

Open

Planning Committee

Agenda

6pm
Tuesday, 13th December 2016
Council Chamber
Wyre Forest House
Finepoint Way
Kidderminster



Planning Committee

Members of Committee:

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

Councillor J Aston

Councillor J R Desmond

Councillor M J Hart

Councillor N Martin

Councillor J A Shaw

Councillor S J M Clee

Councillor J A Hart

Councillor D Little

Councillor F M Oborski MBE

Councillor R J Vale

Information for Members of the Public:-

Part I of the Agenda includes items for discussion in public. You have the right to request to inspect copies of Minutes and reports on this Agenda as well as the background documents used in the preparation of these reports.

An update report is circulated at the meeting. Where members of the public have registered to speak on applications, the running order will be changed so that those applications can be considered first on their respective parts of the agenda. The revised order will be included in the update.

Part II of the Agenda (if applicable) deals with items of "Exempt Information" for which it is anticipated that the public may be excluded from the meeting and neither reports nor background papers are open to public inspection.

Delegation - All items are presumed to be matters which the Committee has delegated powers to determine. In those instances where delegation will not or is unlikely to apply an appropriate indication will be given at the meeting.

Public Speaking

Agenda items involving public speaking will have presentations made in the following order (subject to the discretion of the Chairman):

- Introduction of item by officers;
- Councillors' questions to officers to clarify detail;
- Representations by objector;
- Representations by supporter or applicant (or representative);
- Clarification of any points by officers, as necessary, after each speaker;
- Consideration of application by councillors, including questions to officers

All speakers will be called to the designated area by the Chairman and will have a maximum of 3 minutes to address the Committee.

If you have any queries about this Agenda or require any details of background papers, further documents or information you should contact Lynette Cadwallader Committee Services Officer, Wyre Forest House, Finepoint Way, Kidderminster, DY11 7WF. Telephone: 01562 732729 or email lynette.cadwallader@wyreforestdc.gov.uk

Declaration of Interests by Members – interests of members in contracts and other matters

Declarations of Interest are a standard item on every Council and Committee agenda and each Member must provide a full record of their interests in the Public Register.

In addition, alongside the Register of Interest, the Members Code of Conduct (“the Code”) requires the Declaration of Interests at meetings. Members have to decide first whether or not they have a disclosable interest in the matter under discussion.

Please see the Members’ Code of Conduct as set out in Section 14 of the Council’s constitution for full details.

Disclosable Pecuniary Interest (DPI) / Other Disclosable Interest (ODI)

DPI’s and ODI’s are interests defined in the Code of Conduct that has been adopted by the District.

If you have a DPI (as defined in the Code) in a matter being considered at a meeting of the Council (as defined in the Code), the Council’s Standing Orders require you to leave the room where the meeting is held, for the duration of any discussion or voting on that matter.

If you have an ODI (as defined in the Code) you will need to consider whether you need to leave the room during the consideration of the matter.

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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, 13th December 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 15th November 2016.	7
5.	Applications to be Determined To consider the report of the Development Manager on planning and related applications to be determined.	12
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.	59
7.	To consider any other business, details of which have been communicated to the Solicitor to the Council before the commencement of the meeting, which the Chairman by reason of special circumstances considers to be of so urgent a nature that it cannot wait until the next meeting.	

8.	<p>Exclusion of the Press and Public</p> <p>To consider passing the following resolution:</p> <p>“That under Section 100A(4) of the Local Government Act 1972 the press and public be excluded from the meeting during the consideration of the following item of business on the grounds that it involves the likely disclosure of “exempt information” as defined in paragraph 3 of Part 1 of Schedule 12A to the Act”.</p>	
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Part 2

Not open to the Press and Public

9.	<p>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

15TH NOVEMBER 2016 (6 PM)

Present:

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

Observers:

Councillor: S Miah.

PL.43 Apologies for Absence

There were no apologies for absence.

PL.44 Appointment of Substitutes

No substitutes were appointed.

PL.45 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.

PL.46 Minutes

Decision: The minutes of the meeting held on 18th October 2016 be confirmed as a correct record and signed by the Chairman, subject to the following:

PL.36 Councillor S J Williams left the room. The Vice Chairman chaired the meeting for the following item.

PL.47 Applications To Be Determined

The Committee considered those applications for determination (now incorporated in Development Control Schedule No. 548 attached).

Decision: The applications now submitted be determined, in accordance with the decisions set out in Development Control Schedule No 548 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.48 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.49 Planning Consultation by Worcestershire County Council. Proposed change of 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

The Committee considered a report from the Director of Economic Prosperity and Place with regard to 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.

Decision: The Committee formally respond to the consultation with NO OBJECTIONS to the application being considered by Worcestershire County Council.

There being no further business, the meeting ended at 7.38 pm.

WYRE FOREST DISTRICT COUNCIL

PLANNING COMMITTEE

15th November 2016 Schedule 548 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.

Councillor J Shaw advised that he wished to speak on the following application in his capacity as Ward Councillor, but would not vote as he could not confirm that he had an open mind in relation to the decision on the application.

Application Reference: 16/0530/FULL
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Site address: LAND OFF ARELEY COMMON, STOURPORT-ON-SEVERN, DY13 0NP
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REFUSED for the following reasons:

- | |
|---|
| <ol style="list-style-type: none"> 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. |
|---|

<p>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.</p>

- | |
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| <ol style="list-style-type: none"> 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.

