

Open

Planning Committee

Agenda

6pm
Tuesday, 15th November 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.

WEBCASTING NOTICE

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

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

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

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

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

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

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

*Unless there are no reports in the open session.

NOTES

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

Wyre Forest District Council

Planning Committee

Tuesday, 15th November 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 18th October 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.	50

7.	<p>Planning Consultation by Worcestershire County Council mixed uses D1 (libraries), B1 (offices) and A2 (financial and offices) to mixed uses (D1) libraries, B1 (offices) and A2 (financial and professional services) 16/0574/WCCR</p> <p>To consider a report from the Director of Economic Prosperity & Place that asks the Committee to make a decision on the planning consultation received from Worcestershire County Council in respect of the proposed change of use of the library building to accommodate additional A2 (financial and professional services) use as well as the existing D1 (library) and B1 (office) uses, at Kidderminster Library, Market Street, Kidderminster.</p>	60
8.	<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>	
9.	<p>Exclusion of the Press and Public</p> <p>To consider passing the following resolution:</p> <p>“That under Section 100A(4) of the Local Government Act 1972 the press and public be excluded from the meeting during the consideration of the following item of business on the grounds that it involves the likely disclosure of “exempt information” as defined in paragraph 3 of Part 1 of Schedule 12A to the Act”.</p>	

Part 2

Not open to the Press and Public

10.	<p>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>	
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WYRE FOREST DISTRICT COUNCIL

PLANNING COMMITTEE

COUNCIL CHAMBER, WYRE FOREST HOUSE, FINEPOINT WAY,
KIDDERMINSTER

18TH OCTOBER 2016 (6 PM)

Present:

Councillors: S J Williams (Chairman), C Rogers (Vice-Chairman), J Aston, S J M Clee, I Hardiman, M J Hart, D Little, N Martin, F M Oborski MBE, J A Shaw, R J Vale and R Wilson.

Observers:

Councillor: N Knowles.

PL.30 Apologies for Absence

Apologies for absence were received from Councillors: J R Desmond and J A Hart.

PL.31 Appointment of Substitutes

Councillor I Hardiman was a substitute for Councillor JR Desmond and Councillor R Wilson was a substitute for Councillor J Hart.

PL.32 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 would remain in the room.

Councillor S J Williams declared a DPI in respect of Agenda Item No. 8, Local Heritage List for the Parish of Chaddesley Corbett and he would leave the room during consideration of this item.

PL.33 Minutes

Decision:

The minutes of the meeting held on 20th September 2016 be confirmed as a correct record and signed by the Chairman.

PL.34 Applications To Be Determined

The Committee considered those applications for determination (now incorporated in Development Control Schedule No. 547 attached).

Decision:

The applications now submitted be determined, in accordance with the decisions set out in Development Control Schedule No 347 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.35 Planning and Related Appeals

The Committee received details of the position with regard to planning and related appeals, still being processed, together with particulars of appeals that had been determined since the date of the last meeting.

Decision:

The details be noted.

PL.36 The Housing and Planning Act 2016 – including impact of the Welfare Reform & Work Act 2016 on Housing Provision

The Committee considered a report from the Director of Prosperity and Place which informed Members of the headline inclusions contained within the Housing and Planning Act 2016 and how they related to planning and the impact of the Welfare Reform and Work Act 2016 in terms of housing provision within the District.

Decision:

The changes introduced within the Housing and Planning Act 2016 and the Welfare Reform and Work Act 2016 as outlined in the report to Planning Committee be noted.

Councillor S J Williams left the room

PL.37 Local Heritage List for the Parish of Chaddesley Corbett

The Committee considered a report from Director of Prosperity and Place which informed Members of the results of the public consultation on the draft Local Heritage List for the Parish of Chaddesley Corbett and sought adoption of the proposed finalised Local Heritage List.

Decision:

- 1 APPROVE the adoption of the Amended Draft Local Heritage List for the Parish of Chaddesley Corbett as amended following public consultation (Appendix 4 of the report to Planning Committee).**
- 2 AGREE that the Director of Economic Prosperity and Place be given delegated authority to determine the final format and presentation of the Local Heritage List for the Parish of Chaddesley Corbett, including the detailed wording for the list descriptions.**

Councillor Williams returned to the room after this decision was taken

PL.38 Local Heritage List Procedures

The Committee considered a report from Director of Prosperity and Place which informed Members of the introduction of revised guidance from Historic England in respect of the selection criteria for Local Heritage Lists, and sought adoption of this criteria for all future additions and alterations to the Local Heritage List.

Decision:

- 1 APPROVE the adoption of the revised selection criteria and methodology for future Local Heritage Lists, as detailed in Appendix 1 of the report to Planning Committee.**
- 2 APPROVE the adoption of the revised arrangements for the addition, deletion or amendment of entries on Local Heritage Lists within Wyre Forest District, as detailed in Appendix 2 of the report to Planning Committee.**

PL.39 Section 106 Obligation Monitoring

The Committee considered a report from the Director of Economic Prosperity & Place that gave details of the most current Section 106 Obligations which required monitoring.

Decision:

The details be noted.

PL.40 Exclusion of the Press and Public

Decision:

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

PL.41 New Enforcement Cases

The Committee received a report from the Director of Economic Prosperity and Place on two new enforcement cases.

Decision:

Delegated authority be granted to the Solicitor to the Council to serve or withhold Enforcement Notices in respect of both cases for the reasons detailed in the confidential reports to the Planning Committee.

PL.42 Enforcement Matters

The Committee received a report from the Director of Economic Prosperity and Place that provided Members with a summary of enforcement matters, and specifically the volume of new complaints.

Decision:

The information be noted.

There being no further business, the meeting ended at 6.48 pm.

WYRE FOREST DISTRICT COUNCIL

PLANNING COMMITTEE

18th October 2016 Schedule 547 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: 16/0280/FULL
Site Address: 43 SPRINGHILL RISE, BEWDLEY, DY12 1EA
<p>APPROVED subject to the following conditions:</p> <ol style="list-style-type: none"> 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 12. Submission of CEMP 13. Highways 14. Ecology enhancements 15. Obscure Glazing 16. Low emission boilers <p>NOTES</p> <ol style="list-style-type: none"> A. Public Right of Way B. Drainage C. Highways

Application Reference: 16/0401/FULL
Site Address: 17 RODEN AVENUE, KIDDERMINSTER, DY102RF
<p>APPROVED subject to the following conditions:</p> <ol style="list-style-type: none"> 1. A6 (Full with no reserved matters) 2. A11 (Approved plans) 3. B6 (External details – approved plan) 4. The first floor windows in the north and south elevations shall be glazed with obscure glass and designed to be non opening unless the parts which can be opened are more than 1.7m above the floor level of the room in which they are located and shall thereafter be retained as such. The ground floor windows in the north and south elevations shall be designed to be non opening unless the parts which can be opened are more than 1.7m

- above the floor level of the room in which they are located and shall thereafter be retained as such.
5. The windows serving the new bathroom at first floor in the west elevation shall be glazed with obscure glass and shall thereafter be retained as such.
 6. J1 (Removal of Permitted Development Rights)

Application Reference: 16/0480/S106
Site Address: TESCO STORES LTD, CASTLE ROAD, KIDDERMINSTER, DY116SW
Delegated Authority be given to the Solicitor of the Council to prepare and issue a deed of variation to the Section 106 Agreement which accompanied Planning Permission WF.0450/96

Application Reference: 16/0526/FULL and 16/0527/LIST
Site Address: LAND ADJOINING WINTERDYNE, REDHILL, BEWDLEY, DY122TE
16/0526/FULL: APPROVED subject to the following conditions:- <ol style="list-style-type: none">1. A6 (Full with no reserved matters)2. A11 (Approved plans)3. B1a (Samples/details of materials)4. J1 (Removal of permitted development – residential)5. Demolition of existing bungalow prior to works commencing6. Details of restoration/landscaping proposals and timescale prior to works commencing7. C8 (Landscape implementation)8. B11 (Details of enclosure)9. B13 (Levels details)10. E2 (Foul and surface water)
16/0527/LIST: APPROVED subject to the following conditions:- <ol style="list-style-type: none">1. A7 (Listed Building/Conservation Area consent)2. A11 (Approved plans)3. B1a (Samples/details of materials)4. Demolition of existing bungalow prior to works commencing5. Details of restoration/landscaping proposals and timescale prior to works commencing6. Implementation of landscaping.

**EXECUTIVE SUMMARY TO REPORT OF
DEVELOPMENT MANAGER**

Planning Committee

15/11/2016

PART A Reports

Ref.	Address of Site	Recommendation	Page No.
16/0530/FULL	LAND OFF ARELEY COMMON STOURPORT-ON-SEVERN	REFUSAL	14
16/0566/FULL	CHESTER ROAD SPORTS & SOCIAL CLUB CHESTER ROAD NORTH KIDDERMINSTER	REFUSAL	22
16/0593/FULL	4 MEADOW RISE BEWDLEY	APPROVAL	31

PART B Reports

Ref.	Address of Site	Recommendation	Page No.
16/0368/FULL	CHADDESLEY DRIERS LONG MORE CAKEBOLE LANE CHADDESLEY CORBETT KIDDERMINSTER	APPROVAL	35
16/0532/FULL	16 THE FOXHOLES KIDDERMINSTER	APPROVAL	42
16/0542/FULL	GATEHOUSE CARAVAN PARK NELSON ROAD SANDY LANE INDUSTRIAL ESTATE STOURPORT-ON-SEVERN	APPROVAL	45

WYRE FOREST DISTRICT COUNCIL

PLANNING COMMITTEE
15TH NOVEMBER 2016

PART A

Application Reference:	16/0530/FULL	Date Received:	31/08/2016
Ord Sheet:	380144 269668	Expiry Date:	30/11//2016
Case Officer:	Tom Cannon	Ward:	Areley Kings & Riverside

Proposal: Change of use of land for the keeping of horses and the erection of a stable block with associated hardstanding, fencing and vehicular access

Site Address: LAND OFF ARELEY COMMON, STOURPORT-ON-SEVERN, DY13 0NP

Applicant: Miss M Kiely

Summary of Policy	DS04, CP01, CP11, CP12 (CS) SAL.UP5, SAL.UP7, SAL.UP9, SAL.UP13, SAL.CC1, SAL.CC2 (SAAPLP) SWDP 21, SWDP 22, SWDP 25 (SWDP) Sections 3,7, 25 (NPPF) Planning Practice Guidance (PPG)
Reason for Referral to Committee	Councillor request for application to be considered by Committee
Recommendation	REFUSAL

1.0 Site Location and Description

1.1 The application site comprises of approximately 16.8 hectares of agricultural land on the eastern side of Areley Common. The north-west proportion of the site is in Wyre Forest, with the remainder of the land in Malvern Hills District Council's administrative area. This application seeks to change the use of the land for the keeping of horses, with a new vehicular access, track, hardstanding and stable block/field shelter positioned in the south-west part of the site.

1.2 Although significant levels of concern have been raised regarding the applicant's future intentions for the site (as summarised under Paragraph 3.6 of the report) this application must be determined as submitted.

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2.0 Planning History

2.1 None relevant.

3.0 Consultations and Representations

3.1 Stourport on Severn Town Council – Objection. A member of the Town Council wishes to speak at Planning Committee.

3.2 Highway Authority – Views awaited.

3.3 Natural England – It is the responsibility of the local planning authority to ensure that the development does not adversely affect protected species on site.

3.4 Countryside Conservation Officer – The proposal would involve a change of use of the land for the grazing of horses. Although the applicant states that only 3 horses will be stabled on the land, the site could be grazed more intensively without requiring any further planning consent. In such circumstances the use of land could lead to ecological harm. I therefore request that an ecological assessment is submitted for consideration as part of this application.

3.5 North Worcestershire Water Management – The stable block, hardstanding and access would be located on land within Malvern Hills jurisdiction and it is not therefore appropriate for me to pass judgement on this aspect of the scheme which could have potential drainage implications. However, if it were entirely in Wyre Forest District, I would require adequate provision to be made for rainwater to be carried from the roof of the stable block (i.e. discharge via soakaway) and additional details regarding manure storage.

3.6 Neighbour/Site Notice - Over 100 individual representations have been made from Interested parties, including the West Midlands Bird Club raising the following issues:

- Effect on ecology/biodiversity;
- Claims that this is the precursor to the development of the site for housing;
- Applicant connected to Gladman Land Developments who specialise in housing development and lodged a similar application in Bewdley;
- Given the scale of the site it could be used for commercial equestrian purposes;
- Site overly large for 3 horses;
- Loss of valuable agricultural land;
- Proposed access dangerous and increased traffic associated with the development could impact on highway safety;
- Testing taken place on site which goes beyond what is required for the proposed use;
- Fencing does not meet British Horse Society Standards;

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- Increased potential for flooding;
- Loss of trees/hedgerows along the road frontage;
- Impact on public right of way which crosses the site.

