

Open

Planning Committee

Agenda

6pm
Tuesday, 20th September 2016
Council Chamber
Wyre Forest House
Finepoint Way
Kidderminster



Planning Committee

Members of Committee:

Chairman: Councillor S J Williams
Vice-Chairman: Councillor C Rogers

Councillor J Aston

Councillor J R Desmond

Councillor M J Hart

Councillor N Martin

Councillor J A Shaw

Councillor S J M Clee

Councillor J A Hart

Councillor D Little

Councillor F M Oborski MBE

Councillor R J Vale

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.

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

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

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

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

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

*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, 20th September 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 16th August 2016.	7
5.	Applications to be Determined To consider the report of the Development Manager on planning and related applications to be determined.	13
6.	Planning and Related Appeals To receive a schedule showing the position in relation to those planning and related appeals currently being processed and details of the results of appeals recently received.	75
7.	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.	

8.	<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>	
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Part 2

Not open to the Press and Public

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

WYRE FOREST DISTRICT COUNCIL

PLANNING COMMITTEE

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

16TH AUGUST 2016 (6.00 PM)

Present:

Councillors: S J Williams (Chairman), C Rogers (Vice-Chairman), J Aston, S J M Clee, J R Desmond, J A Hart, M J Hart, D Little, N Martin, S Miah, J A Shaw and R J Vale.

Observers:

There were no members present as observers

PL.17 Apologies for Absence

Apologies for absence were received from Councillor: F M Oborski MBE.

PL.18 Appointment of Substitutes

Councillor S Miah was appointed as a substitute for Councillor F M Oborski MBE.

PL.19 Declarations of Interests by Members

Councillor R J Vale declared an ODI in respect of application number 14/0060/HHED, New House Farm, Belbroughton Road, Blakedown, Kidderminster, as she was friends with the owner, however, as the matter was only to be noted, she did not think that it would prejudice her position and she would remain in the room

PL.20 Minutes

Decision: The minutes of the meeting held on 19th July 2016 be confirmed as a correct record and signed by the Chairman, subject to the following:

PL.9 Declarations of Interests by Members

- Councillor RJ Vale declared an ODI in respect of application number 14/0060/HHED, as she was friends with the owner, not the applicant.

PL.20 Applications To Be Determined

The Committee considered those applications for determination (now incorporated in Development Control Schedule No. 545 attached).

Decision: The applications now submitted be determined, in accordance with the decisions set out in Development Control Schedule No 545 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.21 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 6.44 p.m.

WYRE FOREST DISTRICT COUNCIL

PLANNING COMMITTEE

16th August 2016 Schedule 545 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: 16/0277/FULL
Site Address: 123 STOURPORT ROAD, KIDDERMINSTER, DY117BW
APPROVED subject to the following conditions:
<ol style="list-style-type: none"> 1. A6 (Full with no reserved matters) 2. A11 (Approved plans) 3. Materials as per the approved plan 4. Opening hours restricted to 07:00 to 23:00 daily 5. No further extraction/ventilation equipment to be installed 6. Approval only for the extraction/ventilation as proposed which should be fully installed prior to first occupation 7. Acoustic fencing to boundary to be installed in full prior to the first use of the building 8. Restriction of hours of vehicular access 9. Removal of permitted development rights for extensions 10 Use to be limited to a coffee shop as proposed (A1/A3) and for no other purpose 11 The coffee shop hereby permitted shall not be opened to customers until bollards have been installed between the boundary of the adjoining residential property and the nearest parking spaces in accordance with the details indicated on drawing number 2479-A102 revision B

Application Reference: 16/0040/EIA
Site Address: LAND ADJACENT LICKHILL QUARRY, BEWDLEY ROAD NORTH, STOURPORT-ON-SEVERN,
Delegated authority to APPROVE subject to:
<ol style="list-style-type: none"> a) the Secretary of State not being mindful to call-in the application; and b) the following conditions: <ol style="list-style-type: none"> 1. A6 (Full with no reserved matters) 2. A11 (Approved plans) 3. Materials to be agreed 4. Severn Trent ensure the access road to the pumping station is properly maintained and kept clear from excessive dust/mud etc 5. A Construction Environmental Management Plan (CEMP) to include specific reference to the following matters; <ol style="list-style-type: none"> a) proposals for keeping all site access/egress, including private

access tracks and the public highway, free from mud/debris during the construction phase.

b) The means by which risks to human health to off site receptors (resulting from mobilised contaminants) will be monitored and managed to ensure no harm would arise.

c) the means of land reinstatement post construction

d) a construction noise management plan

e) Site, waste management plan including a materials management plan and soils management plan.

f) proposed working hours relative to each phase of the construction process

6. Precautionary re-survey for reptiles at the proposed Minster Road compound (including mitigation and measure to prevent re-colonisation during construction) to be agreed.
7. All mitigation measures as set out in Environmental Statement to be fully adhered to.
8. Should the use of Biobullet cleansing be required then such methods shall be carried out with strict regard to the agreed implementation methodology
9. Details for the ongoing monitoring of the impacts of noise on migratory fish in the River Severn adjacent to the intake structure shall be agreed.
10. Full details of the emergency plan for the protection of the water environment shall be agreed.
11. Details of tree protection measure proposed at the location where the pipeline intersects the Minster Road shall be agreed.
12. Full landscaping scheme including hard and soft landscaping as well as details of re-instatement of any hedgerows removed as a result of the development, to be agreed.
13. Gas protection measures to be agreed
14. Drainage details to be agreed
15. Details of new temporary proposed site access points to be agreed.
16. No development shall take place until a programme of archaeological work including a Written Scheme of Investigation to be agreed.
17. Measures to protect grassland to the area adjacent to Burlish Top Local Nature Reserve to be agreed.
19. Replacement sports.
20. Details of all proposed fencing/boundary treatments which are within 5m of any PRow to be agreed.
21. Groundwater contamination mitigation and monitoring measures to be agreed
22. Flood Evacuation Management Plan to be agreed.
23. Sports Pitches alternative provision

Notes

- A. The applicant's attention is drawn to the requirement to us the County Council's nominated contractor to undertake the construction and reinstatement of any permanent or temporary access required.

B. The attention of the applicant is drawn to Section 59 of the Highways Act 1980 which allows the Highway Authority to recover additional costs of road maintenance due to damage by extraordinary traffic.

Before any work is commenced upon the development hereby approved representatives of Worcestershire County Council, as the Highway Authority and the applicant, shall carry out a joint road survey/inspection on the roads leading to this site. Any highlighted defects shall be rectified to the specification and satisfaction of the Highway Authority before work is commenced on the development hereby approved. A further joint survey/inspection shall be undertaken following completion of development hereby approved and any necessary remedial works shall be completed to the specification and satisfaction of the Highway Authority within 1 month or other agreed timescale.

Application Reference: 16/0181/FULL

Site Address: THE OAKLANDS, CALLOW HILL, ROCK, KIDDERMINSTER, DY149DB

APPROVED subject to the following conditions:

1. A6 (Full with no reserved matters)
2. A11 (Approved plans)
3. C7 (Landscaping details to be submitted)
4. C8 (Landscape implementation)
5. B12 (Erection of fences)
6. Submission of a Preliminary risk assessment to assess any potential contamination
7. Provision of access, parking/turning area prior to occupation
8. Cycle parking
9. Removal of 'permitted development' rights for extensions and outbuildings.

Application Reference: 16/0205/FULL

Site Address: ROYAL EXCHANGE, 31 NEW ROAD, KIDDERMINSTER, DY101AF

APPROVED subject to the following conditions:

1. A6 (Full with no reserved matters)
2. A11 (Approved plans)
3. B1(Samples/details of materials)
4. B9 (Details of windows and doors)
5. B11 (Details of enclosure)
6. C6 (Landscaping – small scheme)
7. C8 (Landscape implementation)
8. Drainage
9. G5 (Features retained)
10. Archaeological Recording
11. Access, turning and parking
12. Welcome pack that promotes sustainable travel
13. J1 (Removal of permitted development – residential)

14. J5 (Domestic garages – restriction of residential use)
15. Finished floor levels

Note

SN1 (Removal of permitted development rights)

Application Reference: 16/0273/FULL

Site Address: 10 GLADSTONE PLACE, BLAKEDOWN, KIDDERMINSTER, DY103LE

APPROVED subject to the following conditions:

1. A6 (Full with no reserved matters)
2. A11 (Approved plans)
3. B6 (External details – approved plan)

Note

SN12 (Neighbours' rights)

Application Reference: 16/0347/FULL

Site Address: BEWDLEY LIBRARY & OLD MEDICAL CENTRE, LOAD STREET, BEWDLEY, DY122EQ

APPROVED subject to the following conditions:

1. A6 (Full with no reserved matters)
2. A11 (Approved plans)
3. Full landscaping scheme to be agreed
4. Tree protection plan in accordance with BS5837:2012 for the Purple Beech to be agreed
5. All boundary treatments to be agreed
6. All hard surfaces to be agreed
7. No approval to the verge between upper and lower levels of the car park. Full section details to be agreed.
8. Any materials for walling or coping stones, joint and mortar details to be approved by LPA prior to commencement of the development.
9. Details of any street/car park furniture to be installed, including any crash barriers, to be agreed.
10. Drainage scheme (to include SuDS where appropriate) to be agreed.
11. Flood Management Plan to be agreed

**EXECUTIVE SUMMARY TO REPORT OF
DEVELOPMENT MANAGER**

Planning Committee

20/09/2016

PART A Reports

Ref.	Address of Site	Recommendation	Page No.
16/0189/FULL	HOPLEYS CAMPING & CARAVAN SITE CLEOBURY ROAD BEWDLEY	APPROVAL	14
16/0280/FULL	43 SPRINGHILL RISE BEWDLEY	DELEGATED APPROVAL	22
16/0382/FULL	THE GRANARY WATERY LANE YIELDINGTREE BROOME STOURBRIDGE	APPROVAL	32
16/0431/FULL	17 HIGH STREET BEWDLEY	APPROVAL	42
16/0432/LIST	17 HIGH STREET BEWDLEY	APPROVAL	42

PART B Reports

Ref.	Address of Site	Recommendation	Page No.
16/0225/FULL	BLAKESHALL LANE BLAKESHALL WOLVERLEY KIDDERMINSTER	APPROVAL	49
16/0265/FULL	BEWDLEY MEDICAL CENTRE DOG LANE BEWDLEY	APPROVAL	53
16/0390/FULL	16 BROOKSIDE WAY BLAKEDOWN KIDDERMINSTER	APPROVAL	56
16/0420/RESE	STOURPORT HIGH SCHOOL and 6th FORM COLLEGE KINGSWAY STOURPORT-ON-SEVERN	APPROVAL	59
16/0427/FULL	57 BIRMINGHAM ROAD BLAKEDOWN KIDDERMINSTER	APPROVAL	65
16/0481/FULL	WEST MIDLAND SAFARI PARK SPRING GROVE BEWDLEY	APPROVAL	69

WYRE FOREST DISTRICT COUNCIL

PLANNING COMMITTEE
20TH SEPTEMBER 2016

PART A

Application Reference:	16/0189/FULL	Date Received:	28/03/2016
Ord Sheet:	377009 274715	Expiry Date:	23/05/2016
Case Officer:	Emma Anning	Ward:	Bewdley & Rock

Proposal: Proposed leisure facilities building in replacement of temporary servery and marquee

Site Address: HOPLEYS CAMPING & CARAVAN SITE, CLEOBURY ROAD, BEWDLEY, DY12 2QL

Applicant: Mr J Hopley

Summary of Policy	DS01 DS03 DS04 CP01 CP02 CP03 CP10 CP11 CP12 (CS) SAL.CC1 SAL.CC2 SAL.CC7 SAL.UP7 SAL.UP9 (SAAPLP) Sections 3, 7 (NPPF)
Reason for Referral to Committee	Parish Council request to speak on application
Recommendation	APPROVAL

1.0 Site Location and Description

1.1 The site is located off the Cleobury Road in an open countryside area on the outskirts of Bewdley

2.0 Planning History

2.1 WF.133/01 - Change of use of 12 sq. m. of nursery site adjacent to tea shop for bike hire : Approved

2.2 WF.663/05 - Variation of conditions 3, 4 and 5 of planning permission WF.105/97 to allow the opening of the tea room and toilets for year round use to serve the shop touring caravan site, fishing pool and fruit picking : Approved

2.3 06/0390/FULL - Toilet and shower block for campers : Approved

16/0189/FULL

- 2.4 07/0743/FULL - Change of use of land for the provision of fifteen touring caravan pitches : Refused; Appeal Allowed.
- 2.5 08/0448/FULL - Proposed front extension to existing café : Approved
- 2.6 10/0375/FULL - Proposed change of use of land for the provision of 20 additional touring caravan pitches : Refused
- 2.7 10/0410/FULL - Toilet and shower block (Re-submission and amendment to approved application 10/0133/FULL) : Approved
- 2.8 10/0494/FULL - Proposed change of use of land for the provision of 20 additional touring caravan pitches and improved access to site : Approved
- 2.9 11/0252/FULL - Change of use of land for the provision of tent pitches and retention of 4 tepees, associated stoned access ways, minor adjustment of levels and landscaping : Approved
- 2.10 14/0164/FULL - Proposed Additional 22 Touring Caravan Pitches : Approved
- 2.11 15/0613/FULL - Removal of temporary toilet facilities and erection of proposed replacement toilet and shower block : Approved

3.0 Consultations and Representations

- 3.1 Bewdley Town Council – No objection in principle. The town councillors welcomed the prospect of an improved leisure asset, potentially attracting visitors to the area, and It was agreed to recommend approval in principle. However, a number of material considerations affect the final decision, including highway safety and results of representations from neighbours, particularly in view of the proposed late night opening hours and potential for noise/disturbance. It is not clear from the application whether the proposed bar servery will be licensed to serve alcohol.
- 3.2 Highway Authority - No objection subject to conditions relating to access, turning and parking and cycle parking.
- 3.3 Worcestershire Regulatory Services (WRS)
NOISE
No comments from a noise / nuisance point of view.

16/0189/FULL

CONTAMINATED LAND

WRS have reviewed the above application for any potential contaminated land issues. Records indicate the development site has a history of potential contaminative land use as 'Doddington Farm Landfill'. As such contamination issues may be significant on the development site. It is recommended the following condition is applied to the development should the application be granted permission to ensure potential contaminated land issues are addressed appropriately.

The application site is within 250m of a registered landfill site or significant area of unknown filled ground which is known to have or potentially received waste material likely to produce gas from degradation processes. It is considered necessary to condition the application requiring the applicant to incorporate gas protection measures within the foundations of the proposed new structure or to undertake a gas survey to ascertain if gas protection measures are required.