Application Reference: 16/0566/FULL

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

REFUSED for the following reason:

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.

Councillor Miah left the meeting at 6.50 pm after this item.

Application Reference: 16/0593/FULL

Site Address: 4 MEADOW RISE, BEWDLEY DY12 1JP

DEFERRED for one cycle to seek amended plans.

Application Reference: 16/0368/FULL

Site Address: CHADDESLEY DRIERS, LONG MORE, CAKEBOLE LANE, CHADDESLEY CORBETT, KIDDERMINSTER, DY10 4RE

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

Site Address: 16 THE FOXHOLES, KIDDERMINSTER DY10 2QR

APPROVED subject to the following conditions:

1. A6 (Full with no reserved matters)
2. A11 (Approved plans)

Application Reference: 16/0542/FULL

Site Address: GATEHOUSE CARAVAN PARK, NELSON ROAD, SANDY LANE INDUSTRIAL ESTATE, STOURPORT-ON-SEVERN, DY13 9QB

APPROVED subject to the following conditions:

1. A11 (Approved plans)
2. The submission of a flood evacuation plan
3. Limiting the use of the lower part 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
8. Use of the site for Gypsy and Travellers only.

Note
Licensing arrangements

**EXECUTIVE SUMMARY TO REPORT OF
DEVELOPMENT MANAGER**

Planning Committee

13/12/2016

PART A Reports

Ref.	Address of Site	Recommendation	Page No.
16/0593/FULL	4 MEADOW RISE BEWDLEY	APPROVAL	13
16/0632/FULL	THE BIRCHES DORHALL CHADDESLEY CORBETT KIDDERMINSTER	APPROVAL	18

**PART B
Reports**

Ref. No.	Address of Site	Recommendation	Page
16/0512/FULL	ROCK FARM ROCK CROSS ROCK KIDDERMINSTER	DELEGATED APPROVAL	25
16/0534/FULL	SOLCUM HOUSE DRAKELOW LANE WOLVERLEY KIDDERMINSTER	APPROVAL	36
16/0598/S73	UNIT 1B KIDDERMINSTER TRADE PARK BIRMINGHAM ROAD KIDDERMINSTER	APPROVAL	41
16/0607/FULL	155 KIDDERMINSTER ROAD BEWDLEY	APPROVAL	45
16/0616/FULL	BLACK & WHITE COTTAGE PERRYFORD LANE WANNERTON KIDDERMINSTER	APPROVAL	52
16/0670/FULL	ST GEORGES PARK RADFORD AVENUE KIDDERMINSTER	DELEGATED APPROVAL	56

WYRE FOREST DISTRICT COUNCIL

PLANNING COMMITTEE
13TH DECEMBER 2016

PART A

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 RISE, 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	Previously considered by Committee and deferred for amended plans to be submitted
Recommendation	APPROVAL

THIS APPLICATION WAS DEFERRED FROM THE 15TH NOVEMBER 2016 PLANNING COMMITTEE MEETING FOR CONSIDERATION OF AMENDED PLANS

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.

16/0593/FULL

3.0 Consultations and Representations

3.1 Bewdley Town Council - Objected to the original plans for the following reasons:

“Due to the effect of the proposed works on the existing bedroom extension at No 6 Meadow Rise. In particular, the narrow gap it would create between the two extensions would not be sufficient to enable access for routine property maintenance by either party. In addition, there is potential for the integrity of the foundations on the proposed party wall to the existing bedroom extension at No. 6 to be compromised. The principle of a rear extension to No. 4 Meadow Rise is however supported, taking into consideration the concerns expressed and the submission of revised plans”.

(Officer Comment - The Town Council has been reconsulted following the receipt of amended plans and their further comments will be reported via the Addenda and Corrections Sheet).

3.2 Neighbour/Site Notice – The following concerns were raised by the neighbour in respect of the original plans:

- 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).

(Officer Comment - The neighbour has been notified of the receipt of amended plans and any revised or additional comments will be reported via the Addenda and Corrections Sheet).

4.0 Officer Comments

4.1 Members will recall that this application was deferred at the 15th November 2016 Planning Committee meeting to allow for the submission of amended plans, moving the proposed extension further away from the boundary with No 6 Meadow Rise, to allow for maintenance and repair work between the two properties.

4.2 Revised plans have been received providing a 450mm gap between the new extension and the flank wall of No 6, thereby addressing this issue. (Members are reminded that the previous plans indicated a 130mm gap).

16/0593/FULL

4.3 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

4.4 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

4.5 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 a former garage which has been converted to living accommodation. 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.

4.6 Members will be aware that 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. Whilst these are civil matters or issues which are controlled by separate legislation (i.e. The Party Wall Act) amended plans have been submitted, following the previous deferral by Planning Committee, which seek to address these matters. These amendments are considered to be acceptable.

