from Lynwood Drive by a substantial tree screen.

14/0661/OUTL

- 1.2 Whilst being within the settlement boundary of Blakedown it falls outside the residentially allocated area for the settlement.
- 1.3 The proposal is submitted in outline form, with access and siting to be determined at this stage, and seeks for 16 residential properties and provision of car parking for the railway station consisting of 5 parking spaces.

2.0 Planning History

There are number of applications in relation to the depot the following are the relevant application in recent years.

- 2.1 WF.0046/95 – Four Detached Dwellings : Refused 25/04/95; Appeal Dismissed 14.02.96.
- 2.2 WF.0148/05 – Extension of existing yard for car parking (temporary storage pending delivery) : Refused 18/4/05.
- 2.3 06/0836/FULL - Temporary consent for single storey office extension & 10 additional car parking spaces for a period of 2 years : Refused 05/10/06.
- 2.4 08/0107/FULL - Change of use to car park, landscaping and ancillary works : Withdrawn.
- 2.5 08/0430/FULL - Change of use to car park, landscaping and associated works : Approved 06/11/08.

3.0 Consultations and Representations

3.1 Churchill and Blakedown Parish Council – Objection and recommend Refusal.

1. This site is not included in the Site Allocations Plan and is not an exception site.
2. The density is too great in relation to the surrounding area.
3. The site is environmentally unsuitable as the dwellings would be undesirably close to the railway line, causing excessive noise pollution.
4. The development would involve the removal of all the trees along Lynwood Drive frontage, thereby subjecting the existing the existing residents in that road to considerably more noise pollution.
5. The loss of these trees would have an adverse affect on local wildlife.
6. Parking problems close to the station will be increased.
7. There is no provision for any affordable dwellings in the application.
8. It is noted that the red line depicting the application site does not extend to the highway boundary of Lynwood Drive and, therefore, none of the vehicular or pedestrian accesses to the highway are within the application site.

14/0661/OUTL

- 3.2 Highway Authority – No objection subject to conditions.
- 3.3 Environment Agency – No objection subject to contaminated land condition.
- 3.4 Arboricultural Officer – The proposed outline application will result in the removal of a number of trees that currently screen the Callow Yard from the residents of Lynwood Drive. They also act as a sound barrier for activities within the yard and the busy train line.

The line of conifers on the boundary of the yard has a planning condition attached to them to the effect that they must be retained to lessen the effect of noise from the yard. Obviously, if the space is no longer used as a yard the condition will no longer need to be in place.

Although I'm happy for the trees to be removed to facilitate a development on the land, there will need to be a new screen of suitable hedging on the boundary with the railway line to act as a new screen.

- 3.5 Countryside and Conservation Officer – No objections. This application comes with an appropriate and comprehensive ecological study. The ecologist has found no issues to address and has recommended some bird and bat boxes as ecological enhancement. I am happy this application proceeds from a biodiversity perspective.
- 3.6 Conservation Officer – No objections in principle, subject to suitable conditions. This application affects two heritage assets included on the Local Heritage List for Churchill and Blakedown: 1 & 2 Station Cottages, Station Drive, LHL refs: CB059 and CB060, also included on the Worcestershire HER ref: WSM42878. Whilst I have no objections in principle to the development of the residential dwellings, I have some concerns about how the proximity of the car park between the cottages and the railway line might affect these heritage assets. The erection of a boundary wall or fence between the cottages and the car park could harm their setting, which is important as they were built by and to serve the railway. I think it's vital that they remain visually connected to the railway.

I am concerned that the narrow car park could create issues for the owners of the cottages: particularly there appears to be the risk of impact damage from vehicles trying to manoeuvre into the parking spaces in a plot which is not provided with a turning space. It might be worth suggesting that a more workable layout could be achieved by creating an exit from the car park onto Lynwood Drive, but this might require the re-positioning of the dwellings within the plot for this to succeed.

- 3.7 Worcestershire Archive & Archaeology Services - No comments received.

14/0661/OUTL

3.8 Crime Prevention Design Advisor - No objections to this application. I note that acoustic fencing is recommended at the rear of the properties. The fencing chosen should also be capable of providing a good level of perimeter security as well.

3.9 Worcestershire Regulatory Services (Noise) - In reference to the above application. Further to the original report from Hepworth Acoustics and their letter of 14 January 2015 I make the following comments regarding noise levels in the proposed gardens.

This information has now confirmed, which was absent from the original report, that with a fence 2.5m high along the boundary with the railway a sound level of 60dB $L_{Aeq, 16hr}$ would be achieved. This sound level is 5dBA above the upper value given in BS8233 and 10 dBA above the desirable level of 50 dBA from the Standard, the latter being the sound level that WRS would recommend not to be exceeded. It is recommended that the calculated sound level of 60 dBA would be too high for acceptable development at this location.

3.10 Worcestershire Regulatory Services (Contaminated Land) – No Objections subject to conditions

3.11 Planning Policy Manager - The site lies within the settlement of Blakedown. The relevant policies are set out within the National Planning Policy Framework (NPPF), the Adopted Core Strategy and the Site Allocations and Policies Local Plan. My comments relate to the principle of residential development on the site and the requirements for affordable housing.

The National Planning Policy Framework establishes the presumption in favour of sustainable development. Planning applications which accord with an up-to-date plan should be approved, where the plan is absent or silent on an issue, planning applications should be approved unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the Framework taken as a whole; or specific policies in the Framework indicate development should be restricted. The NPPF also sets out policy relating specifically to housing development and states that, '*Housing applications should be considered in the context of the presumption in favour of sustainable development. Relevant policies for the supply of housing should not be considered up-to-date if the local planning authority cannot demonstrate a five-year supply of deliverable housing sites.*'

The Wyre Forest District Core Strategy was adopted in December 2010. It sets out the strategic development policies for the District and establishes a settlement hierarchy. Policy DS01 establishes the settlement hierarchy. Blakedown is identified as a village within the settlement hierarchy and the types of development which are established within the policy as being appropriate are; housing to meet local needs, local services and small scale rural employment.

14/0661/OUTL

Furthermore, policy DS04 – Rural Regeneration states that *‘New residential development in the District’s villages, rural settlements and other rural hamlets will be to meet local housing needs only, as established through Parish Housing Needs Surveys.’*

The Site Allocations and Policies Local Plan provides more detailed planning policies. Policy SAL.UP1: Sites for Residential Development, establishes where residential development will be appropriate. The site is not allocated for residential development and does not fall into any of the categories set out at clauses i-v of the policy. The only other circumstances where residential development will be permitted is where they are in accordance with SAL.DPL2 or relevant rural development or green belt policies.

Policy SAL.DPL2 sets out four circumstances where residential development will be allowed in rural areas. The only situation which could be relevant to this application is as follows:

- 1) The site is identified by the relevant Town/Parish Council as an exception site to meet an identified local housing need.

Part 1 of the policy relates to Exception Sites and sets out a number of specific requirements as follows:

- i. The affordable housing must remain so in perpetuity.
- ii. The number, size, type mix and tenure of dwellings must not exceed the extent of identified local need.
- iii. The site must be well related to the existing built up area of the settlement in which it is located.
- iv. The scale of the scheme should be appropriate to the size and character of the settlement and must not damage the character of the settlement or the landscape.
- v. The site should be accessible to local services and facilities by sustainable modes of transport.

The policy goes on to state that *“Any enabling market housing on exception sites, that is not required to meet a specific housing type as evidenced by local housing needs assessments, must be accompanied by a robust viability assessment (as set out in Policy SAL.DPL3) in order to justify the required enabling development”*.

Local Needs Housing is defined as *“including affordable housing and market housing which addresses the established (through Parish Housing Needs Surveys, Neighbourhood Plans and Local Housing Waiting Lists) needs of different groups in the community such as but not limited to, families with children, older people, people with disabilities, service families and people wishing to build their own homes”*.

14/0661/OUTL

The proposals presented are for 100% market housing. They are not supported by a local housing needs survey and no evidence is presented to demonstrate that the site is supported by the Parish Council. The site does not provide any affordable housing. Whilst it is acceptable for exception sites to deliver market housing to meet a specific identified housing need, paragraph 5.18 of the Affordable Housing SPD is clear that where such sites deliver market housing policy CP04 of the Adopted Core Strategy will apply. Therefore, as the site lies within a rural area and the proposals are for market housing and incorporate more than 6 new dwellings, it would need to deliver a minimum of 30% affordable housing or be supported by a robust viability appraisal, which meets the requirements of Policy SAL.DPL3 of the Site Allocations and Policies Local Plan in order to be acceptable in policy terms.

With regard to clauses iii-v of policy SAL.DPL2, the site is considered to be well related to the existing settlement and it is accessible to local services and facilities by sustainable modes of transport. It is for the decision maker to determine whether or not the proposal is appropriate to the size and character of the settlement, and its impact on the character of the settlement and the landscape.

In conclusion, the current application does not meet the requirements of policies DS01 and DS02 of the Adopted Core Strategy or policies SAL.DPL1 and SAL.DPL2 of the Site Allocations and Policies Local Plan because no evidence has been presented to demonstrate that the proposals are supported by the Parish Council; that the proposals are to meet housing needs identified through a Local Housing Needs Survey, a Neighbourhood Plan or the housing waiting list. The proposals are not in accordance with Policy CP04 of the Adopted Core Strategy because they do not deliver any affordable housing and are not supported by a robust viability assessment to justify this as required by Policy SAL.DPL3 of the Adopted Core Strategy.

The current application is not supported by a current housing needs survey demonstrating that there is a need for the development within the location and demonstrating a specific need for the particularly size and mix of dwellings. Therefore, as presented the proposals are contrary to policies DS01 and DS04 of the adopted Core Strategy and policies SAL.UP1 and SAL.UP2 of the Site Allocations and Policies Local Plan.

- 3.12 Strategic Housing Services Manager – Do not support this application due to lack of affordable housing as required by policy.
- 3.13 Network Rail – No objection. One thing to consider though is that if the access road directly adjacent to the level crossing is being converted into parking as part of the same scheme then the risk of blocking back over the crossing is still possible. With that in mind Network Rail still propose that the original mitigations that were suggested (keep crossing clear signs, yellow box markings) are retained and funded by the developer
- 3.14 Severn Trent Water – No objection subject to conditions.

14/0661/OUTL

3.15 Neighbour/Site Notice – 30 Neighbour comments received raising the following issues:

- Tree screen should remain to protect existing residents. Loss will adversely impact on wildlife.
- Close proximity of new dwellings would result in loss of privacy, particular given the levels of the site.
- Parking spaces shown on steep slope.
- Impact of new parking area on existing parking at Station Cottages.
- Too many houses being built in Blakedown. No need for further development.
- Car park for station is urgently required. Development in Hagley will increase this need.
- Development in Blakedown should meet Local Needs – this does not.
- The noise from trains will now adversely impact on residents.
- Loss of view from properties due to loss of trees and the construction of new properties.
- Impact of additional cars using Lynwood Drive – children play in street. Lynwood drive inadequate in width to accommodate additional vehicles.
- Access from Station Drive is limited due to parking for the station.
- Loss of tree lined character of Lynwood Drive.
- Increased pressure of local services.
- Overdevelopment of the site – 42.2 dwellings to the hectare.
- Structural Stability and Contamination of the site.
- Drainage of the site will adversely impact on other properties.
- Covenants on the land.

4.0 Officer Comments

POLICY CONTEXT AND PRINCIPLE OF DEVELOPMENT

4.1 Whilst the National Planning Policy Framework (NPPF) sets out the golden thread of the presumption in favour of sustainable development, it advocates the plan led system. The Adopted Wyre Forest Site Allocations and Policies Local Plan was adopted following the introduction of the NPPF as such is an up to date plan. Although the Core Strategy was adopted prior to the NPPF, it is a material consideration and weight can be afforded in line with its consistency with the NPPF.

4.2 Policy SAL.DPL1: Sites for Residential Development, sets out the strategic policy for residential development within the District, allocating specific sites within District and focusing ‘windfall’ housing on previously developed land within the urban areas of Kidderminster, Stourport and Bewdley. The policy concludes *“Residential development outside of the locations indentified...will not be permitted unless in accordance with policy SAL.DPL2: Rural Housing, or relevant Rural Development and Green Belt Policies.”* The application site being in Blakedown and not within a specially allocated area would thus fall outside Policy SAL.DPL1, it therefore follows to consider whether the development would fall within Policy SAL.DPL2.

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- 4.3 Policy SAL.DPL2: Rural Housing covers the provision of housing outside the areas identified within Policy SAL.DPL1 and sets out the following four exceptional circumstances where development is permitted in rural areas;
- The site is identified by the relevant Town/Parish Council as an exceptions site to meet an identified local housing need.
 - The site is required to meet an established existing functional need for a rural worker's dwelling.
 - It is for the replacement of a permanent existing lawful dwelling,
 - The site is subject to a Community Right to Build Order.
- 4.4 The development as proposed does not fall within any of these categories, and whilst consideration will be given to the issue of viability and affordable housing later in the report, it is sufficient to say at this juncture that the proposal have not been promoted by the Parish Council and does not fall within the remit of enabling development.
- 4.5 The policy does indicate other rural housing that may be permissible under other policies such as rural building conversion and sub-division. However it is evident that the development of the application site for market housing is not supported by the up-to-date policy framework.
- 4.6 The NPPF does promote sustainable development and the need to provide housing across the Country. This consideration takes the form of three strands, economic; social; and environmental. These are mutually dependant and should not be judged in isolation. The applicant's agent has set out how they feel that development will contribute to these aims. Whilst these arguments carry weight, in light of the Council's strong housing land supply and up to date policy framework it does not outweigh the strategic approach of the Council to providing housing within its District.
- 4.7 The development of residential dwellings is therefore contrary to Policy and unacceptable in principle. There are additional detailed matters which add to this unacceptability which are discussed below. It should be noted that car parking aspect of the scheme is acceptable in policy terms.
- AFFORDABLE HOUSING, CONTRIBUTIONS AND VIABILITY**
- 4.8 The applicant's position has been clearly made in that the development provides 100% market housing with no S.106 contributions to education or public open space, due to the claimed viability of the development of this site.

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- 4.9 The Council's Supplementary Planning Document on Affordable Housing provides a relevant summary of the policy context in respect of viability stating:

Economic viability is a significant issue affecting the delivery of affordable housing. The National Planning Policy Framework sets out the importance of ensuring the viability and deliverability of plans (paragraphs 173-177). Paragraph 173 states that 'The sites and scale of development identified in the plan should not be subject to such a scale of obligations and policy burdens that their ability to be developed viably is threatened' (p.41).