4.0 Officer Comments

POLICY CONTEXT AND MAIN ISSUES

- 4.1 The overall aim of Policy SAL.UP13 of the Site Allocations and Policies Local Plan (SAAPLP) is to seek to ensure that all proposals for equestrian development do not individually or cumulatively affect the quality and character of the landscape, amenity of adjacent residential areas, and have taken full account of their potential impact on local biodiversity and habitats.
- 4.2 Policy SAL.UP13 also groups equestrian related development into two broad categories, namely those related to commercial facilities, and those involving equestrian facilities for leisure use. Notwithstanding concerns raised by residents regarding the overall site area, given the scale of the proposed stable block and associated development, I consider that the application would fall under the second category. In such circumstances, Policy SAL.UP13 sets out certain criteria which leisure based equestrian development should meet. This includes the requirement for stable blocks/field shelters to:
- Be sited within or immediately adjoining an existing building or complex, or alongside an existing hedgerow;
 - Provide safe highway access;
 - Be of traditional design and blend naturally into the landscape;
 - Provide appropriate landscaping and screening; and
 - Comply with the space standards for stables as recommended by the British Horse Society.
- 4.3 The proposed new access, stable block and associated development would be positioned on land within Malvern Hills. Therefore, one must also assess the proposal against policy in the South Worcestershire Development Plan 2016 (SWDP). Policies SWDP 21 and SWDP25 require that proposals should be of a high quality and integrate well into the local surroundings. Policy SWDP 22 also states that development which would result in the loss or deterioration of a veteran tree or a nationally protected species will not be permitted unless the need for, and the benefits of the proposed development in that location clearly outweigh the loss or deterioration.
- 4.4 The development as submitted would not in my opinion adversely affect the amenity of adjacent residential areas. The size of the proposed stables would also meet the size requirements set out in the British Horse Society standards.

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4.5 Applying the above policy, the main issues in this case are:

- The effect of the proposal on the character and appearance of the area, including the potential impact on existing trees;
- Whether sufficient information has been provided to adequately assess the potential Impact on biodiversity; and
- The effect of the proposed access arrangement on highway safety on the B4196.

CHARACTER AND APPEARANCE

4.6 Land to the south and east of Areley Common comprises of gently undulating agricultural fields punctuated by occasional pockets of linear tree and hedgerow planting. It occupies an elevated position above the B4196, with the land gradually rising in an eastly direction away from the road. The open farm land, hedgerow planting and Scots Pine trees which define the boundary between the appeal site and the road, make a positive contribution to the character and appearance of the area. A public right of way (PRoW) extends across the site in a north-south direction, within close proximity of the site of the proposed stable block and hardstanding.

4.7 The development would occupy higher ground set back from the highway. Given the change in levels, to provide the new vehicular access, requisite visibility splays and access track, extensive engineering operations would be required. These works would include the removal of a large section of hedgerow along the road frontage which contributes significantly to the verdant character of the area and aids the transition between the built form of Areley Common and the open countryside to the south and east. This impact would be exacerbated by the introduction of a large stable block, hardstanding on higher ground which would appear particularly prominent from both the public highway and the PRoW which passes to the east. As such, the proposal would provide a visually intrusive form of development which would conflict with the largely open pastoral character of the area and adversely affect the public enjoyment of users of the adjacent PRoW.

4.8 The proposed new vehicular access would appear to be positioned between two semi-mature Scots Pine trees. In the absence of an existing tree survey and/or any preventative measures which could be introduced to prevent damage to trees during the construction of the proposed access, I am unable to establish if it is possible to accommodate the development on site without adversely affecting existing trees.

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- 4.9 For these reasons, and given the importance of existing trees and hedgerow planting to the established character of the site and its surroundings, I consider that the proposed development would harm the character and appearance of the area. Consequently, there would conflict with Policy CP11 of the Core Strategy (CS), parts (ii) and (iv) of Policy SAL.UP13 and Policy SAL.UP7 of the SAAPLP, which, amongst other things seek to ensure that proposals integrate well within the existing streetscene and incorporate existing trees. The development would also be contrary to Policy SWDP 25 of the SWDP, which requires that proposals are appropriate to, and integrate with, the character of the landscape setting.

BIODIVERSITY

- 4.10 Government Circular 06/2005 “Biodiversity and Geological Conservation – Statutory Obligations and their impact within the Planning System” states that it is essential that the presence or otherwise of protected species and the extent to which they may be affected by development is established before planning permission can be granted. This requirement is reflected in the consultation response from Natural England. Moreover, the West Midland Bird Club and local residents have provided evidence indicating that the site is used by protected species, including breeding Skylarks, Tawny Owls, Lapwing and starlings. The impact on such species could be significant if the majority of this extensive site was used for the keeping of horses.
- 4.11 An ecological appraisal has not been submitted with this application. Therefore, insufficient information has been provided to adequately assess the potential impact on protected species. As such, the development would conflict with Policy SAL.UP5 of the SAAPLP and paragraph 118 of the National Planning Policy Framework (NPPF) which requires that development which would have an adverse significant impact on the population or conservation status of protected species or habitat, as identified within a biodiversity action plan, will be refused permission unless the impact can be adequately mitigated or compensated for by measures secured by planning conditions or obligations. It would also be contrary to Policy SWDP 22 of the SWDP which applies a similar test to those set out in the SAAPLP and the NPPF.

HIGHWAY SAFETY

- 4.12 The Highway Authority are currently reviewing the proposed access arrangements. Their formal comments together with an assessment of the potential impact of the development on highway safety will be reported to Committee via the Addenda and Corrections Sheet.

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OTHER MATTERS

- 4.13 Local residents have also raised a number of other concerns including the height of the proposed fencing which would not meet British Horse Society standards. However, this, together with details of surface water disposal is something which if Members were minded to approve the application could be satisfactorily addressed by planning conditions.

5.0 Conclusions and Recommendations

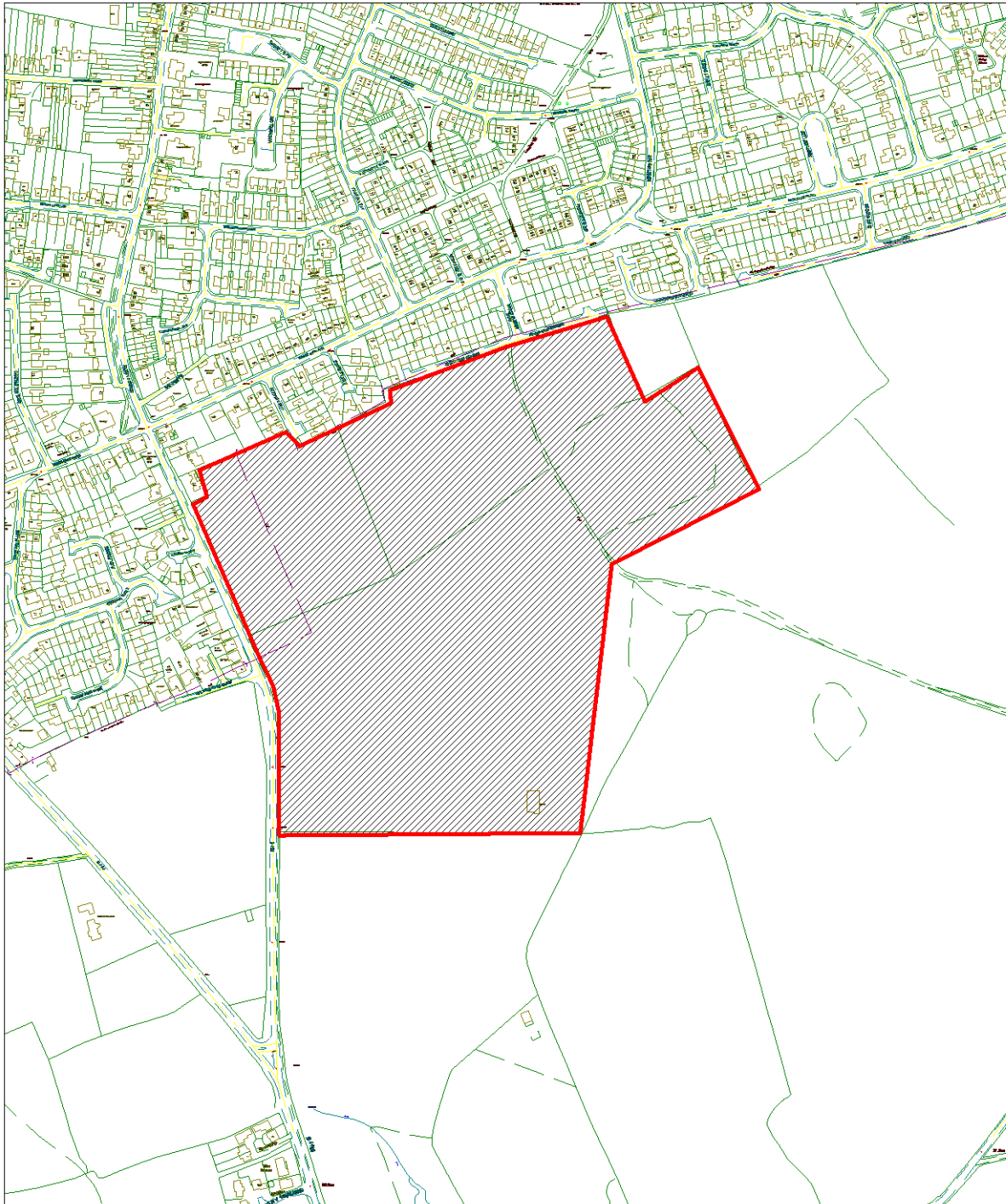
- 5.1 For the reasons set out above, and having regard to all other matters raised, it is therefore recommended that the application be **REFUSED** for the following reasons:

1. The application site forms part of a wider area of gently undulating agricultural land which extends to the south and east of Areley Common. A public right of way (PRoW) also crosses the land in a north – south direction, providing uninterrupted views for users of the PRoW over the adjacent farmland. The largely open nature of the land together with existing tree and hedgerow planting along the road frontage contribute to the verdant character of the area.

The proposed development, given its elevated position would require extensive engineering works to provide for the new access and visibility splays, including the removal of a large section of the existing hedgerow. These works in combination with the introduction of a stable block and hardstanding on higher ground, would provide a visually intrusive form of development which would conflict with the open pastoral character of the area and the public enjoyment of users of the adjacent PRoW. As such, the development would have a detrimental effect on the character and appearance of the area, contrary to Policies CP11 and CP12 of the Wyre Forest Core Strategy and Policies SAL.UP7 and SAL.UP13 of the Wyre Forest Site Allocations and Policies Local Plan which, amongst other things, seek to ensure that proposals blend naturally into the surrounding landscape. The development would also be contrary to Policies SWDP 21 and SWDP 25 of the South Worcestershire Development Plan, which requires that proposals are appropriate to, and integrate with, the character of the landscape setting.

16/0530/FULL

2. The proposed new vehicular access would appear to be positioned between two semi-mature Scots Pine trees. In the absence of an existing tree survey and/or any preventative measures which could be introduced to prevent damage to trees during the construction of the proposed access, the Council is unable to establish if it is possible to accommodate the development on site without adversely affecting existing trees. Therefore, the development would conflict with Policy SAL.UP7 of the Wyre Forest Site Allocations and Policies Local Plan, which, amongst other things seek to ensure that proposals integrate well within the existing streetscene and incorporate existing trees. It would also be contrary to Policy SWDP 25 of the South Worcestershire Development Plan, which require that proposals integrate with the character of the landscape setting.
3. Circular 06/2005 states that it is essential that the presence or otherwise of protected species and the extent to which they may be affected by development is established before planning permission can be granted. The West Midland Bird Club and residents have provided evidence which indicates that the site is used by protected species, including breeding Skylarks, Tawny Owls, Lapwing and Starlings. The impact on such species could be significant, if the majority of this extensive site was used for the keeping of horses. An ecological appraisal has not been submitted with this application to adequately assess the potential impact on protected species. Consequently, the development would conflict with Circular 06/2005, Policy SAL.UP5 of the Wyre Forest Site Allocations and Policies Local Plan, Policy SWDP 22 of the South Worcestershire Development Plan and paragraph 118 of the National Planning Policy Framework, which require that if significant harm resulting from a development cannot be avoided, adequately mitigated or, in the last resort compensated for, then planning permission should be refused.



ECONOMIC PROSPERITY AND PLACE DIRECTORATE

**LAND OFF ARELEY COMMON
STOURPORT ON SEVERN, DY13 0NP**

Date:- 01 November 2016

Scale:- 1:5000

OS Sheet:- SO8069

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



Application Reference: 16/0566/FULL **Date Received:** 28/09/2016
Ord Sheet: 384380 276739 **Expiry Date:** 23/11/2016
Case Officer: Paul Round **Ward:** Offmore & Comberton

Proposal: Erection of 15m shrouded monopole to support 3no. telecommunications antennae for use by Telefonica, which together with the installation of 2no. dishes and 4no. ground based equipment cabinets will provide 2G, 3G and 4G mobile electronic communication services from the installation.

Site Address: CHESTER ROAD SPORTS & SOCIAL CLUB, CHESTER ROAD NORTH, KIDDERMINSTER, DY101TH

Applicant: Shared Access

Summary of Policy	CP11 (CS) SAL.CC5, SAL.UP4, SAL.UP7 (SAAPLP) Sections 5, 7 (NPPF) Planning Practice Guidance
Reason for Referral to Committee	Third party has registered to speak at Committee
Recommendation	REFUSAL

1.0 Site Location and Description

- 1.1 The application site forms part of the Chester Road Sports and Social Club situated on the corner of Offmore Lane and Chester Road North to the west of Kidderminster Town Centre. The site is otherwise residential in character with the sportsfield providing a break in this otherwise built up location. Directly to the south of the site are allotment gardens accessed off Offmore Lane. The boundary of the site is marked with brick walls and trees.
- 1.2 The site is allocated for sports uses within the Adopted Wyre Forest Site Allocations and Policies Local Plan.
- 1.3 The proposal seeks for the construction of a 15m high telecommunications monopole and associated equipment cabinets.

2.0 Planning History

- 2.1 None of relevance.