16/0593/FULL

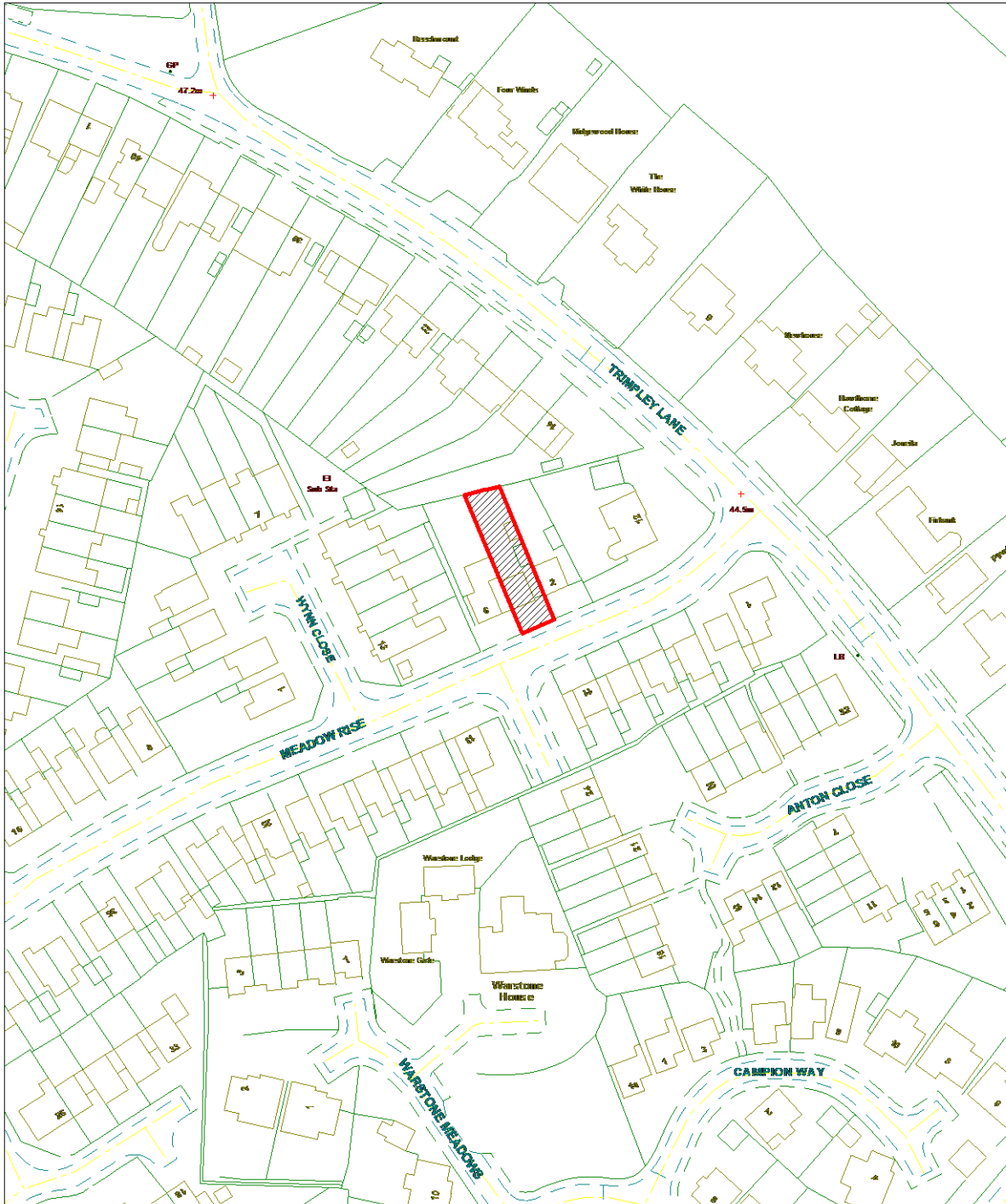
OTHER MATTERS

- 4.7 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:- SO7976SE

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



Application Reference:	16/0632/FULL	Date Received:	24/10/2016
Ord Sheet:	389534 274594	Expiry Date:	19/12/2016
Case Officer:	Julia McKenzie-Watts	Ward:	Wyre Forest Rural

Proposal: Alterations to previously approved planning application (15/0267/FULL)

Site Address: THE BIRCHES, DORHALL, CHADDESLEY CORBETT, KIDDERMINSTER, DY104QJ

Applicant: Mr & Mrs Jackson

Summary of Policy	CP11 (CS) SAL.UP1, SAL.UP7, SAL.UP8 (SAAPLP) Section 7 (NPPF)
Reason for Referral to Committee	Councillor has requested for application to be considered by Committee
Recommendation	APPROVAL

1.0 Site Location and Description

1.1 The Birches is a recently extended detached dwelling located on Woodrow Lane, Chaddesley Corbett within the West Midlands Green Belt.

1.2 The current application seeks consent for alterations to the previously approved application (15/0267/FULL) and these alterations are summarised as follows:

- Single front window to the ground floor study. (Two windows were approved under the previous application)
- 1.2 metre high brick wall infilled with black powder coated steel railings with 450mm wide brick piers either side of the front balcony.
- Two steps of 450mm depth in order to allow safe access from the house to the garden at the rear.
- Additional Velux Roof light to be inserted in the south east roof slope

2.0 Planning History

2.1 15/0267/FULL – Two storey side extension : Approved 15/7/15

16/0632/FULL

2.2 15/0547/FULL - Detached Garage and insertion of Two obscurely glazed ground floor side windows to previously approved extension : Approved 23/10/16

2.3 16/9001/NMA - Enlargement to previously approved front and rear velux roof lights (Application 15/0267/FULL) : Approved 09/06/16