Whilst a general viability study considered the deliverability of the overall development strategy having regard to the affordable housing requirement and other developer contributions, it is necessary to allow the consideration of these issues in more detail on a site-by-site basis. Therefore, policy CP04 makes provision for the financial viability of sites to be taken into consideration in negotiating the delivery of affordable housing. Therefore it is possible for development to be approved which delivers less than the standard 30% affordable housing requirement. The Site Allocations and Policies Local Plan provides greater detail on the consideration of financial viability in negotiating the level of affordable housing to be delivered on a site-specific basis.

- 4.10 The development appraisal submitted by the Applicant's Agent has been independently assessed by the Valuation Office, who agrees with the applicant's position that a 100% affordable housing scheme is not a viable proposition. There is however a disagreement between the two parties as to whether any affordable housing provision can be accommodated on the site and if so by what extent. However it is clear that the policy compliant position cannot be achieved and by accepting the developers position, the development will provide no social or community benefits, other than utilising a piece of derelict land.
- 4.11 The work on viability has established a clear position and probably explains the reasoning why the land has not been included as part of residential allocation in the current or previous plans, in accordance with NPPF. The applicant's stand point that this site is undeliverable unless unfettered from S.106 obligations would add to the unacceptable nature of the site in principle.

NOISE IMPLICATIONS

- 4.12 The site is located directly adjacent to the railway line with the properties being within approximately 6m of the running line. A noise and vibration survey has been produced which has been assessed by Worcestershire Regulatory Services.

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- 4.13 The noise assessment identifies high levels of noise on average 71dB $L_{Aeq,16hr}$ at the boundary. The assessment does demonstrate the frequency of high noise levels due to trains passing approximately every 7 minutes and sounding of horns, which can reach 100db L_{Amax} , the quieter periods of time are between midnight and 5am. A scheme of mitigation has been proposed for the dwellings in respect of glazing to mitigate the noise internally and acoustic fencing to the rear gardens.
- 4.14 The British Standard on 'Guidance on sound insulation and noise reduction for buildings' (BS 8233:2014) sets out the desirable requirement for internal noise levels not to exceed 35 db $L_{Aeq,16hr}$ in living rooms and bedrooms during daytime hours and 30 db $L_{Aeq,16hr}$ in bedrooms during night time hours. The internal noise levels may be achievable with the mitigation proposed and subject to verification assessments Worcestershire Regulatory Services would be satisfied with this consideration.
- 4.15 In respect of external noise in garden areas, the British Standard is clear and paragraph 7.7.3.2 is repeated below;

For traditional external areas that are used for amenity space, such as gardens and patios, it is desirable that the external noise level does not exceed 50 $dB L_{Aeq,T}$, with an upper guideline value of 55 $dB L_{Aeq,T}$ which would be acceptable in noisier environments. However, it is also recognized that these guideline values are not achievable in all circumstances where development might be desirable. In higher noise areas, such as city centres or urban areas adjoining the strategic transport network, a compromise between elevated noise levels and other factors, such as the convenience of living in these locations or making efficient use of land resources to ensure development needs can be met, might be warranted. In such a situation, development should be designed to achieve the lowest practicable levels in these external amenity spaces, but should not be prohibited. Other locations, such as balconies, roof gardens and terraces, are also important in residential buildings where normal external amenity space might be limited or not available, i.e. in flats, apartment blocks, etc. In these locations, specification of noise limits is not necessarily appropriate. Small balconies may be included for uses such as drying washing or growing pot plants, and noise limits should not be necessary for these uses. However, the general guidance on noise in amenity space is still appropriate for larger balconies, roof gardens and terraces, which might be intended to be used for relaxation. In high-noise areas, consideration should be given to protecting these areas by screening or building design to achieve the lowest practicable levels. Achieving levels of 55 $dB L_{Aeq,T}$ or less might not be possible at the outer edge of these areas, but should be achievable in some areas of the space.

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- 4.16 The noise assessment and supplementary letter by the Applicant's consultant has demonstrates that the upper level of 55 dB within the garden areas cannot be achieved. A level of 55.6 dB with the installation of 5m high acoustic fence could be achieved, however this is not considered to be appropriate as it would compromise the amenity of the short, 6m long gardens. The mitigation measures propose a 2.5m high screen that will wrap around the development this will achieve a reduction of 11.1 dB resulting in average levels throughout the day of 62.2 dB.
- 4.17 This exceeds the upper levels as recommended and is justified on the basis of the paragraph above and the need to arrive at a *"compromise between elevated noise levels and other factors, such as the convenience of living in these locations"* given the close proximity of the railway station. On this basis the levels as indicated are submitted by the applicant as being acceptable as the best practicable levels for this site.
- 4.18 Worcestershire Regulatory Services have objected to the proposal on the basis of the noise levels in the garden areas. It is evident that noise levels will be excessive and given the frequency of rail movements and the maximum levels show that little amenity will be afforded to the garden areas. This is particularly relevant due to the minimal size of gardens proposed for these properties. It is appreciated that in certain circumstances where development is strategically important that a compromise achieving best practicable levels might be argued, however this site is not strategically important and in fact, as stated above, is not policy compliant. The only consideration therefore is that of convenience of living adjacent to the station, which given the noise related considerations above does not outweigh the harm that would be caused.
- 4.19 This unacceptability in respect of noise adds to the unsuitability of the site for residential.

SITING AND DENSITY OF DEVELOPMENT

- 4.20 The NPPF seeks for development to maximise the use of land and as such Policy CP05 of the Adopted Wyre Forest Core Strategy sets out a minimum density of 30 dwellings per hectare. However, it is clear that density levels should be commensurate with the character of the local area.
- 4.21 The proposed developed proposes 16 dwellings at a density of 47 dwellings per hectare. The layout proposed is mainly in a linear form facing Lynwood Drive with 6 of the properties to the south west of the site being orientated at 90 degrees to Lynwood Drive. Garden lengths for the dwellings to the north east are approximately 6m in length with those to the south west being approximately 10m in length. The density and characteristics of the properties as proposed do reflect the general characteristics of the properties in Lynwood Drive, which has a similar density of approximately 47 dwellings per hectare. It would be difficult to argue that the proposal would be out of character or that an overdevelopment of the site is proposed. On balance it is considered that the design of the scheme is acceptable.

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- 4.22 The layout of the 5 car parking spaces to serve the railway station is in linear form and offers no detriment to character of the area.

IMPACT ON RESIDENTIAL AMENITY

- 4.23 The layout shows properties within close proximity, although where directly facing, normal window to window separation distances of approximately 20m are achieved. The closest residential property to the development is Stourton House. Details have been provided as to how window to acceptable window relationships can be achieved through the use of obscure glazed windows. Where properties are shown to be 90 degrees to the road, there are separation distances of approximately 24 to 27m. This is acceptable for normal separation distances even taking account of the levels differences. It should be noted that a residential development of 4 dwellings was refused and dismissed on appeal in 1995 due to the impact of new dwellings on properties in Lynwood Drive. However it is my view that such an argument would not, under the current policy and legislative framework, be supported.
- 4.24 However, issues arise at the south west end of the site where properties adjoin properties in Swan Close. This part of the site was not included within the submitted topographical assessment, however historical data exists from the development of 'The Pines' (an extension to Lynwood Drive) that there is an approximate level difference of 4m between the application site and no. 19 Swan Close. The proposal indicates the use of an acoustic boundary fence of 2.5m within 9m of the property. The resulting impact of the boundary treatment at 6.5m in height would result in a dominating impact on no. 19 Swan Close and its garden and would, in my view, cause loss of amenity to the property. In addition the difference in levels in this location also results in first floor windows being approximately 8m above the properties in Swan Close, would be more akin to a three storey property. This poor interrelationship and difference in levels will leave properties in Swan Close, in particular no.19, vulnerable to overlooking of garden areas and maybe into windows. It is appreciated that the properties could be designed to reduce this impact, however the current plan shows plot 16 as a three bed unit and it is difficult to envisage how the internal layout could be arranged without having a negative impact on adjoining properties.
- 4.25 The proposed car parking will have an impact on nos.1 and 2 Station Cottages, however this impact has to be balanced against current/potential use of the site and the background impact of the existing station. On this basis I do not feel that 5 spaces in this location will cause any adverse harm to these properties over and above that experienced at the present time, or in the recent past.

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HIGHWAYS AND ACCESS

- 4.26 Access for the residential development will be from Lynwood Drive with 10 units having direct access and 4 being accessed via a private drive. Parking spaces are provided for each property in line with the current parking standards set out in the adopted Highway Design Guide. The Highway Authority has been consulted and raised no objections regarding the access or parking provision for the development. Whilst residents have raised issues in respect of the width of carriageway and parking associated with the station within Lynwood Drive and Station Drive, the Highway Authority maintains its position that the development is acceptable. On the basis of this response it has to be concluded that there are no highway issues in respect of the residential development.
- 4.27 The parking spaces serving the railway station will be accessed from Station Drive. Although this access is directly adjacent to the level crossing, the use of Lynwood Drive for the main access to the site results in a decrease in traffic using this junction. Both Network Rail and the Highway Authority have no objections to the use of this access for the five car parking spaces proposed.

OTHER ISSUES

- 4.28 Issues have been raised from neighbours in respect of contamination and stability, however the geo-technical reports submitted do not support such claims and concludes that there are no contamination issues which will prevent the development. Indeed in this regard a no objection response has been received from Worcestershire Regulatory Services and the Environment Agency.
- 4.29 It is acknowledged that the trees lining Lynwood Drive would be removed. The Arboricultural Officer has raised no objection to the loss of the trees and although it may expose the existing residents to increased noise from the railway this will be mitigated through the properties that are constructed.

5.0 Conclusions and Recommendations

- 5.1 The proposed residential development site for market housing is outside areas identified for residential purposes within Policies SAL.DPL1 and SAL.DP2. No affordable housing or other required contributions have been offered due to claims made regarding the financial viability of the development of the site.
- 5.2 The location of the development adjacent to the railway line results in high levels of noise that cannot be adequately mitigated, and as such future residents would be exposed to unacceptable noise and the inability to provide suitable and appropriate amenity space.

14/0661/OUTL

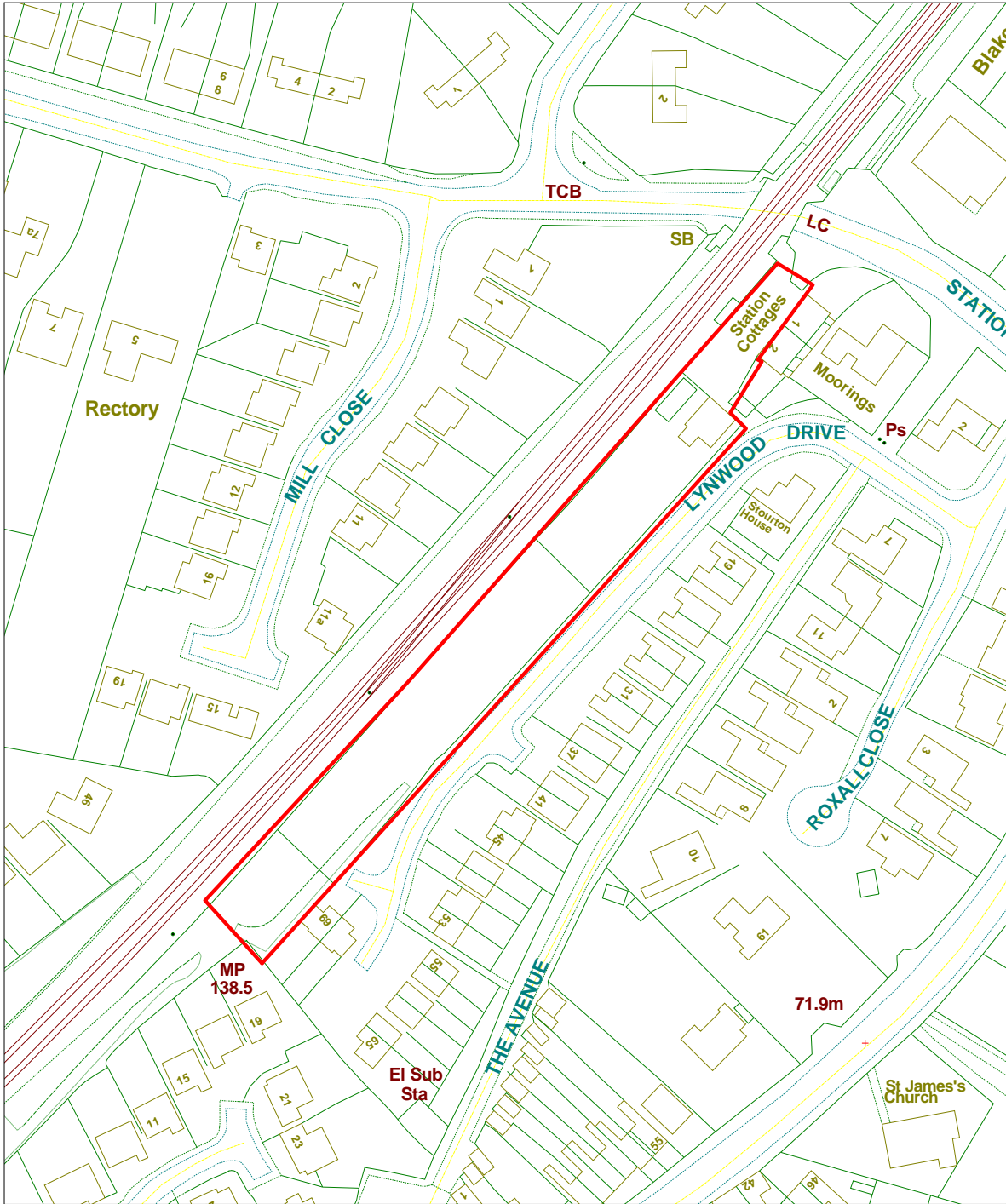
5.3 Whilst the layout and access provision are considered to be acceptable, due to the difference in levels between the south western part of the site and properties in Swan Close the proposed dwellings will adversely impact on neighbours amenity causing overlooking and domination. These additional negative aspects of the scheme add to the unacceptable nature of the site.

