

Open

Planning Committee

Agenda

6pm
Tuesday, 19th July 2016
Council Chamber
Wyre Forest House
Finepoint Way
Kidderminster



Planning Committee

Members of Committee:

Chairman: Councillor S J Williams

Councillor J Aston

Councillor J R Desmond

Councillor M J Hart

Councillor N Martin

Councillor C Rogers

Councillor R J Vale

Councillor S J M Clee

Councillor J A Hart

Councillor D Little

Councillor F M Oborski MBE

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 Lynette Cadwallader Committee Services Officer, Wyre Forest House, Finepoint Way, Kidderminster, DY11 7WF. Telephone: 01562 732729 or email lynette.cadwallader@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.

WEBCASTING NOTICE

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

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

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

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

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

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

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

*unless there are no reports in the open session.

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, 19th July 2016

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 26 th May 2016.	7
5.	Applications to be Determined To consider the report of the Development Manager on planning and related applications to be determined.	10
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.	67
7.	Section 106 Obligation Monitoring To consider a report from the Director of Economic Prosperity and Place that gives details of the most current Section 106 Obligations which require monitoring.	74

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**

26TH MAY 2016 (6.00 PM)

Present:

Councillors: S J Williams (Chairman), G C Yarranton (Vice-Chairman), J Aston, S J M Clee, J R Desmond, J A Hart, M J Hart, V Higgs, D Little, N Martin, F M Oborski MBE and C Rogers.

Observers:

There were no members present as observers.

PL.1 Apologies for Absence

Apologies for absence were received from Councillor J A Shaw.

PL.2 Appointment of Substitutes

Councillor V Higgs was appointed as a substitute for Councillor J A Shaw.

PL.3 Declarations of Interests by Members

There were no declarations of interest.

PL.4 Minutes

Decision: The minutes of the meeting held on 19th April 2016 be confirmed as a correct record and signed by the Chairman.

PL.5 Applications To Be Determined

The Committee considered those applications for determination (now incorporated in Development Control Schedule No.543 attached).

Decision: The applications now submitted be determined, in accordance with the decisions set out in Development Control Schedule No. 543 attached, subject to incorporation of any further conditions or reasons (or variations) thought to be necessary to give full effect to the Authority's wishes about any particular application.

PL.6 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.

There being no further business, the meeting ended at 6.27pm.

WYRE FOREST DISTRICT COUNCIL

PLANNING COMMITTEE

26th May 2016 Schedule 543 Development Control

The schedule frequently refers to various standard conditions and notes for permission and standard reasons and refusals. Details of the full wording of these can be obtained from the Development Manager, Wyre Forest House, Finepoint Way, Kidderminster. However, a brief description can be seen in brackets alongside each standard condition, note or reason mentioned.

Application Reference: 16/0176/TREE
Site Address: 1 SEVERN MANOR GARDENS, STOURPORT-ON-SEVERN DY13 0LX
APPROVED subject to the following conditions: <ol style="list-style-type: none"> 1. TPO1 (Non-standard Condition '2 year restriction of Consent Notice') 2. C16 (2 x Replacement Trees) 3. C17 (TPO Schedule of Works) 4. TPO2 (Watching Brief)

Application Reference: 16/0087/FULL
Site Address: 104 AUDLEY DRIVE, KIDDERMINSTER DY11 5NF
REFUSED for the following reason: <p>Due to the close proximity of the application premises to existing residential dwellings, it is considered that the proposed change of use to A5 Hot Food Takeaway would be likely to have a significant detrimental impact upon the amenities of existing residents within close proximity of the premises due to; the increased noise disturbance and nuisance arising from pedestrian and vehicular movements; the likelihood of customers congregating in the vicinity of the premises, particularly during the evening; and, the smells and fumes emanating from the premises from the cooking processes. The proposed change of use therefore fails to satisfy Policy SAL.GPB2 of the Adopted Wyre Forest Site Allocations and Policies Local Plan and Paragraphs 17 and 123 of the National Planning Policy Framework.</p>

Application Reference: 16/0090/FULL
Site Address: LAND AT MITTON STREET, STOURPORT-ON-SEVERN DY13 9AG
APPROVED subject to the following conditions: <ol style="list-style-type: none"> 1. A6 (Full with no reserved matters) 2. A11 (Approved plans) 3. The development hereby approved shall be occupied as specialised supported living accommodation only (Class C3(b) of the Town and Country Planning (Use Classes) Order 1987(as amended)) and for no other purpose including any other purpose in Class C3 of that Order, or in any provision equivalent to that Class in any Statutory Instrument revoking and re-enacting that Order with or without modification.

4. Materials (including hard surfacing) to be agreed.
5. Notwithstanding the detail shown on the approved plans, details of fencing/boundary treatments to be agreed.
6. Notwithstanding the details shown on the approved plans a full landscaping scheme to be agreed.
7. Landscape management plan to be agreed (to include measures to prevent invasive weeds becoming established).
8. Landscaping in accordance with detail contained in the Arboricultural Impact Assessment.
9. Landscaping works to British Standard.
10. Lighting in accordance with plans submitted. No further external lighting to River Stour elevation.
11. Prior to first occupation an uncontrolled crossing to Mitton Street shall be provided.
12. Full details of parking and turning facilities as shown on the approved plans to be agreed and implemented in full prior to first occupation.
13. Prior to first occupation provision for 6 cycles to be agreed.
14. No development shall commence until a Construction Environment Management Plan (CEMP) has been agreed. The CEMP should cover: parking for site operatives and visitors, area for site operative facilities, parking and turning for delivery vehicles, storage areas (plant and materials), wheel washing equipment, boundary hoarding, means of protection for otter, means of protection for the River Stour from run-off during construction.
15. Noise Impact Assessment which includes a full mitigation strategy to be agreed.
16. Drainage to be carried out in accordance with the approved details.
17. Electric vehicle charging point to be provided on site.
18. Boiler details to be submitted and agreed prior to first occupation
19. Land contamination – tiered investigation to be carried out prior to commencement of works.

Notes

- A. An Environmental permit from the Environment Agency should be sought.
- B. A public sewer may exist within the application site; the applicant will need to investigate this. Severn Trent are to be notified of any proposal which would be located within 3m of a sewer.
- C. S278 Agreement – details to be agreed with the Highway Authority.

Application Reference: 16/0254/ADVE

Site Address: WYRE FOREST LEISURE CENTRE, (FORMER BRITISH SUGAR SITE), SILVERWOODS WAY, KIDDERMINSTER

APPROVED subject to the following conditions:

1. L1 (Standard advertisement conditions)
2. L9 (Standard time)

Note

Identification of drawings

**EXECUTIVE SUMMARY TO REPORT OF
DEVELOPMENT MANAGER**

Planning Committee

19/07/2016

PART A Reports

Ref.	Address of Site	Recommendation	Page No.
15/0170/FULL	KIDDERMINSTER 132KV/11KV GRID SUBSTATION NEW ROAD/TRAM STREET KIDDERMINSTER	APPROVAL	11
16/0297/FULL	ELGAR HOUSE GREEN STREET KIDDERMINSTER	APPROVAL	34

PART B Reports

Ref.	Address of Site	Recommendation	Page No.
16/0041/EIA	SEVERN TRENT WATER LTD TRIMPLEY WATER TREATMENT WORKS TRIMPLEY BEWDLEY	DELEGATED APPROVAL	39
16/0099/FULL	BROOK FARM HEIGHTINGTON ROAD HEIGHTINGTON BEWDLEY	DELEGATED APPROVAL	49
16/0215/FULL	THE STABLES DEANSFORD LANE KIDDERMINSTER	APPROVAL	54
16/0266/ADVE	BEWDLEY MEDICAL CENTRE DOG LANE BEWDLEY	APPROVAL	59
16/0279/FULL	THE COOPERS ARMS 108 CANTERBURY ROAD KIDDERMINSTER	APPROVAL	62

WYRE FOREST DISTRICT COUNCIL

PLANNING COMMITTEE
19TH JULY 2016

PART A

Application Reference:	15/0170/FULL	Date Received:	28/04/2015
Ord Sheet:	382983 276068	Expiry Date:	23/06/2015
Case Officer:	Emma Anning	Ward:	Blakebrook & Habberley South

Proposal: Installation of 30m modular lattice tower, antennae and ancillary development

Site Address: KIDDERMINSTER 132KV/11KV GRID SUBSTATION, NEW ROAD/TRAM STREET, KIDDERMINSTER, DY10 1AB

Applicant: Western Power Distribution

Summary of Policy	CP11 (CS) SAL.CC5 SAL.UP6 SAL.UP7 (SAAPLP) KCA.CC1 KCA.UP1 KCA.UP5 KCA.UP6 (KCAAP) Sections 5, 7 and 12 (NPPF)
Reason for Referral to Committee	Councillor request for application to be considered by Committee
Recommendation	APPROVAL

THIS APPLICATION WAS DEFERRED FROM THE 15 MARCH 2016 PLANNING COMMITTEE TO ALLOW THE APPLICANT TO PROVIDE ADDITIONAL INFORMATION TO DEMONSTRATE THAT ALTERNATIVE SITES HAVE BEEN CONSIDERED

1.0 Site Location and Description

- 1.1 The application site comprises a 27sq.m parcel of land which is part of the Western Power Distribution grid substation located off Tram Street in Kidderminster. It is sited on land which lies between the Staffordshire and Worcestershire Canal to the west and the River Stour to the East.
- 1.2 The site is part of the Green Street Conservation Area and is adjacent to the Staffordshire and Worcestershire Canal conservation Area.
- 1.3 The site is identified as being in Flood Zone 3 and is known for surface water flooding.

15/0170/FULL

2.0 Planning History

- 2.1 14/0619/FULL – Erection of 30m high telecommunication lattice tower :
Withdrawn

3.0 Consultations and Representations

- 3.1 Kidderminster Town Council - Object to the application and recommend that it is refused on the planning grounds of unacceptable impact on conservation area, listed buildings and canal conservation.
- 3.2 Conservation Officer – The proposed site for the telecommunication mast is an in-filled former canal basin, which sits to the east of the River Stour and is included within the Green Street Conservation Area. This basin sits at right angles to the Staffordshire and Worcestershire Canal, and was formerly accessed under bridge carrying the towpath. The turning space on the opposite bank of the canal survives in use today as moorings.

The basin was constructed between 1859 and 1884, probably to serve the Castle Worsted Spinning Mills of 1877, which had been built on the site of New Pool.

The land to the north of the basin remained undeveloped until The Kidderminster and Stourport Electric Tramway Company which operated an electric tramway service between Kidderminster and Stourport-on-Severn, opened in 1898. The depot and generating station were built on this land and the access named, appropriately, Tram Street.

When the tramway system closed in 1929 the land remained in use as an electricity generating station: it still houses a major sub-station.

The basin was in-filled during the mid-20th century and whilst little evidence of it survives above ground some structure may still exist below the surface, although those remains may have been compromised by the installation of underground 11KV oil cooled cables some years ago.

Impact of the proposal on heritage assets

The proposed development sits within the Green Street Conservation Area and adjacent to the Staffordshire and Worcestershire Canal Conservation Area, both designated heritage assets.

Due to its height, the mast will impact on the setting of these Conservation Areas as they are surrounded at this location by higher ground to the west, north and east. There will also be an impact when viewed from the south due to the relatively flat approach and low buildings.

The impact is the mast silhouetted against the skyline.

15/0170/FULL

Recent photography from a vantage point at approximately the same elevation as the top of the proposed mast indicates that something this tall may be visible in part from vantage points around the town, particularly when viewed against the skyline, but also impinging on views encompassing listed buildings and Conservation Areas.

It is considered that the mast may be visible from the following designated heritage assets situated within the Green Street Conservation Area:

1. Caldwell Hall Grade II*
2. Morton's Works New Road Grade II
3. Victoria Carpet Company Green Street Grade II
4. Stourvale Mills Green Street Grade II

It is considered that the mast will feature in distant views towards the town from the falling sands railway viaduct, which encompasses:

5. Church of St. Mary Grade I
6. Church of St. George Grade II*

The mast will be visible from the following designated heritage assets elsewhere in the town:

7. Slingfield Mill Grade II
8. Piano Building Grade II
9. Brinton's Main Office Building Grade II
10. Chapel of Rest Cemetery Park Lane Grade II
11. Church of St John Grade II
12. 40 Park Lane (Now Weavers Pub) Grade II

In addition to the designated heritage assets above the proposed development may also be directly visible from the following undesignated heritage assets which appear on the Local Heritage List for Kidderminster and sit within the Green Street Conservation Area:

1. Fire Station Castle Road LLK432
2. Kidderminster Corporation Baths Castle Road LLK31
3. Castle Spinning Mills New Road LLK436
4. Campion House Green Street LLK429
5. Elgar House Green Street LLK430
6. Frank Stone Works Green Street LLK435
7. Stourvale Mill Site and Boucher LLK431
8. Former Brinton's Works Castle Road LLK433
9. Water Works House LLK316
10. Pumping Station LLK438

15/0170/FULL

Amongst other Locally Listed Heritage Assets outside the Conservation Area from which the proposed development will be visible are:

- 11. Willis's Carpet Factory Worcester Street LLK407
- 12. 74-95 Park Street LLK293-314

Whilst clearly some of the assets are some distance away, others are in close proximity.

The impact on these heritage assets will be purely visual: the mast may be visible from and affect the setting of these heritage assets as seen from many varied vantage points across the town centre.

Impact on views into, out of and across the Conservation Area

The principal impact will be on the setting of the Green Street Conservation Area and the Staffordshire and Worcestershire Canal Conservation Area. These are situated in the Stour Valley and surrounded to the west, north and east by higher ground. The approach to the town from the south is largely unimpeded by tall buildings and thus the mast will be visible on the skyline from Worcester Road and New Road.

The structure will also be visible from the south in views towards the town centre and the Conservation Area. Despite its slender profile (excluding the antennae) it will stand a good deal taller than the surrounding buildings – approximately 1/3 taller than the towers belonging to the fire station, Morton's Works and Castle Mills.

Whilst tall structures are a feature of the Kidderminster skyline – and there are several within the Green Street Conservation Area, these generally have a degree of design and style attributable to them.

Historically there is a precedent for very tall structures: photographs from the 1930s show dozens of brick chimneys serving the town centre factories. Most of these have now gone, the most notable survivor being the Grade II listed chimney adjacent to Slingfield Mill.

Less than substantial harm

Although the visual impact of the proposal on the heritage assets identified above must be considered to amount to less than substantial harm, the impact on them will still be somewhat negative.

Development of this type has the potential to increase in impact as additional antennae are added to the lattice mast. The applicant has indicated that two antennae will ultimately be required, both CL dishes, however there is currently no requirement for any additional antennae and thus removal of Class 24 permitted development rights will, as the applicant suggests, prevent uncontrolled additions in the future.

15/0170/FULL

Archaeology

The location is a former canal basin, the structure of which may well remain below the current datum level. A pre-determination excavation will be required to assess the suitability of the site for the foundations required for the mast, and the design of these should not damage buried archaeology.

Policy

The P (LBCA) A 1990 requires development proposals affecting a Conservation Area to preserve or enhance that Area.

The NPPF at paragraph 131 requires local planning authorities to take account of the desirability of new development making a positive contribution to local character and distinctiveness.

If there are believed to be public benefits to this proposal, then these should be weighed up against the less than substantial harm the mast could have on the Conservation Areas and surrounding heritage assets, in accordance with the NPPF paragraph 134.

Conclusions

I think it would be very difficult to argue that a mast and antenna of the scale proposed would enhance the Conservation Area. I cannot see how the mast will contribute to local character and distinctiveness, other than to create a dominant feature on the skyline of the southern part of the town.

Having said that, this was and is an industrial area, and there is a history of electricity generation and related uses on the adjacent site. If a mast has to be erected in this vicinity I think that the proposed location is probably the best compromise, although it will serve to dominate nearby housing on the west side of the canal.

The very detailed heritage statement submitted with this application at “5. Technical Justification” makes a very clear and compelling case for the provision of microwave links to replace leased BT copper cable, which network BT can no longer maintain.

The heritage statement also clarifies the rationale for the precise location proposed at the southern end of the site, which appears to me to be wholly reasonable given that there will be a total reliance on the mast to protect the sub-station and the need, therefore, to protect the mast from fire.