16/0566/FULL

3.0 Consultations and Representations

3.1 Kidderminster Town Council – Views awaited

3.2 Worcestershire Regulatory Services – No objection in respect of noise and pollution.

3.3 Neighbour/Site Notice – 81 letters of objection and 2 letters of support.

The following issues have been raised by the objectors:

- Health concerns and the impact on the community. Many local children walk past the site and attend groups and play sport within a few metres of the proposed site.
- Impact of Human Rights Act Article 8 through loss of property values and impact on health.
- The impact on the character and appearance of the area. It is claimed that the monopole will be an eyesore and will not fit in with its surroundings.
- The appearance and design of the development due to its scale [15 metre height] will dominate and overshadow the surrounding area and be over-bearing.
- No need for the mast as telecommunications coverage is sufficient.
- Alternative sites have been discounted for being too close to residential properties why not discount this site?
- Mast will be sited where the clubhouse drainage is located.

The letters of support state:

Totally in favour of it as I cannot get a signal most of the time in my house and the same goes for most of my neighbours. As I work from home a good signal would be beneficial.

4.0 Officer Comments

4.1 Proposal for telecommunication applications are considered in line with Policy SAL.CC5 of the Adopted Wyre Forest Site Allocations and Policies Local Plan which lists 5 points for consideration. These can be considered along with the concerns expressed by third parties under the following headings:

- Siting and Design
- Need for Development, Alternative Sites and Design
- Health Considerations
- Human Rights Act
- Other Issues

16/0566/FULL

SITING AND DESIGN

- 4.2 The proposed mast would be located directly adjacent to south-west end wall of the single storey club house building. The mast proposed would be painted green and be 15m in height with proposed dishes above. Four equipment cabinets would be sited adjacent to the mast.
- 4.3 This area of Chester Road North is traditional in character and is essentially in the same form as it was in the early 1940's, including the sports ground. Infrastructure along Chester Road North is at low level with lampposts being approximately 8m in height and the railway running within the cutting. Along Offmore Lane there are no streetlights only telegraph poles which are approximately 5m in height. The proposed 15m mast will be visible from Chester Road North and from Offmore Lane. It is considered that the design and appearance of the mast will be out of character with the distinctive nature of the area and appear very much out of place. In addition due to the close proximity of the mast to Offmore Lane it will dominate the streetscene from all directions. The colouring of the mast green will not help this impact but will only serve to exacerbate the alien appearance of the structure.
- 4.4 The mast will be directly opposite the garden of 6 Offmore Lane. It will also be approximately 35m from 6 Offmore Lane, 155m from properties in Hardy Avenue, 170m from properties in Lyndholm Road and 100m from properties in Chester Road North. Given the tree screen to the boundary of the site and the distances involved it is not considered that the amenity of these properties will be adversely affected by the proposal, although their appreciation of the character and openness of the area will be diminished.
- 4.5 Both the Code of Best Practice on Mobile Network Development in England 2013 and the National Planning Policy Framework (NPPF) require design to be a key consideration. Indeed the Code states that "*...good siting and design should not only be respected in environmentally sensitive areas but should also be applied to all telecommunications development. In all circumstances, the sensitivity to context of the proposed development should be considered*". The applicants have been asked to consider alternative designs; however they consider that the proposed mast which is considered to be a so-called 'stealth' design is the best approach both visually and technically.
- 4.6 Notwithstanding the Applicant's assertions, it is considered that the design and siting of proposed mast would adversely impact of the character and visual amenity of the area and townscape and would directly conflict with Policy SAL.CC5 of the Adopted Wyre Forest Site Allocations and Policies Local Plan and the NPPF which requires that: "*Where new sites are required, equipment should be sympathetically designed and camouflaged where appropriate*".

16/0566/FULL

NEED FOR DEVELOPMENT, ALTERNATIVE SITES AND DESIGN

- 4.7 Whilst need is identified within Policy SAL.CC5 of the Adopted Wyre Forest Site Allocations and Policies Local Plan, there is still a requirement for Policies to be in conformity with NPPF, which states at paragraph 46:

“Local planning authorities must determine applications on planning grounds. They should not seek to prevent competition between different operators, question the need for the telecommunications system....”

- 4.8 The submission sets out the need for mast as being required to provide coverage and capacity uplift within the area. This requirement is stated as being due to poor coverage and increased demands for 2G, 3G and 4G service. Coverage plots have been provided to demonstrate that the proposed mast will help achieve ‘dense urban’ coverage principally across the Comberton and Offmore areas. This need has been questioned by some residents with reference being made to the coverage shown on Ofcom’s website. Taking account of advice in the NPPF, the Local Planning Authority cannot question the need for the development. However, the matter has been put to the Applicant’s Agent who states that *“the applicant is going to great expense to improve coverage in the area which would be counter intuitive if there was already sufficient coverage in the area.”* Despite this somewhat basis response, I am satisfied that need has been demonstrated to a level acceptable under Government guidance.
- 4.9 The location of the mast has been determined following a search for alternative sites. This applicant has dismissed the following sites for technical or planning reasons:

1. Holy Trinity School
2. King Charles I Secondary School
3. St. Chads Church
4. Chester Road Bowling Club
5. Chester Road North Streetworks Option
6. Mast sharing at Waterloo Street

It is concluded that the proposed mast is the best option technically.

- 4.10 The NPPF at paragraph 43 requires Local Planning Authorities to *“...aim to keep the numbers of radio and telecommunications masts and the sites for such installations to a minimum consistent with the efficient operation of the network. Existing masts, buildings and other structures should be used, unless the need for a new site has been justified.”*

16/0566/FULL

- 4.11 Whilst some alternative sites have been considered I am unconvinced that all possible alternatives have been exhausted. The Code of Best Practice on Mobile Network Development in England lists a new base mast as the final alternative with preference given to mast sharing, utilising buildings or other structure and camouflaging through use of other structures. It acknowledged that “...there will still be instances when there is no viable alternative to a free standing ground based mast.” However it sets out a number of ways that the impact can be reduced. It is considered that the Applicants have not conducted a thorough search or exhausted all alternatives in line with the NPPF and the Code of Best Practice. The Applicant’s Agent is to submit a further statement to support their site choice; this will be updated via the Addenda and Corrections Sheet. However, at this moment in time I consider that the obligations in respect of alternatives sites or design have not been met.

HEALTH CONSIDERATIONS

- 4.12 The main thrust of the a number of the objections from residents are based around potential health concerns of this type of facility. In the light of growing concern about possible health effects of exposure to signals transmitted and received by telecommunication masts, the Government in 1999 asked the National Radiological Protection Boards (NRPB) to set up an independent expert group on mobile phones. This group, under the chairmanship of Sir William Stewart, considered concerns about health effects from the use of mobile phones and published a report now commonly known as ‘The Stewart Report’ (2000). The report concluded that the balance of evidence indicated that there is no general risk to the health of people living near to base stations on the basis that exposures are expected to be small fractions of the guidelines. However, the report acknowledges that there can be indirect adverse effects on people’s wellbeing in some cases, for example, the anxiety that some people may feel due to the perceived loss of amenity, reduction in property values and feelings of exclusion and disempowerment by the Planning System.
- 4.13 The independent expert group recommended a precautionary approach, comprising a series of specific measures to the use of mobile phone technologies until there is more detailed and scientifically robust information on any health effects. The Government accepted this precautionary approach and a number of specific recommendations relating to the group report. In accordance with this precautionary approach, the Agent, on behalf of the Applicant, has submitted a statement of declaration of conformity with the International Commission on Non-ionising Radiation Protection (ICNIRP).
- 4.14 The NPPF states at paragraph 46:
- “Local planning authorities must determine applications on planning grounds. They should not seek to prevent competition between different operators, question the need for the telecommunications system, or determine health safeguards if the proposal meets International Commission guidelines for public exposure.”*

16/0566/FULL

- 4.15 In this regard Members' attention is also drawn to two previous notification appeal decisions relating to applications refused on health grounds within the District. Firstly, with respect to a 6 metre pole at Stourport Workmen's Club was refused due to the perceived health concerns of the public and the psychological harm that may be caused to residents in close proximity to the mast and also due to the proximity of the site to schools (Reference WF(T)101). The Inspector remarked in allowing the appeal that:

"The Council feels that the perceived health risks are due to the gaps in knowledge regarding the potential effects on health due to the relatively short period that mobile phones have been in general use. ...

On balance, however, and bearing in mind that there is little objective evidence to support local fears, and that the omissions from the mast would be well within the ICNIRP guidelines, I do not consider that health concerns of the Council and the residents are sufficient to justify refusing planning permission." (22nd July 2005)

- 4.16 Secondly, a 8.15m high wooden telegraph pole style monopole at the Scout Camp, Kidderminster Road, Bewdley (WF(T)92) was refused due to the perceived health concerns arising from the proximity of the equipment to the Scout Camp, a facility used by young people, especially children. In the Inspector's decision which allowed the development he stated:

"The evidence in this case is that the proposed installation has been designed to fully comply with the ICNIRP guidelines. In view of this, and the rural location of the site, I find no justification to refuse prior approval for the siting and appearance of the installation, on grounds of adverse health effects or concerns about them". (February 2006).

- 4.17 Whilst masts have exclusion zones these are centred around the antennas and as such the general public cannot normally approach areas designated as exclusion zones around base station antennas because the antennas tend to be mounted at the top of masts. Details of the exclusion zone for this mast have been submitted and it has been demonstrated that the publically accessible areas will meet the public exposure guidelines. In the light of Government Guidance in the NPPF, evidence from independent reports and a declaration of conformity with the ICNIRP public exposure guidelines, it is considered that whilst health concerns raised are material to the consideration of the current proposal, they cannot be given such weight as to form a reason for refusal.

16/0566/FULL

HUMAN RIGHTS ACT

- 4.18 A number of third parties have referenced the Human Rights Act 1998 and the inference of the right to privacy and home life (Article 8) and the right to property (Article 1). This has been considered by a number of court cases and planning appeals. To engage Article 8 (on the basis of an allegation of detriment to health) requires that the claimants show that they are "*exposed ... personally to a danger that was not only serious, but also specific, and above all, imminent*" [Balmer-Schafroth -v- Switzerland (1997)]. In respect of telecommunications masts, appeal decisions have concluded that adoption of the ICNIRP guidelines by the Stewart Report forms part of a precautionary approach, designed not only to exclude all risk of known adverse health effects, but also to minimise the risk of any potential but as yet unascertained health effects. Consequently, challenges to telecommunications proposals which comply with the ICNIRP guidelines will not normally be capable of meeting the Balmer-Schafroth test. On this basis I consider that even if approval were to be recommended Article 8 would not be violated.
- 4.19 In respect of property values the Planning Practice Guidance is clear that "*...the scope of what can constitute a material consideration is very wide and so the courts often do not indicate what cannot be a material consideration. However, in general they have taken the view that planning is concerned with land use in the public interest, so that the protection of purely private interests such as the impact of a development on the value of a neighbouring property ... could not be material considerations.*" With regard to any interference of Article 1 in a planning context it was stated in Lough v First Secretary of State and others [2004] "*A loss of value in itself does not involve a loss of privacy or amenity and it does not affect the peaceful enjoyment of possessions. Diminution of value in itself is not a loss contemplated by the Articles in this context.*" Issues around property value must be looked at in this context and even if approval were to be recommended the Article 1 rights would not be infringed.

OTHER ISSUES

- 4.20 One resident states the proposed location of the mast is over the drainage facilities and services for the clubhouse. The Applicant's Agent has responded to this concern confirming that a root foundation will be used and is confident the installation would not affect services to the club. This is in any event a detailed matter which is purely between the club and the operator.
- 4.21 The submission also refers to the enumeration that would be given to the club and the community benefits that could ensue from regular income. Indeed the application is supported by a letter of endorsement from the Sports and Social Club. This is a material consideration of limited weight and has to be taken as part of the overall planning balance.