5.4 It is therefore recommended that the application be **REFUSED** for the following reasons:

1. The proposed residential development site for market housing is outside areas identified for residential purposes within Policies SAL.DPL1 and SAL.DP2. It is considered that there are no material circumstances in this case that would outweigh these objectives, particularly given that the Council has in excess of the requisite 5 year supply of housing land, the lack of social benefits afforded by the scheme; and, additional harm that would be caused through issues identified in reasons 2 and 3 below. To allow the proposed development of this site in these circumstances would therefore be contrary to Policies DS01 and DS04 of the Adopted Wyre Forest Core Strategy, Policies SAL.DPL1 and SAL.DPL2 of the Adopted Wyre Forest Site Allocations and Policies Local Plan and the Government Guidance as set out in the National Planning Policy Framework.

2. The site is located adjacent a busy railway line. The submitted noise assessment has identified high levels of noise that will have an adverse impact on the proposed development of the site. The proposed mitigation strategy will not provide adequate quiet amenity space for the proposed dwellings and will result in an unacceptable environment for future occupiers of the proposed dwelling houses. To allow the development in these circumstances would be contrary to paragraph 123 of the National Planning Policy Framework and the Noise Policy Statement for England.

3. The south-western part of the development site is at a higher level than properties in Swan Close. Due to the interrelationship of these dwellings, the difference in levels, proposed boundary treatment and position of plot 16 it is considered that significant loss of amenity will occur, particularly to No.19 Swan Close, by virtue of overlooking and a dominating impact. To allow the development in these circumstances would be contrary to Policy CP11 of the Adopted Wyre Forest Core Strategy, Policy SAL.UP7 of the Adopted Wyre Forest Site Allocations and Policies Local Plan, the Council's SPG on Design Quality and Government Advice in the National Planning Policy Framework.



ECONOMIC PROSPERITY AND PLACE DIRECTORATE

**LAND AT STATION YARD
OFF LYNWOOD DRIVE, BLAKEDOWN, DY10 3JZ**

Date:- 08 July 2015

Scale:- 1:1250

OS Sheet:- SO8778NE

Crown Copyright 100018317 2014

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



WYRE FOREST DISTRICT COUNCIL

PLANNING COMMITTEE
21ST JULY 2015

PART B

Application Reference:	15/0292/FULL	Date Received:	28/05/2015
Ord Sheet:	384511 277817	Expiry Date:	23/07/2015
Case Officer:	James Houghton	Ward:	Broadwaters

Proposal: Two storey side extension

Site Address: 50 JAMES ROAD, KIDDERMINSTER, DY10 2TR

Applicant: Mr & Mrs Taylor

Summary of Policy	CP11 (CS) SAL.UP7, SAL.UP8 (SAAPLP)
Reason for Referral to Committee	The applicant is a serving Wyre Forest District Council Officer or is an immediate family member
Recommendation	APPROVAL

1.0 Site Location and Description

1.1 The application property is a detached, hip roofed, brick built dwelling set back from the road behind a driveway and gardens. The property occupies a wedge shaped site which opens to the north and benefits from a mono pitch roofed garage to the side.

2.0 Planning History

2.1 None relevant.

3.0 Consultations and Representations

3.1 Highway Authority – No objections.

3.2 Neighbour/Site Notice – One letter of objection has been received. The objection is on the grounds that the proposed extension would have a detrimental impact on the levels of light currently enjoyed in the side entrance to the neighbouring property and also on the first floor landing which has a window to the side. It is also suggested that the proposed extension would overlook the rear door at no. 49. The correspondent requests that courtesy is shown in working hours, noise and dust suppression.

15/0292/FULL

4.0 Officer Comments

- 4.1 The application seeks approval for the addition of a two storey side and rear extension with single storey elements to the front and side. The extensions would provide a relocated dining room, a utility room and w.c, a garage/store at ground floor and two bedrooms and a bathroom at first floor.
- 4.2 The proposed extension is considered appropriate in terms of both scale and design relative to the original detached dwelling. The first floor of the proposed extension would be set back 2.75m from the front elevation of the original property resulting in a clear demarcation between the original building and the proposed extension which would, as a result, appear subservient. The extension would appear proportionate to the original building and would not serve to overwhelm or unbalance the original dwelling. The proposed extension would offer no detriment to the character and appearance of the property, to the street scene or to the character of the area.
- 4.3 It is noted that the neighbouring property, no. 49, benefits from a doorway at ground floor and a first floor window in the side elevation. It has been established that the doorway serves a hallway and that the window serves a stairwell and landing and, as such, neither relate to a habitable room. The proposed extension features no windows in the side elevation this, coupled with the orientation of the property relative to the site boundary, which minimise any potential impact on privacy. The proposed extension would be considered to offer no significant detriment to the amenity enjoyed by the occupants of neighbouring dwellings in terms of the levels of light, privacy or outlook currently enjoyed.

5.0 Conclusions and Recommendations

- 5.1 The proposed extension is considered acceptable in terms of both scale and design. The extension would be proportionate to, and would not overwhelm, the original dwelling. The impact on the amenity enjoyed by the occupants of neighbouring dwellings has been assessed and it considered that there would be no significant detrimental impact.
- 5.2 It is therefore recommended that the application be **APPROVED** subject to the following conditions:
1. A6 (Full with no reserved matters).
 2. A11 (Approved plans).
 3. B3 (Finishing materials to match).

Agenda Item No. 5

Application Reference: 15/0302/ADVE **Date Received:** 29/05/2015
Ord Sheet: 381679 273516 **Expiry Date:** 24/07/2015
Case Officer: Emma Anning **Ward:** Mitton

Proposal: Installation of 2No. Non-illuminated fascia signs

Site Address: WYRE FOREST HOUSE, FINEPOINT WAY, KIDDERMINSTER,
DY11 7WF

Applicant: DHJH (Mr A Hartlebury)

Summary of Policy	CP11 (CS) SAL.UP7, SAL.UP10 (SAAPLP) Section 7 (NPPF) National Planning Practice Guidance (NPPG) – Advertisements
Reason for Referral to Committee	The applicant is Wyre Forest District Council or is made on land owned by Wyre Forest District Council
Recommendation	APPROVAL

1.0 Site Location and Description

1.1 The application site is the District Council's Office building located on Finepoint Way and fronting Stourport Road, Kidderminster.

2.0 Planning History

2.1 None relevant.

3.0 Consultations and Representations

3.1 None.

4.0 Officer Comments

PROPOSAL

4.1 Two signs are proposed, one on each of the two main entrances to Wyre Forest House for the purposes of advertising the presence in the building of accountancy firm DHJH LLP. The non-illuminated signs would measure 1.2m by 0.9m, they would be constructed of aluminium composite, finished in white and branded with the 'dhjh llp' logo and contact details. Each sign would be installed 1.3m from the ground.

15/0302/ADVE

- 4.2 Policy SAL.UP10 of the Site Allocations and Policies Local Plan relates specifically to advertisements and is supportive of such signage that would not detract from the appearance and character of the area and which do not compromise the legibility of the pedestrian environment.
- 4.3 The proposed signage is of modest proportions; is not illuminated; and, would be sited in a location which would not detract from the appearance of the host building. Furthermore, it would not rival the District Council branding which would remain as the dominant feature signage of the property. I am satisfied, therefore, that the proposal is acceptable in terms of design and siting.

5.0 Conclusions and Recommendations

- 5.1 For the reasons set out above the proposal is considered to be acceptable
- 5.2 It is therefore recommended that the application be **APPROVED** subject to the following conditions:
1. L1 (Standard advertisement conditions).
 2. L2 (Removal of rights to advertise).
 3. L9 (Standard time).

Note
Identification of drawings.

Agenda Item No. 5

Application Reference: 15/0305/OUTL **Date Received:** 04/06/2015
Ord Sheet: 383975 278476 **Expiry Date:** 03/09/2015
Case Officer: Paul Round **Ward:** Wyre Forest Rural

Proposal: Outline Planning Application for up to 46 dwellings with all matters reserved other than access

Site Address: SITE OF FORMER SION HILL MIDDLE SCHOOL, SION HILL, KIDDERMINSTER, DY10 2XT

Applicant: Kidderminster Homes Ltd

Summary of Policy	DS01, DS04, CP01, CP02, CP03, CP04, CP05, CP11, CP12, CP13, CP14 (CS) SAL.PFSD1, SAL.DPL2, SAL.CC1, SAL.CC2, SAL.CC7, SAL.UP1, SAL.UP3, SAL.UP4, SAL.UP5, SAL.UP6, SAL.UP7, SAL.UP9, SAL.PDS1 (SAAPLP) Design Quality SPG Planning Obligations SPD Affordable Housing SPD Landscape Character Assessment Highway Design Guide (LTP3) Paragraph 14 and Sections 3, 4, 6, 7, 8, 9,11, 12 (NPPF) National Planning Practice Guidance
Reason for Referral to Committee	'Major' planning application
Recommendation	DELEGATED APPROVAL subject to Section 106 Agreement

1.0 Site Location and Description

- 1.1 The application site forms a 1.7 ha (4.3 acre) piece of land that is occupied by the now disused Sion Hill Middle School. The site fronts onto Sion Hill and whilst being within the Parish Boundary of Wolverley and Cookley lies directly adjacent to the Kidderminster Town Boundary. Residential properties on Lea Castle Close, Ismere Way and Sion Hill are directly to the south, a property known as 'The Cottage' to the north, properties at Sion Hill House to the west and playing fields to the east.
- 1.2 The school became redundant following the Wyre Forest Review in 2007/8, and has remained unused since that time. The site consists of school buildings, a caretaker's house, storage buildings, water tower, temporary building and woodland area. To avoid ambiguity the application site boundary does not include the playing fields to the east which are in the ownership of the County Council.

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- 1.3 The application site constitutes previously developed land and falls with the West Midlands Green Belt. It therefore falls to be considered as a Previously Developed Site in the Green Belt as defined by the National Planning Policy Framework (NPPF) and the Adopted Wyre Forest Site Allocations and Policies Local Plan. A Public Right of Way runs east to west along the southern boundary of the site. Sion Hill House, which is a grade II listed Building, is also in close proximity. The trees on the site are covered by a Tree Preservation Order.
- 1.4 The application is submitted in outline form seeking for residential development of up to 46 dwellings following demolition of all existing structures on the site. Access to the site is to be determined as part of this application.
- 1.5 This is a re-submission of the previous application which was withdrawn, despite a Planning Committee resolution to approve the application, following financial viability concerns from the Applicant. This application is submitted in identical form as the previous, albeit with a reduced number of affordable units from the scheme previously considered by this Committee. This report will duplicate in the main the previous report as the considerations are identical, additional commentary will be provided on affordable housing to set out the current position in light of financial viability issues.
- 1.6 The application has been submitted with the following supporting documents:
 - Planning Statement.
 - Design and Access Statement.
 - Landscape and Visual Impact Assessment.
 - Community Involvement Report.
 - Flood Risk Assessment.
 - Soakaway Test.
 - Geo-Environmental Report.
 - Transport Statement.
 - Affordable Housing Statement.
 - Archaeological Assessment.
 - Sustainability Assessment.
 - Utility Statement.
 - Tree Survey.
 - Bat Survey.
 - Ecological Habitat Survey.
 - Acoustic Survey.
 - Air Quality Assessment.
 - Structural Demolition Statement.

2.0 Planning History

- 2.1 14/0541/OUTL - Outline Planning Application for up to 46 Dwellings with all matters reserved other than access : Withdrawn.

15/0305/OUTL

3.0 Consultations and Representations

- 3.1 Wolverley and Cookley Parish Council – Recommend Approval.
- 3.2 Highway Authority – No objections subject to conditions.
- 3.3 Aboricultural Officer – No objection subject to conditions.
- 3.4 Countryside and Conservation Officer – An additional walk over badger survey should be recommended prior to any works and a reptile assessment if the site remains un-developed. Additional nocturnal bat surveys of the site, should be conditioned so that can be used to build a suitable landscaping and lighting plan. We should also look to include some built in bat features into the proposed building to provide some enhancement. The landscaping should also look at trying to include some acid grassland patches on any communal grassed areas help the development fit into the ecological landscape
- 3.5 Conservation Officer - Although the building is undoubtedly a heritage asset, it does not appear on any statutory or non-statutory list. I have sent some initial information on the school to the Worcestershire Historic Environment Record to create a record of the building for the future, however it should be noted that this process in itself does not attach any significance to the structure.

I have discussed the proposal with the 20th Century Society, who were aware of the proposed demolition. However the 20th Century Society would not be making a formal application to have the building added to the National Heritage List for England.

SIGNIFICANCE

In the absence of any meaningful analysis of significance of the buildings from the applicants, as required by the NPPF, I provide the following information:

The school buildings are by Sir Frederick Gibberd, and reference to Pevsner reveals that they were constructed in 1958-9.

Frederick Gibberd (kt.1967, d.1984), architect and town planner, came to prominence as an architect with Pullman Court (1933-6), one of the first developments of flats in the International Modern style built in Britain. Later he was the Master Planner of Harlow New Town and architect of Heathrow Airport and Liverpool Metropolitan Cathedral. He and his practice were also responsible for numerous urban design projects in England, power stations, commercial buildings, and the London mosque in Regent's Park. He also landscaped a number of reservoirs. (Source: English Heritage).

Of Gibberd's 12 listed buildings in England, none are schools.

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The buildings represent a largely (structurally) unaltered school complex of the late 1950's, with an internal quadrangle and detached ancillary elements including stores, cycle sheds, caretakers house and water tower.

The principal construction material is reinforced concrete with brick and glazed infill.

Although by a nationally significant architect, the buildings lack those qualities defined by English Heritage in their guidance on the selection of school buildings for designation:

To date, relatively few post-war schools have been listed despite it having been a most innovative period, and strict selection will be necessary because so many were built. The main questions to ask are: is it a system-built school that compares well with examples already listed? Does it use traditional construction in a novel way? Is the planning innovatory, for instance in encouraging constructive play or group working? Is it centred on a library resource or sports facility in a notable way? Is it enriched with significant art? For secondary schools, are distinctions such as grammar, technical, secondary modern or comprehensive expressed imaginatively in their plans and provision? Is it a major work by a significant architect, or a good example of a work by a progressive authority? A secondary school will generally have an overall architectural stylishness as well as being innovative in its construction or plan for listing to be warranted.