I believe the application fails to comply with most elements of WFDC Policy SAL.UP6, introducing an alien feature into and adjacent to the Conservation Areas, and failing to enhance or better reveal the significance of the Area. Overall there will be an adverse impact on the setting of the Conservation Areas and to a lesser extent on more distant and wide-ranging views of a number of designated heritage assets.

15/0170/FULL

However, the supporting documentation (heritage statement) clearly demonstrates that there are no reasonable alternative means of meeting the need for this development, and thus satisfies part a) of SAL.UP6 .

In respect of the NPPF paragraph 134, the less than substantial harm caused to the designated heritage assets affected by the proposal, should be weighed against the public benefits.

I think that ultimately the town cannot function without electricity, and given the main Grid Substation for the town is situated where it is, the proposed development must outweigh the individual significance of both Conservation Areas, as the public benefits are undeniable.

No objections. Suggest condition to withdraw PD rights on the Mast. Suggest condition to record archaeology affected by construction on historic basin.

- 3.3 Historic England – We provided advice previously on an application to erect this tower in another location further to the north - we were concerned about the impact of it on Caldwell Hall, a Grade II* listed structure, known as the oldest secular building in Kidderminster. Then we commented on the new location proposed which was further south, within the Green Street Conservation Area, an area of former carpet manufacturing and of great significance. As the conservation officer has demonstrated the impact of the new mast would be far-reaching and would affect the settings of numerous designated and undesignated heritage assets. We advised that were you minded to grant permission you should seek to limit the amount of fixtures on the mast to reduce its potential to cause harm and you should ensure that the associated boundary treatment was sensitive to the conservation area.

In this amendment we see an additional dish being proposed and we are concerned by the statement that although only one dish was previously shown two were always intended, the second being seen as exempted development. We do not consider this change to be acceptable where such sensitive heritage assets are involved and where as acknowledged it is the accumulation of extra dishes, paraphernalia etc. that causes more impact as they erode the transparency of the mast. Therefore we do not support a second dish here.

We also do not see how steel palisade fencing will enhance or better reveal the significance of the conservation area as under paragraph 137 of the NPPF.

Notwithstanding the fact that other such fencing is in situ a greater effort should be made with the appearance of any new fencing. Therefore we do not support the proposed fencing either.

15/0170/FULL

We would urge you to address the above issues, and recommend that the application should be determined in accordance with national and local policy guidance, and on the basis of your specialist conservation advice. It is not necessary for us to be consulted again. However, if you would like further advice, please contact us to explain your request.

- 3.4 Canal & River Trust – After due consideration of the application details, the Canal & River Trust as statutory consultee has no objection subject to the imposition of conditions :

We note the planning history in relation to the previous proposal for a mast for operational purposes in this locality. In terms of the visual impact on the canal corridor it is unfortunate that the tower could not be set further back from the canal or to the rear of the electricity sub-station rather than on the site of the former canal basin. We consider that there will be an adverse impact on the canal corridor, but we note the Applicant's comments regarding the public benefits of the proposal and the requirements of paragraph 134 of the NPPF. In this context we do not consider that the harm outweighs the identified public benefits. Accordingly we can advise that we have no objection to the application subject to the imposition of conditions as set out below.

We welcome the proposal for a condition to remove permitted development rights for the installation of transmission dish antennas to keep the visual harm to a minimum. To address the issue of potential buried archaeology we also welcome the suggestion of a condition that requires any reasonably necessary archaeological survey work is carried out at the application site prior to the installation of the tower.

- 3.5 Kidderminster Civic Society - We are objecting to this application particularly in view of it being in both the Green St Conservation Area and adjacent to The Staffordshire and Worcestershire Canal Conservation Area (both designated heritage assets). The Mast's height (and bearing in mind that such masts tend to end up with additional equipment added to them) will dominate an area that should be unspoiled especially bearing in mind the Attractive Canal setting and the proximity of both of the said Conservation Areas and will inevitably detract from those protections to the local heritage and townscape. Its closeness to Caldwell Tower and other Listed Buildings will detract from their amenity and setting as well.

The area may be of archaeological interest owing to past activities on the site. We believe that this application would be in breach of WFDC Policy SAL UP6 and it should be refused.

15/0170/FULL

3.6 Environment Agency -

FLOOD RISK

The proposed development is located within Flood Zone 3 (1% annual probability of fluvial flooding) based on our indicative Flood Map for Planning. The site is adjacent to the River Stour (Main River). This location affords some protection from the Kidderminster Flood Alleviation Scheme which protects to a 1 in 100 year standard.

The undefended 1% plus climate change river flood level at this location is 30.66m AOD, based on node 'STOU01_07957' from our River Stour flood model. The 0.1% flood level (Flood Zone 2) is 30.78m AOD.

No level survey or detailed Flood Risk Assessment (FRA) is submitted with the planning application.

VULNERABILITY

We note from your email that you are considering the development as 'essential infrastructure' (Table 2 of the NPPF refers) which "has to be located in a flood risk area for operational reasons". It should be noted that Telecommunications installations required to be operational during flooding are classed as 'highly vulnerable', but a facility which is not generally required to be operational in a flood event is normally considered as 'less vulnerable'.

The supporting statement confirms the sensitivity of the proposal in that a "robust, high-speed communications network is...essential if safe operation of the electricity supply network and government targets are to be met in the public interest". This is on the basis that the protection system sends signals back via the electronic communications network.

SEQUENTIAL TEST

Paragraph 101 of the National Planning Policy Framework requires decision-makers to steer new development to areas at the lowest probability of flooding by applying a 'Sequential Test'. It states that 'Development should not be allocated or permitted if there are reasonably available sites appropriate for the proposed development in areas with a lower probability of flooding'.

Only where there are no reasonably available sites in Flood Zones 1 or 2 should the suitability of sites in Flood Zone 3 be considered, taking into account the flood risk vulnerability of land uses and applying the Exception Test if required (see Paragraph 102 of the NPPF).

Based on the scale and nature of the proposal, which is considered non-major development in accordance with the Development Management Procedure Order we would not make any bespoke comments on the Sequential Test, in this instance. The fact that we are not providing comments does not mean that there are no sequential test issues, but we leave this for your Council to consider.

15/0170/FULL

FLOOD RISK ASSESSMENT

Whilst a detailed FRA has not been provided we would advise the following.

Impact on flood risk elsewhere

Opportunities should be sought to help prevent and reduce flood storage impacts in the local area. However, in this instance, we would not object to the proposed development in the absence of such. This is on the basis that the footprint of the proposed development is equivalent to ‘minor development’ (our flood risk standing advice refers).

Safe development

We would recommend that the proposals should be designed to avoid water damage and remain operational. This is particularly important noting the sensitivity of the proposal.

This is for the benefit of the applicant and the environment. We would suggest that any flood susceptible electrics/other parts within the tower and control kiosk are designed to be sited at least 600mm above the undefended 1% flood level plus climate change (floodplain, or flood-protected, in order to prevent flood risk and associated pollution risk. For longer term sustainability we would also advise that the applicant considers siting above the 1 in 1000 year floodplain level of 30.78, with 600mm freeboard.

It should also be noted that new climate change allowances are being published in the Autumn (2015). These are currently in draft. The table below is for the Severn River Basin district, for your information at this time in considering wider resilience measures.

Total potential change anticipated for period	2015-39	2040-2069	2070-2115
Severn			
Upper end	25%	40%	70%
Higher central	15%	25%	35%
Central	10%	20%	25%

PROXIMITY TO THE RIVER STOUR

The proposal is not within 8 metres of the River Stour (Main River) so will not adversely affect our access and maintenance responsibilities, or impact upon the flow regime.

3.7 North Worcestershire Water Management (NWWM) - Based on the response of the Environment Agency I would make the following comments:

- a) It is up to the Council to decide whether the Sequential Test has been passed.
- b) The development will not increase flood risk elsewhere

15/0170/FULL

- c) To make sure that the development itself will be safe for its lifetime the Environment Agency suggests that any flood susceptible electrics/other parts within the tower and control kiosk are designed to be sited at least 600mm above the undefended 1 in 100 year + climate change level of 30.66 m AOD (so minimum 31.26 m AOD) and for longer term sustainability they advise that the applicant considers siting at least 600mm above the 1 in 1000 year floodplain level of 30.78 m AOD (so minimum 31.38 m AOD).

3.8 Neighbour/Site Notice – 22 individual letters of objection and a 149 signatory strong petition were received prior to the submission of revised plans on 16th December 2015. Following consultation on said revised plans a further 6 letters of objection were received. The comments made can be summarised as follows;

- a) The height of the mast would make it visible for miles around and totally out of character with the surrounding area.
- b) The location chosen on the site is probably the most conspicuous location possible, right next to a car park & in close proximity to the canal tow path.
- c) In an era of modern technology surely there is an alternative method of communications that does not require such a large mast to be constructed, the option of using five optic cables which would cost WPD £1.36m seems to have been dismissed purely on cost alone however I would imagine this method of communication would far outlast the lifespan of a 30m tower exposed to the elements all year round, and also allow for future communications to be sent by fibre optic as technology advances in the future.
- d) WPD does not appear to have considered utilising existing structures to mount their satellite dishes on to allow a signal to be bounced onwards, this could potentially negate the need to construct the 30m high tower.
- e) The applicant has submitted revised plans but has failed to provide comment on all of the sites suggested by locals as alternatives for the mounting of the required antennae. The amended application now looks very superficially at using a historic chimney but fails to consider Kidderminster College or the Champney Flats at Hoobrook for dish mounts. Using the last electricity pylon adjacent to the Severn Valley Railway Bridge and the Canal has also not been considered commented on. There already is suitable underground trunking from the transformers at Tram Street to the pylon along the canal for an fibre optic cable. This proposal will not require a new mast. A large skeleton tower has recently been constructed in the vicinity of Hoo brook retail centre & with existing cabling that runs from the Tram street sub station along the canal tow path surely this would provide an alternative site for a satellite dish to be mounted on?.

15/0170/FULL

- f) With the redevelopment of Kidderminster town centre and the possibility of the Tram street area being redeveloped for housing the construction of a 30m high mast would surely put off any construction company thinking of building houses in this area which would have negative effect on the redevelopment of Kidderminster as a whole.
- g) The installation of such a large and intrusive structure would detract from the canal waterway and would deter the canal fraternity.
- h) The impact of the proposed tower would have on the local environment and nearby residents outweighs the reasons for siting such a large structure of such great height at this location.
- i) As the communications are required for communication rather than electrics then the development is unnecessary.
- j) The proposal will adversely affect the saleability of properties in Round Hill Wharf.
- k) The outlook from nearby properties will be blighted.
- l) The mast should be located in a lesser populated area.
- m) There is alternative technology, which would not require a mast, which would achieve the same goal. Fibre optics should be used instead.
- n) However we do not have to look far for evidence that physical links already exist between the Kidderminster and Stourport electricity substations. By viewing their geographic maps and diagrams on the WPD web site. It can clearly be seen that connections exist.
- o) I am very concerned that yet again (!!) poor town planning is overlooking one of Kidderminster's greatest assets -which is the historic carpet industry. Kidderminster's carpet story is unique and has so much potential for tourism and investment in history and leisure as examples - and a great ugly mast in the conservation area, isn't going to sit well in the landscape, or be attractive to canal people - who in previous studies have asserted Kidderminster is unappealing.
- p) WPD claim there is no fibre optics in the area - we understand that it has been put in at the end of Park Lane.
- q) Big companies put profit before the environment and possible impact on peoples lives. They have obviously opted for the cheapest option.
- r) There are many children living in our estate and it is a wonderful place for families. A 30m tower nearby would significantly diminish that. It would restrict views and have potential health implications for us and our children. There have already been a number of explosions at the substation so I also fear for further safety issues.
- s) In safety terms the mast creates the risks of physical damage by collapse, electrical fire and chemical spillage in the event of storm damage or lightning strike.

15/0170/FULL

- t) The applicant makes reference to the five SAL.CC5 criteria, however they only offer evidence for (i) "the need" for this mast for communications in the event of accidents. However, there is no discussion on alternative technologies. In respect of criteria (ii) the "adverse impact" then have s ignored all of the Round Hill Wharf which would be subjected to a ring side view of this carbuncle! For criteria (iii) "other sites" they have ignored many possible industrial sites. For example there are existing pylons which intersect the canal towards Stourport just beyond Hoobrook. Underground trucking already links this site which will accommodate optical fibre lines. This proposal will save the cost of a mast as the dish can be mounted on the existing pylons! In respect of criteria (vi) and "sharing" existing masts such as those on the Champney flats at Hoobrook which may be suitable. In respect of criteria (v) there are several "existing tall buildings" such as the Fire Station tower which could carry a shorter mast.
- u) The application clearly states there is no flood risk. However, there is a flood risk assessment included with the application which reports a high risk of flooding given the close proximity of the River Stour and the canal. Flooding over the tower site could destabilise the ground and create a risk of collapse.
- v) On their revised plan which includes two dishes, Western Power Distribution have also specified the bearings of the dishes as 304 and 358 degrees. This doesn't seem right for links to the Bewdley Arqiva tower and Bishopswood substation which are actually southwest and south of the site. If the WPD revised plan is correct it suggests the dishes are going to be used for a different purpose than that described in the application, so the application should be rejected as falsely presented. I should also point out that drawing KIDD/003 claims to be the North East elevation of the site, but this cannot be correct according to the compass shown in drawing KIDD/002 and note that the tower will actually be 31.5m high if you include the lightning finials.
- w) It is understood that WPD have submitted other applications (on in Bromsgrove) for which they have carried out line-f sight surveys. Surely this mirrors the suggestion by the objectors that the pylon at Hoobrook could serve this purpose and then run fibre optic link to Kidderminster Substation. Hence no need to build a mast which removes that cost which is replaced by the cost of a relatively short fibre optic link.
- x) Important is the following statement made by WPD in their planning application for a mast to be situated in Longbridge a little distance from the substation there. Their justification for locating it where they sought approval being as follows. 'Western Power is also restricted from locating the structure nearer to the substation equipment, as we need to adhere to safety regulations regarding falling distances. This stipulates that the structure needs to be 1.4 times its height from live electrical equipment. A survey of the site found that this location is best from a safety point of view.' Presumably the same regulations apply nationwide.

15/0170/FULL

WPD would not write this were it not accurate. On that basis the Kidderminster proposal clearly breaches these safety regulations! We know that from their own admission due to having moved their original placement for this mast from the north end of the substation to the southern end that their initial consideration was because that end was safer. It clearly indicates that the south is the more dangerous and now appears to breach safety regulations if what is disclosed above is correct.

4.0 Officer Comments

PROPOSAL

- 4.1 Planning permission is sought for the erection of a 30m high lattice tower with two dish antennae mounted on the mast at 28.5m above ground level. The tower would sit on a 4.3m square concrete base which would have 1.8m high palisade fencing around its perimeter. The development would be located within the existing Western Power Distribution (WPD) site off Tram Street, Kidderminster. The exact location within that site is proposed as the furthest north-east corner of the site adjacent to the boundary with the River Stour.
- 4.2 Kidderminster Grid Substation, together with Bishopswood and Stourport Grid Substations, which form a single 'ring network' are co-dependent on each other for their continued safe operation and communications. Together, the three grid substations supply mains electricity to over 55,000 residential properties, and industrial and commercial premises in Wyre Forest District.
- 4.3 The proposed development is required as a mechanism to protect the WPD network across the Midlands. Information submitted by the agent confirms that when there is a fault in the network, the control system requires immediate connectivity to shut down the electricity supply lines for protection of the grid substation from the risk of permanent damage or fire. To date WPD's control and communications network has been provided by private BT copper leased lines. However, BT has stated it can no longer continue to support WPD's existing copper network, which has gone far beyond its design life. Unfortunately, BT's replacement copper system, which is cloud based BT technology, will no longer meet the split level latency period of 19 milliseconds for circuit breakers to close the electricity supply lines immediately, which is a strict requirement for a safe electricity network protection system. WPD has therefore no choice but to replace the existing copper BT leased lines, replacing them with a mixture of underground fibre optic cables and microwave links, that will provide the necessary latency for its future protection system and also permit more sophisticated monitoring and control of its supply network.