3.0 Consultations and Representations

3.1 Chaddesley Corbett Parish Council – No objection

3.2 Neighbour/Site Notice – 1 objection received raising the following concerns:

- Balcony - Side elevation of the corner balcony faces 7 windows on our south-east elevation. The overlooking that result from the open side elevation of the balcony, which will only have a proposed 1200mm maximum height wall, will cause extensive invasion of our privacy at close quarters resulting in sever loss of amenity. It would be very easy to look not just forwards but both sideways towards the windows at Portland House and also down the side of Portland House into its rear garden and various side facing windows. It would be preferable that the side brick wall facing us be extended to full wall / soffit height. This would prevent side and rear overlooking whilst retaining forward views for the applicant. Anything that is not fixed and does not form part of the building would not permanently restrict overlooking. Photos submitted show 3 electrical wire points on the corner balcony for perhaps floodlight or a security camera. A compromise to increase the height of the 1200mm brick wall to full high on this side elevation would ensure that windows on our facing elevation would be protected from light pollution and amenity during any time of night or day.
- Decking / steps – Due to the change in site levels and dominance of the Birches on higher ground we are concerned that decking will cause overlooking of our boundary fence allowing overlooking into ground floor windows and access to the entire width of the rear of our property, our patio area and entire width of our rear garden and beyond. Although the drawing shows a change in level from front to back of the Birches unfortunately it does not show a change in level across the rear width. The decking will end up being higher off the ground as it runs towards our boundary higher than the stated 'up to 250mm height'. As the ground continues to slope down to our boundary the height of our 6'6" boundary fence as a barrier to overlooking is essentially diminished. We know that decking is generally allowed under pd up to 300mm but this does not take into account site levels and so we request that some options or suggestions could also extend to helping us regains some of the privacy and amenity we have already lost, perhaps helping with the overlooking from these windows at the Birches too.

16/0632/FULL

- The planning system is there to prevent undue loss of privacy which we have lost excessive amounts of already.

4.0 Officer Comments

SITE HISTORY AND PREVIOUS PLANNING APPROVALS

- 4.1 The Birches is a detached property located on Woodrow Lane, Chaddesley Corbett in the West Midlands Green Belt. Prior to 2015, apart from a single storey lean to side extension, the property had remained as originally built. In 2015, the property was extended by way of a large rear two storey extension and a single storey side extension both of which were permitted development. Two planning applications were also submitted, and approved, under delegated powers, for a two storey side extension, a detached double garage and the insertion of two obscurely glazed ground floor side windows.
- 4.2 The immediate neighbour raised an objection to the two previous planning applications on the grounds that the roof of the extension would be dominant and overwhelming in terms of its impact on their own property, the balcony would create an incongruous feature with a loss of privacy and residential amenity resulting overlooking at close quarters from the balcony with no side view restriction; and, the insertion of two obscurely glazed side facing windows would look directly into their own full length opaque glazed side facing windows.
- 4.3 Both of the formal planning applications were considered against the relevant aforementioned policies contained in the Adopted Wyre Forest Core Strategy, Adopted Site Allocations and Policies Local Plan (SAAPLP) and guidance laid out in the National Planning Policy Framework (NPPF) and the comments of the neighbour were taken into account during the decision making process. Any re-design of the roof or reduction in its height as were suggested by the neighbour at that time would, in Officers' opinion, have resulted in the creation of an incongruous feature within the locality which would not be considered to be acceptable development and contrary to the guidance laid out in policy. With regards to the balcony, Officers considered that the main view of the balcony would be of the applicants own front garden, the front garden of Portland House, the lane and adjacent fields and, as the side windows of Portland House were windows to non-habitable rooms or secondary light sources the impact in terms of direct overlooking were considered to be minimal.
- 4.4 The applications were recommended for approval as the proposals were considered to be in accordance with national Green Belt policy, SAAPLP policies and the guidance laid out in the NPPF in that the extensions would result in a proportionate increase in volume over the original property and as such would remain subservient to the host property, and the level of privacy currently enjoyed by the occupants of the neighbouring dwelling would be unaffected.

16/0632/FULL

POLICY CONTEXT

- 4.5 Policy SAL.UP7 of the SAAPLP requires that new development should be of the highest quality design and must demonstrate regard to the traditional design and materials of the locality avoiding inappropriate features and detail and integrate well within the existing streetscene.
- 4.6 Policy SAL.UP8 of the SAAPLP and Policy CC10 of The Chaddesley Corbett Neighbourhood Plan relate to the design of development proposals and alterations at residential properties. These policies require that additions to a property are in scale and keeping with the form, materials, architectural characteristics and detailing of the original building and should be subservient to and not overwhelm the original property. Extensions should harmonise with the existing landscape or townscape and not create incongruous features. They should not have a serious adverse effect on the amenity of neighbouring residents or occupiers
- 4.7 National policy is replicated through Policy SAL.UP1 of the SAAPLP which states that proposals in Green Belt locations must not be detrimental to the visual amenity of the Green Belt, by virtue of their siting, design or materials. Applications for extensions to existing dwellings will be considered on a case by case basis.

AMENDMENTS

SINGLE FRONT WINDOW TO GROUND FLOOR STUDY

- 4.8 The proposed single window to the ground floor front elevation in place of the two previous units is considered to be an acceptable change to the original approval. The property has large windows to the front and the revised design will replicate the dimensions of these windows resulting in fenestration that is in keeping with the form of the original building and as such in compliance with policy in terms of design and appearance.