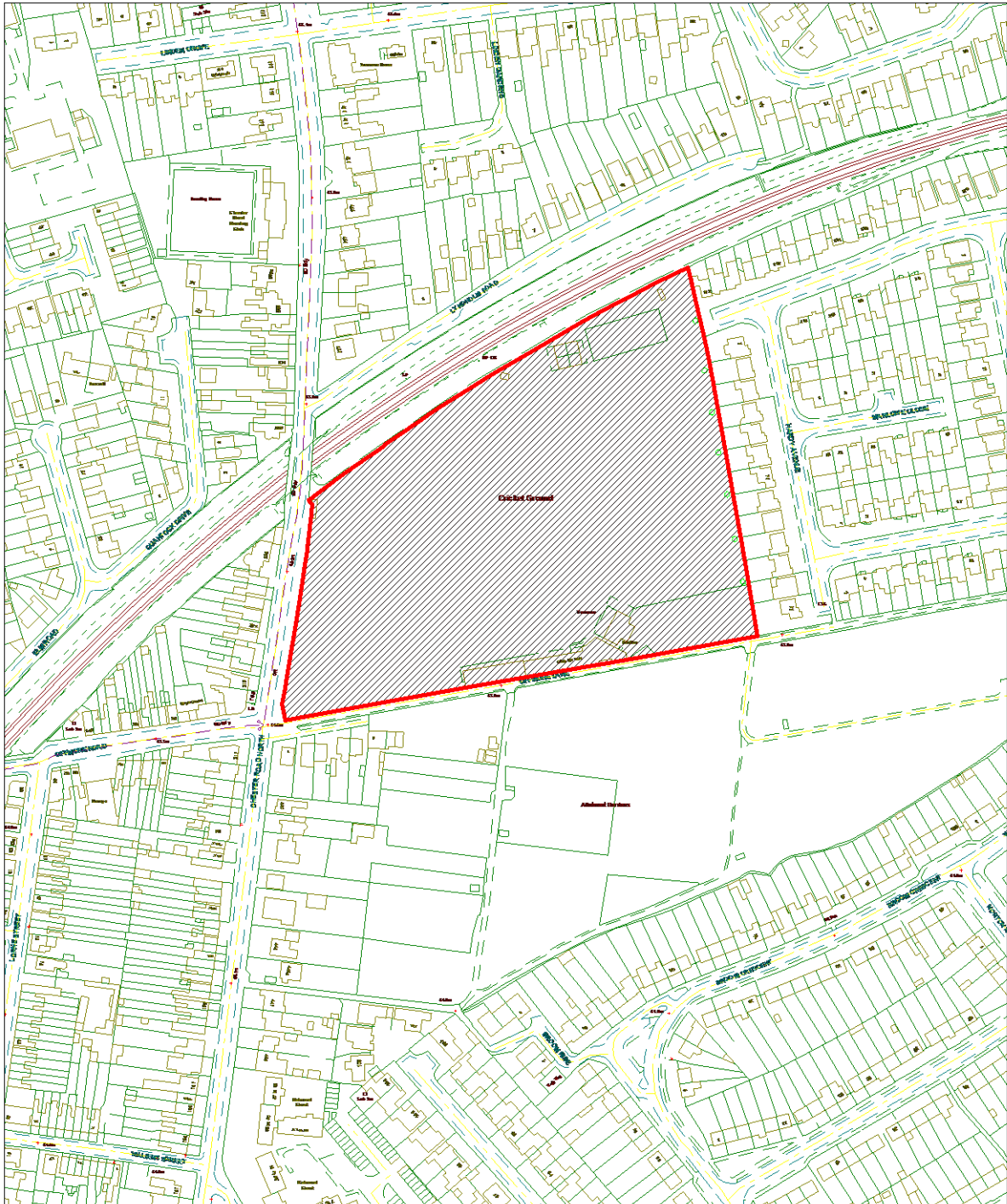
16/0566/FULL

PLANNING BALANCE

- 4.22 The requirements for “...*local planning authorities [to] support the expansion of electronic communications networks, including telecommunications and high speed broadband*” [NPPF paragraph 43] is clearly set out in Government advice. However it is clear that this should not be at the expense of other material considerations. As such the need for the development both from a local and national perspective along with the financial benefits to the Club must be weighed against the harm that has been identified to the character of the local area.
- 4.23 Having considered all aspects of this case I have to conclude that the impact of the telecommunications mast on the character of the area is of significant weight and that the positive arguments in favour of the development will not outweigh this harm. The requirements of Policy SAL.CC5 of the Adopted Wyre Forest Site Allocations and Policies Local Plan have not been met and as such the proposal fails on this basis.

5.0 Conclusions and Recommendations

- 5.1 The proposed mast would cause harm to the character of the surrounding area and would be unacceptable in siting and design. The positive arguments in favour of the mast would not outweigh this harm.
- 5.2 Other matters that have been raised such as health concerns and loss of property value have been considered but, for the reasons set out above, do not amount to additional refusal reasons.
- 5.3 It is therefore recommended that the application be **REFUSED** for the following reason:
1. The proposed telecommunications mast, by virtue of its siting and design, would create an uncharacteristic feature within the locality adversely impacting of the character and visual amenity of the area and townscape. To approve the development in these circumstances would directly conflict with Policy SAL.CC5 of the Adopted Wyre Forest Site Allocations and Policies Local Plan and advice in the National Planning Policy Framework.



ECONOMIC PROSPERITY AND PLACE DIRECTORATE

CHESTER ROAD SPORTS & SOCIAL CLUB
CHESTER ROAD NORTH, KIDDERMINSTER, DY10 1TH

Date:- 01 November 2016 Scale:- 1:2500 OS Sheet:- SO8476NW Crown Copyright 100018317 2014
 Wyre Forest House, Finepoint Way, Kidderminster, Worcs. DY11 7WF Telephone: 01562 732928. Fax: 01562 732556



Application Reference: 16/0593/FULL	Date Received: 07/10/2016
Ord Sheet: 379658 276162	Expiry Date: 02/12/2016
Case Officer: Tom Cannon	Ward: Wribbenhall & Arley

Proposal: Rear extension, conversion and alterations to existing garage

Site Address: 4 MEADOW VIEW, BEWDLEY DY12 1JP

Applicant: Mr & Mrs Higson

Summary of Policy	CP11 (CS) SAL.UP7, SAL.UP8 (SAAPLP) Section 7 (NPPF) Planning Practice Guidance (PPG)
Reason for Referral to Committee	Third party has registered to speak at Committee
Recommendation	APPROVAL

1.0 Site Location and Description

1.1 No 6 Meadow Rise is situated in a predominately residential area on the north-eastern edge of Bewdley. Houses in Meadow Rise are similar in their design and form, comprising primarily of modern detached dwellings with prominent front facing gables.

2.0 Planning History

2.1 None relevant.

3.0 Consultations and Representations

3.1 Bewdley Town Council – Comments awaited.

3.2 Neighbour/Site Notice – The following concerns have been raised by the neighbour:

- Loss of privacy;
- Impact on the foundations of No 6;
- Maintenance issues;
- Security concerns;
- Plans do not show the current layout of No 6 (i.e. the garage is now a bedroom with a rear facing window).

16/0593/FULL

4.0 Officer Comments

4.1 The main issues in this case are:

- The effect of the proposal on the character and appearance of the host dwelling and surrounding area; and
- The effect of the proposed development on the living conditions of nearby residents, with particular regard to its visual effect, daylight, privacy, maintenance issues, and the impact on the structural integrity of adjacent buildings.

CHARACTER AND APPEARANCE

4.2 The host dwelling is one of three detached houses situated on the northern side of Meadow Rise. The properties have existing flat roof single garages which project out to the rear. This application seeks to extend the existing house out to the rear, incorporating the existing garage to provide additional ground floor living space. Due to its modest size and simple flat roof design, the proposed single storey extension would reflect the scale and form of the original property. Its position at the rear of the property would also restrict its impact within the surrounding streetscape. Thus, the proposal would accord with Policies SAL.UP7 and SAL.UP8 of the Site Allocations and Policies Local Plan (SAAPLP) which, amongst other things requires that development is subservient to the original dwelling and harmonises with its surroundings.

LIVING CONDITIONS

4.3 The proposal would increase the height of the existing garage which extends along the boundary with No 2 Meadow Rise by 500mm. I am also mindful that the neighbouring property sits on slightly lower ground and has two rear facing windows, both serving a lounge. However, given the modest increase in the height of the existing structure, this element of the scheme would not appear unduly overbearing or materially affect the level of daylight received into the rear facing windows and garden of No 2. Any potential overlooking of No 6 Meadow Rise would also be screened by their existing garage which is positioned along the boundary with the host dwelling. In these respects, the development would comply with Policies SAL.UP7 and SAL.UP8 of the SAAPLP which require that proposals do not have a serious adverse effect on the amenity of neighbouring residents.

4.4 Concerns have also been raised regarding the potential impact on the structural integrity of No 6, and the existing occupier's ability to maintain the area between their bedroom extension and the proposed single storey addition. However, these are civil matters or issues which are controlled by separate legislation (i.e. The Party Wall Act). Given the layout of the proposed extension and its relationship to No 6, I see no reason why the development would compromise the security of adjacent occupiers. In reaching the above conclusions, I have also taken account of the existing layout of No 6.

16/0593/FULL

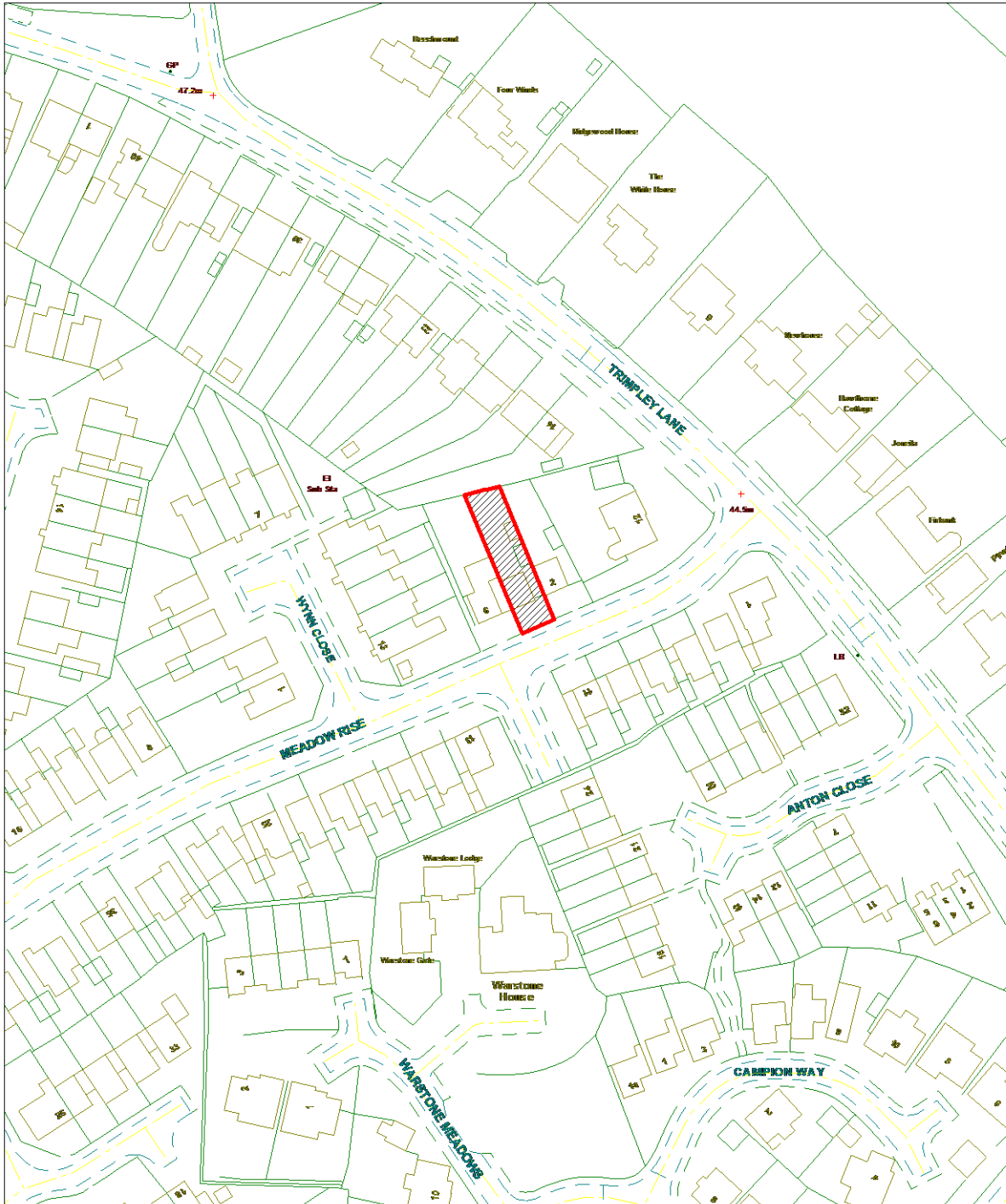
OTHER MATTERS

- 4.5 Although the proposal would involve the conversion of the existing detached garage, adequate on-site parking provision would be retained on the driveway of the property to accord with guidance in the County Council's Interim Parking Standards Supplementary Planning Document.

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)
3. Matching materials



ECONOMIC PROSPERITY AND PLACE DIRECTORATE

**4 MEADOW RISE
BEWDLEY, DY12 1JP**

Date:- 01 November 2016 Scale:- 1:1250 OS Sheet:- S07976SE Crown Copyright 100018317 2014
Wyre Forest House, Finepoint Way, Kidderminster, Worcs. DY11 7WF Telephone: 01562 732928. Fax: 01562 732556



WYRE FOREST DISTRICT COUNCIL

PLANNING COMMITTEE
15TH NOVEMBER 2016

PART B

Application Reference:	16/0368/FULL	Date Received:	20/06/2016
Ord Sheet:	388359 272594	Expiry Date:	15/08/2016
Case Officer:	Emma Anning	Ward:	Wyre Forest Rural

Proposal: Demolition of the Chaddesley Driers building and the construction of a new dwelling.

Site Address: CHADDESLEY DRIERS, LONG MORE, CAKEBOLE LANE, CHADDESLEY CORBETT, KIDDERMINSTER, DY104RE

Applicant: Mrs S Hopkins

Summary of Policy	DS01, DS04, DS05, CP01, CP02, CP03, CP05, CP11, CP12, CP14 (CS) SAL.PFSD1, SAL.DPL1, SAL.DPL2, SAL.DPL4, SAL.CC1, SAL.CC2, SAL.CC7, SAL.UP1, SAL.UP5, SAL.UP7, SAL.UP9, SAL.UP11 (SAAPLP) CC1, CC2, CC4, CC5, CC8, CC9, CC10, CC12 (Chaddesley Corbett Neighbourhood Plan) Sections 4, 6, 7, 9, 11 (NPPF)
Reason for Referral to Committee	Statutory or non-statutory Consultee has objected and the application is recommended for approval
Recommendation	APPROVAL

1.0 Site Location and Description

1.1 The application site sits off Cakebole Lane in Chaddesley Corbett, approximately 1 mile from the village centre. The site measures 0.2hectares and is currently occupied by a detached building of corrugated sheets over a metal frame, occupying a footprint of 381sq.m. The building was formerly used for grass drying and the refurbishment and storage of horse boxes. The site is washed over by the Green Belt.

16/0368/FULL

- 1.2 Surrounding the application site on the north eastern boundary is a substantial Leylandii screen which separates the application site from Longmore Farm which boasts a range of former barns which have previously been converted to residential use. The single storey garages associated with the barn run along the shared boundary. To the north-west and south-west boundaries the site is open to the countryside beyond (save for some mature vegetation). Cakebole Lane runs across the south-east site boundary from which access/egress to the site is gained.