15/0170/FULL

- 4.4 Whilst WPD are utilising a range of options for providing the communications connectivity they require, they state that at the application site the only feasible option is for a microwave antenna mounted at 28.5m above ground level. The antenna requires a clear line of sight between the Kidderminster site and the linked microwave transmission dish antenna to be installed on an existing national grid radio tower at Bishopswood. From Bishopswood a high-speed microwave and fibre communications link with the necessary latency is available to WPD’s control centre at Castle Donington. The antenna will also provide communication resilience for Stourport Grid Substation via line-of-sight communication with the Arqiva broadcast tower at Bewdley, which is not otherwise achievable.
- 4.5 Concerns have been raised that the applicant has failed to consider alternative sites to mount the antenna and that there are other technologies which would meet the requirements of this project. Information provided by the applicant confirms that options to utilise existing structures locally was considered, however there are no structures of sufficient height which have the clear sight lines required to allow required communications. The applicant has also provided comment on the option to meet the need through the use of fibre optic cables as follows;

“In respect of the Kidderminster Grid Substation, WPD has no fibre optic cable anywhere in this area. Therefore to avoid the proposed 30m tower at Kidderminster, WPD would need to lay fibre optic cable from Kidderminster to Bishopswood via Stourport, a straight line distance of 8.7km. The estimated cost of laying 8.7km of fibre optic cable is over £1.36 million - comprising approx. £696,000 for civils, to which can be added a minimum of 40%+ for route deviations and further 40%+ for ducting and cables. The disruption to local communities and businesses from over 8.7km of trenching in the highway would be enormous. Most importantly, the cost would be completely prohibitive.”

PRINCIPLE OF DEVELOPMENT

- 4.6 Telecommunications development is referenced specifically in the National Planning Policy Framework and is covered by specific policies in the development plan for the District. Policy SAL.CC5 states as follows:

Policy SAL.CC5 : Telecommunications

Proposals involving the erection of telecommunications equipment will be allocated where it is satisfactorily demonstrated that:

- i. There is clear evidence of need for the development.
- ii. It is sited and designed so as not to result in significant adverse impact to interests of acknowledged importance, subject to operational and technical requirements.
- iii. There are no satisfactory alternative available sites.
- iv. There is no reasonable possibility of sharing facilities.
- v. There is no possibility of erecting antenna on an existing building or structure.

Proposals that will individually or cumulatively have a serious adverse impact on sensitive landscape, townscape or nature conservation will not be approved.

All proposals for telecommunications infrastructure must demonstrate that they meet International Commission guidelines for public exposure.

15/0170/FULL

Provided that the proposal is found to meet all of the requirements of the above policy or there are material considerations which would justify overriding the policy requirement, then the principle of development would accord with the requirements of the development plan. The criteria set out in the above policy is considered in more detail in the remainder of this report.

NEED FOR THE DEVELOPMENT

- 4.7 The applicants have provided detailed information regarding the need to provide communications links from the application site to protect that site and the Stourport Grid Substation. I have no reason to doubt that there is a legal operational and safety requirement to secure the communications which would be delivered by the proposed development.
- 4.8 Several third party responses to the application have queried the need for a mast and have suggested that alternative means of delivering the required communications infrastructure would be viable. The applicants have considered the possibility of fibre optic cables and have indeed opted for this at other sites in the WPD network where it would be operationally possible. In the case of the Tram Street site it would be operationally possible to opt for a fibre optic link however information provided by the applicant, as set out under Paragraph 4.5, indicates the operational implications of such an alternative, as well as the cost prohibitive nature of such works.
- 4.9 As a result of a re-consultation exercise several alternative sites were put forward by members of the public. The alternatives were presented to WPD for their comment following deferral of the application from the 15th March 2016 Planning Committee. The table below summarises the proposed alternative sites/options and provides commentary on each from WPD.

Suggested Site: Kidderminster College
WPD Comment: First, line-of-sight is not available from the grid substation to the college – The Tesco building opposite would block the radio signals. A 15m communications tower would need to be installed at the grid substation to provide clear line-of-sight to the college rooftop. Secondly, the college buildings are faced with industrial metal cladding and have an elliptical shaped roof. The building is wholly unsuitable for the installation of transmission dish antennas on it. Thirdly, it is not known if the college authorities are willing to accommodate WPD’s antennas, but in any case the building is not suitable and the college is not open 24 hours a day, 7 days per week, 365 days per year; immediate access to the rooftop with a maximum of one hour’s notice is most unlikely to be available. The alternative is untenable
Suggested Site: Champneys Flats
WPD Comment: As with Kidderminster College line-of-sight cannot be provided back to the grid substation and in this case as the land rises steeply to the northwest of the flats the option of providing a 15m tower at the grid substation to provide the required line-of-sight to the rooftop is not available. Whilst a member of the Champney Flats Residents’ Association has suggested that the members and the Freeholder would be amenable to considering the flats as a mounting structure does not change in any way the first reason why Champney Flats cannot be sed. Line-of-sight cannot be provided back to Kidderminster Grid Substation from these flats. The designer has provided a terrain cross-section, to which needs to be added ca 10m to allow for ‘clutter’, buildings and trees on the land, which block clear line-of-sight. He calculates the required line-of-sight cannot be provided from Kidderminster Grid Substation to the top of Champney Flats, even with a 30m tower installed at the Grid Substation. The alternative is untenable.

<p>Suggested Site: Electricity Pylon adjacent to Severn Valley Railway Bridge (Hoobrook)</p>
<p>WPD Comment: The pylon is located about 1.5Km to the south of the grid substation and as the third party objector suggests there is surface trunking running along the canal towpath from the grid substation southwards past the pylon. There is however no link between the pylon and the trunking running along the canal towpath - the pylon stands on the other side of the River Stour on flood liable land away from the river's east bank. First, dealing with the use of the trunking: it currently accommodates an oil cooled 33kV cable. Fibre optic cable cannot be laid in the same trunking; if a fault developed on the 33kV cable it would very likely damage the fibre optic cable too, which would mean that the grid substation 132kV supply would no longer be protected. Power supplied from the Kidderminster grid substation would need to be cut until the communications link could be restored. The 33kV cable in the surface trunking running along the canal towpath is vulnerable to attack and has previously been damaged by thieves attempting to steal the cable. For these reasons any fibre optic cable from the grid substation to the pylon would need to be laid in its own duct buried deep within the canal towpath for protection. This would be a major and very expensive undertaking that would also be very disruptive to the use of the towpath by others. Secondly, while the pylon belongs to WPD the land on which it stands does not. Agreement would therefore need to be reached with the landowner to site an equipment cabinet close to the base of the pylon, to process the radio signals and to provide a low voltage power supply across his land to the cabinet installation. The land on which the pylon stands is flood liable and this would create immense difficulties for installing the necessary flood proof cabinet. The low voltage electricity supplies to power the apparatus need to be completely isolated from the risk of arcing via the antennas from the high voltages carried in the cables on the pylons; pylons are particularly susceptible to lightning strikes and the flood liable ground does not help with isolating the low voltage supplies which may need to be provided to the cabinet as a pole mounted overhead supply. Thirdly, as stated, the pylon stands on the east side of the River Stour some acceptable means of laying fibre optic cable across the River Stour would therefore need to be provided, if it were to be run in its own duct beneath the towpath 1.5Km back to the grid substation. The suggested alternative is untenable.</p>
<p>Suggested Site: Hoo Farm Industrial estate</p>
<p>WPD Comment: There is a 15m lattice tower at Geoff Hand Automotive Engineering, Arthur Drive (Orange Cell HER0150). There are currently sector antennas arrayed around the top of this tower. If the lattice tower at were made available to WPD it would only be able to install the three 600mm transmission dish antennas that would be required at or below 12m AGL. Two microwave dishes are required to provide the required links to Bishopswood Grid Substation and the Arqiva tower at Bewdley (for onward link to Stourport Grid Substation); a third microwave link is required back to Kidderminster Grid Substation, for which a minimum of a 15m tower would then need to be installed at the Tram Street site, to provide line-of-sight to this lattice tower. At 12m AGL clear line-of-sight for the microwave dishes over the adjacent woodland to the 'farend' links at Bishopswood and Bewdley would be very marginal. WPD's designer has calculated these links would be grazing the tops of the trees and are far below the minimum clearance required to allow for the future growth of trees. He considers that within one year the links would be blocked by tree growth, which would prevent them from working. There is a 15m monopole at the rear of Chips Away, Edwin Avenue (Orange Cell ER0104). It would also be contrary to WPD's policy to use this type of structure and it is Not a secure site. The 15m monopole is also of an unsuitable design <i>to install</i> the three additional 600mm WPD microwave dishes that would be required: two to provide the microwave links to Bishopswood Grid Substation and the Arqiva tower at Bewdley (for onward link to Stourport Grid Substation); the third for a microwave link back from the monopole to the Kidderminster Grid Substation, for which a minimum of a 15m tower would then need to be installed at Tram Street site to provide line-of-sight to this Monopole. Even if it were possible to install 3 additional WPD microwave dishes on this monopole, which it is not for the reasons given, line-of sight at the likely available height of ca 9m AGL, below the existing Orange PCS (now EE) microwave dishes on the monopole, could not provide line-of sight Over the surrounding trees and buildings to Bishopswood or Bewdley. Both the suggested alternatives are totally constrained.</p>

15/0170/FULL

Suggested Site: Roundhill Wharf

WPD Comment: This site was suggested at the last planning Development Control Committee meeting as an alternative site to which the laying of fibre optic cables to the substation from there would be simple. Whilst it appears it would be possible to provide line of sight from Round Hill, which will require a minimum of a 30m tower to be installed here, possibly more, subject to detailed survey. However, getting fibre to the site is both very problematic and expensive. WPD has investigated three alternative routes for a fibre optic connection from the grid substation to Round Hill. The cost of building a telecommunications radio base station, if it were possible at Round Hill, which is doubtful, would be prohibitive: the cheapest option would cost well over £300,000.

Additional commentary provided by WPD (04/07/2016)

WPD has now received the report of Simon Vincent, National Civils Manager of Beacon Comms, Lichfield, WPD's civil engineering contractor, which builds all its communications towers and installations.

To construct a radio base station on the top of Round Hill including the required 3m wide access road for servicing the installation would cost more than £750,000 and take up to 9 months to build. It would require among other things removing all trees to allow a 6m wide easement and require major earthworks to get the correct levels from the car park at Round Hill Wharf. In addition to the build cost, the cost of the installation itself: tower, equipment cabin, standby generator, compound etc would be approx. £130,000. Lastly the cost of providing fibre and power to the site would be approx. £200,000. A total cost of well in excess of £1m. Such a cost is completely prohibitive to WPD.

There is currently no vehicular or even footpath access to the top of Round Hill. Access to the top of Round Hill is currently via a short flight of steps adjoining the car parking area at the western end of Round Hill Wharf (see attached image) and then a scramble up the steep hill dodging between the trees, all of which are protected by a Tree Preservation Order (TPO 227). An access road will need to be constructed to any radio base station on the top of Round Hill to allow for its future servicing and to provide the route for the fibre optic and power cables to be laid in ducts in the ground beneath the road. The access road will need to be constructed to a gradient that is capable of being used by heavy vehicles during the construction period including a crane and heavy piling equipment: the equipment cabin weighs over 4 tonnes and once delivered to the construction site by lorry will need to be craned into position; due to the very exposed position on the top of Round Hill, the radio tower will need to have foundations drilled deep into the rock to ensure its future stability and safety.

The Council's Arboricultural Officer has been consulted by WPD on the possible installation of a radio base station on the top of Round Hill and among other things has advised: *'I would not be supportive of an application that resulted in the woodland being compromised, however it may be possible to construct a vehicle access (service) road using a no-dig method and therefore very few trees being directly affected'*. However, due to the nature of the terrain and slope at Round Hill, a no-dig method of construction could not be used for the provision of the access at this site. It is likely a significant number of protected trees would need to be removed to allow the construction of a radio base station and access road to the top of Round Hill.

To conclude, if it is practically possible to construct a radio base station on Round Hill, which is very doubtful, the effect on the trees protected by a TPO and vegetation will be substantial; the impact on the residents of Round Hill Wharf during the construction period will also be significant. The cost, previously estimated to be over £300,000 is now likely to be considerably more and is completely prohibitive to WPD.

15/0170/FULL

- 4.10 In addition to the sites listed above suggestions were made for town centre sites including Crown House and Slingfield Mill. Whilst WPD have not provided bespoke comments on these options I consider that with the former earmarked for demolition and measuring in at approximately 24m Crown House would not be a viable option. The Grade II Listed chimney stack is only 23m tall and being a Listed Structure it would be extremely undesirable to install any telecommunications equipment on it. There are no other masts in the vicinity of the proportions required to allow for sharing and to mount the antennae at the required height.
- 4.11 Suggestions were also made that the mast should be re-sited to an alternative location within the Tram Street site notably to the front of the existing building directly opposite the Tram Street entrance. On this matter the applicant has provided detailed drawings to show the layout of underground cables at the site which would hinder the installation of a mast at this location, to do so would also block two existing fire escapes. I am also mindful that the current proposed location was favoured by the Council's Conservation Officer as being the location least likely to impact on the Canal Conservation Area. I am therefore satisfied that relocating the proposed mast within the site is not a viable option.
- 4.12 Kidderminster Harriers Football ground was also suggested as an alternative site with the antennae being located on existing floodlight structures. WPD have provided 'line of sight' section showing that the site would not be viable. The section shows that to achieve uninterrupted communication a 63m mast would be required. The agent has explained that even if it were possible to provide line of sight, which it is not, WPD will not site their dish antennas on these structures. They are non-climbable monopoles which would not allow for free any-time access as is required. WPD is also doubtful if it is safe to site their antennas on these floodlight towers which are designed for lighting purposes only and considers, this would put the safety of staff and spectators at unnecessary risk. On this basis I am very comfortable with ruling this suggestion out as a viable alternative.
- 4.13 I have no reason to doubt that any of the information provided by the applicant in respect of current fibre optic provision or the likely financial cost of installing fibre optic provision is in any way disingenuous. Being mindful of the Court decision cited by the applicants (*Regina v Westminster City Council ex parte Monahan*, Court of Appeal, 1989) which confirmed that financial constraints can be material considerations in assessing the planning balance of any proposal. Subsequent Court decisions have confirmed this point in 1999 and 2009. I must therefore accept the applicant's position that the financial costs of fibre optic connections would be financially prohibitive at this time. Having assessed the applicant's response to the list of alternative sites and alternative means of provision put forward for consideration and given that there are no reasonably achievable alternative means of securing the required communications network then I am satisfied that criteria i and ii of Policy SAL.CC5 is satisfactorily addressed.

15/0170/FULL

- 4.14 With a height requirement of 28.5m for the antenna to facilitate the required clear sight lines between the antenna and the Bishopswood tower there is clearly a significant operational dilemma for WPD in securing this necessary infrastructure if a fibre optic solution is not viable. Having considered all of the alternatives put forward in the context of the operational requirements of the provider I am satisfied that there are no reasonable prospects of finding an existing building or structure which could meet this need. I am therefore satisfied that criteria iii-v are also satisfied.

IMPACT ON LANDSCAPE & HERITAGE ASSETS

- 4.15 The location of the application site would mean that the proposal would impact on two Conservation Areas, the townscape of Kidderminster and would have the potential to affect the setting of statutory and non-statutory Listed Buildings, accordingly the advice of the Conservation Officer has been sought and is detailed above.
- 4.16 Photomontage (existing and proposed) drawings submitted by the applicant show how the proposal would appear from specific vantage points outside of the application site. The comments of the Conservation Officer at paragraph 3.1 of the report provide a very robust assessment of the likely visual impacts of the proposed development both on heritage assets and on the wider townscape.
- 4.17 There is no need for additional comment or the reiterating of the points made and conclusions drawn in the comments of the Conservation Officer other than to concur with the views stated. Whilst the conclusion differs from those expressed by both Historic England and Bewdley Civic Society, I am mindful that the Conservation Officer has carefully balanced the harm to the landscape and heritage assets against the need for the development. Whilst the development will, no doubt, have some adverse impact on the townscape of Kidderminster and will adversely affect heritage assets such impacts when weighed against the operational and technical requirements and need for the development are, in my view, significantly outweighed by other considerations namely to essential need to ensure a safe electricity supply to Kidderminster and beyond is maintained.
- 4.18 Whilst the proposal is contrary to the requirement of Policy SAL.CC5 of the Site Allocations and Policies Local Plan which resists development which would have an adverse impact on sensitive townscape, landscape or nature conservation, there are material considerations in this instance which would weigh heavily in favour of the approval of the scheme.
- 4.19 Specific concerns relating to the design of the proposed boundary palisade fencing have been considered however, given that the sub station site already benefits from such fencing and that the appearance of the site is industrial in nature then I do not feel that further palisade fencing in this location would cause the degree of harm suggested.