- 3.4 West Mercia Police Crime Prevention Design Advisor - No comments received
- 3.5 Severn Trent Water - No objection subject to drainage conditions
- 3.6 Neighbour/Site Notice – Four letters have been received. The main matters raised are as follows:
- Overall as a local resident we are supportive of the development of facilities that benefit the area and community.
 - Music and noise from the car park during and after events. We have tolerated this as noise has been moderate and stopped between 1030 and 1130. Saturday 16th was an exception with very loud music heard from all parts of our courtyard. To ensure there is no deterioration in this, and hopefully an improvement we would like to ensure there is adequate soundproofing, that roof skylights facing the south do not open and that events are limited to the closing time of 11pm as indicated in the application.
 - We would also like some signage to advise event goers to respect local residents when leaving in the late evening.
 - worried about the privacy of my home as we have many people coming up our drive at night sometimes drunk from the campsite and leaving litter in the bushes (Grove House)
 - The site is getting bigger every year and is increasingly a blot on the landscape from as far away as Trimpley.
 - The events venue should be turned down as was the one proposed at Beau Castle.
 - The following measures should be in place if the permission is to be granted:
 - i. No bi-fold doors
 - ii. No opening windows or Velux windows on roof
 - iii. Triple glazing to all windows

16/0189/FULL

- iv. Air conditioning
- v. Sound insulation
- vi. Internal toilets so that guests do not have to trek down to the toilets
- vii. Additional parking is required
- viii. Upgrade to sewerage system
- ix. No additional marquees
- x. Limited to use only for the campers on site and not for outside events
- xi. Usage restrictions on hours/days
- xii. Screening to reduce noise and visual impact

4.0 Officer Comments

PROPOSAL

- 4.1 Planning permission is sought for the construction of a purpose built 'leisure facilities building' to replace existing temporary facilities comprising a marquee and catering unit.
- 4.2 The building would be located to the north of the existing reception building, adjacent to the existing toilet block, in the approximate location of the temporary facilities currently on site. The building would occupy a footprint of 12.6m by 18.6m (234sq.m), of which part would be a balcony area on the north-facing elevation measuring 18.6m by 3.2m which would be accessed by bi-fold doors from the main building and via steps from the surrounding grounds. The building would have a pitched roof with a maximum ridge height of 4.4m. There is a change in levels of 0.5m across the area where the building is to be sited and as such the 'front' north-facing elevation is proposed to be built off a raised platform with a stepped access onto the balcony area as described above. The building is to be finished in timber and roof tiles to match the existing surrounding buildings on site.
- 4.3 Advice from the Applicant to support the application is that the building is intended to replace the existing facilities for those of better quality and improved functionality. The proposed facilities would also allow for the camp site to diversify and exploit new opportunities in the wedding and events market, specifically outside of the main camping season when the site is at its quietest and without being affected by the weather.
- 4.4 The applicant has provided the following information relating to the existing and proposed opening/operating times:

CURRENT AND PROPOSED OPERATING TIMES:

For events - 6pm to 11pm on Fridays, Saturdays and Sundays of Bank Holidays (during peak season (June to September) one or two events can take place mid week also).

For wedding receptions – 12pm to 12am (music to finish by 11pm)

16/0189/FULL

- 4.5 The application form submitted with the application states that the applicant would wish for the building to be open from 12pm to 11pm daily.

PRINCIPLE OF DEVELOPMENT

- 4.6 The principal policy consideration is Policy CP10 of the Adopted Core Strategy which specifically relates to proposals for tourism related development. The policy is clear that its aim is to support the local tourism industry through supporting sustainable proposals that improve the quality and diversity of existing tourist facilities including tourist accommodation, subject to the proposals not causing adverse impacts on the surrounding environment including the character of the area and that there are wider benefits to the local community.

- 4.7 Hopley's Camping and Caravanning Site is a well established tourist facility and there is no doubt that the development proposed would lead to an improvement in the quality of the facilities available on site following the removal of the temporary structures. Being open to both residents and non-residents the facilities would offer benefits to the wider local community also. It is on that basis, and providing that the proposal would not result in visual harm, harm to amenity or any other harm, then the principle of the proposed development would satisfy the requirements of Policy CP10.

SITING, DESIGN & VISUAL IMPACT

- 4.8 The proposed facilities building would be located as detailed above and is proposed to be constructed and finished as described. Having considered the impact of the scale, siting and visual appearance I consider that the building would be an acceptable addition to the Hopley's site and the wider rural landscape. Being finished in timber the proposed facilities building would complement with other buildings already on site and would harmonise with the rural landscape being finished in natural materials typical of the rural setting. The size of the proposed building is acceptable and would not, in my opinion, be out of scale with the size of the tourist facility (camping site) that it would serve; indeed the footprint is similar to that of the marquee structure which is used on site at present. Given that the facilities building would be located within a cluster of existing buildings and therefore would not encroach into the 'open' areas of the site I consider that the proposed siting is the most appropriate location for a new building. Given that it would replace the marquee I consider that on balance the proposal would represent a betterment in terms of the visual impact of the Hopley's site on the wider rural landscape.

16/0189/FULL

IMPACT ON AMENITY

- 4.9 A number of consultee responses cite concerns relating to the potential noise impacts of the proposed development on nearby properties. It is understood from those consultee comments that at present there are instances where noise generated by functions taking place in the marquee has negatively impacted on the amenity of neighbours. I have not sought to substantiate such claims through seeking details of any noise complaints from Worcestershire Regulatory Services (WRS) however WRS have been consulted and have raised no noise related concerns. Bearing in mind that the proposed building is likely to better contain noise from within than the marquee used at present and that there are provisions under the Licensing Act which would control the provision and levels of noise from the building, then I consider that the proposed development would be a positive addition to the site insofar that it could serve to lessen the noise impacts of activities on site.
- 4.10 A number of noise minimisation strategies were suggested by consultees, as detailed above, many of which relate to the fabric of the building such as the amount of sound insulation and the type of windows and other openings to be installed. As a requirement of the Building Regulations the building would have to be constructed according to the latest standards however these do not cover noise insulation where there is no internal habitable accommodation. In this instance I am particularly mindful that there are no permanent noise emitting sources (for example extraction or ventilation units) on the building and that the potential for noise impacts is related only to particular types of activities which could take place inside the building. On this basis I do not consider it would be reasonable to impose overly restrictive conditions which cover matters that are within the remit of Worcestershire Regulatory Services in their capacity as licensing authority for public venues and as the body responsible for dealing with any statutory nuisance complaints. Further detailed comments on the opening hours proposed have been sought and will be added to the update sheet when received.

OTHER MATTERS

- 4.11 Suggestion has been made that additional car parking should be provided on site however this is not the view shared by the Highway Authority who do not object to the development but have suggested conditions to ensure that the access arrangements and level of cycle parking provision on site are suitable. For this reason I do not deem it reasonable to consider any further conditions relating to parking provision.
- 4.12 Matters relating to the sewerage and drainage in general have been considered by Severn Trent Water. They have offered a 'no objection' response subject to conditions which are proposed to be included on any consent to ensure adequate site drainage.

16/0189/FULL

- 4.13 It has also been suggested that a condition preventing the erection of any further marquee structures on site should be added to any permission however I do not consider this a reasonable or necessary condition as any marquee erected in the future could not be a permanent feature without first obtaining planning consent and it does not follow that the provision of a marquee for a temporary purpose would result in substantial harm.

5.0 Conclusions and Recommendations

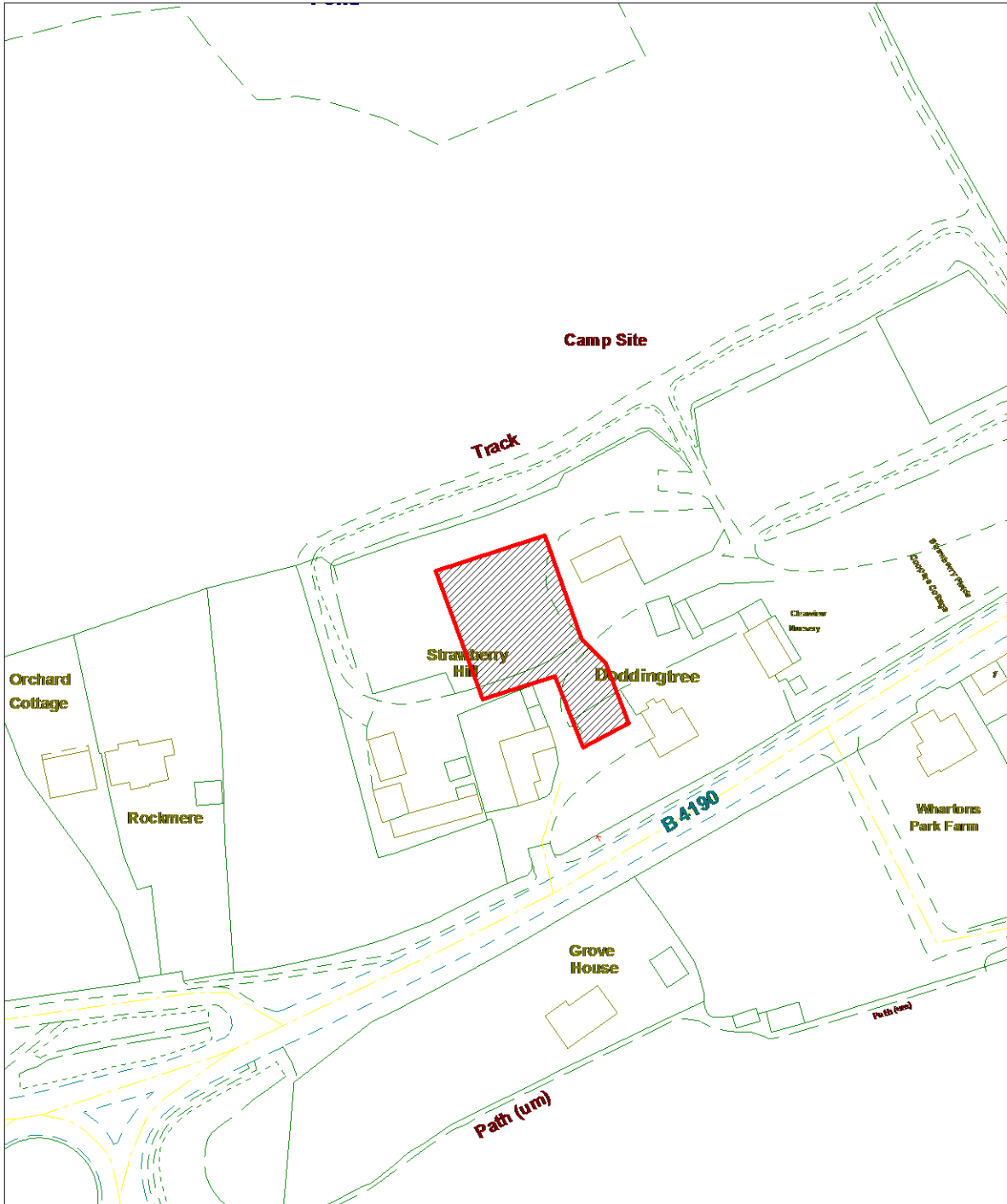
- 5.1 The proposed development is considered to be a suitable form of development on this site which would have offer benefits to the visual amenity of the site and its surroundings and would offer a betterment to the amenity of neighbouring residents.

- 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. Materials as per the approved plans
4. Access, turning and parking (Modified)
5. Cycle Parking
6. Gas Protection
7. Drainage plans for the disposal of foul and surface water flows to be submitted to and approved.
8. The scheme shall be implemented in accordance with the approved drainage details.

Notes

- A Severn Trent Water advise that there may be a public sewer located within the application site and encourage the applicant to investigate this. Please note that public sewers have statutory protection and may not be built close to, directly over or be diverted without consent. If there are sewers which will come into close proximity of the works, the applicant is advised to contact Severn Trent Water to discuss the proposals and we will seek to assist with obtaining a solution which protects both the public sewer and the building.
- B Please note, when submitting a Building Regulations application, the building control officer is required to check the sewer maps supplied by Severn Trent and advise them of any proposals located over or within 3 meters of a public sewer. In many cases under the provisions of Building Regulations 2000 Part H4, Severn Trent can direct the building control officer to refuse building regulations approval.



ECONOMIC PROSPERITY AND PLACE DIRECTORATE

Hopleys Camping & Caravan Site
Clebury Road, Bewdley, DY12 2QL

Date:- 29 June 2016 Scale:- 1:1250 OS Sheet:- SO7674NE Crown Copyright 100018317 2014
 Wyre Forest House, Finepoint Way, Kidderminster, Worcs. DY11 7WF Telephone: 01562 732928. Fax: 01562 732556



Agenda Item No. 5

Application Reference: 16/0280/FULL **Date Received:** 09/05/2016
Ord Sheet: 379118 275764 **Expiry Date:** 08/08/2016
Case Officer: Paul Round **Ward:** Wribbenhall & Arley

Proposal: Demolition of existing apartments to provide 16 new dwelling houses with associated landscaping and parking for affordable housing

Site Address: 43 SPRINGHILL RISE, BEWDLEY, DY12 1EA

Applicant: Oakleaf Commercial Services

Summary of Policy	DS01, DS03, CP01, CP02, CP03, CP04, CP11, CP12 (CS) SAL.DPL1, SAL.CC1, SAL.CC2, SAL.CC7, SAL.UP7, SAL.UP9 (SAAPLP) Sections 6 and 7 (NPPF)
Reason for Referral to Committee	'Major' planning application. 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 The site relates to nos. 45-91 (odd numbers) Springhill Rise, Wribbenhall, Bewdley. Springhill Rise is located off Queensway and leads to Damson Way to the west and Shaw Hedge Road to the north. The site currently is occupied by two blocks of 12 flats fronting onto Springhill Rise. To the north across Springhill Rise are bungalows and to the south are residential properties accessed off Grey Green Lane. Residential properties also are situated on either side of the site.
- 1.2 The application seeks for the demolition of the existing blocks and the construction of 16 properties with associated parking areas.

2.0 Planning History

- 2.1 None of relevance.

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3.0 Consultations and Representations

3.1 Bewdley Town Council (Initial comments) - Objection to the proposal and recommend refusal due to serious concerns relating to lack of sufficient car parking and impact of this on other properties in Springhill Rise and surrounding roads. However, the Town Council welcome the proposal to improve the area by demolishing the existing apartment block. The Town Council urge that consideration is given to reducing the proposed number of houses to 12, rather than the proposed 16, as this would help in alleviating the car parking issues, improve road safety and reduce the impact of the development on elderly persons' bungalows situated adjacent. The Town Council wish to point out that they wish to mitigate the problems which have arisen since the new development in Shaw Hedge Road, i.e. in relation, in particular, to the impact of increased cars/parking on the Springhill Estate and effective drainage

(Additional comments following revised plans) - A one bed property could easily have 2 cars if it belongs to a two-person family. The same principle applies to a three bed. Also, there is no provision for visitor parking. The present area is already very congested following development in Shaw Hedge Road and additional cars will impact on movement in this road plus those entering Damson Way. It would be useful if Planning Officers and Members of the Planning Committee could visit the area and gain an understanding of the problems likely to occur before any final decision is made on this application.

3.2 Highway Authority – No objection subject to a condition and notes. The existing speed limit on Shaw Hedge Road will need to be pulled back to allow access to the parking spaces for Unit 1. This can be included in the S278 works. Whilst the number of spaces is below the current highway standards, the proposed level of parking is a betterment on the existing situation. There will be an increase from 0 to 22 car parking spaces. Springhill Rise measures approximately 6 meters and as such there is capacity for vehicle turning from the proposed spaces. If residents choose to park on the opposite side of the road and it creates difficulties the County Council could implement a Traffic Regulation Order to restrict parking in this area. Overall there will be a net gain to the transport network with the development.

3.3 Arboricultural Officer – No Objection

3.4 Countryside Conservation Officer – No objection subject to a condition to secure ecological enhancements as detailed within the ecological appraisal

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- 3.5 West Mercia Police Crime Prevention Design Advisor - No objections. My only criticism is regarding the arrangement of the refuse bins and the side gates. The gates should be moved forward level with the front building line, so that the bins have to be stored behind the gates. The current arrangement means the bins can be used as a climbing aid to climb the gate and gain access to the rear of the property
- 3.6 Worcestershire Regulatory Services -

CONTAMINATED LAND

WRS have reviewed the submitted documents entitled '*Ground Investigation and Test Report for a proposed Residential Development at 45-91 Springhill Rise, Wribbenhall, Bewdley, Worcestershire*' produced by GIP Ltd, dated 2nd December 2015, reference DAP/240058. This report is deemed to represent an appropriate desk study and site investigation. WRS recommend that a condition should be attached to any planning permission granted should unexpected contamination be encountered following demolition at the site.