RAILINGS AND WALL TO PREVIOUSLY APPROVED BALCONY

- 4.9 Balconies on residential properties can be considered appropriate development provided that the design takes full account of the privacy and amenity of any neighbouring properties or occupiers. The principle of the front balcony has been approved under a previous application as described above.
- 4.10 The current application seeks solely to amend the treatment to the front and side walls of this balcony as this was omitted in error from the initial application and is a safety concern of the applicants. The revised balcony would feature a 1.2 metre high brick wall with black powder coated steel railings with 450mm wide brick piers either side of the front balcony section. The neighbours have raised the issue of the need for a side privacy screen, however this is not felt necessary due to the location of the non habitable and secondary light source side windows of the adjacent property and the minimal impact that the balcony would have on these in terms of overlooking.

16/0632/FULL

- 4.11 The plans show two rear Juliette style balconies with no external platforms, on previously approved first floor French doors. These balconies are shown purely for illustrative purposes on the plan as they will only project by between 100-150mm and will be installed upon substantial completion of the development. Planning permission would therefore not be required as the works will be carried out under Part 1, Class A of the Town and Country Planning (General Permitted Development) (England) Order 2015. the GPDO and as such any neighbour concerns regarding these balconies cannot be taken into account.

REAR STEPS

- 4.12 Decking is shown on the submitted plans. However this element of the proposal would not require consent as the raised platform would be less than 300mm above ground level and as such is considered to be permitted development under Part 1, Class A of the Town and Country Planning (General Permitted Development) (England) Order 2015. The steps immediately adjacent to the main rear doors from the lounge and family rooms due to their height would require consent but these are required for safe exit and entry to and from the house due to the difference between the previously approved internal finished floor level and the garden. The steps have been kept to a minimum useable depth of 450mm in order that they are safe to step out onto but offer no useable area or platform other than entering and exiting the building and as such their impact on privacy in terms of overlooking of the neighbour would be minimal.
- 4.13 The neighbour has requested that the council consider putting forward an option to reduce overlooking from the decking, however as this element of the proposal does not require consent it would be unreasonable to add such a condition. The neighbour has also raised concern over the site levels, however if any part of the decking exceeds 300mm in height planning permission would be required and the applicants have been made aware of this fact.

ADDITIONAL VELUX ROOFLIGHT

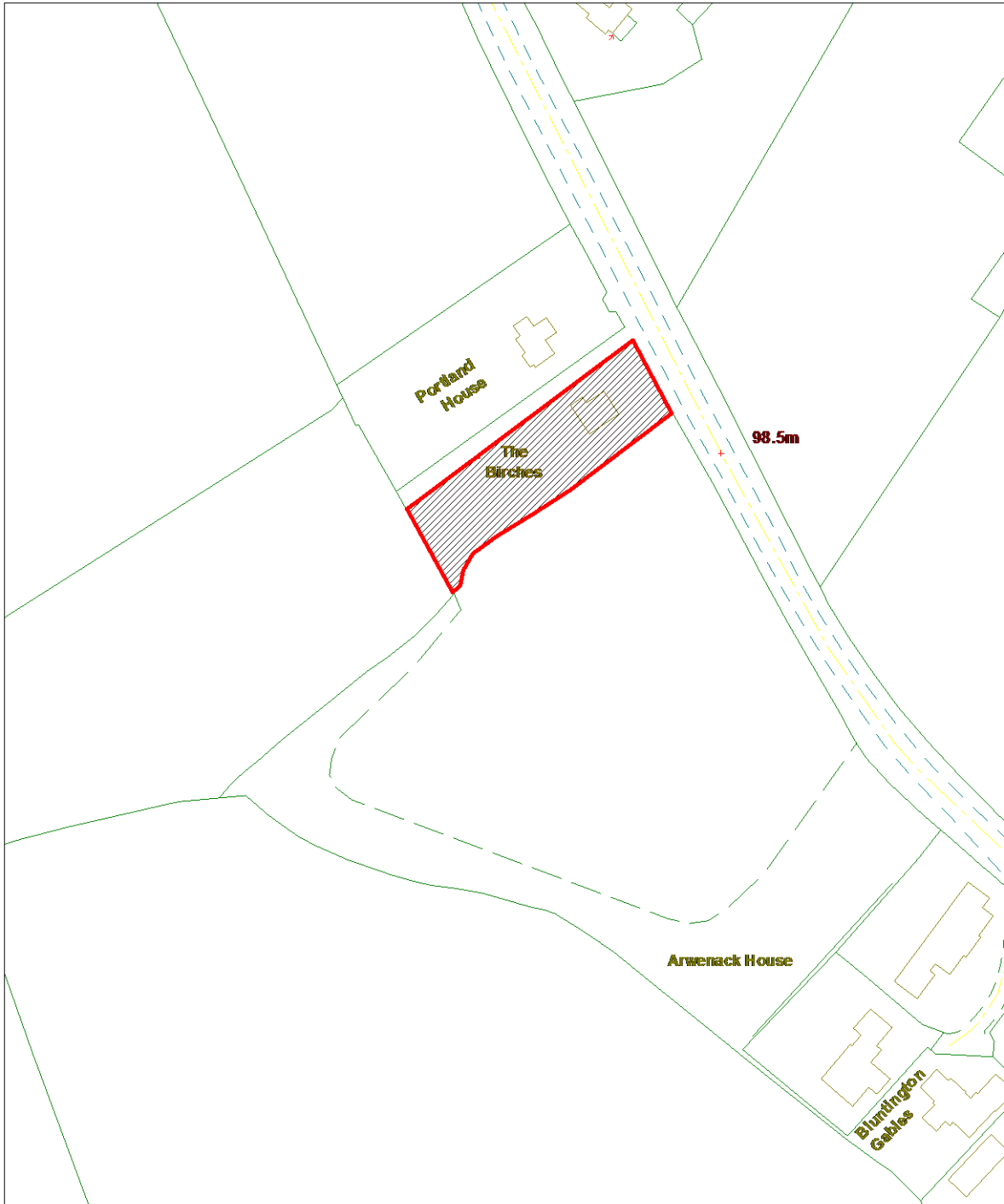
- 4.14 The new velux rooflight is proposed in the south east roof slope of the property in order to provide additional light to a bedroom in the roof space. Due to its height and location overlooking fields it would have no adverse impact on the surrounding area, neighbours, or the Green Belt.