15/0170/FULL

- 4.20 The applicant has agreed that additional landscaping on the site may help to soften the appearance of the site overall, especially where it shares a boundary with the Conservation Area. It is therefore recommended that a detailed landscaping plan condition be included on any permission issued.

HEALTH IMPLICATIONS

- 4.21 Concern has been raised that the proposal would have health implications for local residents. The NPPF at paragraph 45 refers to the need for ‘a statement that self-certifies that, when operational, International Commission guidelines will be met’. This statement, commonly known as an ICNIRP declaration is not appropriate in this case. The transmissions between the microwave dishes will be linear, non-radiating signals: from point-to-point, one dish to another, and at very low power levels. These low power microwave signals do not fall under the scope of ICNIRP, which covers non-ionizing radiation that is emitted by the antennas that mobile phone operators install on their base stations and which emit beams to provide coverage to the surrounding area. The only exclusion zone for microwave dishes is directly in front of them, and as such they are always installed so no access can be gained to the dish antennas, due to the interruption in service that would be result if that were possible. At the application site the microwave dish will be in the high security grid substation compound to which the public has no access and mounted at 33.5m AGL (to the centre line of the dish antenna) on the lattice tower. Paragraph 46 of NPPF confirms that *“Local planning authorities must determine applications on planning grounds. They should not ... determine health safeguards if the proposal meets International Commission guidelines for public exposure”*.

FLOOD RISK

- 4.22 The site is within an area known to be susceptible to flood risk and as such comment of the proposed flood risk has been provided by the applicant. The information submitted has been considered by both the Environment Agency and North Worcestershire Water Management (NWWM) who comment as detailed above.
- 4.23 In line with the comments of the Environment Agency and of NWWM I have considered whether the application site is a sequentially preferable site. Being mindful of the need to locate the mast close to the electricity supply component which it is communicating with and the fact that there are no other sites available to meet the needs of the development then I am satisfied that the requirements of the sequential test have been met. Given that the design of the development (being open sided) would not increase flood risk elsewhere (as confirmed by NWWM) and that conditions could be attached to any permission which would ensure that any flood susceptible parts of the mast were located at a suitable height above ground, then I am satisfied that the development does not pose a flood risk either on site or elsewhere.

15/0170/FULL

OTHER MATTERS

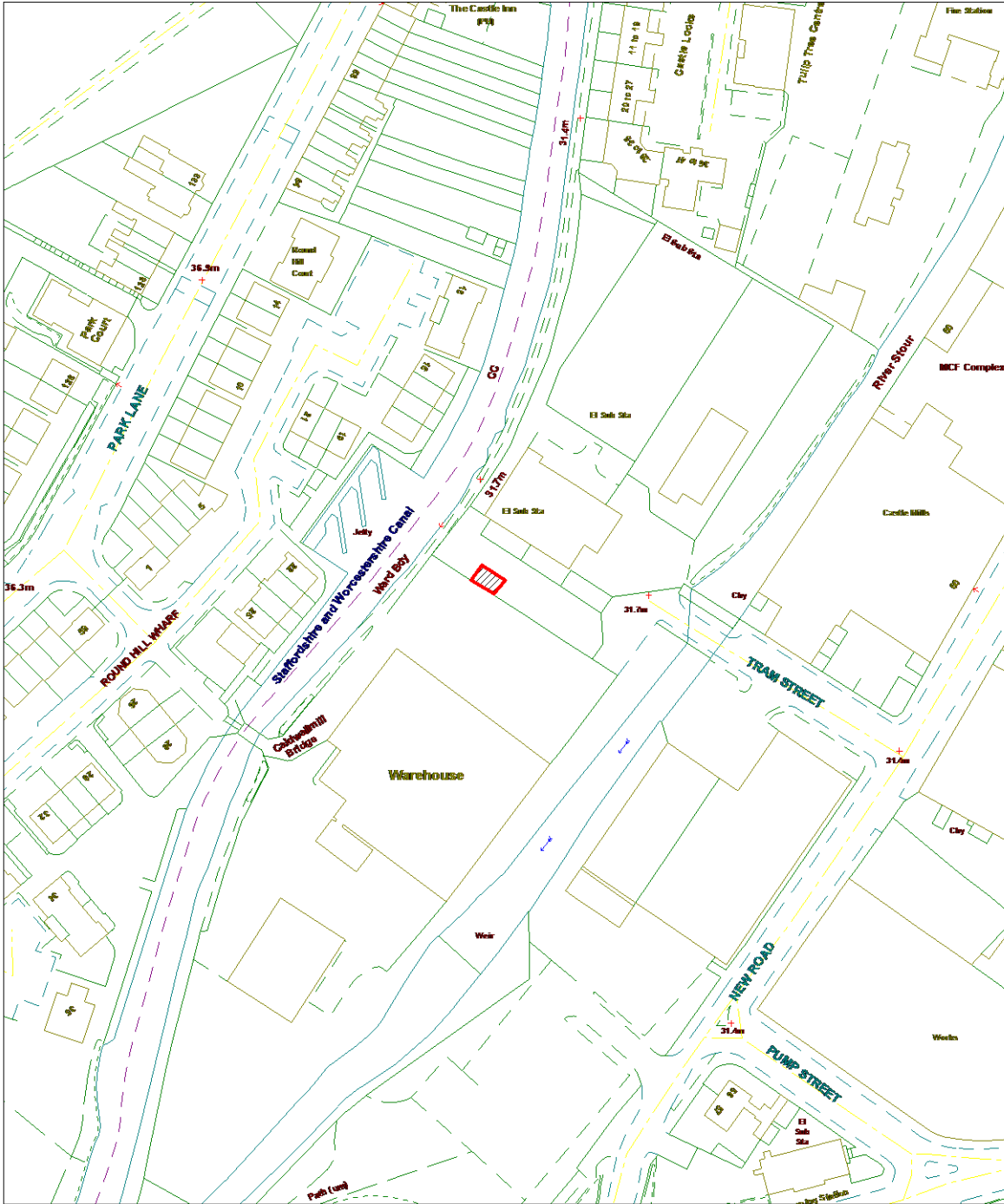
- 4.24 Concerns raised by either statutory or non-statutory consultees which have not already been addressed above are considered below.
- 4.25 Objections have been received stating that the proposal would blight property values and would be a disincentive for developers wishing to redevelop areas of Kidderminster. Property and land values are not material considerations for the purposes of determining a planning application and as such I can afford no weight to objections based on either of these grounds.
- 4.26 It is advanced that the proposal would lead to blight to the outlook of occupiers of properties on Round Hill Wharf. The mast is approximately 38 metres from the nearest property. Whilst there is no doubt that the outlook would be affected, I am mindful that there is no automatic 'right to a view'. Whilst the view from properties will undoubtedly change it is unlikely that the effects of such changes would be so great as to be considered detrimental to the amenity of occupiers sufficient to warrant a refusal of planning permission in this instance.
- 4.27 The safety of the proposed mast has been brought into question specifically in relation to the required falling distances for structures and the requirement of a separation distance of 1.4 times the proposed height between the mast and associated sub station. In response to this query WPD have advised that the siting of towers 1.4 times their height from electrical apparatus is actually a safety guideline that is achieved wherever possible. Indeed, the original site proposed for the tower at the Kidderminster grid substation was as distant as it was possible from the apparatus.
- 4.28 The tower has been re-sited to its current location at the specific request of the Conservation Officer. In respect of the safety of the tower, it has been designed so that the weight of the base is greater than that of the tower. It is therefore extremely unlikely for the tower to topple unless it is cut from its base, and for that reason is enclosed within its own palisade fence compound within the existing high security palisade fenced compound at the grid substation to ensure maximum security of the tower. I am satisfied that WPD have adequately considered the safety of the site.

5.0 Conclusions and Recommendations

- 5.1 The proposal would introduce a dominant feature to the townscape of Kidderminster which would have adverse impacts on the visual amenity of the townscape as well as causing 'less than substantial' harm to nearby heritage assets.

15/0170/FULL

- 5.2 There is no doubt that it is vital that communication links between the Tram Street site and the Bewdley and Stourport receivers is essential and given that the existing BT lines are at the end of their life that an alternative means of communication must be found. The applicant has demonstrated that an antenna mounted at 28.5m is, at this present time, the only feasible option to provide the communications needed. Without a new means of communication then the site would not be safe for operation. Bearing in mind that the site helps to supply electricity to 55,000 households then the importance of ensuring it is able to continue to function is clear.
- 5.3 Having carefully considered the proposal it is felt that the need for the development and the practical constraints associated with fulfilling this need carry substantial weight when considering this proposal and do amount to material circumstances sufficient to outweigh the harm to visual amenity and the harm to the setting of heritage assets in this instance.
- 5.4 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. Material/finish of mast to be agreed
 4. Removal of 'permitted development' rights for further antenna on the mast
 5. Any flood vulnerable equipment to be located on the mast to be set above known flood levels. Details to be submitted and approved.
 6. Landscaping plan to be submitted and approved



ECONOMIC PROSPERITY AND PLACE DIRECTORATE

**Kidderminster 132KV/11KV Grid Substation,
New Road/Tram Street, Kidderminster, DY10 1AB**



Date:- 01 December 2015

Scale:- 1:1250

OS Sheet:- SO8276SE

Crown Copyright 100018317 2014

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

Application Reference:	16/0297/FULL	Date Received:	19/05/2016
Ord Sheet:	383270 276129	Expiry Date:	14/07/2016
Case Officer:	Paul Round	Ward:	Blakebrook & Habberley South

Proposal: Temporary Public Car Park (Five Years) for approximately 130 spaces

Site Address: ELGAR HOUSE, GREEN STREET, KIDDERMINSTER, DY10 1JF

Applicant: Morbaine Limited (Mr K Nutter)

Summary of Policy	CP03, CP11 (CS) SAL.PFSD1, SAL.CC2, SAL.UP6, SAL.UP7 (SAAPLP) KCA.PFDS1, KCA.CC2, KCA.CC3, KCA.UP1 (KCAAP) Sections 4, 7 (NPPF) Planning Practice Guidance
Reason for Referral to Committee	Third party has registered to speak at Committee
Recommendation	APPROVAL

1.0 Site Location and Description

- 1.1 Elgar House is a four story office block situated on the corner of Green Street and Dixon Street within Kidderminster Town Centre. An extensive car park lies to the rear of building with vehicular access from Dixon Street with an additional pedestrian access from Green Street.
- 1.2 Elgar House itself is a locally listed building and lies within the Green Street Conservation Area, although the car park lies outside. Part of the south west boundary contains a locally listed wall, originally part of the boundary for the former Long Meadow Mill, which separates the car park from Meadow Mills Industrial Estate.
- 1.3 The proposal seeks to utilise the car park at Elgar House for a public pay and display car park for a temporary period of 5 years.

2.0 Planning History

- 2.1 14/3047/PNRES - Conversion of existing B1 offices to create 48 apartments : Approved 04/11/14 (Not implemented)
- 2.2 14/0697/FULL - Proposed changes to rear elevation of Elgar House : Approved 08/01/15

16/0297/FULL

3.0 Consultations and Representations

3.1 Kidderminster Town Council – No comments received

3.2 Highway Authority – No objection

3.3 Conservation Officer – The proposal appears to have no physical impact on the Green Street Conservation Area nor to the locally listed building adjacent. I understand the land is already in use as a car park.

As the significance of these heritage assets is unaffected by the proposal I have no objections

3.4 North Worcestershire Economic Development and Regeneration (NWEDR) – This application is seeking consent for the change of use of a currently private car park for use as a public car park. It appears the main change proposed through this application is to introduce a charge for an existing private car park and make it available for members of the public.

Whilst the physical changes proposed at the site are negligible, the impact that it could have for the businesses currently utilising this facility could be quite dramatic, as it is likely to result in an additional charge and less security than they currently enjoy. In addition, by introducing a charge for the car park the attractiveness of the adjacent office units for potential new business interests diminishes, which may result in fewer enquiries and interest from businesses looking for office space in Kidderminster. Furthermore, there is a concern that by putting a charge on the car park it could cause a displacement effect onto nearby roads, with people choosing to park on street and causing disruption for surrounding businesses.

We remain sceptical about how well used this car park will be by members of the public given its relatively discrete location and the fact it is situated in an out of centre location. More fundamentally, we are concerned that this proposal would cause disruption to the existing businesses in this location and could result in fewer enquiries for the remaining office space, as businesses are put off by the charge for car parking. Notwithstanding the above, it is understood that this is a private facility and in theory could be closed tomorrow without notice. However, it is considered that the impact this change could have on the surrounding businesses should be given due regard within the decision making process.

3.5 Neighbour/Site Notice – 1 letter of objection received:

“I wish to object strongly to the application to this location.

As a local Business employing over 320 staff, whereby our UK operational head office is based in Champion House, we believe that acceptance of this application could cause a number of serious issues and further risks for the local council, highways and surrounding businesses.

16/0297/FULL

These issues consist of the following:

1. Increasing traffic into Dixon Street has the potential to cause complete gridlock, which, furthermore, has the potential to cause major backing-up of traffic into Green Street, which will affect the surrounding roads around Kidderminster.
2. Any potential charges associated to employee parking could have a fundamental impact on our Business, which could lead to a marked increase to the turnover of staff and in the extreme, could also force us to look for alternative location for our UK head office.
3. We have over recent months had a spate of vehicle break-ins, by making a reasonably quiet private car park public, could lead to this issue being exacerbated, as the car park will become more publically known and also increase litter to the area, which will also make the location unsightly.
4. This site is currently a very appealing place for the various businesses who are based in Campion House, to showcase to their prospective clients, we believe that by making this car park open to the public, it has the potential to tarnish this attractive aspect, which could again, force us to look for alternative offices, impacting on local staff, businesses, & transportation.”

4.0 Officer Comments

- 4.1 The proposal involves the use of the existing car park as a public pay and display car park. The only physical works will be installation of pay and display machines and an ANPR (Automatic Number Plate Recognition) camera.
- 4.2 Whilst the Adopted Wyre Forest Site Allocations and Policies Local Plan and Adopted Kidderminster Central Area Action Plan contain policies which seek to retain car parking areas particularly in Town Centre Locations there are no specific policies for the creation of new pay and display car parks. As such the principle of the presumption in favour sustainable development applies. Mirroring the National Planning Policy Framework, Policies SAL.PFSD1 and KCA.PSD1 advise that:

“Where there are no policies relevant to the specific application then the Council will grant permission unless material considerations indicate otherwise, taking into account whether any adverse impacts of granting permission would significantly and demonstrably outweigh the benefits, when assessed against the policies in the NPPF.”

It therefore falls to determine the application in this context.