AIR QUALITY

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

SECURE CYCLE PARKING

It is recommended that secure cycle parking facilities are incorporated into the design of commercial developments and domestic plots without sufficient exterior space to allow for secure cycle storage. Full details of the location, type of rack, spacing, numbers, method of installation and access to cycle parking should be provided as determined by Worcestershire County Council LTP3 Policy and AQAP Measure 5.3.7.

ELECTRIC VEHICLE CHARGING

The provision of more sustainable transport modes will help to reduce CO₂, NO_x and particulate emissions from transport. In order to make the properties ready for EV charging point installation, appropriate cable provision and isolation switches must be in place so that future occupiers could easily fit the necessary socket for electrical vehicles to be charged in the garage, driveway or allocated car parking space. For developments with unallocated parking i.e. flats/apartments 1 EV charging point per 10 spaces (as a minimum) should be provided by the developer to be operational at commencement of development.

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ELECTRIC VEHICLE CHARGING POINTS FOR DOMESTIC PROPERTIES

Appropriate cabling and an outside electrical socket must be supplied for each property to enable ease of installation of an electric vehicle charging point (houses with dedicated parking). For developments with unallocated parking i.e. flats/apartments 1 EV charging point per 10 spaces (as a minimum) should be provided by the developer to be operational at commencement of development. The charging point must comply with BS7671. The socket should comply with BS1363, and must be provided with a locking weatherproof cover if located externally to the building.

LOW EMISSION BOILERS

Boiler NOx emissions from building heating systems contribute to background NOx concentrations and the following condition is recommended; (note this is also an option in BREEAM assessments and the cost of a low NOx boiler is the same as a standard boiler)

- 3.7 North Worcestershire Water Management - To my knowledge this site is not at risk of any type of flooding, however some surface water flood risk has been identified in the vicinity of the site (with widespread property flooding in 2007) and as such it is extra important that surface water from the development will be dealt with appropriately. I understand from the application form that the intention is to discharge surface water to the storm sewer. This is not in line with national policies, Wyre Forest Policy or Building Regulations which require that discharge via infiltration and other SuDS is explored first before discharging to a storm sewer is considered acceptable. In addition Severn Trent generally asks for confirmation that infiltration is not possible before accepting a discharge to their system.

I note that the ground investigation report that was submitted with the application concludes that the site might be suitable for soakaways. The report details in paragraph 6.9.1 that percolation tests were carried out within two boreholes. The estimated infiltration rates (ranging from in the order of $1.5 \times 10^{-7} \text{m/s}$ to $6.1 \times 10^{-8} \text{m/s}$) appear to be quite low. However, the report concludes that the site might be suitable for the use of soakaways anyway as the infiltration rates included could be unduly conservative since the boreholes proved residual granular soils and weathered sandstone. To establish if the site is indeed suitable for soakaways, tests should be carried out in accordance with BRE365.

I have reviewed the drainage strategy that was submitted for this development,, this strategy for the standard of design of the surface water drainage system refers to Sewers for Adoption 6th Edition (see paragraph 3.2.1). In my opinion this should be the non statutory technical standards for SuDS (Defra 2015).

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The non statutory technical standards for SuDS set out that the peak runoff rate from the development for the 1 in 1 year rainfall event and the 1 in 100 year rainfall event plus an appropriate allowance for climate change must be as close as reasonable practicable to the Greenfield runoff rate from the development for the same rainfall event. So the peak runoff rate would be restricted more, which means more storage would be needed, than currently set out in the drainage strategy, in which the storage volume is based upon the STW requirement to provide 30% betterment for peak runoff rates.

In addition to this the drainage strategy will in accordance with the technical standards need to provide an understanding of how flows resulting from rainfall in excess of a 1 in 100 year + climate change rainfall event will be managed to ensure that risk to people and property is minimised (exceedance route analysis). I would like to suggest that the upper end scenario of +40% from the new Climate Change guidance, attached for completeness, could be used for this purpose (so 1 in 100 year event + 40%).

3.8 Severn Trent Water – No objection subject to condition

3.9 Neighbour/Site Notice (Original plans) – 6 letters of objection have been received raising the following issues:

- Access and methodology for construction and demolition
- Increased height of properties will adversely impact on properties to rear through dominance and loss of privacy.
- The need to protect trees
- Concern over the materials proposed.
- Potential for solar panels to rear which could impact on amenity
- The need for maintenance of landscaping areas.

(Revised plans) – 1 letter of objection received. “We cannot see from reviewing the information on the website that our original concerns have been addressed.”

4.0 **Officer Comments**

4.1 The proposal seeks for the redevelopment of the existing site, including the demolition of the existing blocks of 24 flats in total and the creation of 16 residential properties. The proposal is made up of 10 two bedroom dwellings and 6 three bedroom properties.

POLICY CONTEXT AND PRINCIPLE OF DEVELOPMENT

4.2 The development of previously developed sites within the urban areas of Bewdley is supported by Policies DS01 and DS03 of the Adopted Wyre Forest Core Strategy and Policy SAL.DPL1 of the Adopted Wyre Forest Site Allocations and Policies Local Plan, although this is limited to windfall sites of 5 or less dwellings.

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- 4.3 The site is clearly previously developed land. However, on face value the total number of dwellings is strictly beyond the policy limit of 5 dwellings. The policy limit is centred on windfall sites and the creation of 5 additional residential units. On this occasion there will be a reduction in the number of units and as such the ceiling limit of 5 additional units will not be reached. I therefore consider that the policy tests have been met and that the development is acceptable in principle.

LAYOUT

- 4.4 The 16 properties are laid out in 8 pairs of semi-detached properties and positioned more or less on the footprint of the existing blocks of flats. The quantum of development decreases the density and is more akin to the character of density in the surrounding area. Parking is provided to the front of the properties, which although is not prevalent in the form as proposed within the area it is considered acceptable in this instance. Garden lengths are generous at approximately 22m and allow for provision of sheds and protection of trees on the boundaries.

- 4.5 The overall layout is acceptable reflecting the character of the area and will not lead to an overdevelopment of the site.

DESIGN AND EXTERNAL APPEARANCE

- 4.6 The proposed elevations show that the two types of properties are identical in appearance albeit the 3 bedroom property is approximately 0.8m wider. They are shown as being constructed of brick and tile with appropriate window and door provision to the front side and rear. Whilst some comments have been made in respect of materials it is considered that the use of brick and tile fits the style and design of the surrounding properties and is acceptable. In any event materials will be a condition for approval prior to works commencing on site.
- 4.7 The height of the proposed dwellings are shown as being approximately 8m tall and smaller than the existing blocks which measure between 8.5m and 9m in height. However the existing ground level is about 2m lower than the pavement level. The proposal seeks to raise the level of the site so that level access and parking can be provided to new properties avoiding the existing step arrangements which are not ideal and should not be replicated if at all possible. The revised plans have reduced the roof pitch of the properties and the amount to which the ground is to be raised. This has resulted in the properties being about the same height as the existing blocks or at a worst case scenario on parts of the site 0.5m higher. The revised streetscene drawing shows how that the properties will fit in within the row of properties and be acceptable in this context.
- 4.8 I am satisfied that the design and external appearance of the properties are now acceptable in the locational context in which the site sits.

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IMPACT ON NEIGHBOUR AMENITY

- 4.9 The site is surrounded by residential properties and, whilst it is a redevelopment of the site, it is important to ensure that the level of impact is no greater than that which exists at present.
- 4.10 To the rear the closest property in Grey Green Lane is Pony Paddock which is approximately 22m away from the development and although lower than the development site is screened by trees on the boundary. Whilst other properties in Grey Green Lane may not be afforded the level of screening, they are a further distance away. To the front of the properties the bungalows on Springhill Rise are approximately 20m away and at a higher level. Given the distances involved I do not feel that the proposed development will adversely impact on amenity of these properties either through dominance or loss of privacy, indeed the level of impact will be similar to that which exists at present.
- 4.11 No 41 Springhill Rise, to the east of the site, has no side facing habitable room windows and therefore will remain unaffected. To the west lies 1a Damson Way, which is orientated so that the rear of the property faces the side of development site with a lounge and kitchen window at ground floor. Although the property closest to this property could be up to 0.5m higher it is situated 1m further away, and such any impact will be mitigated. The proposed properties are designed so that the side facing windows serve a downstairs toilet and first floor bathroom and will be obscure glazed. I am therefore satisfied that there will be no adverse impact over and above the existing situation.

ACCESS AND PARKING

- 4.12 Parking will be provided in the front of the properties with access directly from Springhill Rise. Parking is provided on the basis of 2 spaces for each of the three bed properties and 1 space for each of the two bed properties. Based on the County Council's Interim Parking Standards (February 2016) the development should provide 2 spaces for all the properties and as such there is a deficit of 10 spaces. However this must be looked at in the context of the existing development where there are 24 properties with no parking whatsoever with reliance on parking on-street. Whilst not meeting the current standards I agree with the Highway Authority that the current proposal provides a marked benefit to highway safety through providing off street parking for the proposed development. The required cycle spaces will be provided within the sheds shown within the garden areas.

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4.13 I appreciate and have sympathy with the Town Council's comments in respect of the parking situation across the whole of the Springhill Estate and how that the effective removal of on-street parking may have an impact on properties opposite. However, a number of the bungalows opposite have existing driveways and do not rely upon on-street parking. The properties that do not benefit from off-street parking are in the majority restricted by double yellow lines. I understand that in the main the properties opposite are within the ownership of Wyre Forest Community Housing and as such it will be a matter for the company to manage any difficulties that arise. For the consideration of this planning application it is evident that there are 9 less properties and 22 more off-street car parking spaces.

4.14 Based on the conclusions of the Highway Authority and the consideration of the material factors in this case, I am happy that there will be overall benefit to highway safety and parking provision.

TREES AND LANDSCAPING

4.15 The rear of the site contains a number of large trees, which provide an attractive backdrop and screening between the site and the properties in Grey Green Lane. It is proposed to retain the majority of the trees, although some of the poor quality specimens and those close to the development footprint will be removed. The Arboricultural Officer is happy with the proposals and offers no objection subject to tree protection measures for those trees to be retained. Landscaping is proposed to the front of the properties to break up the parking areas. No specific details are provided at this stage, but I am confident that a suitable landscaping scheme can be arrived at and can be submitted as part of the pre-start condition process.

OTHER ISSUES

4.16 The Town Council have also raised drainage issues that affect the whole of the Springhill Estate. Severn Trent Water has been consulted on this application and has issued a 'no objection' response subject to conditions. It is worthy of note that the proposal is a reduction in dwellings and therefore a reduction in drainage requirements. As this is a major application there is a requirement to consider a full drainage strategy which will need to incorporate Sustainable Urban Drainage systems as well as demonstrating 30% betterment in surface water run off. The applicant has yet to provide sufficient details to satisfy North Worcestershire Water Management at this moment in time, although I am confident that any outstanding issues will be resolved prior to the Committee meeting. An update will be provided via the Addenda and Corrections Sheet.

4.17 One neighbour has raised concern over the methodology of demolition and access arrangements for construction traffic. Such matters will be controlled by condition and the requirement for a Construction Environmental Management Plan as part of a pre-start condition.

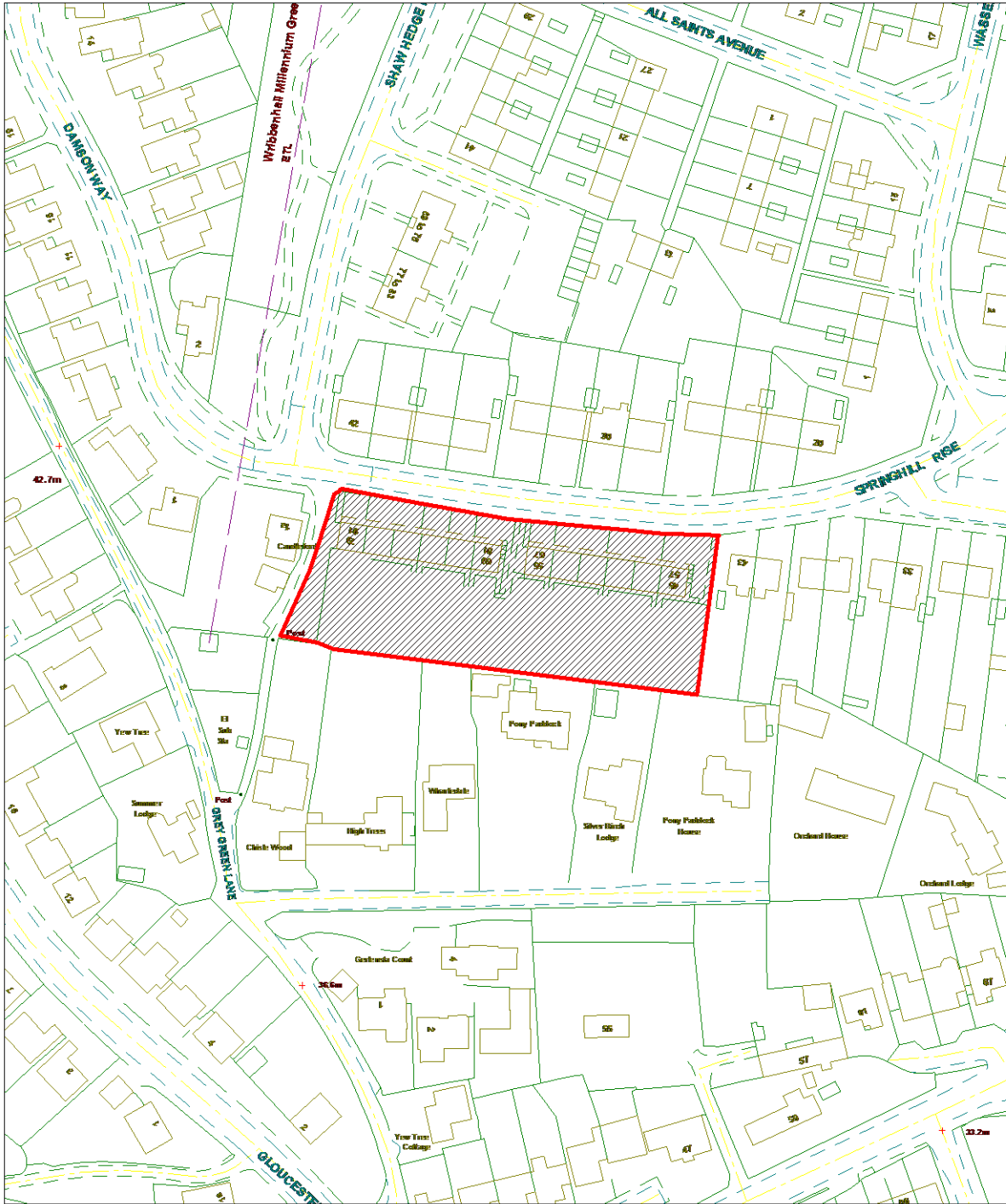
16/0280/FULL

5.0 Conclusions and Recommendations

5.1 The proposed development of the site is acceptable in principle and provides a quality of design and layout that reflects the character of the area and will not result in additional significant loss of amenity to adjoining residential properties. Parking provision has been carefully considered in light of the issues in the surrounding area and the existing reliance of on-street parking and has been found to be acceptable. Subject to a satisfactory drainage strategy being submitted the development is considered to be acceptable and in accordance with Development Plan policies.