2.0 Planning History

- 2.1 WF.0970/02 - Certificate of Lawfulness (for proposed use) : Classes B2, B8 and agricultural contracting to enable a use for repair/refurbishment of horse boxes and agricultural contracting : Approved
- 2.2 WF.700/04 - Erection of three detached houses (demolition of existing buildings/structures) : Withdrawn
- 2.3 WF.858/04 - Erection of new level fill grainstore (630 square metres). (Eaves height 6.096 metres.) : Approved
- 2.4 WF.1212/04 - Erection of two detached houses (demolition of existing buildings/structures) : Refused; Appeal Dismissed
- 2.5 15/0527/FULL - Demolition of the Chaddesley Driers building and the construction of a new dwelling : Withdrawn

3.0 Consultations and Representations

- 3.1 Chaddesley Corbett Parish Council : ORIGINAL PLANS - Objects to the design of the proposed building, which should incorporate a more vernacular choice of materials in a design which more closely fits in with the "grain" of the surrounding area and properties. The applicant should be referred to the Neighbourhood Plan Design Criteria in Policy CC10.
REVISED PLANS – Views awaited
- 3.2 Highway Authority – No objection to the proposed development from a highways point of view.
- 3.3 Arboricultural Officer - Following receipt of the revised plan, I am now happy to recommend approval as long as a Tree Protection Plan (in accordance with BS 2012) is requested as a condition.

16/0368/FULL

- 3.4 Countryside Conservation Officer – There is a pool immediately adjacent and a habitat of scrub with tipped and stacked materials on site.

The application was accompanied by an ecological report that highlights potential areas of ecological concern and has also recommended a large number of mitigation / enhancement measures. We understand how the applicant is proposing to take these measures into consideration. It would be good to see these measures listed and shown on a plan. As always our preferred approach would be to see these measures where appropriate built into the fabric of the building.

Whilst the majority of these concerns were dealt with in appropriate depth, additional rationale was required to support the conclusions that there is no potential for great crested newt and other reptiles on site.

- 3.5 Conservation Officer : Informal advice regarding proposed revised plans - From a design perspective this approach is much more appropriate for the location and will assimilate comfortably into the landscape. I have no objections to a stone chimney nor to stone being used for feature panels on the building or to reinforce features if the applicant wishes. The moveable louvers reference traditional farm buildings and barn doors and these are also an appropriate feature.

(Officer Comment - Formal (final) comments of the submitted plans will be reported to Committee via the Addenda and Corrections Sheet)

- 3.6 Neighbour/Site Notice – One neighbour objection received. The main matters raised are summarised as follows:
- The development is still as modern and futuristic as the previous scheme [prior to the revised plans being submitted]
 - The plans do not comply with the Chaddesley Corbett Neighbourhood Plan as they are not sympathetic or complementary to any buildings in the local area.

4.0 Officer Comments

PROPOSAL

- 4.1 Planning permission is sought for the redevelopment of the former 'Chaddesley Driers' site comprising the demolition of the existing building and its replacement with an architect designed bespoke dwelling and associated landscaping works.

16/0368/FULL

- 4.2 The replacement building is proposed as a reverse L-shaped property, the long arm of the 'L' being a two storey element comprising the main living accommodation and the short arm being given over to a double garage to serve the property. The dwelling would be of traditional proportions being a gable ended structure with a pitched roof, similar to the adjacent barns and garaging. To further reflect the local vernacular the finish is proposed to be a mix of brickwork, timber and slates for the roof. The existing building occupies a central position on the application site whereas it is proposed that the new building be located further towards the north-east and south-east boundaries resulting in a separation distance of 8m and 8-10m with respect to the aforementioned boundaries. Access to the site off Cakebole Lane would remain as existing. The remainder of the site would be cleared and re-landscaped with the existing mature trees to the boundaries being retained.

PRINCIPLE OF DEVELOPMENT

- 4.3 The application site is washed over by the West Midlands Green Belt and as such strict regard must be had to whether the proposal would constitute appropriate development in principle and if not, whether there are any very special circumstances (VSC) which would outweigh any harm by definition and any other harm. Policy SAL.UP1 of the Site Allocations and Policies Local Plan (SAAPLP) refers specifically to development in the Green Belt and is clear that the proposed redevelopment of a previously developed site is acceptable in accordance with the requirements of Policy SAL.PDS1 of the Site Allocations and Policies Local Plan document, this site being an 'other' previously developed site in the Green Belt outside of those referenced specifically by the policy.
- 4.4 I consider the application site to meet the definition of an 'other' previously developed site in accordance with the definition of Previously Developed Land (PDL) as set out at Annex 2 of the National Planning Policy Framework (NPPF) and as such I consider that the redevelopment of the site would accord with the principles of Policies SAL.UP1 and SAL.PDS1 of the SAAPLP and the general spirit of Green Belt policy established in the NPPF.
- 4.5 Similarly Policy CC1 of the Chaddesley Corbett Neighbourhood plan, which sets the criteria for assessing the suitability of housing sites, requires that the site be a brownfield site, no larger than a small infill site, located within or adjacent to an existing settlement (not an isolated site) and should avoid extending ribbon development. I consider that the site therefore meets the criteria set out in the plan relative to sites for new residential development. The fact that the Parish Council does not raise any objection to the principle of the proposal lends strength to this conclusion.

16/0368/FULL

- 4.6 Whilst the proposal would clearly meet the aims of the development plan relative to the location of new residential development the proposal, in order to avoid constituting inappropriate development in the Green Belt, must demonstrate that there would be no harm to openness; no conflict with the purposes of including land in the Green Belt; no harm to visual amenity by virtue of their siting, materials or design, unless there are very special circumstances (VSC) which exist to outweigh the harm caused. Each matter is discussed in turn below.

OPENESS

- 4.7 In order to assess the impact of the proposed development on the openness and visual amenity of the Green Belt a quantitative analysis of the amount of existing and proposed development is set out below. This is supplemented by a qualitative analysis of the visual impacts to the Green Belt and surrounds.

	Footprint	Floorspace	Volume	Max. Height
Existing	381sq.m	381sq.m	2085cu.m	10m
Proposed	260.2sq.m	325sq.m	1310cu.m	9.6m
+/-	-32%	-14%	-38%	-0.4m

- 4.8 It is clear from the figures above that the proposal represents a reduction in terms of the quantum of development, in all aspects, which would occupy the site. In this respect, I am satisfied that the impact of the proposal on the openness of the Green Belt would be less than compared with the building which is on site at present, especially considering the reduction (albeit slight) in height and the reduction in volume.
- 4.9 The SAAPLP, in accordance with the NPPF, seeks to preserve the fundamental aims of the Green Belt. The proposed redevelopment of an existing previously developed site would not conflict with the five purposes of including land in the Green Belt and therefore is acceptable in this respect.
- 4.10 For the reasons set out above the proposal is considered to constitute appropriate development in the Green Belt. This being the case, there is no need to demonstrate or consider VSCs.

VISUAL AMENITY

- 4.11 The design of the proposed dwelling has been revised in response to comments from the Conservation Officer and Parish Council relating to design, in particular the use of materials deemed to be out of keeping with the local vernacular (natural stone). The revised plans have been given careful consideration and are now found to be acceptable.

16/0368/FULL

- 4.12 The proposed revisions which include a revised materials palette are much more in keeping with the traditional buildings which sit adjacent to the proposed development. Being of similar design and finish to the existing built form will allow the proposed dwelling to better integrate with the existing landscape, thus overcoming the concerns expressed by the Parish Council relating to the original plans and Policy CC10 of the Chaddesley Corbett Neighbourhood Plan.
- 4.13 The comments of the Conservation Officer as detailed above confirm this viewpoint. Any further detailed comments received from the Conservation Officer or Chaddesley Corbett Parish Council will be reported to Committee via the Addenda and Corrections Sheet.
- 4.14 It is my opinion that the proposed plans would offer substantial visual improvement to the site which, at present, detracts from the visual amenity of the locality.

IMPACT ON NEIGHBOUR AMENITY

- 4.15 The nearest neighbouring residential properties are those at Longmore Farm. The proposed plans show that there would be windows serving principal habitable rooms facing towards Longmore Farm, however the siting of the proposed dwelling would result in the separation distance to the shared boundary being approximately 8m. Given that the shared boundary benefits from a substantial Leylandii screen (which is proposed to be retained) and that the window-to-window distances between the proposed dwelling and the existing properties would be in excess of 33m, I am satisfied that the proposal would not result in the amenity of existing neighbouring occupiers being adversely affected.

HIGHWAY SAFETY

- 4.16 The proposal is to utilise the existing site access off Cakebole Lane and to provide garaging and on-site car parking. The 'no objection' comments of the Highway Authority provide confirmation that the proposal would be acceptable in highway safety terms and would not give rise to a situation which would compromise highway safety. The proposal is therefore acceptable in this respect.

ECOLOGY & BIODIVERSITY

- 4.17 The Council's Countryside Conservation Officer identified the site as having habitat potential due to the presence of a pool, scrub and areas of tipped and stacked materials on site, and as such the application was submitted with an Ecology Report. The comments of the Countryside Conservation Officer confirm that, subject to additional information being secured by condition.
- 4.18 Similarly the Council's Arboricultural Officer is satisfied that, subject to a condition requiring a tree protection plan, the development can proceed without significant harm being caused to retained trees on site. I consider therefore, based on the professional advice of both officers, that the proposal is capable of being carried out without harm to ecology and biodiversity.

16/0368/FULL

5.0 Conclusions and Recommendations

- 5.1 The proposal represents appropriate development in the Green Belt which would offer benefits to both openness and visual amenity. The proposal is capable of implementation without harm to highway safety or ecology and biodiversity.
- 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 to be agreed
 4. Tree protection plan
 5. Removal of tipped material and rubble to be supervised by ecologist
 6. Details of ecological enhancement/mitigation as set out in the Ecology Survey to be strictly applied
 7. Detailed plans to demonstrate the measures to be implemented to be agreed

Application Reference:	16/0532/FULL	Date Received:	09/09/2016
Ord Sheet:	383713 277607	Expiry Date:	04/11/2016
Case Officer:	Tom Cannon	Ward:	Broadwaters

Proposal: Detached building in rear garden

Site Address: 16 THE FOXHOLES, KIDDERMINSTER DY10 2QR

Applicant: Downs and Mayson

Summary of Policy	CP11 (CS) SAL.UP7, 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 The application site is situated in The Foxholes, a pleasant residential street comprising of inter-war semi-detached and terraced properties arranged in a linear pattern. Although houses in The Foxholes have long, narrow gardens, the largely open character of these spaces is punctuated by a variety of domestic outbuildings, including the existing shed serving the host dwelling.

2.0 Planning History

2.1 None relevant.

3.0 Consultations and Representations

3.1 Kidderminster Town Council – Recommend refusal. Insufficient detail to establish the impact of the proposal on neighbouring properties.

3.2 Neighbour/Site Notice – Objection received from neighbour raising concerns regarding potential overlooking; the use of the building; and, drainage issues

16/0532/FULL

4.0 Officer Comments

4.1 The main issues in this case are:

- the effect of the proposed development on the living conditions of nearby residents, with particular regard to privacy, the proposed use of the building and foul and surface water disposal; and
- the effect of the proposal on the character and appearance of the area.

LIVING CONDITIONS

4.2 The proposed outbuilding would be positioned at the end of the long rear garden serving No 16, some distance from adjacent houses. The existing boundary treatments between properties would also restrict any potential overlooking gardens from the windows/french doors in the front elevation of the proposed structure. For these reasons, the development would not have a detrimental effect on the living conditions of nearby residents, with particular regard to privacy. As such, the proposal would accord with Policies SAL.UP7 and SAL.UP8 of the Site Allocations and Policies Local Plan which require that proposals do not have a serious adverse effect on the amenity of neighbouring residents.

4.3 Turning to the use of the building, the Applicant has confirmed that it would provide a games/hobbies room and therefore be used for purposes incidental to the enjoyment of the dwellinghouse. Given its modest size (5.8m x 4.8m), I consider that it would be too small to be used for non incidental purposes. Therefore, applying paragraph 206 of the National Planning Policy Framework (the Framework), it is neither necessary nor reasonable to impose a condition restricting the use of the building to incidental purposes only. Indeed, if it were to be used as self contained ancillary accommodation this would require the benefit of a further planning permission.

4.4 Concerns have also been raised regarding foul and surface water disposal. The applicant has confirmed that a sink would be installed in the building, with foul water discharged via a roddable gulley to the existing drain at the rear of the property. The additional load placed on the existing foul drainage system would therefore be negligible. In respect to surface water drainage, the submitted plans indicate that it would be disposed of via a new soakaway in the rear garden of the property. Consequently, adequate foul and surface water drainage provision would be provided without adversely affecting the main drainage system in the area.

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CHARACTER AND APPEARANCE

- 4.5 There are several detached outbuildings which interrupt the largely open character of rear gardens in The Foxholes. Whilst the proposed building would be slightly larger than the structure it would replace, its shallow roof pitch, modest scale and position alongside other existing outbuildings would ensure that the proposal maintains the established structure and pattern of the area. Thus, it would accord with Policies SAL.UP7 and SAL.UP8 of the Site Allocations and Policies Local Plan which, amongst other things, seeks to ensure that development is in keeping with the form and design of the host dwelling and harmonises with its surroundings.