16/0297/FULL

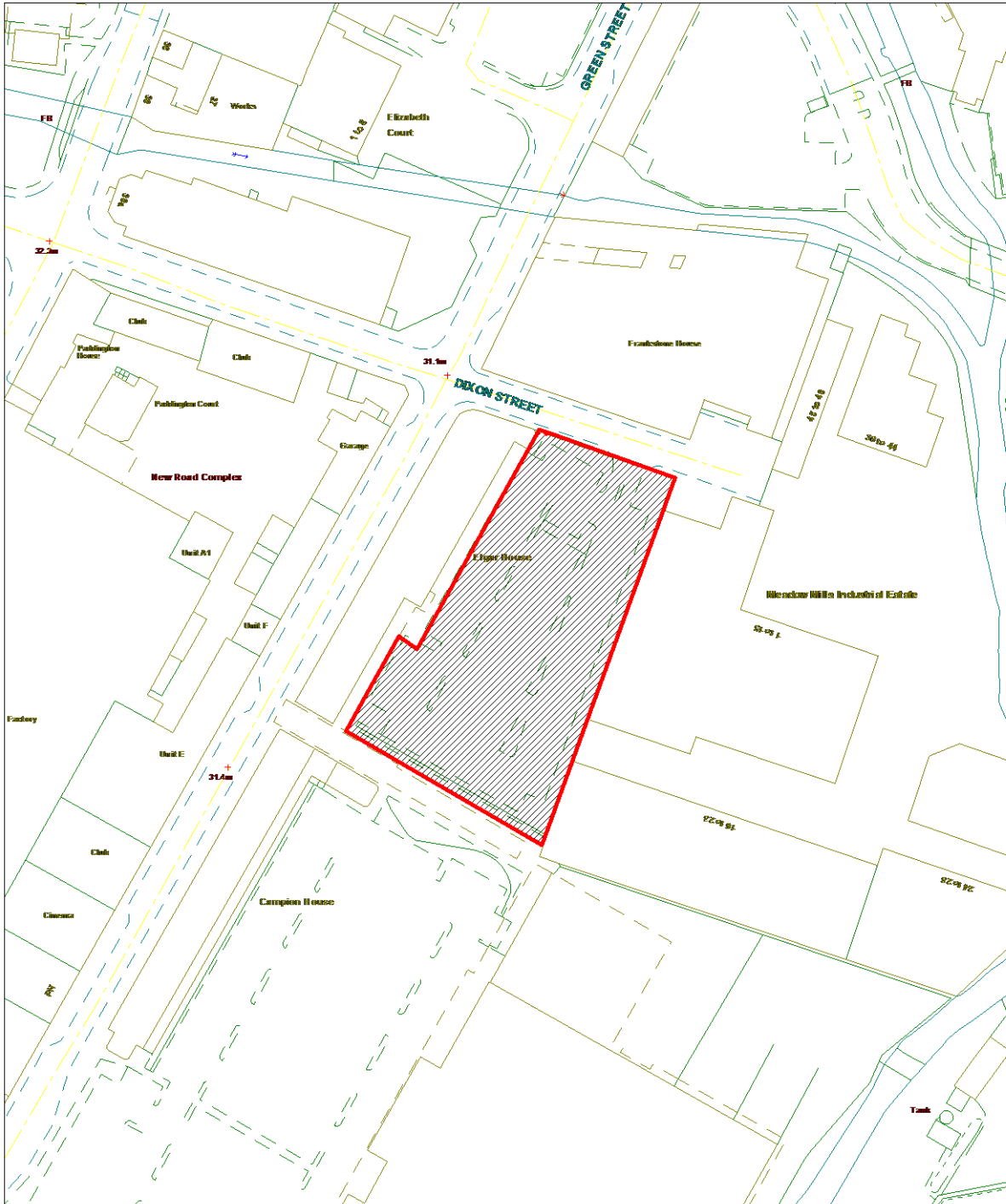
- 4.3 The car park capacity is 130 spaces and currently provides car parking for surrounding offices. The applicants have stated that permits will be provided for existing office employees with members of the public using the car park on a tariff based charge for 2 or 24 hours. The car parking arrangements will be managed by a third party operator on a 24/7 basis.
- 4.4 The proposal optimises the car parking potential for the site by utilising any under use and providing additional car parking for the Town Centre. Whilst there may be a slight increase in traffic generation to the site through advertising I agree with the conclusion of the Highway Authority that this will not be significant. I cannot agree with the objector that this proposal will result in a gridlock situation for the Town Centre road network.
- 4.5 The car park is surrounded by designated and non designated heritage assets, however the proposed use and associated infrastructure will not cause harm to these assets, a view shared by the Conservation Officer.
- 4.6 It is acknowledged that car parks can attract criminal activities as highlighted by the objector. However, I do not share the conclusion that the change from a private car park to a public car park will exacerbate this situation. It is my view that it will either have a neutral impact or that it will be an improvement to the existing situation due to increased public activity and comings and goings.
- 4.7 I do have sympathy with the objector in respect of need for allocated spaces for the office workers. The applicants have advised that permits will be provided for existing office staff, which mitigates any concerns raised. Ultimately it is a private matter between the owners and their tenants of how they operate the car park in respect of any existing or future businesses (and their respective employers) accommodated within Elgar House and Campion House.

5.0 Conclusions and Recommendations

- 5.1 The proposal to utilise the existing car park at Elgar House has been considered on its merits in line with the principle of the presumption in favour of sustainable development. The material considerations, along with objections raised, having been fully taken into account. It is concluded that there are no material circumstances in this case to prevent the proposal from succeeding.
- 5.2 It is therefore recommend that the application be **APPROVED** subject to the following conditions:

1. A9 (Temporary permission – uses of land)
2. A11 (Approved plans)

Note
SN5 (No advertisements)



ECONOMIC PROSPERITY AND PLACE DIRECTORATE

**Elgar House, Green Street
Kidderminster, DY10 1JF**

Date:- 29 June 2016 Scale:- 1:1250 OS Sheet:- SO8376SW 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
19TH JULY 2016

PART B

Application Reference:	16/0041/EIA	Date Received:	29/01/2016
Ord Sheet:	377133 278961	Expiry Date:	20/05/2016
Case Officer:	Emma Anning	Ward:	Wribbenhall & Arley

Proposal: Construction of powdered activated carbon (PAC) dosing unit and alterations to pump house at Trimpley Water Treatment Works in support of the Birmingham Resilience Project.

Site Address: SEVERN TRENT WATER LTD, TRIMPLEY WATER TREATMENT WORKS, TRIMPLEY, BEWDLEY, DY12 1PJ

Applicant: Severn Trent Water Ltd

Summary of Policy	DS01 CP01 CP02 CP03 CP11 CP12 CP13 CP14 CP15 (CS) SAL.PFSD1 SAL.CC1 SAL.CC2 SAL.CC6 SAL.CC7 SAL.UP1 SAL.UP3 SAL.UP5 SAL.UP6 SAL.UP7 SAL.UP9 SAL.UP14 (SAAPLP) CC8 CC12 (Chaddesley Corbett Neighbourhood Plan) Sections 7 9 10 11 12 (NPPF)
Reason for Referral to Committee	'Major' planning application
Recommendation	DELEGATED APPROVAL

1.0 Site Location and Description

1.1 This application is submitted by Severn Trent Water Ltd (STW) and is one part of a larger infrastructure project known as the Birmingham Resilience Project (BRP). The BRP is intended to provide an alternative source of potable water for Birmingham.

1.2 The proposal is to provide an alternative source of water from the River Severn to enable the Elan Valley Aqueduct (EVA), which currently provides such water, to be taken out of service for short periods to allow essential refurbishment work to be carried out. The intention is for the BRP scheme to be operated for periods of around 50 days at a time, during the autumn or winter months when river levels are sufficiently high to enable abstraction without any significant environmental or social impacts. It is anticipated that one 50 day EVA outage would be planned every one to two years, subject to water availability in the river.

16/0041/EIA

- 1.3 The proposed new abstraction point (river intake) is proposed at Lickhill. The abstracted water would then flow from the river to a new pumping station at Lickhill and would then be piped across the District in a north-east direction towards the Water Treatment Works (WTW) at Frankley. The BRP would thus consist of infrastructure which runs through the administrative areas of four Local Authorities including Wyre Forest District Council, Wychavon District Council, Bromsgrove District Council and Birmingham City Council.
- 1.4 This application seeks planning permission for the construction of a Powdered Activated Carbon (PAC) dosing unit and alterations to pump house at Trimley Water Treatment Works in support of the Birmingham Resilience Project. A separate application for planning permission covering the construction of the river intake, a pumping station, a pipeline as well as associated supporting infrastructure is also being considered separate to this application (planning reference 16/0040/EIA).

2.0 Planning History

- 2.1 07/1163/FULL - Erection of a compressor building, portable storage unit and modifications to the Birmingham High Lift Pumping Station Building :
Approved

3.0 Consultations and Representations

- 3.1 Kidderminster Foreign Parish Council – No comments received

- 3.2 Highway Authority – No objection

- 3.3 Environment Agency –

WATER QUALITY

We have had comprehensive water quality discussion at the pre-planning application stage. We offered formal advice in our report of 11 August 2015 on water quality and Powdered Activated Carbon (PAC) dosing, further to meetings and a permitting workshop. Based on the information provided, we consider that the use of PAC dosing is acceptable in principle. The water quality permit will further assess and impose suitable control measures (if granted).

CONTAMINATED LAND

We do not anticipate any significant contaminated land issues in relation to the works at Trimley WTW. However, to secure the investigation and remediation of any unexpected contamination we would recommend a contaminated land condition.

16/0041/EIA

POLLUTION PREVENTION

In order to protect the environment and prevent pollution during the construction phase we would recommend that appropriate mitigation measures are employed. We note the comprehensive mitigation suggested within the Environmental Statement (on pages 622 to 662) for the project.

For this particular planning application, we would advise that a Construction Environmental Management Plan could be produced to include (but may not be limited to) a 'water management plan', 'soils and materials management plan', 'site waste management' and 'pollution prevention plan'.

WATER FRAMEWORK DIRECTIVE

We are satisfied with the WFD assessment, as submitted for the project, in relation to this specific application; to ensure and the proposed development works should not cause any deterioration in the WFD status, looking at the potential impacts on the affected WFD bodies.

FLOOD RISK

All of the proposed development associated with this application is located within Flood Zone 1 (low probability of fluvial flooding) based on our indicative Flood Map for Planning. The development is not located near to any designated main rivers. On this basis, we would refer you to our area Flood Risk Standing Advice in consultation with your Land Drainage team (Lead Local Flood Authority).

EXPORT AND IMPORT OF WASTES AT SITE

Any waste produced as part of this development must be disposed of in accordance with all relevant waste management legislation. Where possible the production of waste from the development should be minimised and options for the reuse or recycling of any waste produced should be utilised.

Should it be proposed to import waste material to the site for use in the construction of the development (e.g. for the construction of hard-standings, access tracks etc) an Environmental Permit (EP) or exemption from the need for an EP may be required.

- 3.4 Planning Policy – No objection
- 3.5 Countryside Conservation Officer - I can see no biodiversity issues with the footprint of this application. There is some lighting proposed but this appears not to impact on any sensitive receptors so I am happy. My only issue is the Biobullets and the return sweetening flow and the cumulative impact this poison may have.
- 3.6 Arboricultural Officer – No objections. I feel that as the site is rural in nature and is surrounded by woodland, any losses of trees on the site to facilitate the necessary development would be acceptable.

16/0041/EIA

- 3.7 North Worcestershire Water Management (NWWM) - The proposed development is at low risk of flooding from all sources. The proposed development does result in an increase in the area of impermeable area so it therefore would have the potential to increase the flood risk for existing development. It is therefore important that an appropriate way will be found to deal with the additional surface water runoff generated by the additional hardstanding area.

I understand that the proposal is to discharge storm water to the existing sludge lagoon that is present at the Trimpley Water Treatment Works, before discharging it into the Severn. This will mean that any peaks will be attenuated and as such I believe that the proposed development will not lead to an increase in surface water flood risk elsewhere.

As the development is not at risk of flooding and is proposing measures to ensure that it will not increase flood risk elsewhere I believe that there is no reason to withhold planning approval on flood risk grounds. I have therefore no adverse comments to make.

- 3.8 Worcestershire Regulatory Services (WRS) –
AIR QUALITY

I have reviewed the application in relation to air quality. This has involved a review of Technical Appendix 18.1 and other relevant documents. WRS are satisfied with the content of the report and have no adverse comments to make in respect of air quality.

NOISE

Full details of proposed noise mitigation measures should be submitted for approval along with a revised noise assessment prior to any works commencing.

CONTAMINATED LAND

Following review of the available information and proposals I can confirm WRS have no adverse comments in respect of contaminated land.

- 3.9 Natural England - Natural England has assessed this application and is satisfied that the proposed development will not damage or destroy the interest features for which Wyre Forest SSSI has been notified.

The consultation documents indicate that this development includes an area of priority habitat, as listed on Section 41 of the Natural Environmental and Rural Communities (NERC) Act 2006. The National Planning Policy Framework states that 'when determining planning applications, local planning authorities should aim to conserve and enhance biodiversity. If significant harm resulting from a development cannot be avoided (through locating on an alternative site with less harmful impacts), adequately mitigated, or, as a last resort, compensated for, then planning permission should be refused'.

16/0041/EIA

Natural England advises that the proposals as presented have the potential to adversely affect woodland classified on the ancient Woodland Inventory. Natural England refers you to our Standing Advice on ancient woodland.

- 3.10 Canal & River Trust – No comments to make.
- 3.11 Ramblers Association – The nearest public rights of way to these two proposals are Footpaths KF-501, KF-510, KF-511 and UA-649. All are well used and very attractive walking routes in beautiful countryside. We are satisfied that the Powdered Activated Carbon Dosing Unit and the alterations to the Pump House will not result in any circumstances that would reduce the enjoyment of walkers using these paths.
- 3.12 Neighbour/Site Notice – No representations received

4.0 Officer Comments

PROPOSAL

- 4.1 Planning permission is sought for the construction of a Powdered Activated Carbon (PAC) dosing unit and alterations to pump house at Trimpley Water Treatment Works in support of the Birmingham Resilience Project. The PAC plant to be provided at the existing Trimpley WTW essentially comprises two hoppers for storage of PAC and a small dosing system (within a kiosk) to inject the PAC into the supply pipeline before onward pumping to Frankley. Each hopper would be approximately 12.0m long, 4.4m wide and at the highest point would be 6.3m above ground level, and the kiosk would be approximately 20.0m long by 3.5m wide by 3.6m high located between the hoppers. An existing steel sheet PAC building would be demolished.
- 4.2 Surrounding the PAC dosing hoppers and kiosk would be two lines of weld mesh panel security fencing spaced 0.5m apart. The outer fence would be 1.8m high while the inner fence would be 3m high. External lighting would be provided by 6m floodlights and kiosk mounted LED lights providing tightly focussed illumination for the equipment areas within the security fence. All lighting has been designed to minimise impact on adjacent receptors and would only be in operation when personnel are at the site. The facility would be unmanned and unlit in normal operation. All activity requiring personnel to be present would normally take place in daylight hours. Operation of the lighting would therefore be an infrequent event.

16/0041/EIA

- 4.3 The PAC dosing would only be operated during the 50 day periods when the EVA has been shut down for refurbishment and Frankley is being fed with River Severn water alone. It is also proposed that the low lift pumping station, which delivers abstracted water into the on-site storage reservoir, would be refurbished with new pumps. These would be housed within the existing pumping station building, with the only additional footprint requirement being a kiosk outside the pumping station building. The proposed kiosk adjacent to the pumping station would be located to the left of the pumping station and would be painted holly green. The structure would be located on a concrete platform and would measure 4 m wide and 3m deep, with a height of 3m (the existing building measures approximately 10m in height).
- 4.4 To facilitate construction of the proposed development a small site office, consisting of a container-style welfare unit and secured storage area for plant and materials, would be placed on existing hard-standing within the WTW operational area.
- 4.5 The construction of the PAC dosing plant would require the removal of some trees and whilst the applicant has sought to keep the removal to a minimum some replacement planting would be required.

PRINCIPLE OF DEVELOPMENT

- 4.6 The application site is washed over by the West Midlands Green Belt and as such Policy SAL.UP1 of the Site Allocations and Policies Local Plan and Paragraphs 89 and 90 of the National Planning Policy Framework are relevant. The applicant acknowledge in the Planning Statement submitted that the proposal would constitute 'inappropriate development' in this Green Belt location. There is therefore a requirement for the applicant to demonstrate that 'very special circumstances' exist which would outweigh the harm by virtue of inappropriateness and any other harm before the development could be approved, in accordance with Paragraph 87 of the NPPF.
- 4.7 The applicant has advanced a case for 'very special circumstances' which covers two broad strands; Firstly that the main objective of the BRP scheme is to provide resilience to the water supply of Birmingham and the 1.2 million Severn Trent Water customers using this water supply, which is currently highly dependent on the Elan Valley Aqueduct which, due to its age, requires maintenance. Secondly, there is the statutory requirement to ensure resilience as The Water Bill, introduced in the House of Commons in June 2013, contains changes to Ofwat's duties concerning resilience. It features a new primary duty for Ofwat "*to secure the long-term resilience of water supply and sewerage systems against environmental pressures, population growth and changes in consumer behaviour*". This reflects the high priority that government places on resilience. It is also accepted that due to the need to link up the proposed intake and pumping station with existing infrastructure at Frankley Water Treatment works then it would be impossible to so do without a significant amount of the required infrastructure being in a Green Belt location.