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

- a) the receipt of an acceptable drainage strategy and a 'no objection' response from North Worcestershire Water Management; and
- b) the following conditions:
 - 1. A6 (Full with no reserved matters)
 - 2. A11 (Approved plans)
 - 3. B1 (Samples/details of materials)
 - 4. B11 (Details of enclosure)
 - 5. B13 (Levels details)
 - 6. C2 (Retention of existing trees)
 - 7. C3 (Tree protection during construction)
 - 8. C6 (Landscaping – small scheme)
 - 9. C8 (Landscape implementation)
 - 10. Contaminated land
 - 11. Drainage implementation
 - 12. Submission of CEMP
 - 13. Highways
 - 14. Ecology enhancements



ECONOMIC PROSPERITY AND PLACE DIRECTORATE

**43 Springhill Rise
Bewdley, DY12 1EA**

Date:- 05 September 2016 Scale:- 1:1250 OS Sheet:- SO7975NW Crown Copyright 100018317 2014
 Wyre Forest House, Finepoint Way, Kidderminster, Worcs. DY11 7WF Telephone: 01562 732928. Fax: 01562 732556



Application Reference: 16/0382/FULL **Date Received:** 27/06/2016
Ord Sheet: 389914 277311 **Expiry Date:** 22/08/2016
Case Officer: John Baggott **Ward:** Wyre Forest Rural

Proposal: Proposed single storey rear extension

Site Address: THE GRANARY, WATERY LANE, YIELDINGTREE, BROOME, STOURBRIDGE, DY9 0EL

Applicant: Mr & Mrs Martin

Summary of Policy	CP11 (CS) SAL.DPL6, SAL.UP1, SAL.UP7, SAL.UP8, SAL.UP11 (SAAPLP) Design Guidance SPD NPPF (Sections 7 and 9)
Reason for Referral to Committee	Planning application represents departure from the Development Plan Councillor request for application to be considered by Committee
Recommendation	APPROVAL

1.0 Site Location and Description

- 1.1 The application site consists of a detached residential dwelling which was created following the conversion of an agricultural building, as approved in the 1990's, as summarised under Section 2 below.
- 1.2 The property is one of three dwellings, including the original Yieldingtree Farm House, which are located within the immediate proximity of the functional farmyard which still features traditional and more contemporary agricultural buildings, accessed via an unmade track from Watery Lane.
- 1.3 The property occupies an elevated position affording panoramic views to the North over the surrounding open countryside. The site and the surrounding countryside are located within the West Midlands Green Belt.

2.0 Planning History

- 2.1 WF.475/93 – Change of Use of outbuilding to dwelling for let – Approved.
- 2.2 WF.0792/99 – Change of Use of Granary building to dwelling – Approved.

3.0 Consultations and Representations

- 3.1 Broome Parish Council – No objection to the proposal, and are content if Planning Committee consider it appropriate to approve the application.

We are supportive of the applicant's proposals given the background to their personal circumstances. We believe the application complies with (Local Plan Policy) SAL.DPL6 (dependant accommodation) but it does not comply with (Policy) SAL.UP11 in so far as an extension would not normally be permitted. We accept the proposals are the minimum that would provide the space required and it is clear the impact visually has been carefully considered. The visual impact would be nil or negligible. In conclusion Broome PC is supportive given the special and extenuating circumstances but do not want this application if granted to set a precedent.

Broome PC are entirely comfortable and offer our support if WFDC Planning Committee consider it appropriate to approve the planning application.

- 3.2 Neighbour/Site Notice – 6 letters of support have been received in respect of the application with the following grounds given:

- **There would be no adverse impact upon appearance of the dwelling and the surrounding area.**
- **The appropriate and sensitive design of proposed extension.**
- **The medical condition of the applicant's direct relative and the long term care requirements of that relative and his need to live within the family unit, but with a degree of independent living.**

- 3.3 Members are advised that no third party representations objecting to the application have been received.

4.0 Officer Comments

- 4.1 Planning permission is sought for the erection of a single storey extension to the rear of the existing dwelling which, as previously identified, was created as a result of a change of use of a former agricultural building. The extension would effectively in-fill a currently open area to the rear of the existing living room and kitchen, albeit at a lower level, and would rationalise the rear elevation of the current L-shaped property. It is likely, based upon the evidence on site, that some form of (probably timber) structure previously stood in this location but was removed prior to the change of use of the brick building to residential. The proposed extension is, allied with associated internal reconfiguration of the existing dwelling, to provide a level of independent accommodation for a dependant relative. These needs are discussed in more detail at paragraphs 4.20 to 4.24 of this report.
- 4.2 The existing dwelling is laid over of 3 levels, and features 2 distinct building heights. Two bedrooms and bathroom accommodation is provided at first floor level within the more substantial pitched roof section of the building, and would be unaffected by the proposals. The current ground floor

accommodates a small third bedroom along with a shower room; dining room; kitchen and entrance hall. Steps drop down to a lower ground floor and the family lounge.

- 4.3 The proposed extension, as previously described, would in-fill the existing open area to the rear of the property and would be located at the lower ground floor level. With dimensions of approximately 9.2m x 3.75m the extension would provide an additional 35sq.m floorspace. The resulting extended lower ground floor would accommodate an open-living area combining relocated kitchen and dining space along with a repositioned living room area. The existing kitchen and dining room would in turn be converted to provide dependant relative accommodation in the form of a living area, including kitchenette, and bedroom with en-suite shower room. This equates to a total gross independent living area for the dependant relative of approximately 30sq.m. This is by no means excessive.

PLANNING POLICY

- 4.4 **The starting point in considering the application must be Policy SAL.UP11 “Re-use and Adaption of Rural Buildings” of the adopted Site Allocations and Policies Local Plan (SAAPLP). The Council has adopted and maintained such a policy over many years within the predecessors of the current SAAPLP, and whilst the wording has been the subject of some minor changes over the intervening years the overall thrust of the Policy has remained very much the same. That is to say that, in particular, agricultural buildings to be converted should be permanent structures, in keeping with their surroundings, and they should be of sufficient a size to make them suitable for conversion without the need for additional extensions, substantial alterations or additional buildings within the curtilage.**

- 4.5 It was with particular regard to the then Policies (CRB.1 to CRB.12) of the Wyre Forest District Local Plan (Adopted in May1996) that the original permission to convert the building to the current dwelling was approved. At that time, no extensions or substantial alterations were proposed and permitted development rights for subsequent domestic extensions were removed in the granting of planning permission, which was and still is adopted good practice when considering such conversions.

- 4.6 In terms of the current proposal to extend the dwelling, the current SAAPLP Policy SAL.UP11, as with its predecessors, states unequivocally, without any form of conditions or qualifying criteria, that:

“... extensions to dwellings created through the re-use and adaption of rural buildings policy will not be permitted.” (author’s emphasis)

In light of the above, the current proposal is clearly contrary to this adopted SAAPLP Policy and on that basis, at first glance, a refusal would appear to be justifiable.

- 4.7 However, it is important to note that the supporting text explains the reasoning behind this aspect of the policy, namely that : *‘to ensure the character and heritage of the countryside remains in tact, no further extensions to dwellings*

that are created through Policy SAL.UP11 will be permitted.’ On the basis of this reasoned justification, it might be argued that if a proposed extension were found not to have an adverse impact on the character and heritage of the countryside that it would accord with the overall aims of the Policy. That said, Officers are wary of drawing such a conclusion.

- 4.8 There are other Policies at play in this case, not to mention the personal circumstances of the applicants, which Officers draw to the attention of Members, to enable a fully considered and suitably balanced decision to be made with regard to this application.
- 4.9 In Planning Policy terms, the following SAAPLP Policies must be considered in this case:
- **SAL.DPL6 – “Accommodation for Dependants”.**
 - **SAL.UP1 – “Green Belt”.**
 - **SAL.UP8 – “Design of Extensions”.**

These Policies are discussed, in turn, as follows.

- 4.10 Policy SAL.DPL6 “Accommodation for Dependants” recognises the need to allow for such accommodation, for elderly, disabled, sick or otherwise dependent relatives. At the same time, it is essential that such accommodation, often referred to as “granny annexes”, does not become a physically separate dwelling where new dwellings would not normally be permitted. To this end, Policy SAL.DPL6 supports the provision of such accommodation provided that:

- “i. Accommodation should be provided by way of an extension which is physically incorporated into the existing dwelling with a shared entrance and strong links at both the ground floor and first floor;*
- ii. The dwelling and annex should share vehicular and pedestrian access and the extension should usually only incorporate one bedroom.”*

- 4.11 The current application clearly satisfies the criteria above, as the accommodation provides for a single bedroom and, given the nature of the internal works already summarised under paragraphs 4.1 to 4.3 above, access is via the main entrance to the house only. No other door openings to the resulting accommodation are proposed. To this end, the proposal is in accordance with Policy SAL.DPL6, save for the fact that the Policy, and the text of the accompanying reasoned justification for the Policy, makes it clear that any proposals must also conform with the other policies within the Local Plan. As already highlighted, taking the precise wording into consideration, the application falls foul of Policy SAL.UP11.

- 4.12 Policy SAL.UP1 “Green Belt” allows for extensions to existing dwellings:

“.... provided that it does not result in disproportionate additions over and above the size of the original dwelling. Applications for extensions to existing dwellings will be considered on a case by case basis.

Agenda Item No. 5

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

This Policy is consistent with the National Planning Policy Framework (NPPF) position in terms of extensions to buildings in the Green Belt, as set out under Paragraph 89 of the NPPF.

- 4.13 In this instance, as previously described, the proposed extension would be located to the rear of the property and would rationalise the existing rear elevation. Consisting of some 35sq.m in area the extension would be visible from the North, especially in this elevated location, but Officers are satisfied that the extension would not be immediately obvious and would be read against the backdrop of the existing building, which would clearly retain its dominance.
- 4.14 In terms of proportionality, and taking basic hard numbers to make some comparisons, the following table summarises the existing and proposed footprint; floorspace and volume of the building, and the resulting percentage increase.

	Existing	Proposed	%age Increase
Footprint of Building	99sq.m	134sq.m	28%
Floorspace of Building	143sq.m	178sq.m	20%
Volume of Building	429sq.m	534sq.m	20%

Referring to the above figures, there is no question that the proposed extension is proportionate to the host dwelling. Furthermore, given the design, siting and height of the extension it would not be of detriment to the visual amenity (nor for that matter, openness) of the Green Belt.

- 4.15 Policy SAL.UP8 “Design of Extensions” sets out the Council’s Policy in terms of extensions to existing dwellings and is therefore also relevant to this application, and states:

“Proposals involving the extension or alteration to an existing residential property should:

- i. Accord with the 45 degree code*
- ii. Be in scale and keeping with the form, materials, architectural characteristics and detailing of the original building.*
- iii. Be subservient to and not overwhelm the original building, which should retain its visual dominance.*
- iv. Harmonise with the existing landscape or townscape and not create incongruous features.”*

- 4.16 As previously described, the proposed extension is single storey and would rationalise the rear elevation of the existing dwelling. In design terms, the extension goes beyond a simple in-fill proposal by utilising the existing exposed brick abutment which encloses the side of the current open area to the rear of the property. This abutment would be raised in height slightly to accommodate the extension and act as the side wall, but essentially this

elevation would remain unaltered. A lead-clad, essentially flat-roof, is proposed for the extension between the existing cat-slide roof and the rear slope of the single storey element of the existing building. The resulting internal alterations have previously been described under paragraph 4.3 of the report.

- 4.17 This is a simple, functional, high quality design solution which would be wholly in-keeping with the host dwelling and subservient to the original building. There would be no detrimental impact upon the surrounding landscape.
- 4.18 In terms of impact upon neighbouring properties there would be none. The extension would not be visible from the two other dwellings located around the farm yard and as such neither the 45 degree code nor any issues of separation distances are a factor. In all regards, the proposal is compliant with Policy SAL.UP8 of the SAAPLP.
- 4.19 To summarise, in policy terms, the proposed development is in accordance with Policies relating to the creation of dependant living accommodation; the Green Belt; and, extensions to residential dwellings. However, notwithstanding this, as previously outlined, the application does not satisfy the strict requirements of Policy SAL.UP11 (*“Re-use and Adaption of Rural Buildings”*).

PERSONAL CIRCUMSTANCES

- 4.20 In submitting the application, the applicants acknowledge that there is a breach of adopted planning policy (as outlined above) but in doing so they have presented what Officers do consider to be entirely genuine personal circumstances for the proposed extension.
- 4.21 Given the personal and sensitive nature of these circumstances, it is not considered at all appropriate to divulge in this report, which is a public document, the full extent of the personal circumstances at play in this case. Rather the full details should be kept as confidential. However, to assist Members in appreciating and understanding the background to this application, and ultimately being able to determine the application, Officers have provided a summary of the key facts within the following paragraphs.
- 4.22 The extension proposed is in order to provide accommodation for an adult sibling of the applicants who has a genetic condition such that they have learning disabilities. Whilst they are currently able bodied, such is the nature of the condition that physical abilities are highly likely to be affected at a faster rate than for an average person. They currently reside with aged parents, but the applicants recognise that this is no longer a realistic or viable long term solution.
- 4.23 The applicants have stated that in providing the proposed accommodation, it ideally needs to be on a single level, with level access also. Whilst a degree of independent living is proposed, and desirable, due to the sibling’s condition, full independent living is not possible, rather they need to within a family environment, as is currently the case.

- 4.24 The applicants wish to provide the sibling with accommodation that is suitable for them on a full time, long term, basis within comfortable and familiar surroundings, within a family environment. In doing so they would be able to closely replicate their current living arrangements, thereby making the transition from their current accommodation to that proposed as easy as possible under the circumstances. The proposed accommodation would allow some flexibility to socialise and dine with the family, but also allow them to retreat to their own personal space, whilst allowing the applicant's to continue provide care, without intrusion.
- 4.25 It is clear to Officers that the applicants have spent a great deal of time and thought in considering the implications and options available to them. In this regard, Officers visited the property prior to the submission of the current application to fully appreciate, understand, and explore what options were available and had to conclude that the only option was to seek permission to extend, as per the current application.
- 4.26 For understandable reasons given the location and setting of the dwelling, the applicants, who are a young family, wish to remain in the current property. In discussions with Officers, it is clear that all possible options of remodelling the internal layout of the property, without extensions, have been exhausted and the only option left is to extend.
- 4.27 It is difficult to remain dispassionate when faced with the personal circumstances at play in this case. It is admirable that faced with these circumstances the applicants are seeking to achieve the best possible solution for a family member. In doing so, a remodelling of the internal layout of the existing property is necessary and will result in a significant level of upheaval for the family. Were one faced with the same scenario one could only hope to be able to do the same.
- 4.28 Whilst it would be wrong to say that the circumstances in this case are unique, they are most certainly rare, especially in light of the Planning Policy position set out above in terms of the restriction upon extensions to dwellings created through a rural building conversion.
- 4.29 Members are advised that guidance from the Government (in the form of DCLG) states that an applicant's personal circumstances would not be a material planning consideration, unless exceptionally or clearly relevant, a stated example of which would be the provision of facilities for someone with a physical disability. In this case, as set out above, it is Officers' opinion that there are clear and demonstrable personal circumstances in this case which are exceptional and clearly relevant and these must be taken into consideration in determining this application.
- 4.30 The matter of personal circumstances has also been debated in the Courts, with Lord Scarman in the case of *Westminster City Council v Great Portland Estates PLC (1985)* defining a material consideration by whether it served a planning purpose and whether that planning purpose related to the use and character of land. Of particular relevance, he added:

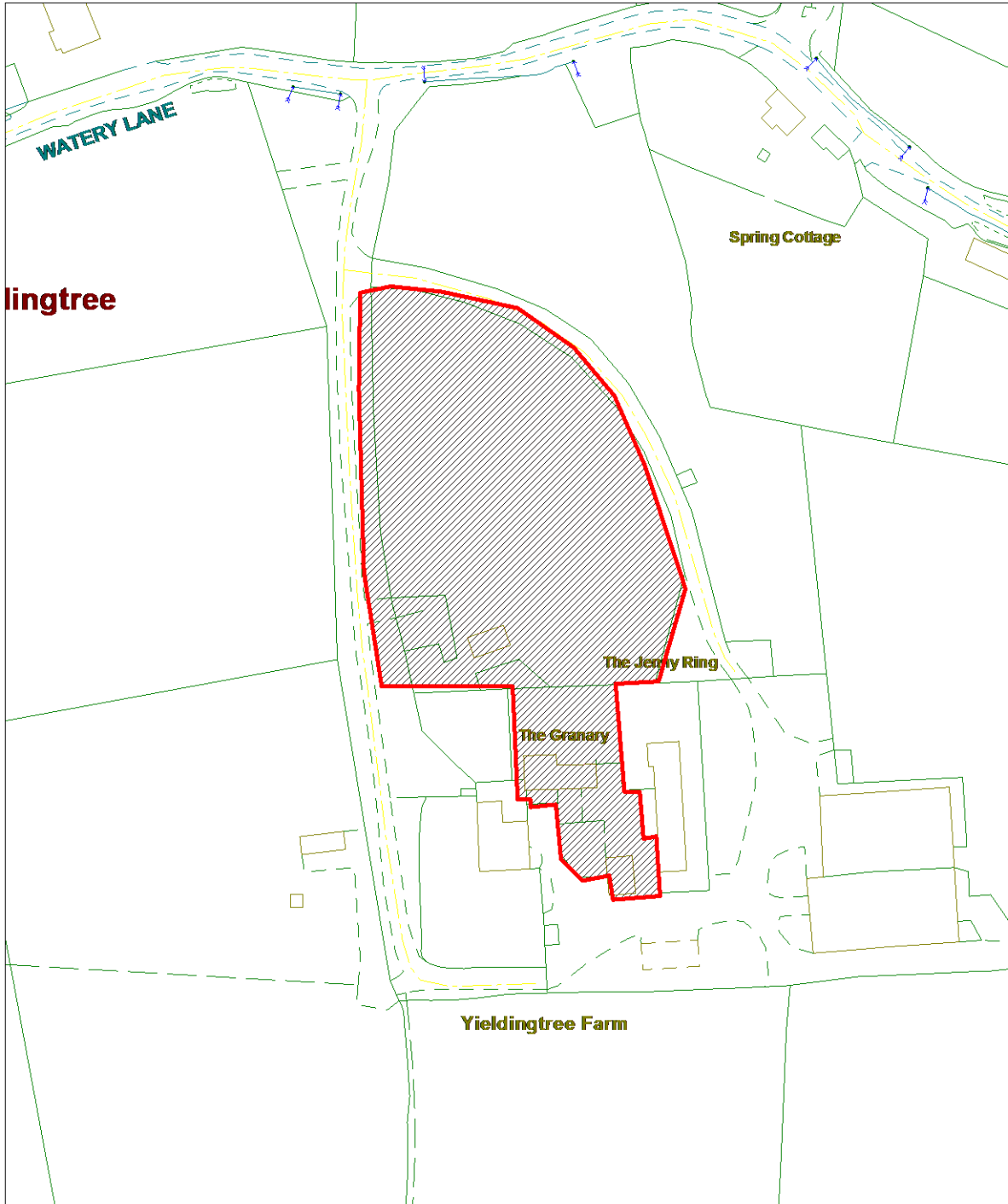
“Personal circumstances of the occupier are not to be ignored in the administration of planning control. It would be inhuman pedantry to exclude from the control of the environment the human factor. The human factor is always present, of course, indirectly as background to the consideration of the character of land use. It can, however, and sometimes should, be given direct effect as an exceptional or special circumstance. But such circumstances, when they arise, fall to be considered not as a general rule but as exceptions to a general rule to be met in special cases. If a planning authority is to give effect to them, a specific case has to be made and the planning authority must give reasons for accepting it.”

- 4.31 It is the case that Policy SAL.UP11, and its predecessors, has proven to be an extremely successful and effective policy in controlling the development of agricultural buildings and their conversion to dwellings. It is the case, as detailed above, that the proposed extension would be in conflict with the precise wording of this Policy. However, case law in the form of *Chelmsford BC v First Secretary of State and Draper* (2003) drew the conclusion that very special circumstances, if personal to the applicant, do not create a precedent. That would very much support the well worn phrase of “each case on its merits”.
- 4.32 In this case, it is Officers’ opinion that merits of this particular case are convincing. Notwithstanding the conflict with Policy SAL.UP11, this must be balanced against the other relevant SAAPLP Policies relating to Accommodation for Dependants (Policy SAL.DPL6); Green Belt (Policy SAL.UP1); and, Design of Extensions (Policy SAL.UP8). Factor in the clearly made personal circumstances and the balance weighs heavily in favour of the application in this instance.

5.0 Conclusions and Recommendations

- 5.1 The proposed extension would provide accommodation for a dependant relative and consists of proportional addition to the rear of the existing dwelling, of an appropriate scale, design, height and overall appearance, which would have no adverse impact upon neighbouring properties or detrimental impact upon the openness, visual appearance and visual amenity of the Green Belt.
- 5.2 The host dwelling was created following the conversion of a former agricultural building and as such, notwithstanding the above, the proposed extension would be in conflict with the precise wording of Policy SAL.UP11. However, it is considered that in this instance material considerations, in the form of personal circumstances presented by the applicants, exist which when taken with the clear compliance with the other relevant SAAPLP Policies (SAL.DPL6; SAL.UP1; and, SAL.UP8), as detailed above, serve to outweigh the non-compliance with Policy SAL.UP11.
- 5.3 This being the case, whilst the application represents a departure from the Adopted SAAPLP, for the reasons set out within the report, Officers conclude that the application is, on balance, supportable and it is therefore recommended that the application be **APPROVED** subject to the following conditions:

- 1. A6 – Full with No Reserved Matters**
- 2. A10 – Personal Permission**
- 3. A11 – Approved Plans**
- 4. B1 – Samples of Materials**



ECONOMIC PROSPERITY AND PLACE DIRECTORATE

**The Granary, Watery Lane
Yieldingtree, Broome, DY9 0EL**

Date:- 07 September 2016

Scale:- 1:1250

OS Sheet:- SO8977SE

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



Agenda Item No. 5

Application Reference: 16/0431/FULL & 16/0432/LIST
Ord Sheet: 378692 275172
Case Officer: Julia McKenzie-Watts
Date Received: 11/07/2016
Expiry Date: 05/09/2016
Ward: Bewdley & Rock

Proposal: Proposed kitchen extension, summer house and wooden shed

Site Address: 17 HIGH STREET, BEWDLEY, DY12 2DH

Applicant: Mr J Foley

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

1.0 Site Location and Description

- 1.1 The application property is a Grade II listed building located in High Street, Bewdley. The property is within the Bewdley Conservation Area. The rear of the property is accessed via an alley situated to the side of number 17 High Street
- 1.2 The applications relate to the extension of a kitchen, the erection of a summer house and retention of a wooden shed.

2.0 Planning History

- 2.1 16/0222/FULL – Installation of new roof lights to rear elevation extension to kitchen , construction of garden room and provision of shed : Withdrawn
- 2.2 16/0223/LIST – internal works to create a new bathroom including new roof lights to rear elevation, and extension to kitchen : Withdrawn
- 2.3 16/0433/LIST - To apply for listed consent to add 2 bathrooms. To insulate roof and reroof. Add 2 sky lights. Clean all timbers, rewire and add gas central heating. Also to renew staircase. Take down 1960 partition and 1960's inner wall. Add sky dish onto chimney : Approved

16/0431/FULL and 16/0432/LIST

3.0 Consultations and Representations

3.1 Bewdley Town Council – Recommend refusal. There are material planning considerations which led to the decision to refuse this application, namely:

PROPOSED KITCHEN EXTENSION

- Loss of light/overshadowing to adjacent properties
- Overlooking/loss of privacy to adjacent properties
- Effect on the listed building and designated Conservation Area
- Reduction in safe access to adjacent properties via the shared historic brick-paved alleyway

3.2 Conservation Officer – Recommend approval.

KITCHEN EXTENSION

The existing kitchen is most likely a post-WWII structure. It is attached to the rear of the listed building and replaced an earlier wing building shown on historic maps. This previous building may have been 2-storey as there is evidence of a blocked doorway through which it would have been accessed at first floor level from the listed building.

The scale of the single storey extension proposed is quite modest and despite the addition of two pyramidal roof-lights I doubt that it will have a detrimental visual impact either on the listed building or to the adjacent listed buildings & Conservation Area.

As such the extension is in compliance with Policy SAL.UP6 and I have no objections.

WOODEN SHED

This is a typical garden shed of a type to be found elsewhere within the Bewdley Conservation Area and I have no objections.

SUMMER HOUSE

There are other similar structures dotted about the Conservation Area. These structures whilst mainly of relatively recent construction could now be considered to be features of gardens within the Conservation Area.

The structure depicted within the schematic application drawings is acceptable in terms of proportions and general materials and I am satisfied that the size and location of the structure will, in principle, neither harm the setting of the listed building nor the Bewdley Conservation Area.

However I suggest that a condition is applied requiring final details to be agreed with the Local Planning Authority prior to construction.

16/0431/FULL and 16/0432/LIST

3.3 Neighbour/Site Notice – Three letters have been received, raising the following issues:

KITCHEN EXTENSION

The extension impacts on us greatly and more widely impacts on the Conservation Area. Concern from the occupiers of numbers 16, 18, 18a and 19 High Street. The current extension is already completely out of context with all surrounding and adjoining buildings in a key Conservation Area in Bewdley. No specification regarding materials for construction. Our view is currently limited to one open side of our garden, the extension is currently three metres away from our fence but the new extension would bring it to within one metre. It would be in very close proximity and would be completely overbearing, dominating and overlooking our garden completely invading our already limited privacy.

There is a brick paved alley running between numbers 17 and 18 giving access to number 18A but also providing access to the gardens of numbers 16, 17 and 18. It is fairly dark and damp already; the brick paving is well worn from years of constant use and is therefore quite slippery under foot. The extension is to be built up above the footpath which slopes quite steeply down, this would add to its visual impact and dominance over the right of way. The extension harms the setting and character of the Listed Building and in particular the character and ambience of this historic alleyway and therefore the Conservation Area. The new extension would bring it directly adjacent and slightly above the alleyway, depriving it of light and air, and making it even more dark, damp, enclosed and slippery. The extension would enclose the alleyway in a most unneighbourly and unsympathetic way and will cause issues transporting any sizeable goods or chattels from the main road to number 18a.

Should the extension be granted, I would like to request a number of conditions:

- 1) No windows to be positioned in the part of the extension overlooking neighbouring properties (numbers 18 and 19)
- 2) If any windows do overlook, they should be constructed with obscured glass and be non opening
- 3) The extension should be constructed from materials in keeping with the locality, preferable whitewashed to lighten its appearance
- 4) The brick paved alleyway would be re-constructed using original materials but levelled off with terraced steps rather than a long slope
- 5) PIR controlled lighting of the alleyway to be installed and powered by number 17

16/0431/FULL and 16/0432/LIST

SUMMER HOUSE

The summer house should be a significant distance from my courtyard wall in order to allow adequate space for maintenance. The proposed internal changes and garden watering will increase significantly the water and drainage services to the property, which are provided solely through my property. These permanent supplies must be properly specified and be adequately isolated and protected within the alleyway, otherwise I oppose their existence.

4.0 Officer Comments

PROPOSAL

- 4.1 Planning permission and Listed Building Consent are sought for a single storey rear extension which is attached to a Listed Building, the erection of a detached 2.9m x 3.1m summer house and the retention of a 2.4m x 1.8m wooden shed
- 4.2 The application proposes to extend the kitchen to a width of 4.4m in order to allow the creation of a more useable space. The rear window would remain in its current location and the side window which would be directly adjacent the alley would be reduced in size which would result in a lesser view of the rear courtyard of number 18 than exists at the present time. The new roof would remain as the existing at a height of 2.9m with two new pyramidal roof lights positioned in the new roof section in order to allow more light into the room.
- 4.3 The summer house would be located in the rear garden of the property which is separate to the dwelling and accessed via a path. It would be located next to an existing wooden shed within 0.3m of the boundary, constructed in painted timber with glazed doors into the garden with a mono pitched roof, 2m at the lowest point and 2.4m at the highest.

SCALE AND DESIGN

- 4.4 The proposed extension is of very modest scale which would remain subservient to the original building even with the addition of the two pyramidal roof lights. From research carried out by the Council's Conservation Officer, the existing kitchen is most likely a post-WWII structure which is attached to the rear of the Listed Building and replaced an earlier wing building shown on historic maps. This previous building may have been 2-storey as there is evidence of a blocked doorway through which it would have been accessed at first floor level from the Listed Building. The Conservation Officer has commented that he feels it unlikely that the extension would have a detrimental visual impact either on the Listed Building or to the adjacent Listed Buildings and Conservation Area and therefore I am satisfied that the scale and design of the scheme would be considered to be acceptable in this case and in compliance with policy.

16/0431/FULL and 16/0432/LIST

- 4.5 The proposed summer house and retention of the existing shed are both considered to be acceptable in terms of proportions and materials as the size and location of both would neither harm the setting of the Listed Building nor the Bewdley Conservation Area.

IMPACT ON AMENITY

- 4.6 Concern has been raised by neighbours that the proposed kitchen extension would be detrimental to their privacy by way of its overbearing, over dominating and overlooking nature. Whilst it is acknowledged that the kitchen extension would move closer to the boundary with number 18, there would be no conflict with the Council's 45 degree code in terms of light loss to the rear windows of this property. I am satisfied that there would be minimal additional impact, taking account of the flat roof construction with no further side windows facing number 18. In terms of the property to the rear (number 16) no additional openings are proposed and therefore impact on privacy to the garden of this property would be negligible.
- 4.7 In respect of the alleyway and concerns raised over this becoming more dark and enclosed, there are numerous examples in Bewdley of existing historic narrow alleyways where properties are situated in close proximity to each other as in this case. Historic maps show that there was probably a two storey extension on the site of the proposed kitchen extension at some time in the past and therefore the alleyway would have appeared darker and more enclosed than at the present time. No part of the kitchen extension would breach the alley and therefore physically the alley width would remain unchanged in terms of its dimensions.

5.0 Conclusions and Recommendations

- 5.1 Having fully considered the concerns raised by neighbours and the Town Council, it is considered that the proposed kitchen extension, summer house and retention of the shed would relate well to the host property and would have minimal impact on the neighbouring properties. The proposals would be considered to be an acceptable form of development and would offer no detriment to the Listed Building itself, surrounding Listed Buildings or Conservation Area. As such, the proposed development would be considered to accord with the requirements of Policy CP11 of the Adopted Wyre Forest District Core Strategy and Policy SAL.UP6 of the Adopted Wyre Forest District Site Allocations and Policies Local Plan.