5.0 Conclusions and Recommendations

- 5.1 For the reasons set out above, and having regard to all other matters raised, it is recommended that the application be **APPROVED** subject to the following conditions:
1. A6 (Full with no reserved matters)
 2. A11 (Approved plans)

Application Reference: 16/0542/FULL	Date Received: 15/09/2016
Ord Sheet: 381786 270097	Expiry Date: 10/11/2016
Case Officer: Paul Round	Ward: Mitton

Proposal: Change of use of B1 general industrial land to expand the current gypsy/traveller caravan park (Gatehouse Caravan Park) to create a further a maximum of 8 additional pitches

Site Address: GATEHOUSE CARAVAN PARK, NELSON ROAD, SANDY LANE INDUSTRIAL ESTATE, STOURPORT-ON-SEVERN, DY139QB

Applicant: Mr J Jones

Summary of Policy	CP02, CP03, CP06, CP08, CP11 (CS) SAL.DPL08, SAL.DPL10, SAL.GPB1, SAL.CC1, SAL.CC7, SAL.UP7, SAL.UP9 (SAAPLP)
Reason for Referral to Committee	Statutory or non-statutory Consultee has objected and the application is recommended for approval
Recommendation	APPROVAL

1.0 Site Location and Description

- 1.1 The site is located within the Sandy Lane Industrial Estate in Stourport on Severn. It is bounded by Sandy Lane to the west and Ward Road to the east. To the north lie two existing travellers' sites known as Nunns Corner and Gatehouse Caravan Park. To the south lies a storage yard.
- 1.2 The site is split in two halves; the lower being accessed from Sandy Lane and the upper from Ward Road. The whole site is allocated for industrial purposes within the Adopted Wyre Forest Site Allocations and Policies Local Plan (SAAPLP) and is identified as being at risk of flooding (Flood Zone 3).
- 1.3 The application seeks approval for an extension to the existing Gatehouse Caravan Park to provide additional pitches. During the consideration of the application the development has been carried out and the site partially occupied due to the immediate need of the occupiers.

2.0 Planning History

ON THE APPLICATION SITE

- 2.1 WF.649/90 – Three Industrial Buildings : Approved 06/11/1990
- 2.2 WF.196/00 – Office Building : Approved 25/05/2000.

16/0542/FULL

ON THE ADJACENT SITE

- 2.3 11/0110/FULL - Change of use to Gypsy Caravan Park with 8 pitches and amenity block for temporary two year period : Approved 23/11/2011
- 2.4 13/0501/FULL - Removal of Condition 1 of Planning Permission 11/0110/FULL to allow permanent occupation of gypsy caravan park : Approved 21/11/2013

3.0 Consultations and Representations

- 3.1 Stourport-on-Severn Town Council – No objections and recommend approval, although further clarification on the policy position was sought.
- 3.2 Highway Authority – No objection
- 3.3 Environment Agency – For completeness, we raised concerns in relation to planning applications on the adjacent site; planning references 11/0110/FULL and 13/0501/FULL. Based on Table 2 in the Flood Risk and Coastal Change Section of the National Planning Practice Guidance (NPPG) the proposed development appears to be classified as ‘Highly Vulnerable’; *caravans, mobile homes and park homes intended for permanent residential use*. With reference to Table 3 in the Flood Risk and Coastal Change section of the NPPG, development classified as ‘Highly Vulnerable’ should not be permitted in Flood Zone 3. You may wish to refuse the application on this basis. In accordance with Table 3 in the Flood Risk and Coastal Change section of the NPPG and paragraphs 99-103 of the National Planning Policy Framework (NPPF), based on the information submitted we object to the proposed development. Should your Council be minded to approve the application we would request that you inform us of this with your reasons why so that we can make further comments.
- 3.4 Strategic Housing Services Manager - The most recent Gypsy and Traveller Accommodation Assessment has not identified a general need for additional pitches until beyond 2018. However, there is a specific need for pitches to address the needs of one particular family who have been unable to secure pitches on any of the existing sites within the District. I would therefore support the provision of additional units on this site if that specific family were to be able to access the pitches on this site.
- 3.5 North Worcestershire Water Management - The site is at risk of flooding (Flood Zone 3) and the information submitted gives insufficient reassurance that the requirements of the site licence can be met. However, given the nature of the application and the known immediate needs, there is no objection to the application subject to:
1. The submission of a flood evacuation plan
 2. Limiting the use of the site to touring caravans only
 3. The provision and maintenance of pedestrian route to Ward Road

16/0542/FULL

4. No increase in levels on the site
 5. Details of boundary treatment that allows flood waters to enter the site
 6. Note in respect of licence arrangements
- 3.6 Planning Policy Manager - Policy SAL.DPL10 states that additional sites within this area will be resisted, however the proposal is on land which is adjacent to an existing site and there is an identified need for these additional pitches. No issues are raised from Planning Policy.
- 3.7 Neighbour/Site Notice – No representations received.

4.0 Officer Comments

ALLOCATION AND POLICY CONTEXT

- 4.1 Policy CP06 of the Adopted Wyre Forest Core Strategy sets out the strategic approach to the allocation of Gypsy and Traveller sites with Policy SAL.DPL10 of the Adopted Wyre Forest Site Allocations and Policies Local Plan (SAAPLP) providing the detailed considerations for determining planning applications.
- 4.2 In respect of the sequential location of pitches, Section 3 of Policy SAL.DPL10 seeks, as a priority, that sites that are previously developed and within Kidderminster or Stourport will be preferential. The application site falls within this definition and as such it meets the sequential test. As set out by the Strategic Housing Services Manager, the Gypsy and Traveller Area Assessment has identified a need for pitches from 2018, however there is an identified immediate need for pitches locally. As such I am satisfied that the application and location is a direct response to this need and that there are no other suitable or sequential preferable sites immediately available.
- 4.3 Section 1 of Policy SAL.DPL10 provides the circumstances where land not allocated for Gypsy and Traveller sites can be approved. Taking account of the eight criteria within the policy the site would only fail on point viii., which requires sites to not fall within areas at higher risk of flooding. This issue is discussed in greater detail at later in this report.
- 4.4 Finally, section 4 of SAL.DPL10 states: *“In order to maintain a balance between employment and residential uses, and to ensure that the cumulative impact of Gypsy sites within the Sandy Lane area of Stourport-on-Severn does not dominate the area, further planning applications for gypsy and traveller sites within this area will be resisted...”*

It is clear that the Adopted Local Plan’s approach is to resist new sites within the Sandy Lane Industrial Estate to ensure the balance between employment and residential sites.

16/0542/FULL

Whilst the proposal might be interpreted as a new site, the application is for an extension to an existing site and will be visually read as part of the existing two allocated sites. The size of the site will not in my opinion significantly alter the balance between employment and residential in an adverse way.

Given the support from the Planning Policy Manager and the considerations of immediate need and location I am satisfied that integrity of the existing industrial estate will not be compromised through the additional pitches.

- 4.5 On this basis it is considered that, subject to the consideration on flood risk, the site is acceptable in policy terms.

FLOOD RISK

- 4.6 Longstanding Members may recall the planning applications for the adjacent site submitted in 2011 and 2013 for 8 pitches. Whilst the application was at risk of flooding the application was approved for the following reasons:

- i) an identified need for pitches;
- ii) the location of the site adjacent to a tolerated site within the same flood zone;
- iii) the early warning of potential flooding from the River Severn to allow occupiers to evacuate the site; and
- iv) the lack of alternative sites to outweigh the risk of flooding

- 4.7 In similar vein to 2011 and 2013 the Environment Agency has objected to the application, although a 'no objection' response has been received from North Worcestershire Water Management. The application site is at the same level as the Gatehouse Caravan Site and would therefore be at the same level of flood risk. Since 2013 the Environment Agency has adjusted the allowance for climate change and therefore consideration must be given to a greater amount of flood water as part of this application. When taking account of all aspects it is anticipated that the lower part of the site will be under approximately 900mm of water in a 1 in 100 year event, with the upper site unaffected.

- 4.8 Notwithstanding the flood risk for the lower half of the site, it is considered that the site will not be at any greater risk than that of the existing site. When taking account of the history of the site the same four reasons apply to this site. North Worcestershire Water Management has set out a number of conditions which make the site acceptable. Given the early warning of potential flooding of the Severn, the use of the site for only touring caravans will allow residents to vacate the site before flooding occurs. In addition steps between the two levels provide dry access for pedestrians should escape be needed.

- 4.9 The considerations as set out above have been fully considered including the concerns of the Environment Agency along with the comments from North Worcestershire Water Management, and will be considered alongside the planning balance.

16/0542/FULL

OTHER MATTERS

- 4.10 Access to the site will be from Sandy Lane and Ward Road. Both access points are acceptable and a 'no objection' response has been received from the Highway Authority.
- 4.11 Whilst there are some concerns over the layout of the site, the application is for the use of the site with any detailed considerations of layout being determined as part of the site licence. The application is for up to 8 pitches with the final number being determined by the site licence, which can be a conditional matter.

PLANNING BALANCE

- 4.12 When taking account of the site allocation and the flood risk nature of the site there are some concerns over the proposal. However when balanced against the immediate need for pitches; the sequentially preferable location of the site (being adjacent to other allocated sites); the early warning of potential flooding from the River Severn to allow occupiers to evacuate the site; the conditions proposed by North Worcestershire Water Management; and, the lack of alternative sites, it is concluded that the application should succeed.
- 4.13 Although it is acknowledged that the site is in response to a specific need, it is considered that a personal permission would not be justified given the need for sites in 2018 to which these pitches may be counted towards.

5.0 Conclusions and Recommendations

- 5.1 Having taken account of the allocation of the site and that it is at risk of flooding, it is considered that balanced against these matters, there are sufficient material planning reasons to support the application as submitted.
- 5.2 It is therefore recommended that the application be **APPROVED** subject to the following conditions:
1. A11 (Approved plans)
 2. The submission of a flood evacuation plan
 3. Limiting the use of the site to touring caravans only
 4. The provision and maintenance of pedestrian route to Ward Road
 5. No increase in levels on the site
 6. Details of boundary treatment that allows flood waters to enter the site
 7. Numbers limited to that approved under the site licence

Note

Licensing arrangements

WYRE FOREST DISTRICT COUNCIL

Planning Committee

15 November 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			Withdrawn 19/10/2016
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			Allowed 19/10/2016

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
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			
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			

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
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			
WFA1470 16/0257/FULL	APP/R1845/W/1 6/3158052	Mr & Mrs Ivan Shaw	LAND ADJOINING THE WOODLANDS WORCESTER ROAD CLENT STOURBRIDGE Dwelling with garage/garden store & studio over	WR 04/10/2016	08/11/2016			

Appeal Decision

Site visit made on 6 September 2016

by Jonathan Tudor BA (Hons), Solicitor (non-practising)

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

Decision date: 19 October 2016

Appeal Ref: APP/R1845/W/16/3151236

**Former Women's Royal Voluntary Service Hall, Lax Lane, Bewdley
DY12 2DZ**

- 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 Metro Realty Homes Limited against the decision of Wyre Forest District Council.
 - The application Ref 15/0329/FULL, dated 4 June 2015, was refused by notice dated 18 March 2016.
 - The development proposed is residential development comprising of 4no. dwellings with associated access and amenities.
-

Decision

1. The appeal is allowed and planning permission is granted for residential development comprising of 4no. dwellings with associated access and amenities at Former Women's Royal Voluntary Service Hall, Lax Lane, Bewdley DY12 2DZ in accordance with the terms of the application, Ref 15/0329/FULL, dated 4 June 2015, subject to the attached schedule of conditions.

Main Issue

2. The main issue is the effect of the proposed development on the character and appearance of the area, with particular regard to the adjacent Bewdley Conservation Area and the settings of nearby listed buildings.

Reasons

3. The four semi-detached townhouses would, according to the Council Officer's report, be about 1.8 metres higher than the properties to the immediate south east, being 20-24 Gardners Meadow. The appellant advises that the three storey design was partly informed by the location within a flood zone so habitable rooms have been situated on the upper floors. The red brick townhouses with brown/grey clay tiled roofs incorporate dormer windows and other features such as dental coursing characteristic of both historic and modern buildings in the area.
4. Three and four storey buildings are not uncommon in the wider locality. The townhouses would front onto Gardners Meadow and though the immediately adjacent dwellings are two storeys, there are three storey buildings within that area. The floor height of the development would also sit below existing floor heights along Gardners Meadow reducing the perception of its greater overall height. Gardners Meadow is a private road providing access for residents so public views from within that area would be more limited.

5. Though many of the buildings on Lax Lane are single storey, as the proposal is to the rear of existing buildings and the proposed houses would be side on to it, views of the development from Lax Lane would be limited. Overall therefore, I do not consider that the character and appearance of the immediate street scenes of Gardners Meadow or Lax Lane would be significantly adversely affected.
6. I now turn to consider the effect on Bewdley Conservation Area (CA), adjacent to the appeal site, and the settings of nearby listed buildings within the CA. The Planning (Listed Buildings and Conservation Areas) Act 1990 ss. 66(1) and 72(1) require that decision makers have special regard to the desirability of preserving the building or its setting and to preserving or enhancing the character and appearance of a conservation area. The 'setting' comprises the surroundings in which such heritage assets are experienced and can include views to and from the heritage asset.
7. The listed buildings on the northern side of Lower Park, though forming a dense set of facades, do benefit from private gardens and some undeveloped land to the rear which contributes to their settings. From the corner of Lax Lane and Severnside South there are views, between the built environment and mature trees, of parts of the upper storeys and roofs of the listed buildings in the distance. The proposed three storey townhouses, within a site abutting the CA and listed buildings, would be within the field of vision from that public vantage point. The development would also be visible, as accepted in the appellant's Heritage Statement, from the junction of Lax Lane and High Street as a back drop to 15 Lower Park.
8. It would also be seen looking towards Lower Park from the road within the Gardners Meadow development. Though this is a private road, Planning Practice Guidance (PPG)¹ states that the contribution that setting makes to the significance of the heritage asset does not necessarily depend on there being public rights or an ability to access or experience that setting as this will vary over time and according to circumstance.
9. The development would be visible from the rear upper floors of listed buildings on Lower Park, including Nos 15, 6 and 7, though some of the views would be oblique. Whilst such views can also be an aspect of 'setting', the skyline already consists of an existing built environment, including the houses in Gardners Meadow, and mature trees and vegetation. The current views outwards are, therefore, not open vistas of parkland which would be interrupted by the development. Rather, the development would form additional buildings in the skyline, though its greater height and proximity to the CA and listed buildings would give it some prominence.
10. Taking into account all of the above factors, I find that the development would cause some limited harm to the character and appearance of the adjacent CA and the settings of nearby listed buildings. As such, the proposal does conflict with Policy CP11 of the Wyre Forest District Council Core Strategy (2006-2026) (Adopted December 2010) (CS) and Policies SAL.UP6, SAL.UP7, and SAL.B2 of the Wyre Forest District Council Site Allocations and Policies Local Plan 2013 (LP), insofar as they seek to protect the character and appearance of the CA and the settings of listed buildings.