5.0 Conclusions and Recommendations

- 5.1 The amendments to the previously approved scheme would offer no detriment to the character and openness of the West Midlands Green Belt. Whilst the objections from the neighbour are noted, it is considered the proposed alterations are in accordance with the requirements of Policy CP11 of the Adopted Core Strategy and Policies SAL.UP1, SAL.UP7 and SAL.UP8 of the SAAPLP.

16/0632/FULL

- 5.2 With regard to issues of amenity and privacy, the rights enjoyed by the neighbouring properties under the provisions of Article 1 of Protocol 1 and Article 8 of the Human Rights Act 1998 have been balanced against the scope of the development in this context. No potential breach has been identified.
- 5.3 It is therefore recommended that the application be **APPROVED** subject to the following conditions:
1. A6 (Full with no reserved matters)
 2. A11 (Approved plans)
 3. B3 (Finishing materials to match)



ECONOMIC PROSPERITY AND PLACE DIRECTORATE

**The Birches, Dorhall,
Chaddesley Corbett, Kidderminster, DY10 4QJ**

Date:- 29 November 2016

Scale:- 1:1250

OS Sheet:- SO8974NE

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



WYRE FOREST DISTRICT COUNCIL

PLANNING COMMITTEE
13TH DECEMBER 2016

PART B

Application Reference:	16/0512/FULL	Date Received:	26/08/2016
Ord Sheet:	373166 270926	Expiry Date:	25/11/2016
Case Officer:	Paul Round	Ward:	Bewdley & Rock

Proposal: Proposed Racehorse Training Facility, gallops and associated building for tack/feed storage and groom accommodation.

Site Address: ROCK FARM, ROCK CROSS, ROCK, KIDDERMINSTER, DY149SA

Applicant: Mr S Mares

Summary of Policy	DS04, CP01, CP02, CP03, CP11, CP12, CP14 (CS) SAL.PFSD1, SAL.DPL2, SAL.CC1, SAL.CC2, SAL.CC7, SAL.UP5, SAL.UP6, SAL.UP7, SAL.UP13 (SAAPLP) Sections 3, 6, 7, 11, 12 (NPPF)
Reason for Referral to Committee	'Major' planning application
Recommendation	DELEGATED APPROVAL

1.0 Site Location and Description

- 1.1 Rock Farm is located within the centre of the settlement of Rock, accessed from Porchbrook Road. It lies close to the Church of St. Peter and St. Paul, a Grade I Listed Building, and the Moated Site, which is a Scheduled Ancient Monument. The application site forms the previous agricultural buildings and part of the surrounding fields.
- 1.2 The site is within the open countryside and intersected by a number of public rights of way. The area is identified with the County's Landscape Character Assessment as part of the Timbered Plateau Farmlands Landscape Character Type. The Dick Brook Local Wildlife site lies to the south. Residential properties are close to the development namely the properties at Rock Farm Barns and properties at Porchbrook.
- 1.3 The proposal seeks for the conversion of the farm buildings to create stables, riding facilities and reception; the creation of gallops; outdoor equestrian facilities; and the construction of a detached building for groom accommodation and tack/feed storage.

16/0512/FULL

2.0 Planning History (recent)

- 2.1 WF.0934/01 - Erection of range of steel portal frame barns : Approved 11.12.01
- 2.2 WF.0794/02 - Modification of condition No. 2 of planning permission WF.934/01 to reposition approved steel portal framed barns : Approved 14.08.02
- 2.3 14/0460/FULL - Agricultural building for storage of fodder, beet, grain and associated equipment : Approved 22.09.14

3.0 Consultations and Representations

- 3.1 Rock Parish Council – No objections and recommend approval
- 3.2 Highway Authority – No objections
- 3.3 North Worcestershire Water Management – No objections subject to conditions
- 3.4 Historic England – Comments awaited
- 3.5 Conservation Officer - The proposals will introduce various structures and landscape treatments into the existing landscape forms the setting of the Scheduled Monument and the Grade I Listed Church. These cause less than substantial harm to the setting of the designated heritage assets. They could be mitigated by the submission of an appropriate landscaping scheme and revised colours for the railings at critical points in the gallops. Whether these would reduce the impact to negligible is doubtful, however they will reduce the impact sufficiently to allow any residual harm to be assessed against the public benefits of the scheme, as per the NPPF paragraph 134.