Whilst Gibberd's design reflects the aesthetics of that era, these aesthetics have been compromised by the introduction of UPVC windows and many replacement internal fittings, thus the buildings do not possess the degree of intactness required to warrant designation.

I visited the site on 7th November 2014 by arrangement with the owners to assess the suitability of the building for inclusion on the Local Heritage List.

In this respect I think the buildings qualify for inclusion on the Local Heritage List by satisfying these key selection criteria:

2: Architectural Interest: Unusual quadrangle and detached water tower

3: Social and Communal Value : Secondary School for the north of Kidderminster since 1959

4: Associated with famous people : Frederick Gibberd, Architect of national repute

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However, it is clear that in the past year the condition of the building has deteriorated markedly. Very many windows have been broken allowing water ingress and there is evidence of the systematic stripping out and theft of cabling, piping and metals generally. With the opening up of pipe work and other ducts the interior of the building is generally unsafe to enter without protective equipment and poses a risk to visitors in terms of unknown hazards such as asbestos, sharp edges, voids and water ingress.

CONCLUSION

I have reluctantly come to the conclusion that unless these buildings can be brought back into educational, institutional or commercial use, they are now redundant, and possibly beyond economic repair. Whilst meriting inclusion on the Local Heritage List they lack the qualities to justify designation.

As the proposals will entail the complete loss of significance of the heritage asset I think that rather than add the building to the Local Heritage List, it would be sensible instead to require a recording of its demolition to be provided to the Worcestershire Historic Environment Record. Perhaps it would be feasible for the developers to set up a time-lapse camera to record the demolition?

- 3.6 Worcestershire County Council Children's Services - The County Council has decided to request that both St Oswald's CE Primary School and Wolverley Sebright VA Primary School be named in the Section 106 agreement, along with the secondary school. At such time as the contribution is received by the County Council, likely to be on occupation of one third of the dwellings on the site, the County Council will determine which project or projects at the named schools are highest priority for funding.

Projects can only be considered if they support Basic Need i.e. the capability of the school to take additional pupils and are Capital in nature. Examples of this type of projects are:

- Additional class bases
- SEN facilities
- Additional toilets or toilet refurbishment

- 3.7 Worcestershire County Council Property Services - The land to the rear which belongs to WCC is not to be sterilised by possible future development on the school site. To this effect the owner of the front land / school has a legal responsibility to build a road connecting from the main road to the land (playing field) at the rear. This 5.5m wide road is to be built to adoptable standards, with a footway on each side.

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The contract makes several statements about the new roadway but to quote a small section "...when the property is developed over a road to be constructed on the Property by the Transferee with a 5.5. m carriageway width with a 2m footways on each side constructed to adoptable standards over a route to be agreed by the Transferor and the Transferee (both acting reasonably)..."

- 3.8 Worcestershire County Council Countryside Service – Views awaited
- 3.9 Crime Prevention Design Advisor – At the moment the proposed site contains a derelict school that has been the target for vandalism, arson, drug taking and various other criminal activities. It's demolition and the redevelopment of the site would be welcomed by the police. The developers need to be aware that the school site has gained a bad reputation over recent years because of the issues mentioned above, any redevelopment needs to be of a high standard so that it discourages any future poor behaviour. On the whole the site plan does do this. My only concern is with the number of footpaths. The footpath to the bus stop exposes the rear of a number of properties, I also think it will create an unwanted desire line through the estate that will create the potential for anti social behaviour. Therefore I suggest it be removed. The plan also shows two new footpaths linking onto the existing footpath. I suggest that only one is required, the path at the side of the sub station should be retained. The path near to plot 21 should be removed.
[Officer Comment – This is an outline application and the layout is not a consideration at this stage. The layout will be considered at the Reserved Matters stage.]
- 3.10 Worcestershire Regulatory Services [WRS] (Noise) – Views awaited.
Previous Comments: I have reviewed the WSP Technical Memorandum – Acoustic Overview submitted with the outline planning application and find that it is technically acceptable. For the demolition and construction phase it is advised that the applicant adhere to the “Code of Best Practice for Demolition and Construction Sites”.
- 3.11 Worcestershire Regulatory Services (Contaminated Land) - The following conditions are recommended applied to any permission granted to the development to address concerns identified within the preliminary risk assessment in respect of contaminated land.

Additionally standard conditions recommended by WRS for a development of this size to address local air quality issues in line with the NPPF are provided below.

CONTAMINATED LAND

WRS have reviewed the above application for potential contaminated land issues of which none have been identified. WRS therefore have no adverse comments to make in relation to contaminated land.

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AIR QUALITY

The cumulative impacts on air quality from individual sites in local areas should be determined (NPPF paragraph 124). As an alternative to undertaking an AQA the applicant can adopt mitigation measures which are aligned with County LTP Policies and may be incorporated as part of the development. This will assist in alleviating pollution creep arising in the general area. WRS therefore make the following recommendations with consideration of the National Planning Policy Framework Paragraphs 29, 35, 109, 120, 124:

- In order to make the properties ready for EV charging point installation, isolation switches must be in place so that future occupiers could easily fit the necessary socket so that a vehicle may be charged in the garage or driveway.
- AQAP Measure 5.2.10 Boiler NOX emissions from building heating systems contribute to background NOX concentrations and a condition for such boilers is recommended; (note this is also an option in BREEAM assessments and the cost of a low NOX boiler is the same as a standard boiler)

3.12 Planning Policy Manager – Views awaited.

Previous Comments: My comments are limited to firstly, the principle of whether the site in question should be considered as a Previously Developed Site in the Green Belt under the policy terms. Secondly, whether adequate consideration has been given to Local Housing Needs as required by the adopted Local Plan policies.

The proposed development falls within the Green Belt and is located immediately adjacent to Kidderminster, but falls within the rural parish of Wolverley and Cookley. Therefore in terms of the settlement hierarchy set out within Policy DS01 of the Adopted Core Strategy it falls within open countryside, where housing should be to meet local need identified through rural exception sites in appropriate circumstances. The proposed site is not allocated for residential development within the Adopted Site Allocations and Policies Local Plan (SAAPLP).

I note that the submitted Planning Statement summarises that the development proposals provide a sustainable reuse of a disused school site at the edge of Kidderminster. The proposals will retain the existing open space and vegetation within the site and, it is considered, will enhance the quality of views of the site from the surrounding area. The proposed development will not cause a greater impact on the purposes or openness of the Green Belt than the existing development.

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PREVIOUSLY DEVELOPED SITE IN THE GREEN BELT

The applicants state that the proposed site constitutes a previously developed site in the Green Belt by virtue of the fact that it is a brownfield, disused school site. Paragraph 89 of the National Planning Policy Framework (NPPF), states that construction of new buildings in the Green Belt is inappropriate unless they fall into one of 6 exceptions. Of these, the sixth exception would allow:

“Limited infilling or the partial or complete redevelopment of previously developed sites (brownfield land) whether redundant or in continuing use which would not have a greater impact on the openness of the Green Belt and the purpose of including land within it than the existing development.”

Policy SAL.PDS1 of the Adopted SAAPLP provides the Local Policy Framework to consider development on previously developed land subject to safeguards protecting the integrity of the Green Belt designation. This particular location is not specifically identified within the policy as one of the District’s Previously Developed Sites. However, I consider that by the very nature of the disused school buildings located on the site, it should evidently be classed as a brownfield site and that therefore it does constitute a previously developed site within the Green Belt.

Therefore, under these specific circumstances, the final sentence of Policy SAL.PDS1 applies to this particular proposal as follows: *“For other previously developed sites in the Green Belt, applications for development will be considered against this policy framework and the rest of the policies in the plan.”*

In my opinion, it is therefore now appropriate for the decision maker to take into account the existing built form on the site against the proposed redevelopment. This will enable an assessment on the impact on openness and visual amenity of the Green Belt to help ensure that the proposed development will not have a greater impact on the openness of the Green Belt.

HOUSING TO MEET LOCAL NEEDS

The applicant has submitted an affordable housing scheme as part of the proposal which is based on evidence of affordable housing need as set out in the 2012 Worcestershire Strategic Housing Market Assessment. The scheme is based on 30% provision of affordable housing as required by Adopted Core Strategy Policy CP04.

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However, the proposed site falls immediately outside of the Kidderminster settlement boundary within open countryside that falls into Wolverley and Cookley Parish. In accordance with Core Strategy Policy CP04 and Site Allocations and Policies Local Plan Policy SAL.DPL2 (Rural Housing), applications for residential development on unallocated sites within the rural areas are required to demonstrate how they have taken account of local housing needs as set out in the relevant Parish Housing Needs Survey.

I note that the applicant's affordable housing statement does not provide any apparent evidence of how the relevant Parish Housing Needs survey for Wolverley and Cookley has been considered. Under these circumstances, it is now for the decision maker to establish whether local housing needs have been adequately considered within the applicant's affordable housing scheme in accordance with the requirements set out in Policies CP04 and SAL.DPL2.

- 3.13 Strategic Housing Services Manager – Support 19.5% Affordable Housing, following viability appraisal, with a split of 1 beds (29%) and 2 beds (57%) and 3 beds (14%), 79% / 21% in favour of socially rented but do not support apartments for the 2 bed units.
- 3.14 Ramblers – We can confirm that we have no objections to this redevelopment but feel that the relationship between the footpath and the new dwellings could be so much better.
- 3.15 Severn Trent Water – No objections subject to condition
- 3.16 North Worcestershire Water Management - I believe this site is not at risk of flooding from any source. To ensure the development will not result in an increase in flood risk elsewhere runoff from the site should be limited to the pre-development run-off rate up to a 1 in 100 year storm plus 30% climate change.

The Flood Risk Assessment states that "it is understood through informal reporting that the existing site is served by surface water soakaway infiltration systems. Also, during the Factual Geo-Environmental Preliminary Risk Assessment visit the presence of what is believed to be a 3.6m deep soakaway was observed. Although it cannot be confirmed that the existing site drains to soakaways it is assumed that this is the case."

The Flood Risk Assessment submitted also states that the use of infiltration SuDS techniques are proposed for the development site. A Preliminary Soakaway Assessment Technical Note details that by extrapolating the results from the soakage tests (not a recommended method) an indicative infiltration rate of 1x10⁻⁵m/s has been calculated. I accept that this infiltration rate has been used for the purpose of the drainage strategy but the actual infiltration rate will need to be determined by full infiltration testing in accordance with BRE 365 at the detailed design stage, which has been recognised in the assessment too.

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I understand that if full infiltration testing results preclude the use of onsite soakaway features then discharge from attenuation features will be directed into the existing public surface water sewer on Sion Hill.

The drainage strategy details that there will be separate infiltration systems for the private areas and the public roads. Indicative calculations show that the private housing and car parking areas can be served by a sub-base infiltration systems within car parking and driveway constructions. It is estimated that the highways would require to be served by 24 soakaways. If the intention is to get the highways adopted then early discussions with Worcestershire Highways are recommend as not all types of drainage systems might be acceptable.

I welcome the fact that attention is given to the treatment of runoff water from the site, with two stages of treatment for roof water and three stages of treatment for parking and road areas. The proposed treatment chains are:

- Roof drainage into soakaway: catchpit + soakaway including geotextile filtration wrap.
- Roof drainage into infiltration paving: catchpit + infiltration paving
- Private parking and drives: trapped gully + geotextile filtration wrap around gully outfall into porous sub-base material + filtration through porous sub-base in infiltration paving
- Adopted roads: trapped gully + catchpit + soakaway including geotextile filtration wrap.

CONCLUSION

I believe the proposed development would not be at risk of flooding and that the information provided is sufficient to be confident that it will be possible to deal with the runoff from the site in a way that will not result in an increase in flood risk elsewhere. I welcome the fact that the intention is to use infiltration SuDS (provided ground conditions allow) and that provision for runoff treatment has been included in the preliminary design.

If you are minded to approve the application, then I would recommend attaching a condition that secures the design criteria as set out in the information currently provided

- 3.17 Worcestershire County Council Archive & Archaeology Service – No comments. The site contains no designated nor undesignated heritage assets. Wider setting does not suggest site is of much potential. No obvious water source nearby and land previous developed late C20th as a school.
- 3.18 Neighbour/Site Notice – No representations received.
[Officer Comment – Previously only 1 letter was received highlighting the need to retain access to the rear of properties in Lea Castle Drive]

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4.0 Officer Comments

4.1 The application for residential development has been submitted in outline form with access to be determined at this stage. This report will consider the submission under the following headings:

- Principle of Development and Policy Considerations.
- Access Arrangements and Highway Considerations.
- Quantum and Density of Development.
- Visual Impact.
- Existing Residential Amenity.
- Trees and Landscaping.
- Heritage Assets.
- Ecology and Biodiversity.
- Flood Risk, Drainage and Services.
- Contaminated Land, Noise and Air Quality.
- Affordable Housing.
- Section 106 Contributions.

PRINCIPLE OF DEVELOPMENT AND POLICY CONSIDERATIONS

4.2 The application site although close to the boundary of Kidderminster falls within the Green Belt, where Members will be aware that development is particularly restricted. The National Planning Policy Framework (NPPF) sets out development that is 'appropriate' within the Green Belt and in contrast to previous Government policy now includes previously developed sites.

4.3 The fifth bullet point of paragraph 89 of the NPPF, which sets out the exceptions where development can take place, allows:

limited infilling or the partial or complete redevelopment of previously developed sites (brownfield land), whether redundant or in continuing use (excluding temporary buildings), which would not have a greater impact on the openness of the Green Belt and the purpose of including land within it than the existing development.

4.4 Adopted Wyre Forest Site Allocations and Policies Local Plan Policy SAL.UP1 also allows the re-development of Previously Developed Sites, linking to the specific policy criteria in Policy SAL.PDS1. Whilst dealing with major sites within the Green Belt, namely the Safari Park, Rushock Trading Estate and Lea Caste, it also states that *"For other previously developed sites in the Green Belt, applications for development will be considered against this policy framework and the rest of the policies in the plan."*

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- 4.5 The criteria referred to links back to the NPPF requirements but also includes the following additional points:

In order to protect the openness of the Green Belt, development proposals for Previously Developed Sites in the Green Belt should:

- *Contribute to the achievement of the objectives for the use of land in Green Belts.*
- *Not exceed the height of the existing buildings and other structures and trees.*
- *Not give rise to off-site infrastructure problems.*

Design and landscaping of development should seek to minimise the impact on the Green Belt through:

- *Using sensitive materials and colours.*
- *Providing extensive landscaping and tree planting to screen boundaries, where appropriate.*

- 4.6 Policy SAL.DPL2 is considered as the mainstay policy for rural housing within the District and seeks to limit rural housing for affordable exception sites, replacement dwellings or housing for rural workers. However, in line with the NPPF the policy does allow as further exceptions development which is in line with Green Belt or Rural Conversion Policies.