¹ Planning Practice Guidance: Conserving and Enhancing the Historic Environment ID: 18a-13-20140306

11. The National Planning Policy Framework (the Framework) is a material consideration in planning decisions. Paragraph 132 of the Framework says that when considering the impact of development on the significance of a designated heritage asset, great weight should be given to the asset's conservation. Though I have found some harm, for the reasons already explained, I consider that the harm would be less than substantial. That conclusion is shared by the Council. Paragraph 134 of the Framework says that where a development proposal would lead to less than substantial harm that harm should be weighed against the public benefits of the proposal.
12. The PPG states that public benefits could be anything that delivers economic, social or environmental progress as described in paragraph 7 of the Framework. In economic terms, the development would contribute to the economy by providing short term employment during construction and in the purchase of construction materials. Future residents would also be likely to contribute to the local economy and potentially to the locally available workforce.
13. Socially, it would contribute to the supply of quality housing with the provision of four townhouses in a suitable location with easy access to a range of local services. The appeal site is part of a site allocated for residential, business or community uses by Policy SAL.B2 of the LP and identified as suitable for residential use in the Strategic Housing Land Availability Assessment (SHLAA).
14. The development would also be in accord with one of the twelve core land-use planning principles, elucidated in paragraph 17 of the Framework, which encourages the effective use of land by re-using land that has been previously developed. In addition, there is public benefit in bringing a vacant site back into use which if left vacant for an extended period provides the potential for antisocial behaviour. Future residents would support the viability of local services and are likely to make a contribution to the community through interaction and involvement.
15. From an environmental perspective, as the development is only about 350 metres from the town centre it would increase the likelihood that future residents would make more journeys on foot or by bicycle rather than by private motor car, in accord with paragraph 30 of the Framework. The planting scheme would also contribute to the ecology of the site and help to mitigate any perceived negative visual effect. Cumulatively, I consider these benefits to be significant.
16. In conclusion, the harm that I have identified to the character and appearance of the adjacent CA and the settings of nearby listed buildings is very limited. Therefore, it is less than substantial harm and I consider that it is clearly outweighed by the overall public benefits of the proposal.

Other Matters

17. In addition to the main issues, local residents and groups have raised other matters. Concerns have been expressed about parking. As the proposal includes integral car ports and additional visitor parking spaces within the site, I do not consider that it would add to parking difficulties in the area. With regard to vehicle access, I note that the highway authority is satisfied with the proposed arrangements. It has also been suggested that four townhouses is excessive for the size of the site but the Council found the housing density

acceptable and I share the Council's view. The effect on the living conditions of the occupants of neighbouring properties was also carefully considered by the Council and I agree with the Council that there would be no significant harm.

Conditions

18. I have considered the various planning conditions that have been suggested by the Council, amending them if necessary. A condition setting a time limit for the commencement of the development is a statutory requirement. For the avoidance of doubt and in the interests of proper planning, a condition requiring the development to be carried out in accordance with approved plans is appropriate.
19. Conditions regarding materials, windows, hard and soft landscaping and bin stores are necessary to safeguard the character and appearance of the area including the adjacent CA and nearby listed buildings. A condition relating to site access, the service road and turning and parking areas is necessary in the interests of highway safety. A condition concerning parking for bicycles is appropriate to maximise accessibility for bicycles. The conditions relating to car ports and floor levels are appropriate for flood prevention and mitigation.
20. A condition in respect of drainage is necessary to ensure that the drainage arrangements are adequate. A flood management and evacuation plan is necessary to protect the safety and living conditions of future occupiers. Conditions restricting permitted development rights are appropriate to safeguard the character and appearance of the adjacent CA, to ensure private garden space is retained for future occupiers and to protect the living conditions of occupants of neighbouring properties. A condition relating to an archaeological scheme of investigation is appropriate given the proximity of the site to the medieval settlement of Bewdley.

Conclusion

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

Jonathan Tudor

INSPECTOR

SCHEDULE OF CONDITIONS

- 1) The development hereby permitted shall begin not later than 3 years from the date of this decision.
- 2) The development hereby permitted shall be carried out in accordance with the following approved plans: 4129-P-01; 4129-P-14 C, 4129-P-15, 4129-P-75 A, 4129-P-76 A, 4129-P-35 A, 4129-P-32 B, 4129-P-33 B, 4129-P-34 C, and 4129-P-10.
- 3) No development shall commence until details of all external surfacing and facing materials, including in the new wall to be constructed along Lax Lane have been submitted to and approved in writing by the local planning

authority. Development shall be carried out in accordance with the approved details.

- 4) All new window openings shall be set back 75mm from the facing brickwork.
- 5) No development shall commence until details of both hard and soft landscaping works have been submitted to and approved in writing by the local planning authority. These details shall include;
 - (i) a statement setting out the design objectives and how these will be delivered;
 - (ii) hard surfacing materials;
 - (iii) an implementation programme.

The landscaping scheme shall be carried out in accordance with the approved details before any part of the development is occupied in accordance with the agreed implementation programme. The completed scheme shall be managed and/or maintained in accordance with an approved scheme of management/or maintenance.

- 6) Details of soft landscaping works shall include planting plans; written specification (including cultivation and other operations associated with plant and grass establishment); schedules of plants noting species, plant supply sizes and proposed numbers/densities where appropriate.
- 7) The development hereby permitted shall not be occupied until details of the design and materials to be used in the construction of the bin stores have been submitted to and approved in writing by the local planning authority. The construction of the bin stores shall be carried out in accordance with the approved details.
- 8) No development shall take place until details have been submitted to and approved in writing by the local planning authority of how the site access, service road and turning and parking area would be surfaced and drained. No dwelling shall be occupied until the approved site access, service road and turning and parking area has been constructed. The approved site access, service road and turning area shall be retained thereafter, with the parking areas kept available at all times for the parking of motor vehicles by the occupants of the dwellings and their visitors and for no other purpose.
- 9) No dwelling shall be occupied until space has been laid out within the site for 12 bicycles to be parked (3 spaces per unit) and that space shall thereafter be kept available for the parking of bicycles.
- 10) The carports hereby permitted shall be kept open at all times and shall not be enclosed or converted to habitable space.
- 11) No building hereby permitted shall be occupied until foul and surface water drainage works shall have been implemented in accordance with the details that shall first have been submitted to and approved in writing by the local planning authority. Before any details are submitted to the local planning authority an assessment shall be carried out of the potential for disposing of surface water by means of a sustainable drainage system, having regard

to Defra's non-statutory technical standards for sustainable drainage systems (or any subsequent version), and the results of the assessment shall have been provided to the local planning authority. The development shall be carried out in accordance with the approved details.

- 12) No development shall take place until full details of the finished floor levels for all habitable rooms, which shall be set no lower than 23.06 metres above ordnance datum, in relation to existing ground levels have been submitted to and approved in writing by the local planning authority. The development shall be carried out in accordance with the approved levels.
- 13) No building hereby permitted shall be occupied until a flood management and evacuation plan shall have been implemented in accordance with the details that shall first have been submitted to and approved in writing by the local planning authority. In a flood event, the development shall be managed in accordance with the agreed details.
- 14) Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any order revoking and re-enacting that order with or without modification), no alterations shall be made to the roofs of the dwellings or outbuildings constructed which are incidental to the enjoyment of the dwelling houses.
- 15) Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any order revoking and re-enacting that order with or without modification), no windows shall be constructed on the south-east elevation of plot 4.
- 16) No development or demolition works shall take place within the area edged red on Drawing No 4129-P-15 until an Archaeological Written Scheme of Investigation shall have been submitted to and approved in writing by the local planning authority. The scheme shall include an assessment of significance and research questions.

WYRE FOREST DISTRICT COUNCIL

PLANNING COMMITTEE
15th NOVEMBER 2016

**Planning Consultation by Worcestershire County Council
Proposed change of use from existing mixed uses D1 (libraries) and B1 (offices) to mixed uses (D1) libraries, B1 (offices) and A2 (financial and professional services)
KIDDERMINSTER LIBRARY, MARKET STREET,
KIDDERMINSTER, DY10 1AB
16/0574/WCCR**

OPEN	
DIRECTOR:	Director of Economic Prosperity and Place
CONTACT OFFICER:	John Baggott - Extension 2515 john.baggott@wyreforestdc.gov.uk
APPENDICES:	Appendix A – Worcestershire County Council document “ <i>Proposal to Relocate a Public Sector Organisation into Kidderminster Library – Frequently Asked Questions</i> ”

1. PURPOSE OF REPORT

- 1.1 To make a decision on the Planning Consultation received from Worcestershire County Council in respect of the proposed change of use of the library building to accommodate additional A2 (financial and professional services) use as well as the existing D1 (library) and B1 (office) uses, at Kidderminster Library, Market Street, Kidderminster.

2. RECOMMENDATION

- 2.1 **The Committee formally respond to the consultation with NO OBJECTIONS to the application currently being considered by Worcestershire County Council.**

3. BACKGROUND

PLANNING HISTORY

- 3.1 Longstanding Members of Planning Committee may recall that in 2012 Wyre Forest District Council (The Council) was consulted by Worcestershire County Council (in it’s role as the relevant decision making body) on a planning application which proposed the change the use of the second floor of Kidderminster Library to office (B1 use) accommodation (WFDC ref: 12/0643/WCCR), following the withdrawal of an earlier similar application.

- 3.2 The proposal at that time was to change the use of the second floor of the library to form office space to accommodate Worcestershire County Council staff relocating from other office locations. This included the loss of the piano recital space and relocation of the exhibition/gallery area.
- 3.3 Planning Committee, on 13 November 2012, resolved to raise an objection to the then proposed development, on the following grounds:

“The Council wishes to register the strongest possible objection to this proposal. It represents a serious downgrading of current arts and cultural provision within Kidderminster and effectively destroys a purpose built art facility and replaces it with a totally inadequate replacement. It goes completely against the Council’s adopted Core Strategy Policy CP07 of Delivering Community Wellbeing; and, against Policy KCA.GPB7 and Policy KCA.GPB5 of the Draft Pre-Submission Kidderminster Central Area Action Plan”.

- 3.4 Members will no doubt be aware that, notwithstanding the objections raised at that time, the planning application as made to Worcestershire County Council was subsequently approved and has since been implemented.

THE PROTECTION OF LIBRARY SERVICES

- 3.5 Kidderminster Library has since shared the second floor of the building with Worcestershire County Council services from 2013 onwards, with Public Health England also moving into the second floor in 2015. An area of the first floor, previously occupied by Kidderminster College has also been converted for use by the County Council’s Children’s Services.
- 3.6 Within the submitted documents which accompany the current application, it is stated that:

“As part of the One Public Estate Programme promoted by the Cabinet Office and the Local Government Association (LGA), Worcestershire County Council Libraries & Learning Service has identified a number of approaches to meet its savings targets..... It is committed to making these savings in a way which protects services for customers and ensures that, where possible, local people have access to a comprehensive local library service in their area.

A key approach to meet savings targets is to generate income for the service, which reduces the need to make cuts to library budgets and put library services at risk. Sharing library buildings with internal and external organisations and services enables the Libraries & Learning Service to reduce its premises costs and generate rental income, which in turn helps to ensure the future of the service. Successful co-locations are already in place at a number of Worcestershire libraries”.

THE CURRENT PROPOSAL

- 3.7 This current application has been submitted following Members and public consultation events, which included manned displays within Kidderminster Library, which took place in August and September 2016.
- 3.8 The application proposes to widen the range of uses permitted within the library building to include A2 (financial and professional services) which allows for office type uses where there would be visiting members of the public. The submitted Design and Access Statement which accompanies the application submission states that:

“The proposal would be to re-locate a public sector organisation into the library where it would share space with the library service, primarily on the first floor. There would be no external alterations to the building and only minor alterations internally. The library service would be re-configured to occupy dedicated space on the ground floor and some shared space on the first floor. The existing office and service occupiers (as referred to under paragraph 3.5 above) would remain in their current locations

The proposal would bring together local services into one location, offering convenience to the local community. By sharing accommodation and integrating service delivery, it would provide an opportunity to realise savings.... and enhance services for customers, bringing a number of services together under one roof”.

- 3.9 The application consultation is accompanied by indicative floor layout plans, which illustrate a concentration of the publicly accessible library space on the ground floor. The Frequently Asked Questions document which accompanies the application (Appendix A) states that the current library consists of 974sq.m floorspace, which would reduce to 668sq.m (not including meeting space and gallery). Notwithstanding the reduced floorspace, it is stressed within the submission that there would be no reduction in the provision of core library services as a result of the proposal, which is fully in line with the County Council’s decision to protect all libraries in the County.
- 3.10 Kidderminster Library is a large and modern facility located within the town centre and extremely accessible. It is fully DDA (Disability Discrimination Act) compliant and is close to public car parks, which makes it an attractive and suitable building for a public facing public sector organisation.