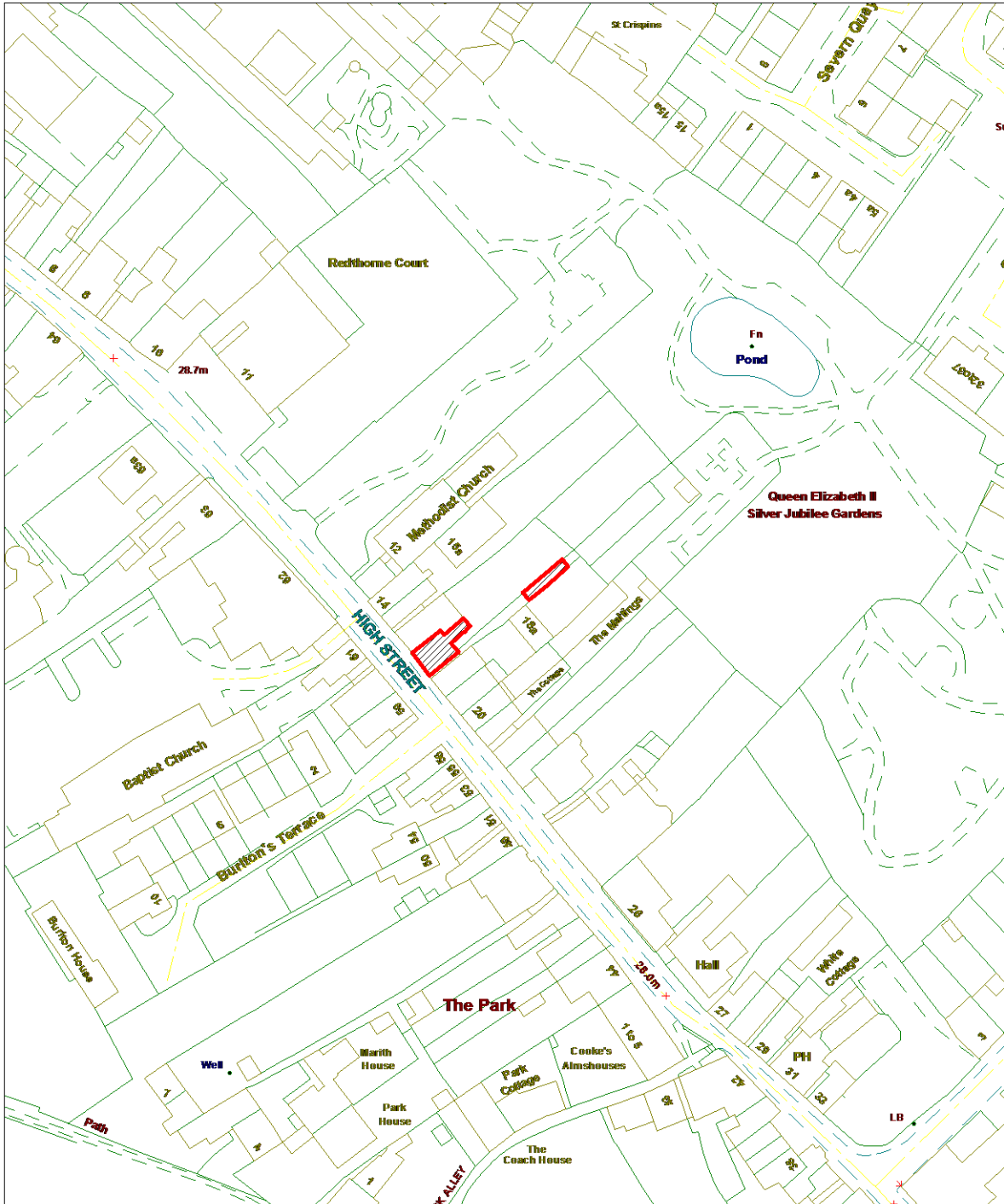
16/0431/FULL and 16/0432/LIST

5.2 It is recommended that Application **16/0431/FULL** be **APPROVED** subject to the following conditions:-

1. A6 (Full with no reserved matters)
2. A11 (Approved plans)
3. B1 (Samples of roof lights, windows and doors on the proposed kitchen to be submitted and approved by the Local Planning Authority)
4. Final design of elevations and external materials of the summer house to be submitted and approved prior to construction

5.3 It is recommended that Application **16/0432/LIST** be **APPROVED** subject to the following conditions:-

1. A7 (Listed Building/Conservation Area Consent)
2. A11 (Approved plans)
3. B1 (Samples of roof lights, windows and doors on the proposed kitchen to be submitted and approved by the Local Planning Authority)
4. Final design of elevations and external materials of the summer house to be submitted and approved prior to construction



ECONOMIC PROSPERITY AND PLACE DIRECTORATE

**17 High Street
Bewdley, DY12 2DH**

Date:- 07 September 2016

Scale:- 1:1000

OS Sheet:- SO7875SE

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



WYRE FOREST DISTRICT COUNCIL

PLANNING COMMITTEE
20TH SEPTEMBER 2016

PART B

Application Reference:	16/0225/FULL	Date Received:	22/04/2016
Ord Sheet:	383011 281010	Expiry Date:	17/06/2016
Case Officer:	Paul Round	Ward:	Wyre Forest Rural

Proposal: Change of use from Agricultural to Equine to include the erection of four stables

Site Address: BLAKESHALL LANE, BLAKESHALL, WOLVERLEY, KIDDERMINSTER, DY11 5XW

Applicant: Mr M Bishop

Summary of Policy	CP11, CP12 (CS) SAL.UP1, SAL.UP7, SAL.UP13 (SAAPLP) Section 9 (NPPF) Planning Practice Guidance
Reason for Referral to Committee	Councillor request for application to be considered by 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 forms part of the previous Blakeshall Farm within Blakeshall. The farm has been recently sub-divided, with the applicant retaining a 22.82 hectare (56.39 acre) holding. The site adjoins the applicant's property at Parkside to the north with the remainder of the Blakeshall Farm to the west, which currently has a number of building being converted to residential properties. The site is within the West Midlands Green Belt.

1.2 The proposal seeks for the change of use of part of the agricultural land to the keeping horses and the erection of 4 stables.

2.0 Planning History

2.1 None of relevance

16/0225/FULL

3.0 Consultations and Representations

- 3.1 Wolverley and Cookley Parish Council – The Parish Council are very concerned about the growing number of applications for this change of use from agricultural land to equine use. In fact our Parish is almost totally surrounded now with this type of activity and it is recommending refusal of this application on the following grounds:

This activity is not well regulated and gives rise to fields being destroyed through over grazing and often defiles the countryside by all sorts of shacks, caravans and general junk being brought to the fields. A very good example of this can be seen in the Horseley Hills area leading up to the Bodenham Arboretum and the affect that this is having on what was a very beautiful area.

This Parish is served by mostly very narrow lanes that carry increasing numbers of cars and indeed much larger vehicles. Mix this with ever growing numbers of horse riders and accidents will certainly follow. It is frightening to meet horses ridden by very inexperienced young people on a skittish horse that they have difficulty controlling.

We believe that this sort of activity has reached practical saturation in our Parish and we therefore recommend refusal of this and any further similar applications.

The Parish Council are very aware that this is an activity very difficult to control but the District Council really must find a way forward for the future protection of our beautiful landscapes.

- 3.2 Highway Authority – No objections

- 3.3 North Worcestershire Water Management – No objection subject to condition. To my knowledge the site is not at risk of flooding from any source. To ensure that the proposal will not increase flood risk off the site it is important that storm water from the development will be dealt with adequately. I understand from the application form that surface water will be discharged to a soakaway. It is not clear to me what surfaces are proposed to drain into this. The application form does not detail where foul water will be discharged to.

Following Government guidelines only clean water (stable roofs) should drain into soakaways. Disposal of water potentially contaminated with manure, for instance from within the stables or from the stable yard, shall be to mains drainage where possible. If mains drainage is not an option then the potentially contaminated runoff should be directed to an impermeable lagoon or sealed effluent facility and either be removed for off site disposal by a licensed contractor or if appropriate spread to land

- 3.4 Neighbour/Site Notice – No representations received.

16/0225/FULL

4.0 Officer Comments

- 4.1 The site is within the Green Belt where development is particularly restricted. Policy SAL.UP1 mirrors the guidance in the National Planning Policy Framework and sets out forms of development that would be acceptable within the Green Belt. One of these exceptions includes appropriate facilities for outdoor sport and recreation, which includes equine facilities, subject to the openness of the Green Belt not being compromised.
- 4.2 The applicant's supporting statement sets out that the Applicant currently runs an equine enterprise along with the agricultural production of hay for the business. It is highlighted that subdivision of the farm has resulted in the need for additional buildings to accommodate the 4 racehorses which are currently in temporary accommodation. It concludes that the proposed stable facilities are to improve the facility and welfare conditions for the enterprise and sustain the current business.
- 4.3 Policy SAL.UP13 sets out the position for stabling for both commercial and leisure stables. It states "*All proposals for equestrian related development will be assessed to ensure that that will not individually or cumulatively affect the quality and character of the landscape and the amenity of any adjacent residential areas. In addition they will be required to demonstrate that they have taken full account of their potential impact on local biodiversity and habitats and, wherever possible, should incorporate measures to promote and protect biodiversity*". In respect of commercial equestrian uses it goes on to state "*New developments associated with commercial equestrian uses such as livery stables, riding schools, racing stables and stud farms must not impact on the purposes and visual amenity of the Green Belt or open countryside. Within the Green Belt, applications will also be assessed against the criteria listed within Policy SAL.UP1.*"
- 4.4 The stable building as proposed is a typical 4 bay stable block of minimum height. It is proposed to be situated within an area where buildings are already located utilising a concrete slab where a building previously stood. The site is screened from Blakeshall Lane by trees and hedgerows and is not readily visible from Solcum Lane. On this basis I consider that the proposed stables are appropriate development in the Green Belt that will not adversely impact on openness.

16/0225/FULL

- 4.5 I agree with the spirit of the comments made by the Parish Council and that special care needs to be taken on new developments for so-called horsiculture. Indeed the policy as reiterated above provides a framework for protecting the open countryside and the Green Belt. However, on this occasion the development relates to an existing enterprise and the change of use only relates to the area around the stable yard and does not include any of the adjoining agricultural land, which will be retained for hay production. I therefore cannot agree that this current proposal to enhance the facilities of the existing business will result in the harm that is feared by the Parish Council. I am satisfied that the proposal will not result in a reduction in the quality of the countryside in this area.
- 4.6 Access to the site is via the existing farm yard and an additional access is shown from Solcum Lane. The Highway Authority has raised no objections to the access points as shown and given the existing operation I do not feel that there will be material increase in traffic.
- 4.7 The comments of North Worcestershire Water Management are noted and suitably worded conditions will resolve any issues in respect of drainage and manure storage.

5.0 Conclusions and Recommendations

- 5.1 The proposed additional stables are considered to be appropriate development in the Green Belt and suitably located adjacent to other buildings. It is considered that there will be minimal change to the landscape and highway movements.
- 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. B5 (Timber staining)
 4. E12 (Stables – drainage required)
 5. J35 (Manure storage/disposal)
 6. No floodlights

Agenda Item No. 5

Application Reference: 16/0265/FULL **Date Received:** 04/05/2016
Ord Sheet: 378475 275385 **Expiry Date:** 29/06/2016
Case Officer: Emma Anning **Ward:** Bewdley & Rock

Proposal: Installation of 2 Air Condensers to rear of premises

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

Applicant: Murrays Healthcare Ltd

Summary of Policy	CP11 (CS) SAL.UP6, SAL.UP7 (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 application site is the new Bewdley medical Centre located off Load Street, Bewdley. The site is not within, but is adjacent to, the Bewdley Conservation Area.

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

2.2 16/0266/ADVE – Proposal for 1No. new protruding sign and 1 No. new fascia signage for Murrays Pharmacy front shop : Approved

3.0 Consultations and Representations

3.1 Bewdley Town Council – Objection to the proposal and recommend refusal due to the impact of noise and disturbance on neighbouring residential properties, particularly if condensers run 24 hours per day.

16/0265/FULL

3.2 Worcestershire Regulatory Services (WRS) – NOISE

The submitted noise information indicates that noise from the proposed two air conditioning units would not be audible at the nearest residential properties during the daytime nor the night time, therefore I have no objections to the proposal.

3.3 Conservation Officer – The condensers will be located to the rear of the premises and to a certain degree will be screened by the embankment carrying Dowles Road. I think they will have little if any visual impact on the Adjacent Conservation Area.

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

3.4 Neighbour/Site Notice – No representations received

4.0 Officer Comments

4.1 Planning permission is sought for the installation of two air condenser units to the rear of the new medical centre building to serve the pharmacy towards the southernmost end of the building. The units would be located on the rear elevation 2.5m above ground level, sitting equidistant between the cills of the first floor windows and top of the rear door. The units would measure 900mm by 770mm and would be white in colour.

4.2 The design and scale of the units is acceptable. They are typical of the types of equipment fixed to the external elevation of buildings and for this reason would not appear incongruous once installed.

4.3 Being located to the rear of the medical centre building, the units would not be immediately visible from anywhere other than to the rear of the building, in an area with no public access and which is shielded from public view by the steep embankment leading up to Dowles Road. For this reason and given that the scale and design of the equipment is acceptable, I consider that there would be very little visual impact on the host building and immediate surroundings.

4.4 The Conservation Officer has confirmed that there would be little, if any, impact on the Bewdley Conservation Area.

16/0265/FULL

- 4.5 Concern has been raised that the condenser units offer the potential to cause disturbance to neighbouring occupiers, specifically if they are left operating at night. The detail contained in the application confirms that the sound emitted by the units ranges from 64dBA (in fully operational cooling mode) to 43bBA (in night mode). The nearest residential properties (fronting Dog Lane) are approximately 50m away. In order to determine the likely noise impact of the proposed condenser units the expert advice of WRS was sought and is detailed above.
- 4.6 Having carefully considered the comments of WRS I am minded to conclude that the proposal is unlikely to give rise to any adverse impact upon local amenity by virtue of excessive noise as was the concern of Bewdley Town Council.

5.0 Conclusions and Recommendations

- 5.1 The proposal represents an acceptable form of development which would not have an adverse impact on visual amenity or result in excessive noise levels. The proposal is capable of implementation without harm being cause to the residential amenity of nearby residents.
- 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)

Agenda Item No. 5

Application Reference: 16/0390/FULL **Date Received:** 05/07/2016
Ord Sheet: 387730 278609 **Expiry Date:** 30/08/2016
Case Officer: Tom Cannon **Ward:** Wyre Forest Rural

Proposal: Extension to side and front at first floor above garage and kitchen to form two bedrooms with ensuite shower room

Site Address: 16 BROOKSIDE WAY, BLAKEDOWN, KIDDERMINSTER DY10 3NE

Applicant: Mr & Mrs D Sheffield

Summary of Policy	CP11 (CS) SAL.UP7 and SAL.UP8 (SAAPLP) Section 7 (NPPF) Planning Practice Guidance (PPG)
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 Brookside Way comprises of a cul-de-sac of modern detached properties which are arranged in a staggered alignment. Whilst certain houses, including No 16 Brookside Way have large detached flat roof double garages which project forward of the principal elevations, given the arrangement of properties such elements do not dominate the street.
- 1.2 The proposal involves first floor front and side extensions to the existing property to provide two bedrooms and an en-suite shower room. During the application process, amended plans were received reducing the size and amending the position of the first floor dormer addition.

2.0 Planning History

- 2.1 11/0403/FULL, first floor side extension, front porch canopy and new pitched roof to ground floor cloakroom and toilet : Approved.
- 2.2 10/0004/FULL, two storey and single storey extension to front, side and rear : Refused.