- 4.7 Given the previous use of the site, it clearly constitutes an 'other previously developed site' in the Green Belt. It falls then to consider whether the development can be considered to amount to appropriate development in the Green Belt. Distilling all the relevant local and national policy requirements together, consideration must be given to whether the proposal will:

- Have no greater impact on the openness of the Green Belt and the purposes of including land within the Green Belt than the existing site;
- Contribute to the achievement of the objectives for the use of land in Green Belts;
- Not exceed the height of the existing buildings and other structures and trees; and
- Not give rise to off-site infrastructure problems.

- 4.8 I will deal with these in turn, although additional detail on infrastructure considerations will be dealt with separately.

- 4.9 The essential characteristics of Green Belts are their openness and their permanence (paragraph 79 NPPF). The consideration of the impact on openness of the proposal in contrast with the existing is a matter of fact and degree, there is no substantial legal precedent to rely on.

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- 4.10 The applicants submitted a comparison of the existing and proposed development based on an initial indicative number of 48 units and these are set out below:

	Footprint	Floor Area	Volume
Existing Development	2,572m ²	4,135m ²	16,031m ³
Proposed Development	2,242m ²	4,484m ²	13,300m ³
Difference	-13%	+8%	-17%

- 4.11 It should be noted that revised plans have been received which have reduced the quantum of development to 46 dwellings which in turn has reduced comparable areas and volumes. Whilst new comparison figures have not been supplied, it has been shown that the floor area of the 46 units would be 3,595m² which is a 21% reduction on the existing.

- 4.12 It is appreciated that the nature of the existing development is that the volume of the buildings were concentrated in one location on the site, whereas the proposed residential development will provide buildings over a wider area, effectively spreading the volume over the site. However, whilst there will be some loss of openness in some areas to counter this there will be improvements in other areas of the site. Overall I consider that the openness of the Green Belt will be improved and at worst there will be a neutral impact. I am satisfied that it has been proven that there be no greater impact on openness than the existing situation.

- 4.13 The Green Belt serves five purposes:

- to check the unrestricted sprawl of large built-up areas;
- to prevent neighbouring towns merging into one another;
- to assist in safeguarding the countryside from encroachment;
- to preserve the setting and special character of historic towns; and
- to assist in urban regeneration, by encouraging the recycling of derelict and other urban land.

(paragraph 80 NPPF).

- 4.14 The development will effectively provide additional development close to the boundary of Kidderminster, which could be viewed as additional sprawl of development that is encroaching into the countryside. However, given the previously developed nature of the site and the quantity of the development, the additional built form is restricted to the previously developed area of the site. This provides a realistic ‘check’ on the additional development, which is judged as a separate development opportunity in its own right and not an “urban expansion” of Kidderminster. For similar reasons it is further considered that there is no encroachment into the countryside.

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The re-development of the site provides the recycling of derelict land helping to fulfil a further purpose of the inclusion of the land in the Green Belt. Overall the development will not conflict with the purposes as set out in the NPPF.

- 4.15 Paragraph 81 of the NPPF lists the opportunities for Local Planning Authorities to plan positively to enhance the beneficial use of the Green Belt. These include the opportunities to “...retain and enhance landscapes, visual amenity and biodiversity; or to improve damaged and derelict land.” The opportunity to bring this site back into use and remove what has over recent years become something of an eyesore site and a magnet for anti-social behaviour is viewed as a positive.. There is no doubt in my mind that the proposal contributes to the objectives of the use of land in the Green Belt.
- 4.16 The existing height of the main school building is approximately 7.4m. An indicative cross-section of the proposed development is included within the Design and Access Statement. This aptly demonstrates that the height of dwellings can be no greater than the existing building, a factor that can be a conditional matter on any permission given. This further demonstrates the acceptability of the development and that there will be no greater impact on the Green Belt.
- 4.17 The conclusion of relevant consultations is that the development will not give rise to infrastructure issues. These aspects and the relevant responses will be explained in detail later in the report, however this conclusion is sufficient for the purposes of the consideration of the principle of development.
- 4.18 On the basis of the foregoing the development is considered to comply with all the criteria for development of a previously developed site in the Green Belt as set out in the Adopted Wyre Forest Site Allocations and Policies Local Plan and the NPPF. The development therefore constitutes appropriate development in the Green Belt and the principle of residential development on the site is acceptable.

ACCESS ARRANGEMENTS AND HIGHWAY CONSIDERATIONS

- 4.19 A new access will be provided off Sion Hill central to the site, with the existing access point and layby closed. The submitted transport statement has assessed the proposed traffic generation, based on a maximum of 60 dwellings, compared to the existing use as an educational establishment. In summary it states that “*a vehicular trip generation exercise has forecast that the proposed development will generate 27 two-way trips in each of the AM and PM peak hours, equating to approximately one vehicular trip every two minutes. A comparison of the forecast vehicular trip generation associated with the proposed development with that of former use of the site as a school has shown that the proposals represent a net reduction of 178 two-way vehicular trips in the AM peak hour and a net reduction of 7 trips in the PM peak hour.*”

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- 4.20 Members will appreciate that the application is proposing a maximum of 46 dwellings which is significantly less than the number used with the transport statement and as such the conclusions of the transport statement are something of a very worst case scenario.
- 4.21 The statement also considers the impact of the development at the junctions of Sion Hill with the Stourbridge Road (A449) and Wolverley Road (B4189). Following analysis of the existing traffic volume and queue lengths at these junctions, when assessed against the lows at peak hours it is concluded that *“...at the junction with A449 Stourbridge the proposed development is of a level which can be considered to be within typical levels of daily variation, and will represent a minimal impact on the junction operation. The volume of traffic from the proposed development forecast to use the B4189 Wolverley Road / Sion Hill junction in the AM and PM peak hours is not considered to have a material impact.”*
- 4.22 The Highway Authority has fully considered the transport statement and the impact of the development on the existing network along with the sustainable location of the site. They have concluded that the development is acceptable in respect of the access and that development can be accommodated on the existing highway network. Whilst there may be an increase of traffic over the current situation, it has to be appreciated that the lawful use as an education establish has the potential to generate a significant number of vehicle movements were it to be brought back into use (which would not require planning permission). Given this fallback position and the acceptability of the scheme in all other highway respects a no objection response has been received, subject to appropriate conditions. In respect of sustainable transport matters the Highway Authority has requested contributions towards new bus shelters via a Section 106 Agreement, which has been agreed by the Applicant.
- 4.23 Whilst it is anecdotally known that there are occasions when traffic situations are difficult along Sion Hill there is no evidential basis to conclude that the proposed development will result in adverse harm to highway safety. Matters of parking and road layout will be dealt with as part of reserved matters submissions should approval be given.
- 4.24 Having considered the proposed access arrangements along with the traffic generation on the existing highway network and taking into consideration the comments of the Highway Authority it has to be concluded that the proposal is acceptable in respect of highway issues.

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QUANTUM AND DENSITY OF DEVELOPMENT

- 4.25 The site itself extends to some 1.7 ha, however this includes the area of woodland / open space to the north, leaving a developable area of approximately 1.25 ha. The indicative proposal for 46 dwellings is split between 2, 3 and 4 bedroom houses and 1 and 2 bed apartments, however the final layout will be determined at the reserved matters submission. The indicative layout would deliver a density of 27 dwellings per hectare which meets the requirement of Policy DS05 of the Adopted Wyre Forest Core Strategy, which seeks for 30 dwellings per hectare in rural areas, after taking account of the characteristics of the site. This density has been achieved whilst maintaining no greater impact on the openness of the Green Belt. It is suggested that any permission granted should incorporate a restriction (by condition) limiting the number of dwellings to 46 as a maximum, in order to ensure the openness is maintained.
- 4.26 I am satisfied that the number of dwellings proposed can be accommodated on the site within the specific policy requirements and that the density is appropriate to the surrounding area taking into account the existing development.

VISUAL IMPACT

- 4.27 Although situated at the top of Sion Hill, the existing site is not readily visible from long distance views, this is mainly due to the vegetation surrounding the site and other intervening features. Views can be obtained at close range from the adjoining housing estate, public footpath and playing fields.
- 4.28 A Landscape and Visual Impact Assessment has been undertaken and submitted as part the application. It has considered the impact of the development upon a number of receptors within and outside the Green Belt. The assessment takes into account the current visual appearance of the site, the indicative proposal and the opportunity for provision of additional landscaping. It concludes that: *“The locality benefits from a high degree of screening from vegetation and therefore views into the site from publically accessible locations are limited to very close proximity... Despite initial adverse visual effects during construction...these...would experience a long term moderate beneficial visual effect as a result of the development.”*
- 4.29 In respect of the overall impact on the landscape and landscape features the assessment also concludes that *“[t]he worst effects of the proposed development on landscape features and landscape character are limited... In the long term, the overall effect of the proposal...is considered to be beneficial.”*
- 4.30 It is evident that by keeping the development to the existing height and maintaining a similar volume of development that the visual impact is minimal, and this is further reinforced through existing and proposed landscaping. The benefit of bringing this site back into beneficial use also adds to the argument in this respect, helping the visual amenity of the Green Belt through the regeneration of this derelict and unsightly site.

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EXISTING RESIDENTIAL AMENITY

- 4.31 The closest residential properties are located in Ismere Way and Lea Castle Close, backing on to the application site. The distance between these properties and the application site range from approximately 10m to 17m, with the Public Right of Way running in between. Whilst the layout of dwellings is only indicative at this stage it has been demonstrated that dwellings can be positioned without resulting in overlooking and loss of amenity to the existing dwellings. Although it will be essentially a matter for detailed consideration at the reserved matters stage, should permission be given, I am confident that a layout can be arrived at that preserves the amenity of existing residential properties.

TREES AND LANDSCAPING

- 4.32 Trees form an integral part of the application site, a number of which line the frontage of Sion Hill. The submitted tree survey identifies 70 individual trees and 4 groups of trees. The Council's Arboricultural Officer has assessed the proposal and is concerned that some trees have been removed prior to the application, however the remaining trees will now be protected via a Tree Preservation Order that has now been served on the site. The majority of the trees are situated on the northern boundary where development is not proposed. The remaining trees within the developable area are to be retained and the indicative layout shows that their retention can be achieved with the quantum of development proposed. Again, careful consideration will be given to the position of individual dwellings in relation to protected trees at reserved matters stage. Again, careful consideration will be given to the position of individual dwellings in relation to protected trees at reserved matters stage but it is sufficient to say at this stage that trees can be afforded protection as part of any detailed scheme.
- 4.33 Detailed proposed landscaping will be submitted as part of any reserved matters application and has not been shown as part of this indicative scheme.

HERITAGE ASSETS

- 4.34 Heritage Assets are defined with the NPPF as a *"...building, monument, site, place, area or landscape identified as having a degree of significance meriting consideration in planning decisions, because of its heritage interest. Heritage asset includes designated heritage assets and assets identified by the local planning authority (including local listing)."*
- 4.35 The closest designated heritage asset to the site is Sion Hill House a Grade II Listed Building. The submitted archaeological assessment also covers the impact on the historic setting of Sion Hill House. It concludes that as the structure is contained within its own grounds and given the juxtaposition and distance from the site there will be no adverse impact on its character or setting. The Conservation Officer has not raised any concerns in this respect and as such I have no reasons to disagree with this conclusion.

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- 4.36 Other assets can encompass a number of items within the category of the historic environment. The archaeological assessment has identified the significance of the site through the passage of time and highlights finds in the locality, most notably a Bronze Age flint scraper which was found on the site during the development of part of the school site in 1972. Within 2km of the site finds from various periods of history have been found. It leads to the conclusion that the site has potential for prehistoric, Saxon and Medieval occupation of the site for agricultural activities in association with nearby settlements. That said the original development of the site for the school will have involved excavation and cut across existing ground strata. This reduces the likelihood of additional finds, however it is clear that the overall site has a value which may require further investigation. As such the consultants recommend a scheme for a programme of archaeological investigation is submitted prior to development commencing on site, this will include watching briefs and additional investigations. .
- 4.37 The Conservation Officer's comments refer to the current school building as having historic significance, particularly as the building was designed by a notable architect Sir Frederick Gibberd. I do not intend to replicate the comments made on this point, as Members will have noted the Conservation Officer's comments at paragraph 3.5 of the report. Both Historic England and the 20th Century Society were made aware of the development and neither has provided comments previously seeking for the retention of the building or its inclusion on the statutory list. Whilst I appreciate that the original architect, and the design, may be of some significance, it is my opinion that this significance is not so great as to resist the development on this point only. Indeed the Conservation Officer concludes that whilst it may have significance for inclusion within the Local List should it be retained, given the building's deterioration a no objection response has been recorded. The building's significance can be recorded through a written and photographic study which can be a condition of permission.
- 4.38 Whilst I appreciate that the original architects and design may be of significance, it is my opinion that this significance is not so great as to resist the development on this point only. Indeed the Conservation Officer concludes that whilst it may have significance for inclusion within the Local List should it be retained, given the building deterioration a no objection response has been recorded. The buildings significance can be recorded through written and photographic processes which can be a condition of permission.
- 4.39 Having assessed the development in the context of heritage assets and weighed the impact against their significance, as required by the NPPF and Policy SAL.UP6, it is concluded that any harm that would be caused can be outweighed through the benefits of the redevelopment of this derelict site.

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ECOLOGY AND BIODIVERSITY

- 4.40 The ecology of the site has been assessed via an extended Phase 1 Habitat Survey and supplemental bat report. It is concluded that the site supports only limited amounts of habitat. The main focus is on bat foraging and potential roosts in trees. In this regard the Council's Countryside and Conservation Officer assessed the submitted information and requested further details. Following the submission of additional clarification a no objection response has been received, subject to imposition of conditions requiring re-survey prior to demolition taking place. The applicants have provided sufficient information to build a picture of the site, which include no significant ecological value to prevent the development of the site. Conditions can be imposed to ensure that adequate protection, mitigation and enhancement is provided.