16/0041/EIA

- 4.8 Given the above, I am therefore satisfied, that in the context of Paragraphs 87 and 88 of the NPPF, the benefits of the proposed development i.e. resilience to the water supply of Birmingham, are highly significant and clearly outweigh any harm to the Green Belt by reason of inappropriateness.
- 4.9 Harm to openness would arise as a direct result of the proposed development however the fact that the existing large PAC building would be demolished would represent gain to openness, it is therefore considered that on balance and in considering that the applicants have sought to limit the severity of any harm through siting the proposed PAC dosing unit immediately adjacent to existing plant, I consider that there would be negligible net impact on openness.
- 4.10 Very special circumstances do therefore exist to justify this development in the Green Belt.

VISUAL & LANDSCAPE IMPACTS

- 4.11 Both the PAC dosing unit and the kiosk as proposed have been designed in the same style as the existing buildings and structures on site and therefore in this respect they would harmonise with the surrounding built form. Whilst the introduction of additional plant and buildings on this site will undoubtedly have an material impact on the appearance of the site I consider that the sympathetic design would assist to minimise the visual intrusion likely to arise. The proposed dosing unit, due to the required removal of existing tree screening, would be clearly visible from the south (including from the Severn Valley Railway line). I consider that in order to soften the visual impact that a full and detailed landscaping scheme (to be agreed with the Council's Arboricultural and Countryside Conservation Officers) should be submitted and approved before and works are carried out.

FLOOD RISK & WATER QUALITY

- 4.12 The WTW is located within Flood Zone 1 and is at low risk of flooding. The River Severn is located near to the site although the proposed development would be set at an elevation far above its floodplain. In addition, the proposed development would not involve any alteration to, or significant interaction with, fluvial watercourses. The proposed development would involve the creation of a small area of new impermeable hard standing, which would generate a small amount of additional surface water runoff from the site. The storm water drainage from this new impermeable area would be discharged into STWL's existing sludge lagoon at the Trimley WTW before being released into the River Severn. This measure would ensure that the proposed scheme would not lead to an increase in surface water flood risk elsewhere.
- 4.13 Given the advice from both the Environment Agency and NWWM as detailed above I am satisfied that the development is not at risk of flooding, and would not result in increased risk of flooding elsewhere. No conflict with planning policy is expected with regard to flood risk.

16/0041/EIA

- 4.14 The Environment Agency has provided comments in relation to water pollution and do not offer an objection. They do however caveat this with a clear requirement that the mitigation measures outlined by the applicant be strictly adhered to. Such measures include the submission of a Construction Environmental Management Plan (CEMP) to control matters relating to water quality, this a capable of being secured by condition.

TREES, ECOLOGY & BIODIVERSITY

- 4.15 The proposed installation of the PAC dosing unit would require the removal of some existing trees adjacent to the Severn Valley Railway line. The advice of the Council's Arboricultural Officer has been sought and will be added to the update sheet.
- 4.16 The Council's Countryside Conservation Officer is satisfied that the proposals are not likely to have a direct impact on ecology or biodiversity, save for the potential impacts of sweetening flow following the PAC treatment of water. This matter would however be covered by license with the Environment Agency and therefore I am satisfied that there are sufficient mechanisms in place to ensure no harm to ecology or biodiversity would arise.

NOISE

- 4.17 WRS have recommended that a full noise assessment be provided. WRS have explained the need for such relates to advice contained in the Environmental Statement (ES) as follows:

“At Trimpley, whilst there was considered a low risk that sleep disturbance could occur, given the outcome of the BS 4142 assessment for the evening and night-time periods, it is recommended that further mitigation measures be incorporated into the facility during the detailed design stage. The noise sources external to the GRP kiosk would be the dominant noise sources and should form the basis of proposed mitigation. It was anticipated that consideration would be given to the selection of lower noise emitting equipment, the use of acoustic enclosures and/or the installation of localised screening towards the properties on Eymore Green. A reduction in noise emissions of 5 to 10 dB from the external pumps should be sought. In the unlikely event that any of the proposed noise sources associated with the PAC dosing plant be considered likely to be tonal at the nearest residential properties, appropriate mitigation would be incorporated during detailed design. 289) With appropriate mitigation measures in place, no significant effects were expected to occur at the nearest sensitive receptors, during daytime, evening and night-time operation of the proposed PAC dosing plant at Trimpley.”

- 4.18 Based on the advice of WRS and the detail contained in the ES I am satisfied that a condition requiring additional information relating to noise (including mitigation) is both reasonable and necessary.

16/0041/EIA

OTHER MATTERS

- 4.19 There are no other matters which are material planning considerations which have given rise to concern relating to the proposed development. I am therefore satisfied that the proposal would also be acceptable in terms of the impact on highway safety and general amenity, for example with regards to access to the site via the existing Public Rights of Way network which crosses the site, contaminated land, and waste.

5.0 Conclusions and Recommendations

- 5.1 I consider that the benefits of the proposed development i.e. resilience to the water supply of Birmingham, would constitute very special circumstances which clearly outweigh any harm to the Green Belt by reason of inappropriateness and harm to openness.
- 5.2 The proposed structures, their location, siting, materials and design have all been carefully considered in order to minimise impacts on the landscape, visual amenity and existing trees, and as such I am satisfied that there would be a neutral impact on the landscape/visual amenity of the surrounding area in the long term. I consider there would be no material adverse ecological impact as a result of the proposed development.
- 5.3 There would be no adverse impact on flood risk, traffic, risk of land contamination, materials and waste or water resources as a result of the proposed development. Some of the potential impacts identified, i.e. noise and air quality, are associated solely with the construction period of the scheme and would therefore be temporary in nature.
- 5.4 A range of mitigation measures are proposed to minimise construction impacts on local residents and the environment. In the context of the wider scheme, accepting some individual elements may have differing effects, some harmful, I consider that the proposed development complies with the relevant planning policies and provides a sustainable balance between localised environmental disturbance and the highly significant social and economic benefits of providing a resilient water supply for the City of Birmingham. I am therefore satisfied that the proposal would accord with all relevant policies of the development plan.
- 5.5 In accordance with The Town and Country Planning (Consultation) (England) Direction 2009, it is a requirement that should Members be minded to approve the application then it should be referred to the Secretary of State under Section 9 of that Direction to afford the Secretary of State the opportunity to consider whether to utilise the call-in powers conferred by Section 77 of the Town and Country Planning Act 1990.

16/0041/EIA

5.6 For the reasons outlined above it is recommended that **delegated APPROVAL** be given subject to the conditions listed below and subject to the Secretary of State not being mindful to call-in the application:

1. A6 (Full with no reserved matters)
2. A11 (Approved plans)
3. Materials/finish to be agreed
4. Noise assessment to be submitted and approved
5. Full landscaping scheme to be submitted and approved
6. Contaminated land – tiered investigation
7. Construction Environmental Management Plan (CEMP) to include (but may not be limited to) a ‘water management plan’, ‘soils and materials management plan’, ‘site waste management’ and ‘pollution prevention plan’ to be submitted and agreed.
8. Lighting management plan to confirm times of operation and levels of illumination to be submitted and approved.

Application Reference: 16/0099/FULL	Date Received: 25/02/2016
Ord Sheet: 377621 271676	Expiry Date: 21/04/2016
Case Officer: Paul Round	Ward: Bewdley & Rock

Proposal: Removal of Agricultural Occupancy Condition (Condition 4 of Planning Permission WF/0025/00)

Site Address: BROOK FARM, HEIGHTINGTON ROAD, HEIGHTINGTON, BEWDLEY, DY12 2YR

Applicant: Mr S D Mahoney

Summary of Policy	DS04 (CS) SAL.DPL2 (SAAPLP) Section 6 (NPPF) Planning Practice Guidance
Reason for Referral to Committee	Statutory or non-statutory consultee has objected and the application is recommended for approval
Recommendation	DELEGATED APPROVAL

1.0 Site Location and Description

- 1.1 Brook Farm is a 4 bedroom agricultural workers dwelling located within Heightington with a limited number of agricultural buildings along with its associated land some 500m to north. It is surrounding on four sides by other farms, namely Gladderbrook Farm, High Oak Farm and Elm Bank Farm.
- 1.2 The application seeks for removal of the agricultural occupancy condition.

2.0 Planning History

- 2.1 WF.0676/99 - Extension to existing pig rearing building, relocation of existing building to further extend pig rearing building and siting of temporary mobile home for agricultural worker : Approved 19/10/99
- 2.2 WF.0025/00 - Erection of detached agricultural worker's dwelling with construction of new vehicular access : Approved 05/03/01
- 2.3 WF.0505/04 – Re-siting of dwelling : Withdrawn 18.06.04

16/0099/FULL

3.0 Consultations and Representations

- 3.1 Rock Parish Council – Recommend refusal. This dwelling was only approved originally for Agricultural use and should remain so now. It should not be split from the existing dwelling and site usage.
- 3.2 Neighbour/Site Notice – No representations received.

4.0 Officer Comments

POLICY CONTEXT

- 4.1 Policy SAL.DPL2 of the Adopted Wyre Forest Site Allocations and Policies Local Plan sets out the exceptional circumstances which allow for agricultural workers dwellings within the rural areas of the District. The policy also provides for the eventuality of when applications are submitted to remove restrictive conditions. It states;

“The removal of an occupancy condition will only be permitted where it has been proven through marketing of the property, that there is no longer a long-term need for a dwelling on the unit or in the locality, for a person solely or mainly employed in agriculture or forestry, or a widow or widower of such a person, and any resident dependants.”

Paragraph 4.30 provides the reasoned justification for this part of the policy stating.

“Convincing evidence in the absence of such need should be provided with any application for the removal of an occupancy condition. This should include evidence to demonstrate that the dwelling has been actively marketed by an estate agent for a period of 12 months, at a price which reflects the existence of an occupancy condition, and that no financially viable interest has been expressed from within the locality. The locality, is taken to mean within the District, or its adjoining Parishes.”

APPLICATION BACKGROUND

- 4.2 Full planning permission for the dwelling at Brook Farm was approved in 2001 based on a pig farm enterprise. It appears that the erection of the dwelling was not commenced until late 2004. The Foot and Mouth Disease outbreak, which commenced in February 2001 and was declared eradicated in August 2001 had a massive impact on business and wiped out all livestock on the Farm. It should be stated that the pigs at Brook Farm, and all agricultural operations, ceased to operate at least three years before the construction of the dwelling. However, it is clear that the property was implemented in accordance with the planning permission given.

16/0099/FULL

- 4.3 The original applicant has sought to sell the property with the agricultural occupancy condition with no success. The application therefore is submitted seeking to remove the condition. In line with the policy context the Applicant's Agent has submitted a marketing report detailing the marketing strategy over the last 12 months. Although not required by policy a viability appraisal has also been submitted.

APPLICANT'S MARKETING REPORT

- 4.4 Brook Farm was taken to the market, by G Herbert Banks, on the 17 February, 2015 (with online marketing going live from the 18 February, 2015). The property was initially marketed at £950,000 from the 17 February to 17 June 2015. The price was subsequently dropped to £899,950. A final price reduction was undertaken (to £850,000) on 11 January 2016. The property current remains on the market at £850,000 at the time of application. The property has had an Agent's board, both at the house and land respectively, for the duration of the marketing. The property remains on the market.
- 4.5 The report concludes that *"The applicant has placed the property on the market for the last twelve months with the estate agency side of G Herbert Banks and no offers have been received and no interest has been received from parties who would comply with the relevant occupancy condition. The farm is not able to support an agricultural enterprise on its own which is viable or capable of supporting a full time agricultural worker financially or in terms of labour requirements. The occupancy condition, and the section 106 planning obligation tying the land to the house, means that the land and house must be occupied by someone who is an agricultural worker with the land and house being occupied and farmed together. The combination of restrictions means the property is not capable of being farmed viably, the land could not be let separately and the property has received no interest from prospective purchasers. For the reasons contained within the supporting documentation submitted the application requests that Wyre Forest District Council remove both the AOC and the Section 106 obligation from Brook Farm."*

APPLICANT'S VIABILITY REPORT

- 4.6 The viability report sets out how that Brook Farm comprises a detached Border Oak property, with a range of outbuildings, which are located within a plot of just over one acre. The farm holding itself extends to approximately 53.33 acres (21.59 hectares) with the land being located, separate from the house and buildings, to the north and with an access of approximately ¾ mile up the road from Brook Farm. The schedule of land, which is included within the sales particulars, also submitted to the local planning authority (by email not planning portal), demonstrate that of this land there is approximately 7.90 acres (3.20 hectares) of woodland. The land is currently down to pasture and benefits from some good size fields which makes the land versatile considering that it is Grade III on the agricultural land classification maps. The land has been utilised for arable purposes in recent years.

16/0099/FULL

- 4.7 Following a consideration of the gross margins of the farm as a enterprise is is concluded that *“Brook Farm is far from viable and unable to support a full time agricultural worker. Anyone purchasing the farm would need to derive an income from elsewhere as the property cannot sustain a full-time agricultural worker in terms of labour or income requirements. Prospective purchasers are unlikely, therefore, not to be solely or mainly employed in agriculture - and will be unable to comply with the tie unless they are existing farmers from the area. The only option is, therefore, for farm workers/farming families to purchase the property. The property has been on the market for twelve months and no applicants within the locality, as defined within both the consent and local planning policy have been found or come forward”*.

COUNCIL’S CONSULTANT

- 4.8 Given the nature of this application, Officer concluded that the submitted reports needed to be verified by an independent consultant and therefore instructed Reading Agricultural Consultants (RAC) upon submission of the application. RAC have sought clarification on a number of points to which the Applicant’s Agent has robustly responded. RAC have provided a full response based on the submission and the additional information given.
- 4.9 RAC agree with the Applicant’s that the property has been marketed at a suitable level and for the timeframe set out within the policy framework. It is acknowledged by RAC that the dwelling is uncharacteristic of modern-day agricultural worker’s dwellings making it an expensive open market dwelling and, even at a discounted value, an expensive dwelling for agricultural workers. They venture to suggest that this aspect in itself makes the dwelling an unattractive financial proposition for a new farmer, a retired farmer or an established farm business looking to house an employee.
- 4.10 RAC note that the 21.95ha (53.3 acres) of land linked to the dwelling under a Section 106 Agreement is 500m distant but only approachable across a narrow road and ford, which makes the holding difficult to operate with livestock or arable machinery, which further reduces the attractiveness of the dwelling and land as a single package to potential purchasers.
- 4.11 RAC stress that the market for the property is reduced further by the very specific wording of the Adopted Wyre Forest Site Allocations and Policies Local Plan. Policy SAL.DPL2 would enable a compliant person from anywhere to purchase and subsequently occupy the dwelling, as that person would establish a *“need for a dwelling on the unit or in the locality.”* However, paragraph 4.30 expands on the policy and is very restrictive on who could express an interest – a compliant person must have a *“financially viable interest.... from within the locality.”* Thus the market for the combined land and residential property will be a very small one.

16/0099/FULL

- 4.12 The property has not been marketed to let, RAC highlight that an interest from the let market would establish a need for the dwelling and land. However they acknowledge that the sale market for such a property is very small and undoubtedly smaller still on the let market due to a tenant's reluctance to invest in infrastructure on the holding as the building area is limited.
- 4.13 It is RAC's opinion that the marketing of the property has not fully met expectations for the removal of occupancy conditions. However, despite the failings of the marketing scheme, given the response over the course of a year it is evident that there has been very little interest from '*within the locality*' and it can only be concluded that there is no viable need for the property as marketed.