16/0390/FULL

3.0 Consultations and Representations

- 3.1 Churchill and Blakedown Parish Council (Original Plans) – Parish Council members do not support this application. They believe it would be overly dominant, and be out of proportion to other dwellings in the road.
- 3.2 Highway Authority – No objections, subject to conditions requiring the access, parking and turning area to be completed, and the provision of secure parking for 4 bicycles to be provided prior to the first occupation of the dwelling.
- 3.3 Neighbour/Site Notice : A single objection has been received from the neighbour who state - The first floor extension over the garage would be out of keeping with the character of properties in the street. Concerns are also raised regarding the number of cars parked at the property

4.0 Officer Comments

CHARACTER AND APPEARANCE

- 4.1 The proposed side extension would extend above the existing attached double garage. Despite its forward projection, the new addition would incorporate a catslide roof which would pitch back into the site and therefore reduce its visual impact and prominence. The introduction of an evenly proportioned dormer window which would occupy a central position within the roof plain would further limit its impact and ensure that the development appears subservient to and does not overwhelm the main two storey gable of the original house. As such, the first floor additions would preserve the character and appearance of the host property and surrounding area. The development would therefore accord with Policies SAL.UP7 and SAL.UP8 of the Wyre Forest Site Allocations and Policies Local Plan 2013 (SAAPLP) which, amongst other things seek to ensure that extensions reflect the scale and proportions of the original building and are well integrated into the surrounding streetscene.

LIVING CONDITIONS

- 4.2 The main two storey element of the neighbouring property, No 14 Brookside Way would be set in some distance from the flank wall of the proposed first floor side extension. Due to the separation distance involved, the non-principal nature of windows in this elevation and the orientation of the properties, the development would not materially affect the level of daylight, sunlight or outlook to the occupiers of No 14. Nor, given that the proposed side facing windows would be high level openings, they would not directly overlook this property. Thus, the proposal would preserve the living conditions of nearby residents, with particular regard to sunlight, daylight, outlook and privacy. It would therefore accord with the objectives of Policy SAL.UP8 of the SAAPLP.

16/0390/FULL

OTHER MATTERS

- 4.3 The Parish Council has referred to the extension being unduly imposing and visually dominating the original dwelling. However, for the reasons set out above, the size and visual impact of the front facing dormer is considered to be acceptable and appropriate.
- 4.4 Concerns have also been raised regarding the level of parking provision at the site. At least four vehicles can be parked on the driveway to the front of the property which satisfies the County Council's Interim Parking Standards for 4/5 bedroom dwellings.

5.0 Conclusions and Recommendations

- 5.1 For the reasons set out above, and having regard to all other matters raised, 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)

Application Reference: 16/0420/RESE
Ord Sheet: 381322 272406
Case Officer: Emma Anning

Date Received: 20/07/2016
Expiry Date: 14/09/2016
Ward: Mitton

Proposal: New two storey 6th form block and two storey classroom teaching block (reserved matters following outline permission 15/0583/OUTL, to address access, appearance, landscaping and scale)

Site Address: STOURPORT HIGH SCHOOL and 6th FORM COLLEGE, KINGSWAY, STOURPORT-ON-SEVERN, DY13 8AX

Applicant: STOURPORT HIGH SCHOOL and 6th FORM COLLEGE

Summary of Policy	CP01 CP03 CP11 (CS) SAL.PFSD1 SAL.DPL12 SAL.CC1 SAL.CC2 SAL.UP1 SAL.UP4 SAL.UP7 SAL.UP9 (SAAPLP) Sections 7, 9 (NPPF)
Reason for Referral to Committee	'Major' planning application
Recommendation	APPROVAL

1.0 Site Location and Description

- 1.1 The application site is the Stourport High School located between Kingsway, Minster Road and Windermere Way in Stourport on Severn.
- 1.2 The site currently benefits from a range of teaching buildings spread across the 0.58 hectare site. Fronting Minster Road, on the south east boundary of the site, are the main school buildings and school entrance. The majority of the school buildings sit behind the main entrance occupying the entire width of the site giving the school a second frontage and entrance off Windermere Way. Elsewhere on the site at the far north west, behind properties on Coniston Crescent is the site of the former sixth form block. The remainder of the site is given over to open playing fields.
- 1.3 The site is washed over by the West Midlands Green Belt.

2.0 Planning History

- 2.1 09/0782/WCCR– Redevelopment of Stourport High School and Burlish Park Primary School site to form a replacement High School and Primary School : No objections [Application determined by Worcestershire County Council]

16/0420/RESE

- 2.2 13/0236/FULL - Proposed change of use of part of existing playing fields to create car parking associated with adjacent fitness suite. Rendering of south elevation, alterations to fenestration and replacement of existing entrance canopy : Approved
- 2.3 13/0641/ADVE – 2 no. proposed freestanding totem signs : Approved
- 2.4 13/0651/FULL – Proposed new sports hall and link to existing building : Approved
- 2.5 15/0583/OUTL - Outline application for new two storey 6th Form block and two storey classroom teaching block to replace temporary classrooms. (Layout to be agreed with all other matters reserved) : Approved

3.0 Consultations and Representations

- 3.1 Stourport-on-Severn Town Council – No objection subject to additional detail relating to access.
- 3.2 Highway Authority – No objection to the proposed development from a highways point of view.
- 3.3 Arboricultural Officer - I have no objections as long as Jim Unwin's report and recommendations are adhered to.
- 3.4 North Worcestershire Water Management (NWWM) – Approval.
15/0583/OUTL included the following condition (11): “No development shall commence until a scheme has been submitted to and approved in writing by the Local Planning Authority in respect of the details of the proposal for the disposal of foul and surface water from the site. Such details shall include an assessment of the suitability of the use of green, aboveground SuDS features on this site. The development shall proceed with strict regard to the details approved.”

The drainage information submitted for the reserved matters application consists of the following:

1. a paragraph in the design and access statement
2. a drainage strategy drawing
3. a landscape plan

Regarding 1: The Design and Access Statement states the following relating to sustainable drainage:

“New external paved and landscaped areas will consist of permeable surfaces. The rainwater from the building will be taken to soakaways locations to be agreed along with any necessary underground box culverts”.

16/0420/RESE

Regarding 2: The proposed drainage strategy (drawing S30-P10) states that “it is proposed to discharge the storm water drainage from the roof and paved areas into a soakaway. The soakaway has been designed in accordance with BRE Digest 365 for a return period of 10 years.”

It shows all rain water pipes discharging to a new storm water sewer that falls out into a single soakaway (12x2x1.8m).

Regarding 3: The landscape plan (3364-103) shows a 300mm wide gravel French drain alongside the perimeter of the building, which according to the drawing’s key discharges to a new storm water system.

I have the following comments to make:

- The condition attached to the outline application asked specifically for an assessment of the suitability of the use of green, above ground SuDS features on this site; this has not been provided
- Notwithstanding this, the proposed permeable paving, French drain and soakaway would strictly speaking constitute as SuDS and are therefore sufficient to satisfy council policy.
- I would welcome calculations that demonstrate that the proposed SuDS meet the Non Statutory Technical Standards for SuDS (Defra 2015, attached), which among others details a design return period of 100 year + allowance for climate change (see climate change guidance attached) not the currently detailed 10 years.

Conclusion

I believe there is no reason to withheld approval of this application on flood risk grounds. As no assessment of the suitability of the use of green, aboveground SuDS features has been submitted I believe that a drainage condition should still get attached to a future approval of the reserved matters application.

- 3.5 West Mercia Police Crime Prevention Design Advisor – No comments or objections.
- 3.6 Disability Action Wyre Forest (DAWF) – Would support development with good general access, the lift is stated being DDA.
- 3.7 Severn Trent Water (STW) - I can confirm we have no objections to the site proposals subject to the inclusion of drainage conditions.

16/0420/RESE

3.8 Neighbour/Site Notice – One neighbour response received. The main points raised are summarised as follows:

- We would like to know why the new building has to be built so close to the road and not further back? Or even where the old sixth block is currently?
- We feel that the new building would block light and be an eyesore for the houses that are opposite.
- We also feel that it will cause more traffic around the area, which is a nightmare already.

4.0 Officer Comments

4.1 The applications seeks for Reserved Matters approval relating to scale, appearance, access and landscaping. The principle of the proposed development, namely a new sixth form block to replace older facilities on site, was approved under application 15/0583/OUTL as was the site layout and as such is not for those matters to be considered afresh as part of this application.

4.2 Each of the reserved matters is discussed in turn below.

ACCESS

4.3 It is proposed that all existing access points to the school site will remain unchanged and that it would be these same points of access and egress which would be used by vehicles bound for the new sixth form building. Car parking provision on site is proposed to be increased to add to the number of disabled parking bays available however this will be facilitated through reconfiguration of existing internal spaces.

4.4 Given that the Highway Authority do not object to the proposals and that they have not suggested that any new conditions are necessary then I am satisfied that the proposal is acceptable in all respects relating to access and that the traffic concerns referred to in the third party comments would not be sufficient to compromise highway safety.

SCALE

4.5 It was a condition of the outline consent that the reserved matters should show a building which was no more than two storeys in height and was no taller than any existing building on the site. The plans do indeed show that this is the case and as such the scale of the proposed two storey building is considered to be acceptable.

16/0420/RESE

APPEARANCE

- 4.6 It is proposed that the building would be finished in contemporary materials including coloured cladding and large areas of glazing. Having considered the materials palette proposed I am minded to conclude that it would be appropriate in this setting as it would complement existing new/refurbished building on the school site resulting in an improved visual appearance and frontage to Windermere Way.

LANDSCAPING

- 4.7 It was a condition of the outline application that a full landscaping plan as well as an Arboricultural Impact Assessment was carried out and submitted for approval. This has been submitted as part of the current application as an accompanying 'Tree Impact Assessment and Tree Protection Method Statement'. This document and all associated plans have been carefully considered by the Council's Arboricultural Officer who has no objection to the proposal provided that the measures for tree protection as set out in the document are adhered to. On this basis I am minded to conclude that, subject to the inclusion of appropriately worded conditions requiring those protection measures to be strictly applied, then the proposal is capable of implementation without harm to existing trees on site.
- 4.8 The proposed landscaping plan has also been considered by the Council's Arboricultural Officer who does not object. It is therefore considered to be acceptable.

OTHER MATTERS

- 4.9 Condition 11 of the outline planning permission related to drainage and was included at the request of NWWM, as set out in their comments above. That same condition would apply to the application following approval of the reserved matters as such I am satisfied that the disposal of surface water would be dealt with adequately by condition.
- 4.10 Severn Trent Water have suggested new conditions relating to foul drainage, however these were not requested at the outline stage of the application. Given that the Building Regulations will cover this through separate legislation then I am not satisfied that to include such conditions at this stage would be reasonable or necessary.
- 4.11 The proposed sixth form block would be sited on an area of existing playing field, a matter which was discussed during the consideration of the outline application. A condition of the outline consent was that within 6 months of the first occupation of the new block that the new replacement sports pitch provision should be provided. This is still, in my view, a reasonable and necessary condition which would in any case, also be carried across to the reserved matters consent.

16/0420/RESE

- 4.12 Concerns relating to the siting of the proposed sixth form block were considered and approved at the outline stage of the proposal and as such, despite the concerns raised by local residents during the consultation process, are not for reconsideration as part of this reserved matters application.

5.0 Conclusions and Recommendations

- 5.1 The proposal, insofar as it relates specifically to the reserved matters to accompany outline application 15/0583/OUTL, is acceptable and would result in a development which would have an acceptable visual appearance, would be of an appropriate scale with safe access and suitable new landscaping.
- 5.2 It is therefore recommended that the application be **APPROVED** subject to the following conditions:
1. A4 (Reserved matters only)
 2. A11 (Approved plans)
 3. Tree protection in accordance with B J Unwin report and method statement.

Agenda Item No. 5

Application Reference: 16/0427/FULL **Date Received:** 14/07/2016
Ord Sheet: 388016 278480 **Expiry Date:** 08/09/2016
Case Officer: John Baggott **Ward:** Wyre Forest Rural

Proposal: New single storey brick built double garage and garden room

Site Address: 57 BIRMINGHAM ROAD, BLAKEDOWN, KIDDERMINSTER,
DY10 3JW

Applicant: Mr A Marshall

Summary of Policy	CP11 (CS) SAL.CC1, SAL.UP7, SAL.UP8 (SAAPLP) Design Guidance SPD Section 7 (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 property is a detached dwelling house facing onto Birmingham Road which features a sizeable rear garden which backs onto The Avenue, an unsurfaced and unadopted tree-lined access route of unknown ownership which links between Birmingham Road and Lynwood Drive. There is no front driveway and direct vehicular access to the property from Birmingham Road.
- 1.2 As with a number of neighbouring properties, especially numbers 45 to 55 Birmingham Road, the application property has vehicular access to the rear of the property via The Avenue. Neighbouring properties feature garages, many of them of sectional/rendered finish, at the bottom of the gardens all of which face directly onto The Avenue.
- 1.3 There is clear evidence that No.57 (i.e. the application property) has also previously benefitted from a sectional garage and timber storage buildings at the bottom of the garden. These have since been removed and the replacement building, the subject of this application, is at an advanced stage of construction, making this a retrospective application.

2.0 Planning History

- 2.1 08/0194/FULL – Vehicular Access (from the A456 – Birmingham Road) :
Refused (21/04/08)

16/0427/FULL

3.0 Consultations and Representations

3.1 Churchill and Blakedown Parish Council – Objection

This application changes the appearance of The Avenue; it is not in keeping with the house it services or other buildings. The Avenue itself is on the Local List. Branches of trees in The Avenue have been cut down to enable the roof to be built; these trees are covered by TPO's.

(Officer Comment – It is the case that the trees in The Avenue are covered by a TPO. Officers have revisited the site in light of these comments and have found no obvious signs of any recent limb removal to facilitate the construction of the garage).

3.2 Neighbour/Site Notice – A single objection has been received with the grounds for objection summarised as follows:

- Not in keeping with The Avenue, which is a tree-lined pedestrian thoroughfare and rear access route to adjacent properties;
- Adverse impact upon character and amenity of The Avenue, being clearly visible from public land;
- Structure far bigger than previous one (it replaces), in terms of footprint, height and overall bulk;
- Potential use as separate dwelling (*Officer Comment: This is pure speculation, without any evidence to support such a statement. There is no evidence to suggest that such a use is intended based upon the layout and construction*);
- New brick structure clearly visible and is not consistent with a garage construction (*Officer Comment: Garages come in all shapes, sizes and forms of construction. It is misleading to suggest that because the building is built in brick, to a high specification, that it won't be used as a garage*);
- If the application is supported, it is requested that permitted development rights be removed to ensure that the building remains as a garage (*Officer Comment: To do so would be both unreasonable and unnecessary*).

4.0 Officer Comments

- #### 4.1
- Planning permission is sought for the erection of a brick-built double garage and garden room, located at the bottom of the garden of the host property. With the works already having commenced, Members are advised that this application is retrospective in nature. However, Members will be aware that planning legislation does make allowance for the submission of retrospective planning applications, which in turn must then be considered in the same way as if the development had not already commenced.