FLOOD RISK, DRAINAGE AND SERVICES

- 4.41 The site is not within an area of flood risk although it is susceptible to surface water flooding. The submitted Flood Risk Assessment and Drainage Strategy has highlighted the need to deal with surface water on site and a preliminary scheme has been identified. This approach is in line with policy SAL.CC7 of the Adopted Wyre Forest Site Allocations and Policies Local Plan which requires sustainable urban drainage (SuDS) to be included in all development schemes where appropriate. The limitation of run-off will assist in reducing any potential surface water flooding as a result of the development.
- 4.42 Although there are known issues in respect of foul drainage and water pressure within the area of Sion Hill, it should be noted that Severn Trent have raised no objections to the proposal. The submission has included a utility statement which appears to show both foul drainage and water supply provided separately to the Sion Hill estates to the south. However, it should be noted that these matters will be dealt with via conditions attached to any planning permission given and no additional detailed information on such matters is required at this stage.

CONTAMINATED LAND, NOISE AND AIR QUALITY

- 4.43 The site has been assessed for contamination through a Geo-environmental Risk Assessment. This has identified "... 100 locations containing asbestos within the former school and associated buildings. Evidence of potential sources of contamination were observed on the Site, including a boiler room, (with chimney and water tower above), a pumping station, localised bonfire/burning activity and fly tipping. No external fuel tanks were noted; however, two potential former re-fuelling points were observed on the external wall of the boiler room. Externally in this area, two small hardstanding areas/enclosures were noted which could have previously housed tanks... Localised off-site potential sources of contamination have been identified nearby including an adjacent electricity sub-station, former swimming pool, garages and a historical landfill."

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- 4.44 Worcestershire Regulatory Services have recommended conditions to establish the exact nature of the contamination across the site and proposed remediation works that are required. The nature of the contamination is not considered to be such that they would seek to resist the development, and with the proposed conditions the development is considered acceptable to proceed.
- 4.45 In respect noise an acoustic overview has been undertaken in line with the NPPF and the Noise Policy Statement for England. It identifies that *"...the dominant sources of noise across the Site are expected to include road traffic on Sion Hill and the local road network. Based on the desk-based study of available information noise is not expected to be a significant constraint in developing the Site for residential use assuming adequate consideration is given to potential noise impacts across the site as part of a detailed design scheme. The development of the Site for residential use also has the potential to generate noise impacts at noise sensitive receptors, i.e. existing residential dwellings surrounding the Site. Noise and vibration generated by activities associated with construction phase of the development are generally localised, temporary in nature and best practice can be adopted to control the impacts associated with the construction activities. The noise impacts associated with development generated traffic on the local road network and, depending on location, the proposed site access will be subject to final design scheme."* Again, Worcestershire Regulatory Services have considered this aspect of the scheme and have no objections subject to demolition works being in line their best practice guidance.
- 4.46 An Air Quality Assessment has been undertaken to establish the background concentrations of relevant gases. The site is not within an area designated as an Air Quality Management Area (AQMA). The proposed development will not have an adverse impact on the air quality and it is concluded that air quality is not a restraining factor on the development. Worcestershire Regulatory Services do not challenge these findings and the submission of the Air Quality Assessment negates the need to impose the conditions recommended in respect of vehicle charging points and low emission boilers, particular as the Adopted Wyre Forest Site Allocations and Policies Local Plan does not have policies requiring such measures at this moment in time. Worcestershire Regulatory Services do not challenge these findings and the submission of the air quality assessment negates the need to impose the conditions recommended in respect of vehicle charging points and low emission boilers, particular as the Adopted Wyre Forest Site Allocations and Policies Local Plan does not have policies requiring such measures.
- 4.47 Matters of pollution, air quality and noise have been fully considered and found to be acceptable in this case.

15/0305/OUTL

AFFORDABLE HOUSING

- 4.48 The development site is not an exception site and does not fall within normal rural protection policies, as it is a Previously Developed Site within the Green Belt and is classed as an exception in its own right. Affordable housing is therefore dictated by Policy CP04 of the Adopted Wyre Forest Core Strategy which requires up to 30% affordable units to be provided for developments of 6 or more dwellings in rural areas.
- 4.49 Policy SAL.DPL3 of the Adopted Wyre Forest Site Allocations and Policies Local Plan provides the framework to take account of viability as part of the provision of affordable housing. The viability assessment submitted by the developer has been independently assessed for the Council by DTZ. The report concludes that after taking account of the development costs and allowing for Section 106 payments, the development of the site can only support 9 affordable homes (19.5% affordable housing). This is 5 units less than the previously agreed 30% but provides a realistic picture of what can be viably provided on the site. The applicant has accepted the affordable housing position as set out by DTZ and the application is presented on this basis. Given the independent assessment and the level of detail now submitted it is considered that this level of affordable housing provision is acceptable and in accordance with the national and local policy framework.
- 4.50 The proposal for development of up to 46 units allows for a 19.5% provision with a maximum of 9 units to be provided on site. Following negotiations with the applicant it has been agreed that the affordable split of 1 beds (29%) and 2 beds (57%) and 3 beds (14%) with 79% / 21% in favour of socially rented units. These limitations will be included within the Section 106 Agreement which will secure such provision. The indicative layout shows how these units can be provided, although the final detailed layout will be part of any subsequent reserved matters submission(s).
- 4.51 The Strategic Housing Services Manager is satisfied that the affordable housing provision is acceptable, in light of the submitted and assessed financial viability appraisal subject to the finer details of the drafting of the Section 106 Agreement. It therefore follows that the provision accords with policy and is acceptable in this context.

SECTION 106 CONTRIBUTIONS

- 4.52 Contributions are required by the adopted Planning Obligations SPD in respect of education and public open space facilities. As the application is in outline exact figures for the contributions cannot be provided at this stage, however suitable calculations will be provided with the Section 106 Agreement.
- 4.53 Public open space contributions are calculated on the basis of the number of child bed spaces, following the following calculation:

Number of Childbed spaces x £20.47 x 24.

There is a 50% reduction for affordable housing units.

15/0305/OUTL

4.54 Contributions will be utilised at Broadwaters Park, for a new pathway from the car parking area and re-landscaping of surrounding areas, work to the bridges and soft landscaping features surrounding the mill and wetland below the reservoir including waterways habitat development, work to the banks of water courses and creation of a new feature area to the dingle including new paths/boardwalks and improvements to hardsurfaced areas throughout the park. The specific project meets the guidance in the Planning Practice Guidance and is considered appropriate given the site's location.

4.55 Education Contributions will be based on the following:

1-bed dwellings of any type	£0
2-bed houses	£2119
3-bed houses	£2119
4+ bed houses	£3179
2+ bed Flats / Apartments	£848
Affordable Housing	£0

4.56 The County Council has confirmed that given the site's location that both Seabright Primary School and St. Oswalds Primary School will be included within the S.106 agreement along with Wolverley High School. This takes account of the position of the site being so close to the ward boundaries and gives opportunity for both schools to obtain contributions.

4.57 As noted above the Highway Authority has sought for £22,000 for improvements to bus stops within the vicinity. The details of the improvements are as follows:

- The bus stop adjacent to the development is not marked. The contributions will provide a shelter, raised kerbs and flag, with timetable case / information being provided by the County Council.
- The northbound bus stop opposite the development is not possible to enhance due to limited / no footway. It would therefore be marked as "both sides of the road" on the stop adjacent to the site and is really an alighting stop only.
- The northbound bus stop at the junction of Stourbridge Road / Sion Hill is marked by a flag and pole. The contributions will provide a shelter, raised kerbs and flag, with timetable case / information being provided by the County Council.
- The southbound bus stop on Stourbridge Road is marked by a flag and pole. The contributions will provide a shelter, raised kerbs and flag, with timetable case / information being provided by the County Council.

15/0305/OUTL

- 4.58 The contributions as requested have been agreed by the developer and are considered to be; necessary to make the development acceptable in planning terms, directly related to the development, and fairly and reasonably related in scale and kind to the development, in accordance with paragraph 204 of the NPPF.

5.0 Conclusions and Recommendations

- 5.1 The proposed development of the former school site is considered to be appropriate development in the Green Belt redeveloping a previously redeveloped site. All matters advanced have been considered and tested against relevant local and national policies and found to be acceptable in principle. Access can provided in an acceptable form and the trip generation associated with the development can be accommodated on the existing highway network. There are no outstanding matters that would prevent the approval of the application.

- 5.2 It is therefore recommended that the application be granted **delegated** authority to **APPROVE** subject to the following:

- a) The signing of a **Section 106 Agreement** to secure:

- i) Affordable Housing Provision;
- ii) Education Contributions;
- iii) Public Open Space Contributions; and
- iv) Highway Contributions

as detailed above; and

- b) The following conditions:

- 1. A1 (Standard outline)
- 2. A2 (Standard outline – Reserved Matters)
- 3. A3 (Submission of Reserved Matters)
- 4. A5 (Scope of Outline Permission)
- 5. A11 (Approved plans)
- 6. B1 (Samples/details of materials)
- 7. B11 (Details of enclosure)
- 8. B13 (Levels details)
- 9. C2 (Retention of existing trees)
- 10. C3 (Tree protection during construction)
- 11. C5 (Hand digging near trees)
- 12. C8 (Landscape implementation)
- 13. C13 (Landscape Management Plan)
- 14. E2 (Foul and Surface Water)
- 15. Ecology Surveys prior to demolition
- 16. G11 (Comprehensive Photographic Survey)

15/0305/OUTL

17. Archaeology
18. Archaeology
19. Archaeology
20. Contaminated land
21. Contaminated land
23. Visibility Splays
24. Access closure – occupation - vehicular
25. Access, turning and parking
26. Parking for site operatives
27. Travel Plan

Notes

- A SN2 (Section 106 Agreement)
- B Footpaths
- C Section 278 Agreement
- D Design of Street Lighting for Section 278
- E SN6 (No Felling – TPO)
- F Demolition in accordance with Worcestershire Regulatory Service Code of Practice

Agenda Item No. 5

Application Reference: 15/0316/ADVE **Date Received:** 15/06/2015
Ord Sheet: 376846 274578 **Expiry Date:** 10/08/2015
Case Officer: James Houghton **Ward:** Bewdley & Rock

Proposal: 3 Freestanding post mounted signs with coloured graphics and text detail to the front and powder coated posts to the rear

Site Address: BEWDLEY BYPASS/CLEOBURY ROAD, BEWDLEY, DY12 2QN

Applicant: Wyre Forest DC

Summary of Policy	CP11 (CS) SAL.UP10 (SAAPLP) Guidance Notes on the Sponsorship of Environmental Enhancement Schemes on the Highway Network (WCC)
Reason for Referral to Committee	The applicant is Wyre Forest District Council or is made on land owned by Wyre Forest District Council
Recommendation	DELEGATED APPROVAL

1.0 Site Location and Description

1.1 The application site is a roundabout at the junction of the A456 (Bewdley ByPass and Long Bank) and the B4190 (Long Bank).

2.0 Planning History

2.1 None relevant.

3.0 Consultations and Representations

3.1 Bewdley Town Council – No comments received.

3.2 Highway Authority – No comments received.

3.3 Neighbour/Site Notice – No representations received.

4.0 Officer Comments

4.1 The applicant seeks permission to place three freestanding post mounted signs on the roundabout. The signs would each have a surface area of 0.49m² and a maximum height of 0.8m.

15/0316/ADVE

- 4.2 In principle the signage would have no significant impact on the appearance or character of the area. Given the location of the signage the primary consideration in determining this application is the impact of any of the signs on highway safety. Worcestershire County Council (as the relevant Highway Authority) has been consulted but as yet has provided no comments.
- 4.3 The information supplied to support the application does not contain specifics of the appearance of the proposed sign but does include criteria for sponsor details which are appropriate given the Guidance Notes on the Sponsorship of Environmental Enhancement Schemes on the Highway Network. In order to ensure that the signage will meet the requirements of Worcestershire County Council, a condition should be added requiring that full details of text, logos and colour scheme to be included in the sponsor's part of the sign are submitted and approved in writing prior to the first installation of that part of the sign.

5.0 Conclusions and Recommendations

- 5.1 It is recommended that the application be given **delegated APPROVAL** subject to:
- a) a 'no objection' response from the Highway Authority; and
 - b) the following conditions:
 - 1. L1 (Standard advertisement conditions).
 - 2. L2 (Removal of rights to advertise).
 - 3. L9 (Standard time).
 - 4. Details of sign appearance and location to be submitted prior to installation.

Notes

- A. Identification of drawings.
- B. The roundabout is publicly maintained highway to which Worcestershire County Council is the custodian. The installation of sponsorship signs is acceptable so long as they are part of a landscaping scheme where their presence is considered to be de minimis. The applicant must agree a landscaping scheme and obtain a licence from the Highway Authority to plant the roundabout prior to the implementation of the proposed signs. The applicant should discuss the sign design and location with the Highway Authority to ensure they have complied with the prescribed restrictions.

Agenda Item No. 5

Application Reference: 15/0336/FULL **Date Received:** 15/06/2015
Ord Sheet: 378631 275011 **Expiry Date:** 10/08/2015
Case Officer: Paul Round **Ward:** Bewdley & Rock

Proposal: Replacement of roof on existing scout hut, including lowering of higher roof section and removal of flat roof areas,

Site Address: THE SCOUT HUT, PARK ALLEY, BEWDLEY, DY12 2TD

Applicant: Bewdley First Scout Group (Mr R Smith)

Summary of Policy	CP11, CP12 (CS) SAL.DPL11, SAL.UP6, SAL.UP7, SAL.UP12 (SAAPLP) Sections 7, 12 (NPPF) National Planning Practice Guidance (NPPG) – Design
Reason for Referral to Committee	The applicant is Wyre Forest District Council or is made on land owned by Wyre Forest District Council
Recommendation	DELEGATED APPROVAL

1.0 Site Location and Description

- 1.1 The site forms part of a triangle of land at the end of Park Alley, which is accessed from High Street. It is bounded to the north and south by woodland, and to the east and west by open land. Residential properties are within 50m of the building but not in close proximity. The scout hut was built in the 1950's and stands as a single storey building with differing roof heights pitches.
- 1.2 The Conservation Area and Listed Structures lie 50m to the north east, although the building itself is not a heritage asset or included within the Conservation Area. Public Rights of Way also cross near to the building.
- 1.3 The proposal seeks for alterations to the roof of the existing building and is presented to Committee due to the land being within the ownership of Wyre Forest District Council.