I consider that should there be no other reasons why the application should fail, then it would not be unreasonable to conclude that the public benefits of the scheme as currently proposed outweigh the slight visual harm to the setting of the designated heritage assets. In that case I would recommend approval
- 3.6 Arboricultural Officer – No objections; there are no trees of a high amenity value that will be affected by the proposed development. There will be sections of the hedgerows removed to allow the proposed gallop. From a landscape point of view it would be beneficial for there to be new hedge planting along the gallop around 5 metres either side from the existing hedge so that from most angles the hedge wouldn't appear to be opened up. I realise this won't help Paul Allen with connectivity, but I think it would be beneficial to the appearance of the landscape.

16/0512/FULL

3.7 Countryside Conservation Officer – No objections subject to conditions

3.8 Worcestershire County Council Archive & Archaeology Service - The above planning application has been checked against the Worcestershire Historic Environment Record, and in this instance the proposals will affect an area of archaeological interest, in this instance the designated heritage asset *Rock Farm moated site, deserted medieval village and ridge and furrow, 100m SE of St Peter and St Paul's Church* (Scheduled Monument – NHLE 1008658).

The supporting information that has been provided with the application regarding the Scheduled Monument is both confused and erroneous as it is suggested that the proposed development area is located outside the boundary of the Scheduled Monument. However, this is incorrect and the attached plan obtained from the National Heritage List for England shows that the Scheduled Area extends into the northeast corner of the development area, encompassing part of the Proposed Stable Yard Office and Shared Staff/ Visitor Parking. Both the National Planning Policy Framework and the Wyre Forest District Council Core Strategy set a high threshold with regard to the acceptability of development that would affect a designated heritage asset. Furthermore, in addition to planning permission Scheduled Monument Consent would also be required for any works that would affect the Scheduled Monument and, if not already implemented, we would advise that Historic England is consulted regarding the proposed development prior to determination of the application.

Should consultation with Historic England indicate that the proposed development is acceptable with regard to the special interest of the Scheduled Monument and you are minded to grant planning permission for the proposed scheme then we would advise that any groundworks within and in the vicinity of the Scheduled area that have the potential to expose, damage or destroy any remains that are present should be subject to a programme of archaeological monitoring and recording. The proposed horse-walkers, circular gallop, linear gallops and new staff accommodation etc are located away from any known sites of archaeological interest and would not need to be subject to the same requirement for monitoring. The recommended work can be secured by means of a suite of suitably worded conditions attached to any grant of consent

3.9 West Mercia Police Crime Prevention Design Advisor - No objections to this application. The area where this is proposed has been subject to a number of burglaries where outbuildings have been broken into. Property stolen includes agricultural equipment, general tools and horse tack. I note that there will be gates and CCTV protecting the entrance, however the rest of the perimeter does not appear to be secure, consequently this property could become a target. In view of this I strongly suggest that the applicant pays particular attention to the security of buildings that house any of the above items. Increased security obviously involves using good locks and bolts, alarms etc but could also include the type of material these buildings are constructed from. Therefore it needs to be considered at this stage.

16/0512/FULL

- 3.10 Planning Policy Manager - The proposal both utilises existing buildings and is for new build. It may be more aesthetically acceptable if the building incorporating the residential accommodation were an extension to the existing barn rather than at present a separate building.

The application site is potentially sensitive due to the proximity with the Scheduled Ancient Monument and Grade I Listed Church of St Peter and St Paul. In policy terms, if Historic England and the Conservation Officer are satisfied that the proposal does not have a detrimental effect then no issue is raised by policy although it is understood that at the present time further information is being sought, as requested by Historic England and no objection being raised by Worcestershire County Council Highways Department on access grounds.

- 3.11 Ramblers Association – No comments received

- 3.12 Rock Pathfinders Group - Footpaths 744 and 746 will cross the Gallop which is normally enclosed by rails; should this be the case in this instance, then one point of granting planning permission must be that adequate gaps are left in the rails for walkers to cross and that warning signs are erected

Footpath 753 is shown as crossing a horse paddock which will mean the provision of either two gates or stiles and mean walkers cutting through the corner of a field. This can be avoided by simply changing the fence line to keep the footpath outside of the horse paddock. This will hardly inconvenience the horses and will be of benefit to walkers.

Given that all three footpaths are almost in the centre of the village and therefore most commonly walked I trust that these points will be taken into consideration when the Planning Committee are advised by their Officers.

- 3.13 Neighbour/Site Notice (original submission) - 4 letters of objection raising the following issues:

- Visual impact – over dominating and out of character particularly when viewed from footpaths
- Design fails to take account the historical significance of the site and will adverse impact on the church
- Additional families proposed in an area where there are no key services
- Impact on highway safety due to number of and size vehicles using narrow lanes and bends particularly at porchbrook
- Safety of public footpaths
- Loss of view and amenity of residential properties.
- Already racing stables at Abberley is there a need for this development.

16/0512/FULL

2 Letters of support have been received commenting:

- I wholeheartedly support the development as detailed in the planning application and while there may be increased traffic I have, I hope provided ways to manage, mitigate and reduce the risk and impact on the village residents. The benefits the facility will bring to the long term prosperity and future of the village and its residents far outweigh the highlighted observations and I feel confident that, with the adaptation of the speed limits locations and addition of yellow lines as specified (Which I appreciate are at County Council level) the project should be given the full support of the Wyre Forest District Council.
- As a local racing enthusiast, it would be brilliant to have a local horse training facility within 3 miles. Looking at the plans, it appears to be a thorough and comprehensive design and gets my support- Exciting times should it be approved and not have an impact on the local residents who will hopefully embrace the plans (and please have some National Hunt horses in training!)