16/0427/FULL

- 4.2 In this instance, Officers have established that the Applicant was under the impression that the replacement of the previous structure(s) at the bottom of the garden would constitute permitted development (i.e. would not require planning permission) in line with Schedule 2, Part 1, Class E (buildings incidental to the enjoyment of a dwellinghouse) of the Town and Country Planning (General Permitted Development) (England) Order 2105.
- 4.3 Whilst it is the case that the building satisfies the majority of the qualifying criteria under Class E, it falls foul of these permitted development rights by virtue of subsection E.1 (e), and specifically the height of the building (3.8 metres) within 2 metres of the boundary of the curtilage of the dwellinghouse. The maximum height permissible in such circumstances is 2.5 metres, and as such planning permission is required in this instance.
- 4.4 The building has maximum dimensions of 7.5 metres (wide) by 9.0 metres (deep) and is a truncated L-shape in terms of layout, with a maximum ridge height of 3.8 metres, and an eaves height of 2.1 metres. Constructed in brick and tile the elevation facing out onto The Avenue features a pair of garage doors, along with a side pedestrian gate. Whilst the elevation facing back towards the host property and the rear garden features a primarily glazed elevation in the form of bi-folding doors which would serve the modest garden room section of the building. Roof lights are also evident in this elevation, to provide natural light into the garage section.
- 4.5 Positioned at the bottom of the garden, the building is some 25 metres distant from the rear elevation of the host dwelling, and in turn the rear of the neighbouring property (No. 55). There is an even greater distance (30 metres plus) to the rear of No. 59, but any views are severely restricted by the mature boundary hedge and tree cover which separates the application property from its neighbour.
- 4.6 The floorspace created is calculated at some 65sq.m. in area, which compares favourably to the floorspace of the garage and outbuilding which previously occupied this location at the bottom of the garden (calculated as some 60sq.m). A modest 8% increase in footprint. It is also worthy of note that the new building is actually set back further into the host garden than the previous (by some 2.1 metres) and, unlike the previous structures it does not actually span the entire width of the garden, and allows for a pedestrian garden gate and access to the side of the building.
- 4.7 In design terms, this is a good quality building which satisfies the requirements of the relevant Local Plan policies (in particular SAL.UP7 and SAL.UP8), and whilst it is a sizeable building it is considered to be appropriate in this location, especially as there numerous examples of (admittedly smaller) concrete sectional garages facing out onto The Avenue already, serving nearby and neighbouring properties.

16/0427/FULL

- 4.8 It is acknowledged that the Parish Council take a contrary view with regard to physical appearance of the building in this location, as reported at paragraph 3.1 of the report. Were this current application the only example of a garage being constructed facing directly onto The Avenue, then Officers may well have shared such a view. However, as previously stated, there are numerous existing examples of a variety of garages and outbuildings located in similar positions at the bottom of gardens facing directly onto The Avenue, especially to the rear of No. 45 to 55. In many cases, it would be fair to say that these structures are of a lesser quality than that being constructed (the subject of this application) and as such Officers are satisfied that the current application is supportable.

5.0 Conclusions and Recommendations

- 5.1 The application, albeit retrospective in nature, relates to the replacement of a previous garage and outbuildings located at the bottom of the garden of the host property, facing outwards onto The Avenue. The design and appearance of the replacement building is considered to be appropriate and acceptable.
- 5.2 There are numerous examples of similarly located garages and outbuildings at the bottom of the gardens of neighbouring properties. Had the height of the building not exceeded 2.5 metres, the building would have constituted permitted development and would not actually have required planning permission. At a ridge height of 3.8 metres, this garage and garden room is in such a location as to not have any adverse impact upon the amenities of the occupiers of neighbouring dwellings.
- 5.3 The proposal is supportable, and it is therefore recommended that the application be **APPROVED**, subject to the following condition:
1. A11 (Approved plans)

Agenda Item No. 5

Application Reference: 16/0481/FULL **Date Received:** 11/08/2016
Ord Sheet: 380248 275671 **Expiry Date:** 06/10/2016
Case Officer: Paul Round **Ward:** Wribbenhall & Arley

Proposal: Construction of an education, research and media centre, and associated works

Site Address: WEST MIDLAND SAFARI PARK, SPRING GROVE, BEWDLEY, DY121LF

Applicant: WEST MIDLAND SAFARI PARK

Summary of Policy	CP02, CP10, CP11 (CS) SAL.GPB5, SAL.CC1, SAL.CC2, SAL.CC7, SAL.UP1, SAL.PDS1 (SAAPLP) Sections 7, 9 (NPPF) Planning Practice Guidance
Reason for Referral to Committee	Development Manager considers that application should be considered by Committee
Recommendation	APPROVAL

1.0 Site Location and Description

- 1.1 The West Midlands Safari Park is located within the Green Belt between the towns of Bewdley and Kidderminster. The site is located within the park to the south the 'Adventure Theme Park' and adjacent to 'Hippo Lakes'. It currently is a green embankment with a number of mature trees.
- 1.2 The proposal seeks for the construction of a new education, research and media centre.

2.0 Planning History

- 2.1 None for this part of the Park.

3.0 Consultations and Representations

- 3.1 Bewdley Town Council – Views awaited
- 3.2 Highway Authority – No objections

16/0481/FULL

- 3.3 North Worcestershire Water Management – The site is adjacent to one of the pools in the Riddings Brook catchment (main river at this point). This pool, known as the Hippo Pool, is I believe elevated above the downstream pool, known as Boating Lake, which means that water levels in the Hippo Pool will not be directly affected by the water levels in the Boating Lake. I believe that there is no reason to withhold approval of this application on flood risk grounds.

Reviewing the elevation drawings I note that the proposed building is basically built upon stilts, with an underfloor void available underneath the building. This could indeed mean that the reduction of flood storage capacity is minimum, as basically the reduction is the volume taken up by the stilts. I believe it would be good to attach a condition regarding the underfloor void.

I understand that foul water will be discharged to the foul water system present at the Park. I understand that surface water will be discharged to soakaways. This is the preferred method, providing ground condition allow. Field tests will need to be undertaken to ensure the intended locations are suitable. Since Building Regulations (H3 – rainwater drainage) already require that ‘adequate provision shall be made for rainwater to be carried from the roof of the building’, I don’t deem it necessary for this planning application to recommend attaching a drainage condition.

- 3.4 Arboricultural Officer – No objections subject to additional details and amendments in respect of tree retention and works within the canopy.
- 3.5 North Worcestershire Economic Development and Regeneration - Predictions are that by 2020 the visitor economy will support 1.5 million jobs across the UK contributing £87bn to the UK GDP. Leisure and Tourism is an important sectoral focus for the Local Enterprise Partnerships and West Midland Safari and Leisure Park is a key local employer in this sector. Its business supports local residents into jobs and training and contributes to the local economy through generating additional business for its local supply chain.

The Park currently employs approximately 100 people in permanent year-round employment and approx. 400 seasonal staff. Staff are employed in a range of occupations in areas such as management, finance, IT, animal welfare, operations, maintenance, engineering and administration. The planned expansion at the WMSP, which received planning consent last year, adds to the requirement to up-skill current employees and the facility that is proposed through this application would deliver a mix of non-accredited and accredited qualifications in the following disciplines:

- animal care and management
- customer service
- catering and hospitality
- retail
- health & safety

16/0481/FULL

- horticulture
- environmental conservation
- arboriculture
- landscaping
- leisure industry
- travel & tourism

It is clear to see, therefore, that the proposed facility would offer a number of training opportunities that would benefit both the business and the wider catchment, offering key business skills where there is currently gaps in the market.

In considering this application, it is felt that the proposal meets some of the key principles outlined within the National Planning Policy Framework (NPPF). At paragraph 28, the NPPF identifies that planning should:

Support sustainable rural tourism and leisure developments that benefit businesses in rural areas, communities and visitors, and which respect the character of the countryside

Support the sustainable growth and expansion of all types of business and enterprise in rural areas, both through the conversion of existing buildings and well designed new buildings.

This particular proposal will help to meet some of the key aims and ambitions articulated within the NPPF. It is considered that the proposal would respect the character of the area in which the Park is located and would provide an important facility that will help to manage the future growth of this important tourism facility. Furthermore, in relation to skills and training, Paragraph 72 of the NPPF states that:

Local planning authorities should take a proactive, positive and collaborative approach to meeting this requirement (School Places), and to development that will widen choice in education.

It is considered that this application would help to widen the choice in education and provide an alternative learning/training option for the local population, which is to be welcomed.

The West Midland Safari and Leisure Park (WMSLP) has been recognised in local planning policy as being a key tourist attraction and business for Wyre Forest as a whole. The Site Allocations and Policies Local Plan specifically promotes the WMSLP as a key business, Policy SAL.GPB5: Supporting Major Tourist Attractions, identifies the following in relation to WMSLP:

16/0481/FULL

Any proposal for major development within the Par will need to be considered on a comprehensive basis in the context of a planning brief and Masterplan for the whole site. The Council will consider applications for development at Midland Safari and Leisure Park favourably, where such development would upgrade and improve the viability of the attraction, address the potential for heathland restoration and recreation, are appropriate to its function as a major tourism destination, make a positive contribution to the local economy and are acceptable taking into account its location within the Green Belt and the need to ensure compatibility with the local infrastructure network.

Given the above policy context, it is considered that this latest application should be supported as it is considered it would *upgrade and improve the viability of the attraction* and it is also a development that is considered to be *appropriate to its function as a major tourism destination*. Furthermore, the discrete location proposed for the training facility means its impact on the Green belt location is minimised and it is felt that the local infrastructure network should be sufficient to be able to cope with any extra demand that would arise from this new facility.

Overall, NWEDR are very supportive of the proposal and consider that its implementation will provide an alternative training and education facility to improve skills and learning within the District. The application is considered to be in broad conformity with National and Local Planning Policy and would provide economic benefits to both the business and the wider community as a whole.

3.6 Neighbour/Site Notice – No representations received

4.0 Officer Comments

- 4.1 The West Midlands Safari Park has been identified specifically as a Previously Developed Site (PDS) in the Green Belt and policies within the Adopted Wyre Forest Site Allocations and Policies Local Plan promote developments that will support and enhance the Park’s operations as a leisure and tourism destination. The proposed building falls with the designated PDS area.
- 4.2 Policies SAL.UP1 and SAL.PDS1 of the Adopted Wyre Forest Site Allocations and Policies Local Plan allow developments within PDS subject to the development contributing the objectives of the Green Belt, not exceeding the height of existing buildings and trees, and not giving rise to off-site infrastructure problems. The development adheres to all of the set criteria and as such is appropriate development in the Green Belt.

16/0481/FULL

- 4.3 The current application seeks to provide new facility buildings at the Park which will provide 5 educational rooms of varying size, an office, stores, research room, media room and meeting rooms. Each building measures approximately 16m x 15m and are separated from each other by an elevated walkway. The total length of the entire building including walkway is approximately 35m. The two buildings are effectively set on a platform that is level adjacent to the access road but are elevated on stilts as the ground falls away towards the lake. The height of each building is approximately 6m at the highest point and 3m at its lower level.
- 4.4 The buildings are designed with a mono pitched roof and are mirrored to provide symmetry of design across the whole development. The elevations will be treated with cedar cladding with blank areas above doors and windows used to display printed African art panels. The roof will be a metal roof of a suitable colour to co-ordinate with the African theme. It is considered that the design and scale of the building is appropriate in its context.
- 4.5 The positioning of the buildings are such that only one tree is to be removed with the others retained. The Arboricultural Officer is happy with the development in principle although it will be necessary to ensure that the building is completely outside the canopies of the retained trees.
- 4.6 As the site is adjacent to pools flood risk and drainage need to be considered. The comments from North Worcestershire Water Management are noted and subject to conditions protecting the underfloor void area from other structures, there will not be any adverse impact on the water environment.
- 4.7 The proposed scheme is a further important step for the Park in providing enhanced facilities to promote and cater for educational and other needs. This can only be benefit to enhance the Park's leisure and tourism offer as set out within the Development Plan.

5.0 Conclusions and Recommendations

- 5.1 The proposal constitutes appropriate development in the Green Belt. The scheme is well designed and has responded to the site constraints in a positive way that there will be no adverse impact on matters of acknowledged importance.

16/0481/FULL

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. Drainage
5. No storage in floor void
6. Tree Protection

WYRE FOREST DISTRICT COUNCIL

Planning Committee

20 September 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)	LI 21/07/2016	25/08/2016			
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			Dismissed 11/08/2016

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
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			
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 and amenities	WR 15/06/2016	20/07/2016			
WFA1467 16/0005/FULL	APP/R1845/W/1 6/3152536	Mr N Griffiths	BUILDING ADJ 9 BURY HALL WOLVERLEY KIDDERMINSTER Conversion of existing building to 2 bed dwelling	WR 12/07/2016	16/08/2016			

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
WFA1468 15/0666/FULL	APP/R1845/W/1 6/3154782	Mr & Mrs A Downes	LAND ADJACENT TO THE BUNGALOW HEIGHTINGTON ROAD RIBBESFORD Erection of Dwelling	WR 16/08/2016	20/09/2016			
WFA1469 16/0176/TREE	APP/TPO/R1845/ 5337	Mr R Woodward	1 SEVERN MANOR GARDENS STOURPORT-ON- SEVERN DY130LX Fell Two Cedars and Prune 1 Pine & 1 Cedar - shorten back low limbs growing towards the road to suitable growth points and remove the dead and damaged wood within the crowns of both trees.	WR 15/08/2016	19/09/2016			

Appeal Decision

Site visit made on 14 March 2016

by Elaine Benson BA (Hons) DipTP MRTPI

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

Decision date: 11 August 2016

Appeal Ref: APP/R1845/W/15/3138636
Land at Long Bank, Bewdley, Worcestershire

- 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 J Kelly against the decision of Wyre Forest District Council.
 - The application Ref 15/0405/FULL, dated 13 July 2015, was refused by notice dated 9 September 2015.
 - The development proposed is described as *proposed agricultural building*.
-

Decision

1. The appeal is dismissed.

Main Issues

2. The effect of the proposed development on the character and appearance of the surrounding rural area and whether sufficient justification has been provided for a building of the proposed size.

Reasons

3. The appeal site is some 3 ha and lies in open countryside. It contains fruit trees and Christmas trees and is currently used for horse grazing. The buildings on the site include a stable and are in use for the storage of various items, including some which appear to be non-agricultural. Open storage also takes place. The proposed building would allow for the site to be tidied up and would be used to store under cover various pieces of agricultural equipment, animal feed and straw and the open rear of the building would provide shelter for sheep.
4. The floor space of the proposed building would be around 167 sqm; it would be 18m long, 9m wide with a ridge height of 4.5m (Council's figures). Its general design and materials would reflect those found in agricultural buildings and would be appropriate for this rural setting. However, the footprint and height of the building would be significantly greater than other buildings in the locality and it would appear as a dominant, incongruous building which would be detrimental to the character of the surrounding area. Although the hedging around the front of the appeal site and the trees along the side boundary with the bridleway would be retained, there would be views through them of the large building.

5. As a result the site's landscape character would not be protected as required by Policy CP12 of the Adopted Wyre Forest District Core Strategy (2006-2026) (CS) and Policy SAL.UP7 of the Adopted Wyre Forest District Site Allocations and Policies Local Plan 2006-2026 which sets out requirements for design quality and distinctiveness. The proposed scheme would also be contrary to CS Policy CP11 which requires quality design and local distinctiveness, although I agree with the appellant that this policy is less relevant to the appeal proposal.
6. I am informed that chickens, turkeys, pigs and sheep have been kept on the site in the past, although none appeared to be there at the time of my site visit. The appellant states that the site has an agricultural holding number, although none is provided. Furthermore, Certificate A of the planning application form was completed, declaring that none of the land to which the application relates is, or is part of, an agricultural holding. This is confirmed by section I (part two) the appeal form. Moreover, the Council states that there is no evidence of any agricultural use of the site, with its records indicating only a 2008 consent for a change of use from an orchard to the keeping of horses and the retention of a stable block.
7. On the basis of the evidence provided I conclude that there is little justification for a building of the size sought and that it could not reasonably be considered to meet the needs of the rural economy as Policy CP12 requires. Furthermore, it has not been satisfactorily demonstrated that the scheme would accord with the objective of Paragraph 28 of the National Planning Policy Framework to support economic growth in rural areas in order to create jobs and prosperity.
8. For the reasons I have set out and having regard to all other matters raised, including the adverse comments made by the Rock Parish Council, the appeal is dismissed.

Elaine Benson

INSPECTOR