2.0 Planning History

- 2.1 None

15/0336/FULL

3.0 Consultations and Representations

- 3.1 Bewdley Town Council – Views awaited.
- 3.2 Conservation Officer – The application site is a little to the south west of the Bewdley Conservation Area. Although close to the Conservation Area and Grade II* listed Tickenhill Manor I doubt that the proposals will cause any “harm” to these heritage assets or their setting, and concur with the conclusions presented within the Heritage Statement
- 3.3 Worcestershire County Council Countryside Services – Views awaited.
- 3.4 Ramblers – Views awaited.
- 3.5 Neighbour/Site Notice (expires 23rd July 2015) – No representations received at the time of writing.

4.0 Officer Comments

- 4.1 The heritage statement provides a full description of the proposal and states “...as part of the general refurbishment of the building, it is proposed that the raised part of the roof be lowered to the level of the main roof and that the corrugated asbestos roofing be replaced with aluminium faced insulated roof panels at the same pitch as that existing. The new roof finish would then be taken over the same side ‘wings’, eradicating the two areas of flat roof. The roof alterations have been planned with a view to rationalising the roof shape and simplifying its appearance, as well as minimising any future maintenance issues.”
- 4.2 In addition to the above, some ancillary works are proposed around the building such as new access/gates, widening paths and ramped access, which do not in themselves require formal planning permission.
- 4.3 The building stands as a different style of structure than normally found within this historic part of Bewdley although its appearance is commensurate with its use. The revised roof design is acceptable in design terms and will offer no adverse impact to neighbouring properties, particularly given the reduction in height and no change to window relationship. Conditions can be imposed to ensure the roof material is appropriate to this location.
- 4.4 The impact of proposal on heritage assets has been assessed by the Conservation Officer and no harm has been identified. It is therefore concluded that the proposal will not cause harm to the character or setting of identified heritage assets.

15/0336/FULL

- 4.5 The application has been published by direct neighbour notification, site notice and press notice which expire on 23rd July 2015. No comments have been received at this juncture and it is recommended that delegated authority be given subject to no new issues being received that have not been covered by this report.

5.0 Conclusions and Recommendations

- 5.1 The proposed replacement roof is considered to be acceptable and will not adversely impact on the character of the area or neighbouring properties. The potential impact of the proposal has been assessed by the Conservation Officer and no harm has been identified in respect of nearby heritage assets.

- 5.2 It is therefore recommended that the application be given **delegated APPROVAL** subject to:

- a) the expiry of the neighbour consultation period and no new issues being raised that have not been considered within this report; and
- b) the following conditions:
 - 1. A6 (Full with no reserved matters).
 - 2. A11 (Approved plans).
 - 3. B1a (Samples/details of materials).

Notes

- A. Public Rights of Way.
- B. Asbestos.

WYRE FOREST DISTRICT COUNCIL

Planning Committee

21 July 2015

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
WFA 1445 14/0476/CERT/3000296	APP/R1845/X/14	MISS M PARKER	PUNCHS OAK CLEOBURY ROAD ROCK KIDDERMINSTER Proposed demolition of existing double garage and existing store, proposed erection of Oak framed single storey Oak framed home Office and games room, and two bay Oak car-port.	WR 18/11/2014	23/12/2014			

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
WFA1440 14/0060/HHED	APP/HH/14/1380	Mr D Scriven	NEW HOUSE FARM BELBROUGHTON ROAD BLAKEDOWN KIDDERMINSTER High Hedge Complaint	WR 04/08/2014	08/09/2014			
WFA1446 14/0246/FULL	APP/R1845/A/14 /2229001	Mr R Blunt	125 BRINDLEY STREET STOURPORT-ON- SEVERN DY138JW Proposed new 3 bedroom dwelling	WR 10/12/2014	14/01/2015			Dismissed 29/04/2015
WFA1447 14/3072/PNH	APP/R1845/D/15 /3002565	Mr T Morgan	40 AGGBOROUGH CRESCENT KIDDERMINSTER DY101LQ Single storey rear extension	WR 26/02/2015	02/04/2015			Dismissed 20/04/2015
WFA1448 14/0631/TREE	APP/TPO/R1845/Mr M Bradshaw 4372	Mr M Bradshaw	10 KITTIWAKE DRIVE KIDDERMINSTER DY104RS Fell Oak Tree	HE 29/01/2015	05/03/2015		07/10/2015 Stourport on Severn and Bewdley	

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	Inquiry, Hearing or Site Visit date	Decision
WFA1449 14/0611/FULL	APP/R1845/W/1 5/3005681	Mr Robert Simmonds	FOREST VIEW RETREAT CHAPEL LANE ROCK KIDDERMINSTER Proposed re-siting and re-design of store; re-positioning of Fourth cabin as approved under 07/0866/FULL with permanent residential occupation for	WR 12/03/2015	16/04/2015			
WFA1450 14/0664/FULL	APP/R1845/W/1 5/3009035	Mr & Mrs M Kent	FOXMEAD ROCK KIDDERMINSTER DY149XW Retention of a steel portal framed, general purpose, agricultural building for use on existing smallholding	WR 15/04/2015	20/05/2015			

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
WFA1451 15/0206/ENF	APP/R1845/C/15 /3009021	Mr M Kent	FOXMEAD ROCK KIDDERMINSTER DY149XW Unauthorised Steel Framed Building (Enforcement Case 13/0171/ENF)	WR 16/04/2015	21/05/2015			
WFA1452 15/3015/PNRE	APP/R1845/W/1 5/3030442	Fernihough Bros	Building at ELFORDS FARM HEIGHTINGTON BEWDLEY DY122XN Change of use of agricultural building to a dwellinghouse	WR 24/06/2015	29/07/2015			
WFA1453 15/0113/FULL	APP/R1845/W/1 5/3032552	Mr M Richardson	CRUNDALLS COTTAGE CRUNDALLS LANE BEWDLEY DY121NB Retrospective application to seek retention of extensions to property as built	WR 07/07/2015	11/08/2015			

Appeal Decision

Site visit made on 13 April 2015

by Joanne Jones BSc(Hons) MA MRTPI

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

Decision date: 29 April 2015

Appeal Ref: APP/R1845/A/14/2229001

125 Brindley Street, Stourport-on-Severn, Worcestershire DY13 8JW

- 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 R Blunt against the decision of Wyre Forest District Council.
 - The application Ref 14/0246/FULL, dated 24 April 2014, was refused by notice dated 19 June 2014.
 - The development proposed is a new 3 bedroom dwelling.
-

Decision

1. The appeal is dismissed.

Main Issues

2. The main issues in this case are:

- Whether the proposed development would be consistent with the Council's policy of concentrating housing development on brownfield sites in Stourport-on-Severn;
- The effect of the proposed development on the character and appearance of the area; and
- The effect of the proposed development on highway safety, with particular reference to parking.

Reasons

Local Plan Policies

3. The appeal site is located on an area of land which forms part of the garden and parking area of 125 Brindley Street, which is a detached two-storey dwelling.
4. The Wyre Forest Core Strategy (CS) was adopted in 2010 and the Wyre Forest Site Allocations and Policies Local Plan (Local Plan) was adopted in 2013. CS Policy DS01 and Local Plan Policy SAL.DPL1 establish, amongst other things, that new housing development will be concentrated on previously developed land (or brownfield land as it is referred to in Policy DS01) within areas allocated for residential development within the urban area of Stourport-on-Severn.

5. Additionally, the National Planning Policy Framework (the Framework), states that land in built up areas such as private residential gardens do not fall within the definition of previously developed land. It is not disputed that the appeal site is in a built up area and that the appeal scheme proposes development on garden land within that site.
6. To that extent the proposed development is in breach of CS Policy DS01 and Local Plan Policy SAL.DPL1 which seek to concentrate development on previously developed land rather than garden land. These policies, particularly the latter, have only been adopted recently and no suggestion has been made that they are not up to date.
7. No particular justification is put forward as to why these policies should be breached other than that it could be considered as infill development. Nonetheless, I find that no such exceptions apply.
8. To conclude on this main issue, the proposed development would be contrary to the aims of CS Policy DS01 and Local Plan Policy SAL.DPL1, which seek to promote the regeneration of towns such as Stourport-on-Severn.

Character and appearance

9. CS Policy CP11 and Local Plan Policy SAL.UP7 seek, amongst other things that design quality, reflecting a thorough understanding of site context must be demonstrated as part of any proposal and demonstrate that they integrate well within the existing street scene. Furthermore, the Wyre Forest District Council Design Quality Supplementary Planning Guidance 2004 (SPG) states that "*smaller scale 'infill' development should be designed in a manner that is sensitive and responsive to existing street patterns and characteristics of the surrounding area.*"
10. The street scene contains a variety of different dwelling sizes and designs. The regular gaps between adjacent dwellings which are a predominant characteristic of the street scene, provide: a rhythm of development; visual relief from the built form; and glimpses of gardens and vegetation. These cumulatively give the street an attractive appearance.
11. The height, width and external appearance of the proposed dwelling would be in keeping with a number of other buildings in the street scene. However, the proposal would be separated from the sidewalls of both 126 and 121 Brindley Street by a gap of approximately 1.0 metre. As a result of the limited gap between these two properties, the proposal would have an unduly cramped appearance, which would materially diminish the attractive character of the street scene described above.
12. To conclude on this main issue, the proposed development would be contrary to CS Policy CP11, Local Plan Policy SAL.UP7 and the SPG, the aims of which are to integrate development into the existing street scene. Additionally, it would conflict with the Framework, which seeks good design and to promote or reinforce local distinctiveness.

Highway safety

13. As a result of the proposed dwelling No 125 would be left with one parking space, where the adopted Worcestershire Local Transport Plan (LTP)

- recommends 2 spaces. Consequently, there would be a deficiency of parking spaces when measured against the Council's requirements.
14. It is argued that the shortfall of spaces would result in additional on-street car parking, of one vehicle, in an area where such provision is at a premium. However, at my site visit I did not observe a shortage of available parking spaces. Nevertheless, I do appreciate that the demand for spaces is likely to fluctuate in the evenings and at weekends. I also noted that many of the houses in the surrounding area benefited from driveways or parking to the front of their homes, which would assist in reducing demand for on-street parking. There is no evidence that the proposal would displace cars in to locations which would be prejudicial to highway safety. Therefore I do not consider that additional on-street parking of one vehicle would significantly affect highway safety.
 15. The Highway Authority also has concerns that the layout of the parking space for the proposed dwelling would not provide the required visibility splay in order to ensure adequate visibility for passing pedestrians. Whilst I have no information about the numbers of pedestrians who walk along Brindley Street; at the time of my site visit I saw several families with young children using the pavement, which leads me to believe that it is a well-used footway.
 16. However, there is no evidence to suggest that there is a history of accidents along Brindley Street and due to the character of the area and the numerous existing vehicle accesses the proposed development is unlikely to change the way in which cars or pedestrians interrelate. Consequently, there would not be a significant increase in the risk to highway or pedestrian safety compared with existing.
 17. The Highway Authority also objects to the lack of cycle parking, where the LTP recommends 4 secure spaces per unit. However, the Council states that such a requirement can be secured through a planning condition and I see no reason to disagree with this position.
 18. Drawing these factors together, I conclude that the proposed development would not prejudice highway or pedestrian safety. As a result, I find no conflict with the objectives of the LTP and Local Plan Policies SAL.CC1 and SAL.CC2, which are concerned with highway and pedestrian safety and sustainable transport infrastructure.

Other matters

19. The appellant has highlighted a number of favourable aspects of the scheme including the proximity to the town centre with a range of services, public transport links and a good standard of amenity for future occupiers. In these respects the scheme would benefit from some support from the Framework. However, such benefits do not overcome the harm identified above.
20. The Council and the appellant have provided me with details of previous planning appeal and planning application decisions¹ for similar developments, albeit in different locations within the District. However the previous decisions, like the current case stand to be judged on its own merits. Accordingly these submissions carry limited weight and in any case they do not lead me to

¹ Appeal decision ref: APP/R1845/A/13/2205679 and planning application ref: 13/0426/FUL

change my conclusion, particularly given the specific attributes of the scheme before me.

Conclusion

21. For the above reasons and taking into account all other matters raised, I conclude that the appeal should be dismissed.

Joanne Jones

INSPECTOR

Appeal Decision

Site visit made on 23 March 2015

by **G P Jones Bsc(Hons) MA MRTPI**

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

Decision date: 20 April 2015

Appeal Ref: APP/R1845/D/15/3002565

40 Aggborough Crescent, Kidderminster DY10 1LQ

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant approval required under Schedule 2, Part 1, Paragraph A.4 of the Town and Country Planning (General Permitted Development) (England) Order 2015.
 - The appeal is made by Mr Trevor Morgan against the decision of Wyre Forest District Council.
 - The application Ref 14/3072/PNH, dated 11 November 2014, was refused by notice dated 3 December 2014.
 - The development proposed is for prior approval for a single storey kitchen extension, 6 metres in length, 3 metres in height, plus parapet.
-

Decision

1. The appeal is dismissed.

Procedural Matters

2. The provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 require the local planning authority to assess the proposed development solely on the basis of its impact on the amenity of any adjoining premises – taking into account any representations received. My determination of this appeal has been made in the same manner.
3. The scale of 1:500 that is indicated on the Proposed Site Plan is incorrect and from my site visit I noted that this plan also does not depict the correct relationship between the side elevations of nos 39 and 40. As I observed on site, the side elevation of no 39 is closer to the common side boundary and therefore closer to the side elevation of no 40 than is depicted on the Proposed Site Plan.
4. I note the reference in the Officer's report that the '*extension proposed would project 4.9m from the original rear wall of the dwelling*', and that it '*would replace an existing conservatory and include a reduction in the extent of the existing single storey rear projection effectively squaring up the rear of the property*'. However, from the Notification submitted by the appellant and from my observations on site these references in the Officer's report all appear to be incorrect. Consequently I am considering this proposal in terms of a 6m rear extension from the original main rear elevation of the dwelling. Notwithstanding these inaccuracies, I consider that I am able to reach a decision based on the evidence before me and my site visit observations.

Main Issues

5. The main issue is the effect of the proposal on the living conditions of the occupiers of nos 39 and 41 Aggborough Crescent with regard to loss of daylight.