OVERALL CONSIDERATIONS

- 4.14 It is concluded by both the Applicant's Agent and the Council's consultant that the property and the attached land are unviable as a rural enterprise. The marketing of the property at an appropriate level has taken place in accordance with the policy framework. Given the Applicant's justification and the Council's consultant's advice, Officers must conclude that the condition can be lifted and the Section.106 tie to the land removed.
- 4.15 I have taken account of the Parish Council's comments and whilst I understand their position, it is evident that the Local Planning Authority cannot maintain a position of retaining all restrictive conditions whatever the circumstances. The Applicant has provided robust evidence to demonstrate the lack of need for the property and viability of the agricultural unit, which has been fully verified by the Council's appointed independent consultant.

5.0 Conclusions and Recommendations

- 5.1 The Applicants have provided convincing evidence that there is no longer a long-term need for a dwelling on the unit or in the locality. This has been demonstrated through active marketing of the property for a period of 12 months, at a price which reflects the existence of an occupancy condition, and that no financially viable interest has been expressed from within the locality. It has also been demonstrated that the farm enterprise is not a viable proposition for any potential purchaser. This evidence has been robustly tested and verified by Reading Agricultural Consultants, the Council's appointed consultant.
- 5.2 I therefore recommend **delegated APPROVAL** to the removal of Condition 4 of Planning Permission WF/0025/00 subject to the Solicitor to the Council removing the Section 106 from the property and the associated land.

Agenda Item No. 5

Application Reference: 16/0215/FULL **Date Received:** 11/04/2016
Ord Sheet: 386749 277520 **Expiry Date:** 06/06/2016
Case Officer: Julia McKenzie- **Ward:** Wyre Forest Rural
Watts

Proposal: Removal of existing buildings and construction of replacement stable building, riding arena, store track, lunge ring and muck heap

Site Address: THE STABLES, DEANSFORD LANE, KIDDERMINSTER, DY10 3NN

Applicant: Mrs L Towley

Summary of Policy	CP11, CP12 (CS) SAL.CC1, SAL.CC2, SAL.UP1, SAL.UP8, SAL.UP13 (SAAPLP) Landscape Character Appraisal Section 9 (NPPF)
Reason for Referral to Committee	Statutory or non-statutory Consultee has objected and the application is recommended for approval
Recommendation	APPROVAL

1.0 Site Location and Description

- 1.1 The application site is located along Deansford Lane in Blakedown and currently has a stable yard with a number of mismatched buildings in a bad state of repair which are being used as various stores and stabling. The site is approximately 2.2 hectares (5.5 acres) in area. The application site and the surrounding area are in horsiculture use.
- 1.2 The site lies within the West Midlands Green Belt and within a landscape character type identified by the Country Landscape Character Assessment as Sandstone Estate Lands. These are open, rolling landscapes characterised by an ordered pattern of large, arable fields, straight roads and estate plantations.
- 1.3 The application seeks for the removal of the existing buildings on the site and the construction of a replacement stable building, new riding arena, store track, lunge ring and muck heap.

2.0 Planning History

- 2.1 WF/0293/00 - Change of use of agricultural land to a paddock for the keeping of horses : Approved 13/06/00

16/0215/FULL

3.0 Consultations and Representations

- 3.1 Chaddesley Corbett Parish Council – Objection to the proposal and recommend refusal. The Parish Council is concerned about the poor quality of plans submitted. However, they believe this is over development in the Green Belt.
- 3.2 Highway Authority – It is stated in the Design and Access Statement for this site that the proposed development is for domestic use only therefore there is no objection from a Highways point of view.
- 3.3 Countryside Conservation Officer – We now have an appropriate and sufficient ecological survey that has identified no ecological issues, Hence I am happy the application proceeds from a biodiversity perspective.
- 3.4 West Mercia Police Crime Prevention Design Advisor - I don't have any objections to this application. The theft of horse tack and horse related equipment is an issue and there have been thefts in the vicinity of the application site. In view of this I strongly advise the applicant to ensure that the tack room has a higher level of security than the rest of the buildings.

I would expect to see a good quality wooden door with at least three locking points. As this is a wooden building the applicant should consider lining the walls and ceiling with a weld mesh

- 3.5 North Worcestershire Water Management (NWWM) - No objection
- 3.6 Pipeline Authority - No response received
- 3.7 Ramblers Association - No response received
- 3.8 Neighbour/Site Notice – 1 comment received - No particular concern with replacing/improving the current stable/store buildings, but:
- Concern over effect on Green Belt;
 - Over development;
 - Obtrusive from open land to the North and North East;
 - Concern over possible future installation of lighting;
 - Query whether site of proposed arena is crossed by Public Footpath 500c ?

]

16/0215/FULL

4.0 Officer Comments

PRINCIPLE OF DEVELOPMENT

- 4.1 The site lies within the West Midlands Green Belt and as such particular regard should be had to preserving and positively enhancing the area through appropriate development. The National Planning Policy Framework (NPPF) and Policy SAL.UP1 of the Adopted Wyre Forest Site Allocations and Policies Local Plan allows for the construction of new buildings that are considered to be 'appropriate' facilities for outdoor sport and recreation "as long as it preserves the openness of the Green Belt and does not conflict with the purposes of including land within it."
- 4.2 The application seeks for the demolition of the existing range of buildings and replacement with 4 stables, 1 tack room, 1 hay store, 1 rug room and a feed store. It is also proposed to create a riding arena, lunge area and make provision for a muck heap. Policy SAL.UP13 of the Adopted Wyre Forest Site Allocations and Policies Local Plan sets out the Council's approach to what is considered to be appropriate equestrian development. Point v) of this policy states that the size of stables shall conform to the standards of the British Horse Society (BHS). The BHS guidance states that each horse should have sufficient room to lie down, readily rise and turn around in comfort with a minimum stable size of 3.65 x 3.65m and that all passageways should be sufficiently wide enough to enable horses to be led safely past other horses
- 4.3 Three of the proposed stables would measure 3.6m x 3.7m and the fourth would measure 3.6 x 4.8m and as such all four stables would comply with the BHS guidance. The current mismatch of buildings which are in various states of disrepair would be replaced with buildings of a much better quality and design construction and as such it is concluded that the openness of the Green Belt would not be affected by the proposal, and that the visual impact would be an improvement.
- 4.4 The riding arena and lunge ring are categorised as 'other forms of development' involving engineering operations. Paragraph 90 of the NPPF considers that this type of development is appropriate subject to the same considerations of openness and conflicting with the purposes of inclusion of land as set out above. It is considered that the nature and design of arena and lunge ring would result in appropriate development in this location.

DESIGN AND SITING

- 4.5 As already stated, the proposal seeks to demolish the existing buildings at the paddock which measures 22m at one side of the site, 23m at the other side and 14m at the front. The current buildings on the site consist of:
- Two sheds 3.5m x 4m
 - Two sheds 3m x 5m
 - Garden shed 2m x 3m
 - One field shelter / stable 6.5m x 4m

16/0215/FULL

- One field shelter / stable 6.5m x 4.5m
 - One field shelter / hay store 11m x 4m
- 4.6 The replacement buildings will measure 18m x 12m and consist of two blocks constructed in timber. One block would consist of four stables, a tack room and hay store whilst the second block would house a rug room, wash down area and feed store / power room for solar batteries. The arrangement of the blocks will provide two covered entrances, one to the side opening onto the proposed riding arena, lunge ring and muck heap and the other opening to the rear of the site allowing access into the paddock. The existing volume of the site is 235 cubic metres with an overall floor space of 285 square metres. The new stable block will have a volume of 331 cubic metres and a floor space of 216 square metres. Whilst the volume would increase, the overall floor space would reduce whilst retaining the same current height of 2.4 metres.
- 4.7 The 60m x 20m riding arena will be used to exercise the horses that live at the stables and would be used mainly in the wet winter months and when the ground is very hard in the summer. The arena would be treated in a layer of soil, stone and silica sand top layer with 1.35m high post and rail kickboard fence around the perimeter.
- 4.8 The lunge ring will measure 16 metres (8 metre radius) and is to be used to work young horses and as an additional turn out area when it is too wet to use the fields without causing damage to the ground. It will have a sand and fibre surface.
- 4.9 The siting, design and proposed construction materials of the buildings and materials proposed for the lunge ring, riding arena and muck heap are all considered to maintain the key characteristics as laid out in the Landscape Character Assessment and as such would have minimal increased impact.

OTHER MATTERS

- 4.10 The application proposes no lighting and no mirrors are proposed, conditions will be added to any approval given in order to ensure that these are not added at any future point without the prior approval of the Local Planning Authority. The facilities proposed are to be used by the applicant for their personal and private use only and will not be used for any commercial activity.
- 4.11 The agent has confirmed that the water from the stable floors and from the muck heap will go into a 2500 litre plastic underground tank which will be emptied and spread on the land periodically. The muck heap and tank are to be located at least 10 metres from any water course and 50 metres from any borehole in order to comply with Building Regulations. The soakaway will only take water from the stable block roofs, the lunge ring and the arena.

16/0215/FULL

5.0 Conclusions and Recommendations

- 5.1 The application is considered to be appropriate development in the Green Belt and is of an acceptable design and position within the open countryside and landscape and as such in compliance with policy as listed. Conditions added to the approval will ensure that no commercial activity takes place and that no floodlights or mirrors are added and any future time.
- 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. B6 (External details – approved plan)
 4. B5 (Timber staining)
 5. J11 (Stables – no commercial use)
 6. J35 (Manure storage/disposal)
 7. No floodlights
 8. No mirrors

Application Reference: 16/0266/ADVE	Date Received: 04/05/2016
Ord Sheet: 378475 275385	Expiry Date: 29/06/2016
Case Officer: Emma Anning	Ward: Bewdley & Rock

Proposal: Proposal for 1No. new protruding sign and 1 No. new fascia signage for Murrays Pharmacy front shop

Site Address: BEWDLEY MEDICAL CENTRE, DOG LANE, BEWDLEY, DY12 2EF

Applicant: Murrays Healthcare Ltd

Summary of Policy	CP11 (CS) SAL.UP6 SAL.UP7 SAL.UP10 (SAAPLP)
Reason for Referral to Committee	Statutory or non-statutory Consultee has objected and the application is recommended for approval
Recommendation	APPROVAL

1.0 Site Location and Description

1.1 The site is that of the new Bewdley Medical Centre which is currently under construction at the eastern side of the Dog Lane public car park. The site is outside of the Bewdley Conservation Area but is visible from it. The site is known to be vulnerable to both surface water flooding and flood risk from the adjacent River Severn.

2.0 Planning History

2.1 13/0395/FULL - Demolition of existing medical centre and erection of 49 space car park; change of use of existing open space to facilitate an extension to existing Dog Lane car park to form permanent 'overflow' car parking area; erection of Medical Centre incorporating a retail pharmacy together with other ancillary health and community services on existing Dog Lane public car park : Approved 25/4/14

3.0 Consultations and Representations

3.1 Bewdley Town Council – Objection to the proposal and recommend refusal due to the fact that the protruding sign is illuminated and, as such, is considered unnecessary - the fascia signage will indicate the presence of the pharmacy. As a matter of policy, the Town Council objects to illuminated shop signage within the town and have raised this objection in the past, hence do not wish a precedent to be set. A protruding sign similar to that on the existing Murrays Pharmacy would, however, be acceptable.

16/0266/ADVE

- 3.2 Conservation Officer – No objection. The shop signage is of an appropriate size for the shop front and building onto which it is to be located and the illuminated green cross is acceptable in this location which falls just outside the Bewdley Conservation Area. The main signage letters are fret cut and edge lit which would seem compatible with Policy SAL.UP10 'Advertisements', I don't interpret this as being internally illuminated signage. The green cross is internally illuminated however this is, I would have thought, standard practice for pharmacy signage outside conservation areas, and this sign is indeed outside the Bewdley Conservation Area. Whilst it may be visible from the Conservation Area, the *visual impact of the signage on the Conservation Area will be minimal and thus I have no objections.*

As the proposals will have little visual impact on the Conservation Area I consider them to comply with Policy SAL.UP6.

- 3.3 Neighbour/Site Notice – No representations received

4.0 Officer Comments

PROPOSAL

- 4.1 Advertisement Consent is sought for the display of one fascia sign and one projecting sign to the front of the new medical centre building to advertise occupancy of the retail unit closest to the entrance of Dog Lane car park by Murrays Pharmacy.
- 4.2 The proposed fascia signage would measure 3.8m by 0.4m and is proposed to be positioned above the main entrance and display window and would have fret-cut lettering lit at the edges. The protruding pharmacy cross would be located to the right of the fascia sign, would measure 0.6m with a protrusion from the front elevation of the building of 0.7m. It is proposed that the pharmacy cross would be illuminated.

ASSESSMENT AGAINST THE DEVELOPMENT PLAN

- 4.3 Policy SAL.UP10 of the Site Allocations and Policies Local Plan relates specifically to advertisements and is clear that they should not detract from the appearance and character of the area or the building on which they are displayed. Where such adverts are proposed adjacent to a heritage asset (the Bewdley Conservation Area in this instance) proposals must conserve the setting of that area and avoid the use of internally illuminated signage or individually illuminated letters.

16/0266/ADVE

- 4.4 In assessing the proposal against his policy I place significant weight on the comments of the Conservation Officer as detailed above and concur that the signage, being of an appropriate scale and design, would sit comfortably on the host building and would not detract from the visual amenity and setting of the Bewdley Conservation Area.
- 4.5 The comments of the Town Council have been noted and the preference for non-illuminated signage in this location recognised. I am however required to consider the application as submitted and, on balance and given that the site is not within the Conservation Area, I am minded to concur with the views expressed by the Conservation officer and to conclude that the signage, as proposed, is acceptable in this location.

5.0 Conclusions and Recommendations

- 5.1 For the reasons outlined above it is recommended that the application for Advertisement Consent be **APPROVED** subject to the following conditions:
1. L1 (Standard advertisement conditions)
 2. L9 (Standard time)
 3. Materials as per approved plans

Agenda Item No. 5

Application Reference: 16/0279/FULL **Date Received:** 10/05/2016
Ord Sheet: 381097 276608 **Expiry Date:** 09/08/2016
Case Officer: Emma Anning **Ward:** Blakebrook & Habberley South

Proposal: Demolition of vacant public house to provide 10 new dwelling houses with associated landscaping and parking for affordable housing

Site Address: THE COOPERS ARMS, 108 CANTERBURY ROAD, KIDDERMINSTER, DY11 6ET

Applicant: Oakleaf Commercial Services

Summary of Policy	DS01, CP01, CP05, CP11 (CS) SAL.PFSD1, SAL.DPL1, SAL.DPL4, SAL.CC1, SAL.CC2, SAL.CC7, SAL.UP7, SAL.UP9 (SAAPLP) Design Guidance SPD Sections 6, 7 (NPPF) NPPG
Reason for Referral to Committee	'Major' planning application
Recommendation	APPROVAL

1.0 Site Location and Description

- 1.1 The application site is located at the junction of Truro Road and Canterbury Road, Kidderminster and consists of the (now vacant) Coopers Arms public house and its associated curtilage (including the rear car park), along with an area of overgrown land to the rear of the residential dwellings at nos.1-19 (odds) Truro Drive. Whilst it is not entirely clear what this land was previously used for given its current appearance, planning permission was granted in 1977 for its use as temporary allotments. However, it is not clear as to whether that permission was ever implemented. If it was, it would appear that such a use has long since been abandoned.
- 1.2 To the south of the site, fronting Canterbury Road, lies St. John's Church Hall and beyond this Our Lady and St. Pius Church. There is an existing electrical sub-station within the site (on the southern boundary) which will be retained.
- 1.3 The site lies within a predominantly residential area of Kidderminster and constitutes a previously developed (brownfield) site.

16/0279/FULL

2.0 Planning History

- 2.1 13/0573/FULL – Demolition of buildings to the rear and change of use of existing Coopers Arms PH to 3 no. residential flats, together with the erection of a pair of semi-detached dwellings, 4 no. terraced dwellings and 1 no. flat (i.e. 10 units in total) – Approved with conditions (01/09/14).

3.0 Consultations and Representations

- 3.1 Kidderminster Town Council – No comments received.
- 3.2 Highway Authority – No objections, subject to conditions.
- 3.3 Severn Trent Water – No objections, subject to conditions.
- 3.4 Strategic Housing Services Manager – No objections.
- 3.5 North Worcestershire Water Management (NWWM) – No objections, subject to conditions.
- 3.6 Worcestershire Regulatory Services (WRS) – No objections, subject to conditions.
- 3.7 West Mercia Police Crime Prevention Design Advisor – No objections.
- 3.8 Countryside Conservation Officer – No objections, subject to conditions.
- 3.9 Neighbour/Site Notice – No third party representations received.