4. COMMENTS ON THE CONSULTATION

- 4.1 It is for Worcestershire County Council, as the relevant decision making body, to consider the appropriateness of the development with reference to all material planning considerations. The consultation process does, however, offer The Council the opportunity to comment upon the application. In doing so, the starting point must be consideration of the relevant planning policies

RELEVANT PLANNING POLICY

- 4.2 **Core Strategy Policy CP07: Delivering Community Wellbeing** - This Policy seeks to ensure that future development fully considers the needs of local communities and seeks to promote and enhance facilities wherever practicable. It states that the Council will resist the loss of any community services and facilities unless an alternative is provided or evidence is presented that the facility is no longer required and suitable alternative uses have been considered. Any alternative provision should be of equal or better quality and be located in an appropriate and where feasible, sustainable location.
- 4.3 **Core Strategy Policy CP09: Retail and Commercial Development** - This specifies that new office development will be directed to the strategic centre of Kidderminster in the first instance and allocated through the Kidderminster Central Area Action Plan (KCAAP).
- 4.4 **Site Allocations and Policies Local Plan: Policy SAL:DPL11: Community Facilities** - This policy safeguards the community facilities and services as allocated on the Proposals Map unless clear evidence is provided to demonstrate one of the following:
- i. That it would not be economically viable to retain the site/buildings for community use and that it has been effectively marketed for a minimum 12 month period; and
 - ii. That the community facility could not be provided by an alternative occupier or the local community; OR,
 - iii. That suitable alternative provision can be provided in an appropriate location.

Development proposals involving community facilities should demonstrate that they have consulted with the relevant local community about options for the continued delivery of the community use.

- 4.5 **Kidderminster Central Area Action Plan: Policy KCA.GPB5 – Employment Development** - This policy specifies that subject to site specific policies, the following areas will be the focus for B1(a) office development within the KCAAP area:
- iv. Traditional Town Centre
 - v. Eastern Gateway
 - vi. Heritage Processions
 - vii. Churchfields

It is acknowledged that this policy is aimed towards B1(a) office use and that the current application proposes the introduction of an A2 use. However, such a use is within a similar vein to B1(a), albeit that it centres upon offices and premises aimed at visiting members of the public. The policy recognises that targeting new office development in the KCAAP area will contribute strongly to the Council's aim to promote and secure the vitality and viability of its town centres.

- THE PRINCIPLE OF THE PROPOSED INCREASED LEVEL OF MIXED USE**
- 4.6 It is considered that the proposal for the increased level of mixed use within the library building, and specifically the addition of A2 (financial and professional services) office provision generally accords with the Wyre Forest District Council's policy approach towards office provision within Kidderminster town centre. Whilst it is acknowledged that the KCAAP does not contain a site specific policy relating to office uses at Market Street, it does specify that the traditional town centre will be a focus for office development. In principle, therefore, the proposed end use would appear to be acceptable in planning policy terms.
- 4.7 Whilst there would be a reduction in the net floorspace for the public library, as outlined above it has been stressed by the applicants that the core library services will be protected and retained within the building. In this regard there would be no loss of community (library) facilities and as such the relevant policies within of the Core Strategy and the Site Allocations and Policies Local Plan are satisfied.
- 4.8 It is regrettable that this modern purpose built library is no longer in single D1 (libraries) use, however the economic climate and the budgetary challenges to Local Government very much differ to when the building was first constructed and opened to the public. Worcestershire County Council has confirmed that it is committed to protecting library services, which is to be welcomed, but in order to do so the sharing of existing library facilities has emerged as an essential means of generating income for the Libraries & Learning Service. The alternative "status quo" and its potential wider, longer term, implications appears somewhat unpalatable, and when faced with such stark realities Officers can only conclude that the current proposals should be supported, and that no objections be raised to the consultation from Worcestershire County Council.

5. FINANCIAL IMPLICATIONS

- 5.1 There are no financial implications

6. LEGAL AND POLICY IMPLICATIONS

- 6.1 There are no legal or policy implications

7. RISK MANAGEMENT

- 7.1 There are no risk management issues.

8. EQUALITY IMPACT ASSESSMENT

- 8.1 This report relates to a consultation with Wyre Forest District Council by Worcestershire County Council, as the relevant planning authority. There are no equality impact implications to be considered.

9. CONCLUSION

- 9.1 Having considered the proposal for the change of use of Kidderminster Library from a mixed use of D1 and B1 to a mixed use of D1 (libraries), B1 (offices) and A2 (financial and professional services) against the relevant local planning policy, it is concluded that a **no objection** response should be returned to Worcestershire County Council.

10. CONSULTEES

- 10.1 None.

11. BACKGROUND PAPERS

- Wyre Forest Core Strategy
- Wyre Forest Site Allocations and Policies Local Plan
- Wyre Forest Kidderminster Central Area Action Plan
- National Planning Policy Framework

Proposal to Relocate a Public Sector Organisation into Kidderminster Library

Frequently Asked Questions

- **What is the background to this proposal?**

The One Public Estate Programme is a pioneering initiative delivered through the Cabinet Office (Government Property Unit) and the Local Government Association and provides practical and technical support to public sector organisations nationally who want to share accommodation so funds can be better directed to support front line services.

Worcestershire County Council is a stakeholder of the Worcestershire One Public Estate Partnership and in collaboration with the Government Property Unit has become aware of a national driver to see how public facing government agencies in the county could be better located in locally accessible buildings that are either owned by county or district councils.

One of the major challenges facing all of the public sector is how to protect front line services in the face of ever decreasing budgets. One of the best ways of doing this is to look at sharing property because this will bring substantial savings in utility costs, maintenance spend, facilities management (reception and cleaning etc.) and caretaking. A large number of publically owned buildings are also leased, which brings in the added financial burden of rent and service charges. Renting buildings also removes a lot of flexibility in how the buildings are managed and used.

In Worcestershire there have already been some very successful collaboration projects in Worcester, Bromsgrove, Malvern and Stourport, which have seen national government agencies, co-locate within local authority buildings. This has helped reduce public spend on buildings and has protected front line and community focussed services.

In Worcestershire there has been a county council cabinet decision to protect all libraries in the county but this in the face of ever decreasing budgets and therefore the sharing of these facilities is so important going forward. Kidderminster Library is a large and modern purpose built facility located close to the town centre and is therefore very accessible. The building is fully DDA compliant and has nearby car parking all of which make it uniquely suitable in the town to house a public sector organisation that is public facing. Libraries today, provide a whole range of different services and are therefore very suitable venues for collaborative ventures such as the one proposed here in Kidderminster. Introducing other agencies into a library also provides an opportunity to increase the customer base as well as share costs.

Worcestershire County Council's Libraries & Learning Service has identified a number of approaches to meet its savings targets for 2016/17 and 2017/18. It is committed to making these savings in a way which protects services for customers and ensures that, where possible, local people have access to a comprehensive local library service in their area. There are no proposals to close libraries but in order to meet savings requirements, some libraries may need to be run differently or share space with other services.

A key approach to meet library savings targets is to generate income for the service, which reduces the need to make cuts to library budgets and put library services at risk. Sharing library buildings with internal and external organisations and services enables the Libraries & Learning Service to reduce its premises costs and generate rental income, which in turn helps to ensure the future of the service. Successful co-locations are already in place at a number of Worcestershire libraries.

- **What is the proposal for Kidderminster Library?**

Kidderminster Library has shared the second floor of its building successfully with WCC services since 2013. More recently, in 2015 Public Health England moved their offices into the second floor of the library and an area of the first floor, previously occupied by Kidderminster College, was converted for use by WCC Children's Services. The combined income received by Kidderminster Library from these parties is in excess of £64,000 per year. Our proposal is to re-locate a public sector organisation into the library building where it will share space with the library service, primarily on the 1st floor of the building. The library service will be re-configured to occupy dedicated space on the ground floor of the building and shared space on the 1st floor. The existing office and service occupiers will remain in their current locations on the second and first floors of the building.

The library will be arranged over the ground floor and first floor of the building. The plans on display set out a possible layout and indicate that existing services can be accommodated in the reduced space.

- **What are the benefits of this proposal?**

The proposal brings together local services into one location, offering convenience to the local community. By sharing accommodation and integrating service delivery it provides an opportunity to realise savings for taxpayers and enhance services for customers, bringing a number of services together under one roof. Customers will continue to have access to a well-resourced library collection and staff offering specialist advice as well as more general support and signposting. All customers will benefit from a refurbished and enhanced library space and an assured future for Kidderminster Library.

- **What savings will the Libraries & Learning Service make as a result of this proposal? How much will this proposal cost?**

It is anticipated that Libraries & Learning will receive an annual income of approximately £180,000 per annum. This figure is determined by the final plans and the exact floor space occupied.

Refurbishment costs will be met by the public sector organisation and not Worcestershire County Council.

- **Has consideration been given to re-locating WCC back office services from the second floor of Kidderminster Library to another local building and locating Public Sector Agency on the second floor of the library?**

We will consider this and keep it under review. By locating another public sector agency alongside the library service, customers will benefit from easy access to enhanced services and the support and combined resources of both.

- **Why are further changes being proposed for Kidderminster Library, while the Hive remains unaffected?**

The Hive is already a co-located building and a 25 year PFI funded library, shared with the University of Worcester, the Archive & Archaeology Service and The Worcestershire Hub. This places legal restrictions on any changes that we are permitted to make. However, the public library at The Hive, like all Worcestershire libraries, does and has delivered savings as part of the overall target.

- **How much floor space will the library service lose?**

The current library, across the first and second floors is 974m². These proposals would reduce the public library to 668m² across the two floors. This does not include meeting space or the gallery. We are confident that the number of books, PCs and the full library service can be delivered from this new revised space.

- **What effect will these changes have on the Libraries & Learning Service?**

The expectation is that by re-designing the layout of the library to utilise the atrium/foyer space on the ground floor there will be no reduction in the provision of core library services. This includes books and AV material, adult public network computers, adult learning classes, children's and other activities, readers groups and work clubs. The small meeting room will no longer be available for hire during office hours, but a review of meeting room bookings and occupancy rates has revealed that existing hirer requirements can be accommodated in the large meeting room. A special community rate for hire of the large meeting room will be introduced, which matches the current rate of the small meeting room.

- **Will there be a reduction in the number of public network computers available at Kidderminster Library?**

There will be no reduction in the number of adult computers available. A review of occupancy rates of public network computers for children and teenagers for the period 1 May 2016 – 31 July 2016, reveal low occupancy rates, reaching a daily peak of no more than 10.9% and 18.4% respectively. On this basis, there is a proposed reduction of 2 children's computers and one teenage computer shown in the layout plans on display.

- **Will additional adult public network computers be needed to cater for an increased number of customers?**

A review of computer usage at Kidderminster for the period 1 May 2016 to 31 July 2016 shows an average occupancy rate of 30% of adult computers, reaching no higher than 31.1% at any one time. Based on these figures, we are confident that there is adequate public network computer provision to accommodate additional customers.

- **Will there be a reduction in the number of books available?**

There are no plans to reduce the book collection at Kidderminster Library as a result of the proposed changes. Book stock at Kidderminster Library, as at all other county libraries, is actively managed on an on-going basis using demand data generated by our stock management system, feedback from Library visitors and the local knowledge of professional library colleagues. Changes are made to the collection on an on-going basis and will continue to be made to ensure that it represents community requirements and is a well-used and relevant local resource.

- **How will you ensure that the building is safe and welcoming for all visitors?**

All services occupying the building share a commitment to ensure that it is a safe and welcoming environment for all visitors and service users. If the proposal goes ahead, the Libraries & Learning Service and all co-located partners will work together to produce shared guidelines for responding to and managing unacceptable visitor behaviours, which will ensure that a consistent approach is taken to prevent escalation of unacceptable incidents. All services have a close working relationship with local West Mercia police and CCTV will remain in the building. Additional security will be provided and additional staff training will be provided if required.

- **Are you considering bringing in other organisations to share the building?**

If the current proposed re-location goes ahead there is unlikely to be sufficient space to accommodate other services of a significant size. However, by retaining meeting space in the building for community use there may be opportunities to host additional community services that operate with low space requirements and on a part-time or drop-in basis.

- **Where will the extra staff park?**

It is anticipated that these staff will use local car parks and street parking if the proposal goes ahead.

- **Will you be creating more disabled parking as a result of introducing a new service?**

There are no plans to increase disabled parking at Kidderminster Library

- **Why do you have to apply for planning permission?**

Buildings have a designated use class and the library is D1 (non-residential institutions) Accommodating another government agency within the library constitutes a part Change of Use which requires planning permission.

- **Why have you not told us who the public sector organisation is?**

We have been working very closely with the agency to produce an agreed layout but their governance structure is such that formal approval will not be obtained until at least November at which time it can be made public.

- **Why can't you wait until the government agency has given their approval and can be named before submitting the planning application?**

There are commercially sensitive reasons why the planning application cannot be delayed.

- **I understand this is pre-planning consultation for Change of Use of the library, how do I comment on that application and when?**

The planning application will be submitted shortly after the pre planning consultation and public engagement period has finished. Once the application has been validated by the planning authority it will be posted on the County Council's public web site where instructions will be provided for any member of the public who wishes to comment. There will also be a paper copy of the application located at the library for inspection.

- **Will people lose their jobs as a result of the proposed relocation?**

There are no plans to reduce staff levels as a result of the relocation.

- **How can I give my views?**

If you are able to attend one of the engagement events at the library planned for the period **Wednesday, 31st August 2016 to Tuesday, 13th September 2016**, you will have an opportunity to view the plans and proposals and leave your comments on a 'Have Your Say` card.

In addition, at two events during the period senior managers from our property management company, the libraries and learning service and also the architect will be available to answer any questions. These are:-

- 31st August 2:00pm – 4:00pm
- 6th September 4:00pm – 6:00pm

You can also provide feedback by emailing librarieshq@worcestershire.gov.uk or by calling 01905 822722.