Reasons

6. The appeal property is the left hand of a pair of semi-detached properties, and both properties benefit from long rear gardens. The proposed extension would cover almost all the entire width of the existing rear elevation and according to the submitted Notification form would have a depth of 6 metres and would be up to 3 metres in height with a flat roof and an additional parapet.
7. The adjoining property of no 41 has a single storey rear extension which contains the kitchen and which is, according to the appellant's appeal statement, some 3 metres deep. This extension is north-facing and has a pitched roof with a small rooflight on either plane, and a window and set of French doors on the rear elevation. The ground floor of no 41 has a lounge room that would have been the rear lounge of the original dwelling. However, as a result of the rear extension this is now a middle room that is not directly served by any windows. As such this room only receives light from the rear extension and also some light from the front room via an opaque glazed fixed internal partition. On my site visit I observed that this was quite a dimly lit room.
8. The proposed extension would result in a 3 metres high flank wall in close proximity to no 41's extension and extending some 3 metres beyond it. The Council has calculated that at the midpoint halfway down the French doors the extension would be in breach of the 45⁰ and 25⁰ tilt guidelines contained within its advice leaflet entitled 'The 45⁰ Code', and I would concur with this assessment. Whilst this leaflet does not form part of the development plan it is referred to in the Wyre Forest District Design Quality – Supplementary Planning Guidance, adopted July 2004, and it does reflect standard guidance on assessing the impact of development on daylight. Therefore I would accord it weight in reaching my decision.
9. The appellant has indicated that the rear kitchen is also served by another window that lies to the east of the French doors and also by the two rooflights. Therefore the appellant contends that the 45⁰ Code guidance, including the 25⁰ tilt guidance, should not apply in this case as the French doors do not provide the only source of light to this habitable room. I agree that the 45⁰ Code and 25⁰ tilt guidance would not apply to the kitchen of no 41 due to there being other sources of light. Nevertheless the scale of the proposal and its relationship with no 41 is such that it would give rise to some loss of light for the kitchen of no 41. Furthermore, the north-facing French doors provide the primary source of light for the middle lounge room. As such I consider that the knock-on effect of the additional loss of light on the already dimly-lit lounge room would be materially detrimental to the residential amenity of the occupiers of no 41.
10. The side elevation of the adjacent property to the west, no 39, lies quite close to the common side boundary with no 40 which consists of a close-boarded wooden fence with concrete posts. At a depth of 6 metres the proposed extension would also be in breach of the 45⁰ Code guidance for the kitchen

window and part-glazed door on the rear elevation of no 39. However, as the proposed extension would be clear of the 25° tilt criterion for this window and door, the impact on the daylight received in the kitchen of no 39 is considered to be acceptable.

11. Therefore I conclude that the proposal would give rise to an unacceptable loss of daylight for the occupiers of no 41 and consequently would be at odds with the guidance in the 45° Code leaflet and contrary to Policy SAL.UP8 of the Wyre Forest District Council Site Allocations and Policies Local Plan, adopted July 2013 (LP). Policy SAL.UP8 of the LP, among other matters, requires that residential extensions should not have a serious adverse effect on the amenity of neighbouring residents or occupiers and should accord with the 45° code. In addition, it would not be in accordance with one of the core principles referred to in paragraph 17 of the National Planning Policy Framework which requires that the planning system should always seek to secure high quality design and a good standard of amenity for all existing and future occupiers of land and buildings.

Conclusions

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

GP Jones

INSPECTOR

SECTION 106 OBLIGATION MONITORING

NOTE: THIS LIST IS NOT EXHAUSTIVE BUT DETAILS THE MOST 'CURRENT' OBLIGATIONS, WHICH REQUIRE MONITORING

This list only records applications dating back to 2010 and should Members wish to see records relating to applications before then, they are available on request

Application Number	Site	Provisions	Triggers for Compliance	Performance
15/0305/OUTL	Site of Former Sion Hill Middle School Sion Hill Kidderminster	<ul style="list-style-type: none"> • Public Open Space : Will be based on the following calculation: <ul style="list-style-type: none"> - Number of childbed spaces x £20.47 x 24. There is 50% for affordable housing units. • Education Contributions : Will be based on the following <ul style="list-style-type: none"> - 1 bed dwelling of any type = £0 - 2 bed house = £2119 - 3 bed house = £2119 - 4+ bed house = £3179 - 2+ bed flats/apartments = £848 - Affordable Housing = £0 (To be payable to one of the following: <ul style="list-style-type: none"> - Wolverley Sebright Primary School - St Oswald's C of E Primary School - Wolverley High School) 		Draft agreement with applicant's solicitors

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Application Number	Site	Provisions	Triggers for Compliance	Performance
		<ul style="list-style-type: none"> • Affordable Housing - Total 9 units (19.5%) - 79% / 21.5% in favour of Social Rented <ul style="list-style-type: none"> - 1 bed social rented = 28.5% - 2 bed social rented = 36% - 2 bed shared ownership = 21.5% - 3 bed social rented = 14% • Highway Contribution of £22,000 for bus shelters 		
15/0173/FULL	Former Tan Lane Primary School Tan Lane Stourport on Severn	<ul style="list-style-type: none"> • Affordable Housing 		
14/0358/FULL	Land adjacent 29 Mitton Street Stourport on Severn	<ul style="list-style-type: none"> • Education contribution of £43,656,00 • Public Open Space provision of £6,877.92 (allocation of funds to be confirmed) 	<ul style="list-style-type: none"> • First residential occupation • First residential occupation 	<p>Agreement signed and completed.</p> <p>Development not commenced</p>

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Application Number	Site	Provisions	Triggers for Compliance	Performance
14/0105/FULL	Stone Manor Hotel Stone Chaddesley Corbett	<ul style="list-style-type: none"> • Education contribution of £9,810 • Open Space provision of £2,862.72 	<ul style="list-style-type: none"> • Commencement of development • First residential occupation 	Agreement signed and completed
14/0056/FULL	Land at Sebright Road Wolverley	<ul style="list-style-type: none"> • Open Space provision of £6,679.68 	<ul style="list-style-type: none"> • First residential occupation 	Agreement signed and completed
14/0027/OUTL	Chichester Caravans Vale Road Stourport on Severn	<ul style="list-style-type: none"> • Education Contribution of £48,069 – to be used at Stourport Primary School / Stourport High School • Public Open Space Contribution of £11,450.88 – to be used at Riverside, Stourport • 30% Affordable Housing Provision – 8 units (4 Social Rent / 4 Shared Ownership) 1 No. House and 7 No. Apartments. 	<ul style="list-style-type: none"> • First residential occupation • First residential occupation 	<p>Agreement signed and completed.</p> <p>No commencement on site</p>

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Application Number	Site	Provisions	Triggers for Compliance	Performance
13/0657/FULL	Former Garage Site Off Orchard Close Rock	<ul style="list-style-type: none"> • Open Space provision of £1,908.48 	<ul style="list-style-type: none"> • First residential occupation 	Agreement signed and completed
13/0645/FULL	Land adjacent to Upton Road Kidderminster	<ul style="list-style-type: none"> • Open Space provision of £2,385.60 	<ul style="list-style-type: none"> • First residential occupation 	<p>Agreement signed and completed.</p> <p>Triggers not reached to date</p>
13/0574/FULL	17-26 Vicar Street Kidderminster	<ul style="list-style-type: none"> • Education Contribution of £2,544 (Foley Park Community Primary School and Baxter College) • Public Open Space Contribution of £1,431.36 to be spent at St Georges Park • Affordable Housing Contribution of £140,000 to be spent across Wyre Forest 		Agreement drafted but unsigned

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Application Number	Site	Provisions	Triggers for Compliance	Performance
13/0573/FULL	Coopers Arms Canterbury Road Kidderminster	<ul style="list-style-type: none"> • Education contribution of £12,714 • Open space provision of £4,294.08 	<ul style="list-style-type: none"> • Commencement of development • First residential occupation 	Agreement signed and completed
13/0494/FULL	Reilloc Chain Stourport Road Kidderminster	<ul style="list-style-type: none"> • Public Open Space contribution of £13,896 (The agreement should replicate the agreement previously agreed under reference 13/0049/FULL) 	<ul style="list-style-type: none"> • First residential occupation 	<p>Agreement signed and completed.</p> <p>No occupation to date</p>
13/0465/FULL	Stadium Close Aggborough Kidderminster	<ul style="list-style-type: none"> • Public Open Space contribution of £6,202.56 • Transport contribution – To be confirmed 		Agreement signed and completed
13/0082/FULL	Riverside Building Former Carpets of Worth Site Severn Road Stourport on Severn	<ul style="list-style-type: none"> • Education contribution of £9,810 • Public Open Space contribution of £2,316 • Affordable Housing – 3 no. dwellings 		Draft with applicant's solicitors and remains unsigned

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Application Number	Site	Provisions	Triggers for Compliance	Performance
13/0208/FULL	Corner of Castle Road and Park Lane Kidderminster	<ul style="list-style-type: none"> • Education contribution of £16,952 • Highway contribution of £3,660 for Traffic Regulation Order • Public Open Space contribution of £3,816.96 		Agreement signed and completed
13/0299/FULL	Former Garage Site Bredon Avenue Kidderminster	<ul style="list-style-type: none"> • Public Open Space contribution of £1,192.80 		Agreement signed and completed
13/0282/FULL	Stone Manor Hotel Stone Chaddesley Corbett	<ul style="list-style-type: none"> • Education contribution of £24,525 • Public Open Space contribution of £4,771.20 		Agreement signed and completed
13/0186/FULL	Former Sutton Arms Sutton Park Road	<ul style="list-style-type: none"> • Variation to education contributions 		Agreement signed and completed

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Application Number	Site	Provisions	Triggers for Compliance	Performance
13/0193/FULL	78 Mill Street Kidderminster	<ul style="list-style-type: none"> • Education contribution of £12,714 • Public Open Space contribution of £1,908.48 • Affordable Housing – at 30% resulting in 4 no. of the 13 no. Units being for affordable housing 		Agreement signed and completed
13/0049/FULL	Reilloc Chain Stourport Road Kidderminster	<ul style="list-style-type: none"> • Public Open Space Contribution of £13,896 • Affordable housing 		Agreement signed and completed
12/0321/FULL	Unit 2 Greenacres Lane Bewdley	Provision of a dry access across third party land (two plots)		Agreement signed and completed
12/0507/FULL	Land off Clensmore Street Churchfields Kidderminster	Supplemental agreement to confirm the terms of the original apply to the new application		Agreement signed and completed
12/0690/FULL	5 and 6 Church Street Kidderminster	<ul style="list-style-type: none"> • Education Contribution of £2,542.80 		Agreement signed and completed
12/0447/FULL	Six Acres Castle Hill Lane Wolverley	An obligation not to carry out any further work in respect of the planning permission issued under 11/0345/Full		Awaiting proof of title

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Application Number	Site	Provisions	Triggers for Compliance	Performance
12/0667/FULL	British Red Cross Society Redcross House Park Street Kidderminster	<ul style="list-style-type: none"> • Education contribution of £3,390.40 • Open Space contribution of £2,779.20 		Agreement signed and completed
12/0644/S106	Primary Care Centre Hume Street Kidderminster	Variation to allow a Community Transport contribution to replace already agreed public transport contribution		Draft out for agreement
12/0623/FULL	Land adjacent 7 Hartlebury Road Stourport on Severn	<ul style="list-style-type: none"> • Education contribution of £15,696 • Open Space contribution of £2,316 		Agreement signed and completed
12/0433/FULL	Caunsall Farm 100 Caunsall Road Caunsall	Revocation of Secretary of State's decision dated 19 March 1979 which allowed a retail shop		Agreement signed and completed
12/0155/FULL	Land to rear of 10 York Street/ 31 High Street Stourport on Severn	<ul style="list-style-type: none"> • Education contribution of £2,460 • Public Open Space contribution of £1,349.28 	Commencement of development	Draft with applicants

Application Number	Site	Provisions	Triggers for Compliance	Performance
12/0146/EIA	Former British Sugar Site Stourport Road Kidderminster	(i) a minimum of 12% affordable housing; (ii) £100k towards a MOVA to be installed to increase the capacity at the junction of Stourport Road/Walter Nash Road West; (iii) a minimum of £90k towards maintaining three areas of informal open space (i. the knoll, ii. the informal space to the south of the site, iii. the wooded embankment adjacent to the canal) (iv) up to £35k towards public realm		Agreement signed and completed
11/0471/FULL	Clent Avenue, Kidderminster	<ul style="list-style-type: none"> • Open space contribution of £2,023.92 		Agreement signed and completed

Application Number	Site	Provisions	Triggers for Compliance	Performance
11/0163/FULL	Churchfields Business Park, Clensmore Street Kidderminster	<ul style="list-style-type: none"> • Affordable housing 22% (49 units – 17 shared ownership / 32 social rented) • Education - £150 000 • AQMA - £29 000 (towards • appropriate traffic management scheme to reduce emissions) • Sustainable Transport - £35 000 (towards refurbishing Limekiln bridge) • Highway Improvements - £284 000 (as indicated in Churchfields Masterplan including but not limited to improving bus services 9/9a) • Open Space £200 000 	<p>Prior to occupation of one third general market dwellings in phase 1 and 50% in phase 2</p> <p>1st dwelling in phase 1 & 106th in Phase 2</p> <p>Commencement of development</p> <p>Commencement of development</p> <p>1st dwelling in phase 1 & 106th in Phase 2</p> <p>On site: 5 years after landscaping completed & maintained</p> <p>Offsite: 1st dwelling in phase 1 & 106th in Phase 2</p>	<p>Agreement signed and completed.</p> <p>Phase 1 triggers met and payments received</p>

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Application Number	Site	Provisions	Triggers for Compliance	Performance
10/0550/FULL	Land adjacent to Sebright Road, Kidderminster	<ul style="list-style-type: none"> • Public open space contribution of £3055.92 • Sustainable transport contribution of £90.00 	Commencement of development	Agreement signed and completed
10/0347/FULL	Hume Street, Kidderminster	<ul style="list-style-type: none"> • Bus Service contribution £58,000 • Highways contribution £22,000 	<ul style="list-style-type: none"> • Commencement of Development • First occupation 	Agreement signed and completed
10/0165/FULL	Rear of 78 Mill Street Kidderminster	<ul style="list-style-type: none"> • Education contribution • Public Open Space contribution 	<ul style="list-style-type: none"> • First dwelling to be occupied 	Agreement signed and completed