4.0 Officer Comments

- 4.1 Planning permission is sought for the demolition of the existing (albeit now vacant) public house and associated buildings, and the redevelopment of the site for 10 no. dwellings consisting of:
- 8 x two bedroom houses (6 terraced and 2 semi-detached);
2 x three bedroom houses (semi-detached);
- and, associated access and car parking (at a ratio of 2 no. spaces per dwelling). This is a 100% Affordable Housing scheme.
- 4.2 The site, and in particular the former public house building, has deteriorated rapidly following the vacation of the premises. All windows are boarded-up and there is evidence of casual vandalism. All in all, the site is now something of an eyesore in this prominent location within a residential area.

16/0279/FULL

- 4.3 The principle of such a development is sound in terms of local planning policy and further reinforced by the previous permission granted on (the majority of) the current application site (ref: 13/0573/FULL). This is a brownfield site within an established residential area, and the premises have not been registered as an Asset of Community Value. This application stands to be considered purely on matters of detail as discussed under the following paragraphs.

SCALE & DESIGN

- 4.4 The proposed layout has been designed to respond to characteristics of this corner plot and to the adjacent footprint of buildings on Truro Drive and Canterbury Road. The proposal is for a wrap-around pattern of development resulting in active frontages to the existing streetscene, including directly at the junction of Truro Drive and Canterbury Road, in respect of plots 1-7 (inclusive). Plots 8 to 10 (inclusive) consist of a terrace of 3 no. dwellings, accessed via a private driveway located between proposed plot 7 and the existing dwelling at 1 Truro Drive.
- 4.5 The proposed dwellings are of a contemporary two storey brick and tile design, albeit with some render panels for relief, to reflect the characteristics of the existing properties in the vicinity of the site. Being two storey in nature and appearance, the development would harmonise with the streetscene and would be in keeping with the scale and massing of established surrounding residential development.

AMENITY

- 4.6 There would be no direct overlooking of existing residential properties in Truro Drive. The separation distances between existing and proposed facing windows across the public highway is some 22 metres, whilst the separation distances between the rear windows of plots 8 to 10 and the rear of the facing properties at 15 to 19 Truro Drive is in excess of 28 metres. Such distances are considered to be perfectly acceptable within this urban environment.
- 4.7 Each house would benefit from a private rear garden, lengths of which would vary from a minimum depth of 9.5 metres (plots 6 and 7) to a maximum of 16 metres (plots 8, 9 and 10). Ideally Officers would look for garden lengths of around 10m to ensure that there is adequate amenity provision and that suitable separation distances between rear elevations of properties is secured. On this basis, the overall proposed garden lengths are considered to be acceptable. However, it is considered necessary to remove relevant permitted development rights for extensions to these properties in order to allow the Local Planning Authority to ensure that a suitable degree of private amenity space is maintained in the future.

16/0279/FULL

- 4.8 There are a number of Silver Birch trees on the site which are to be removed, primarily to allow for access to proposed plots 8-10. The Silver Birch trees are self-seeded specimens and are not protected. There is clear evidence that the root systems are undermining the ground and lifting the existing hard-standing, and their root system would almost certainly inhibit or hinder the construction of plots 8 to 10 in particular. Other trees, around the periphery of the site are scheduled for retention, and these can be supplemented by additional planting as part of the landscape scheme, to be conditioned.

HIGHWAY SAFETY

- 4.9 Off street parking provision is provided across the proposed development, with each property benefitting from 2 no. private parking spaces, primarily within the respective plot curtilages. The access to serve Plots 8-10 would utilise an existing access position, which currently allows for access to the above mentioned sub-station. No objections have been raised by the Highway Authority.

OTHER MATTERS

- 4.10 The Council's Adopted Local Plan and Adopted Planning Obligations SPD seeks for commuted sum payments towards improvements to existing Open Space and Children's Play Areas for developments of 10 or more dwellings. However, more recent Government Guidance, as set out under the National Planning Practice Guidance (NPPG), and revised a recently as 19 May 2016 makes it clear that:

"contributions should not be sought from developments of 10-units or less (author's emphasis), and which have a maximum combined gross floorspace of no more than 1000sq.m".

The proposed development is for 10 dwellings, with a combined gross floorspace of 775sq.m.

- 4.11 The nationally set threshold is therefore effectively 11 units and above which supersedes the council's own threshold. This being the case, no commuted sum payments can be secured in this case. No Educational contributions are applicable, again due to the above mentioned threshold, but in any event the Council does not seek for such contributions in respect of affordable Housing provision. The site does, however, deliver 100% Affordable Housing, with all 10 properties being for Shared Ownership.
- 4.12 Somewhat belatedly, details have been submitted by the applicant to address the comments raised by NWWM regarding the need for a Drainage Strategy. NWWM have been re-consulted and any updated comments in this regard will be reported via the Addenda and Corrections sheet. However, in the meantime a planning condition relating to such a strategy is suggested.

16/0279/FULL

5.0 Conclusions and Recommendations

- 5.1 The development proposed would see the removal of what is now an eyesore building. This is a previously developed site within an established residential area of Kidderminster, and the development proposed would deliver 10 no. Affordable Housing units.
- 5.2 The layout and design is perfectly acceptable, and addresses the difficulties associated with a corner plot with a well thought out design solution, providing a strong and active frontage to both Canterbury Road and Truro Drive.
- 5.3 There are no highway safety concerns, and off-street parking is provided in accordance with the current adopted parking standards.
- 5.4 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. B1 (Details of materials to be agreed)
 4. C7 (Landscaping details to be submitted)
 5. C3 (Tree protection during construction)
 6. C8 (Landscape implementation)
 7. B12 (Erection of fences)
 8. E2 (Foul and surface water)
 9. Submission of drainage strategy
 10. Demolition and construction method statement
 11. Details of contractor's compound
 12. Protected species survey and mitigation
 13. Lighting details
 14. Pedestrian and vehicular access details to be agreed
 15. Cycle parking
 16. Residents 'Welcome Pack'
 17. Removal of permitted development rights

WYRE FOREST DISTRICT COUNCIL

Planning Committee

19 July 2016

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
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			

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
WFA1459 15/0667/ENF	APP/R1845/C/15 /3136640	Mr D Matthews	GREEN ACRES THE HOLLOWAY CHADDESLEY CORBETT Erection of new residential dwelling (Enforcement Case 15/0097/ENF)	WR 25/11/2015	30/12/2015			
WFA1460 15/0405/FULL	APP/R1845/W/1 8/3138636	Mr J Kelly	LAND AT LONG BANK BEWDLEY Proposed Agricultural building	WR 01/12/2015	05/01/2016			
WFA1463 16/0061/FULL	APP/R1845/D/16 /3148576	Mr C Page	THE RETREAT LOWE LANE KIDDERMINSTER DY115QP Extension to rear	WR 19/04/2016	24/05/2016			Allowed 23/05/2016

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
WFA1464 15/0526/FULL	APP/R1845/W/1 6/3145883	Mr H Docherty	LAND ADJ OAKHOUSE ST. JOHNS LANE BEWDLEY DY122QZ Proposed construction of 2 bedroom cabin for holiday accommodation (for use 11 months of the year)	WR 06/05/2016	10/06/2016			
WFA1465 15/0724/FULL	APP/R1845/D/16 /3149580	Mr M Samrai	139 SUTTON ROAD KIDDERMINSTER DY116QP Proposed modification and conversion to form new dwelling	WR 14/06/2016	19/07/2016			

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
WFA1466 15/0329/FULL	APP/R1845/W/1 6/3151236	Metro Realty Homes Limited	FORMER WOMENS ROYAL VOLUNTARY SERVICE HALL LAND OF LAX LANE Residential development comprising of 4No. Dwellings with associated access a7nd amenities	WR 15/06/2016	20/07/2016			

Appeal Decision

Site visit made on 18 May 2016

by Penelope Metcalfe BA(Hons) MSc DipUP DipDBE MRTPI IHBC

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

Decision date: 23 May 2016

Appeal Ref: APP/R1845/D/16/3148576

**The Retreat, Lowe Lane, Wolverley, Kidderminster, Worcestershire,
DY11 5QP**

- 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 Christopher Page against the decision of Wyre Forest District Council.
 - The application Ref 16/0061/FULL, dated 20 January 2016, was refused by notice dated 13 April 2016.
 - The development proposed is extension of existing building to provide one bedroom.
-

Decision

1. The appeal is allowed and planning permission is granted for extension of existing building to provide one bedroom at The Retreat, Lowe Lane, Wolverley, Kidderminster, Worcestershire, DY11 5QP in accordance with the terms of the application Ref 16/0061/FULL, dated 20 January 2016, and the plans submitted with it, subject to the following conditions:
 - 1) The development hereby permitted shall begin not later than three years from the date of this decision.
 - 2) The development hereby permitted shall be carried out in accordance with the following approved plans: 2016/0061 1:1250 existing location plan, 2016/0061 1:1250 proposed location plan, 2016/0061 existing and proposed elevations and 2016/0061 existing and proposed floor plans.
 - 3) The materials to be used in the construction of the external surfaces of the development hereby permitted shall match those used in the existing building.

Main issues

2. I consider that the main issues in this case are a) whether the proposal constitutes inappropriate development in the Green Belt, b) its effect on the openness of the Green Belt and on the character and appearance of the area, and c) if it is inappropriate development, whether the harm by reason of inappropriateness, and any other harm, is clearly outweighed by other considerations, so as to amount to the very special circumstances necessary to justify the development.

Reasons

3. The National Planning Policy Framework (the Framework) sets out several categories of new buildings which are not inappropriate development in the Green Belt as does policy SAL.UP1 of the Wyre Forest District Council Site Allocations and Policies Local Plan 2006-2026, adopted 2013 (the local plan). Both allow for the extension or alteration of an existing building provided that it does not result in disproportionate additions over and above the size of the original building.
4. The appeal site comprises a small building in a large plot in a rural location within the Green Belt. I understand that the building was formerly a sports pavilion and that planning permission for its change of use to holiday use was granted in 2008. The accommodation is very small, with a kitchen and sitting room and a separate small single bedroom and shower room. The proposal is for an extension to the rear of the building which would increase the footprint by approximately 53%. However, I understand that the Council has permitted extensions of this proportion within the Green Belt and in this instance the increase in floor area would be a modest 10.5sqm.
5. I consider that the proposal would not amount to a disproportionate increase in the size of the original building and I therefore conclude that the proposal would not be inappropriate development in the Green Belt. In this respect, it is consistent with local plan policy SAL.UP1 and the Framework.
6. The Framework states that the essential characteristics of Green Belts are their openness and permanence. I consider that this extension would not erode the openness of the Green Belt either spatially, because of its modest size or visually, as it is not visible from the road and is largely screened from views from neighbouring properties. In this respect it would be consistent with the Framework.
7. The extension would be sited centrally in the rear elevation and of a design which harmonises with the existing building. I consider that the proposal would not harm the character and appearance of either the building itself or the surrounding landscape. In this respect, the proposal is consistent with local plan policy SAL.UP7, which requires new development to be of high quality design.
8. Local Plan policy SAL.UP11 sets out criteria for the re-use of rural buildings. Such buildings should be capable of conversion without the need for additional extensions. The reasoned justification indicates that this is partly to avoid adverse effects of an extension on the physical appearance of the building itself and on wildlife and the countryside. The introduction of domestic features including gardens is also a consideration.
9. The existing building is of modest appearance with no particular historic or architectural character. The site is a large plot with a domestic appearance and the building is set well back from the road and separated from it by an extensive area of grass. There is a large, rougher area with some hardstanding and parking areas at the rear. The original conversion was permitted for the provision of holiday accommodation, and I understand that this would continue to be the case and that the increase in size to provide a bedroom would make

the building more suitable than the existing cramped space for weekend and holiday use by the appellant's family.

10. Although the proposed extension would, in principle, be contrary to policy SAL.UP11, I consider that the building would remain very small and this, together with its siting and form, is such that its impact would be negligible. I conclude that it would not harm the character and appearance of the countryside or compromise the Council's aims with regard to the reuse of rural buildings, and would not, therefore be contrary to policy SAL.UP11.
11. For the reasons given above and having regard to all other matters raised, I conclude that the appeal should succeed.

Conditions

12. I have considered the conditions put forward by the Council, having regard to the tests set out in the Framework. A condition detailing the plans is necessary to ensure the development is carried out in accordance with the approved plans and for the avoidance of doubt. A condition relating to the materials to be used is necessary and reasonable in order to ensure the satisfactory appearance of the development.

PAG Metcalfe

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
16/0096/FULL	Eagles Nest Coningsby Drive Kidderminster	£10,000 to provide new bus shelter	First occupation	Draft out for approval
16/0089/FULL	Corner of Castle Road and Park Lane Kidderminster	Public Open Space contribution of £6,878 towards St George's Park 'Bandstand' project	Prior to first occupation	Agreement completed 19.4.16
15/0480/FULL	The Beeches Ribbesford Bewdley	To prevent the implementation of Planning Permission 11/0246/FULL and/or 14/0259/FULL as well as this permission	Commencement of development	Agreement completed

Agenda Item No. 7

Application Number	Site	Provisions	Triggers for Compliance	Performance
15/0429/FULL	Units 1-4 Baldwin Road Stourport on Severn	<ul style="list-style-type: none"> • 30% Affordable Housing provision. 3 units (1 x 2 bed and 2 x 3 bed) • Public Open Space provision - £7,614.84 	<ul style="list-style-type: none"> • Prior to occupation of general market dwellings 	Agreement completed
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 – 24 x £20.47 There is 50% for affordable housing units. 	<ul style="list-style-type: none"> • Prior to first occupation 	Draft agreement with applicant's solicitors

Agenda Item No. 7

Application Number	Site	Provisions	Triggers for Compliance	Performance
		<ul style="list-style-type: none"> • 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) • 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% <p>Highway Contribution of £22,000 for bus shelters</p>	<ul style="list-style-type: none"> • Prior to first occupation • Prior to occupation of one third of GMD • Commencement of development 	

Agenda Item No. 7

Application Number	Site	Provisions	Triggers for Compliance	Performance
14/0591/FULL/OUT	West Midland Safari Park Spring Grove Bewdley	Highway Contribution of £87,000 to provide additional Sunday bus services on Sundays and Bank Holidays routing between Kidderminster Railway Station and Bewdley Town Centre.	Prior to the commencement of development	Agreement completed 19.4.16
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 	Agreement signed and completed.
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	Open Space provision of £6,679.68	First residential occupation	Agreement signed and completed

Agenda Item No. 7

Application Number	Site	Provisions	Triggers for Compliance	Performance
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 	Agreement signed and completed.
13/0657/FULL	Former Garage Site Off Orchard Close Rock	Open Space provision of £1,908.48	First residential occupation	Agreement signed and completed
13/0645/FULL	Land adjacent to Upton Road Kidderminster	Open Space provision of £2,385.60	First residential occupation	Agreement signed and completed.

Agenda Item No. 7

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	Public Open Space contribution of £13,896 (The agreement should replicate the agreement previously agreed under reference 13/0049/FULL)	First residential occupation	Agreement signed and completed.
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

Agenda Item No. 7

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 	Phased occupation/sale of properties	Agreement signed and completed
13/0299/FULL	Former Garage Site Bredon Avenue Kidderminster	Public Open Space contribution of £1,192.80	First occupation	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 	Completion	Agreement signed and completed
13/0186/FULL	Former Sutton Arms Sutton Park Road	Variation to education contributions	First occupation	Agreement signed and completed

Agenda Item No. 7

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 	First occupation	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 	First occupation	Agreement signed and completed
12/0321/FULL	Unit 2 Greenacres Lane Bewdley	Provision of a dry access across third party land (two plots)	Prior to occupation	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	Education Contribution of £2,542.80	First occupation	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

Agenda Item No. 7

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 	First occupation	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 	First occupation	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	Development implemented	Agreement signed and completed

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	Phased triggers	Agreement signed and completed
11/0471/FULL	Clent Avenue, Kidderminster	Open space contribution of £2,023.92	First occupation	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>

Agenda Item No. 7

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