(Officer Comment - Following submission of revised plans and additional information 3 of the objections have been withdrawn and the following comments received):

- We have no objections to the revised plans for a lake but do not wish to see any trees planted.
- We would confirm we have no objection to the Race Horse Training Facility development proceeding subject to details of drainage and the attenuation pool, and any landscaping.
- I am pleased to note that the proposed position for the gallops is now further away from our property which will reduce any noise. So far as the suggested pond and trees are concerned I agree with the comments of my neighbour that a condition of the planning permission is that these should be considered by the Applicant and the residents of Porchbrook after the Gallops have been implemented as they are very unlikely to be necessary.

4.0 Officer Comments

4.1 This application for a riding stables, gallops and associated works falls to be considered under the following headings:

- Policy Context and Principle of Development
- Siting, Design and Quantum of Development
- Amenity of Existing Residential Properties
- Heritage Assets
- Landscape and Visual Amenity
- Highway Impact, Access, and Public Rights Of Way

16/0512/FULL

- Biodiversity and Trees
- Drainage
- The Planning Balance

POLICY CONTEXT AND PRINCIPLE OF DEVELOPMENT

- 4.2 Rural enterprises such as commercial racing stables are supported within the National Planning Policy Framework (NPPF) due to the economic and social benefits that result to the local area. The Adopted Wyre Forest Site Allocations and Policies Local Plan (SAAPLP) also provides support through Policy SAL.UP13, which allows development that does not impact adversely on the amenity of the open countryside, highway safety, public rights of way or neighbouring properties. Conversion of existing buildings is encouraged where possible. Residential accommodation is permissible under Policy SAL.DPL2 where it is directly related to the facility and provides accommodation for rural workers.
- 4.3 The proposal seeks to convert the available buildings within the site and the construction of new buildings is kept to a minimum. Where new residential accommodation is proposed this is directly related to the stables. It is clear that there is policy support for the principle of development both at Local and National level and in this context the development is acceptable.

SITING, DESIGN AND QUANTUM OF DEVELOPMENT

- 4.4 There are two groups of agricultural buildings within the site. The buildings closest to the entrance drive are proposed to be converted to a visitor reception and meeting rooms, with the larger group of buildings to the south being converted to 60 stables, indoor arena and veterinary/therapy facilities. A new building is proposed to the north of the stables to provide staff welfare facilities, groom accommodation and storage. Two horse walkers will be situated adjacent to the north of the stables with turn out paddocks beyond. A 400m circular gallop is to be located to the west and a 1260m linear gallop circuits the edge of the surrounding fields from the south-east adjacent to Dick Brook and finishing to the north-west adjacent to Porchbrook Road.
- 4.5 The reception and stable buildings are shown to be converted utilising the existing building form finished with horizontal and vertical cladding with a metal roof for the reception building and fibre cement roof for the stables both coloured juniper green. The finish of the converted buildings is acceptable and provides a quality of design without compromising the form of the existing buildings.
- 4.6 The new build has been carefully designed to reflect the agricultural vernacular of the site and addresses the differing levels of the site to ensure that the building sits down within the context of the landscape. Revised plans show the building finished in vertical timber cladding with a metal roof in the same juniper green colour as the other buildings. Windows and doors provide additional vertical emphasis continuing the agricultural feel of the building.

16/0512/FULL

- 4.7 Hard surfacing and landscaping reflect the design quality of the scheme across the whole site resulting in a cohesive visual appearance.
- 4.8 The overall design approach, including the siting of development and the amount proposed, is in keeping with the surroundings and conforms to the design policies of the Local Plan.

AMENITY OF EXISTING RESIDENTIAL PROPERTIES

- 4.9 The closest properties to the main facilities are the barn conversions at Rock Farm known as Oak Tree Barn, The Mead and Tower View Barn. These properties back on to the reception area and main driveway, although they are at a higher level and some distance from the stable and welfare buildings. The proposals will change the pattern of movements to the site from the existing situation as a farm. However based on the details of traffic movements (which will be detailed later in the report) and the nature of the facility it is not considered that that the proposals will result in an adverse impact on the amenity of these residents. There will be some visual improvement to the locality which will be of benefit to these properties.
- 4.10 In similar vein the properties on Porchbrook Road, directly opposite the entrance, and indeed other properties on the main routes to the site will see a change in the pattern of vehicular movements but the level of movement will not result in an adverse impact on their amenity.
- 4.11 Properties at Porchbrook, namely Alma Lodge, Porchbrook House, Brook House and the Paddocks are closest to the area of the linear gallop and one of the main routes to the site. Amended plans have been received providing a buffer of 85m at the closest point. This distance is acceptable to residents and previous concerns have been withdrawn as set out under paragraph 3.3 of the report. I am satisfied that at this distance any noise and visual disturbance from the gallops will be minimal. Whilst tree planting is shown, it is suggested that any landscaping scheme should be considered once the gallops have been installed to allow proper mitigation; this can be a conditional matter. These properties again may encounter a change in pattern or increase in vehicular movements but these will not be to an extent that would result in harm to their amenity.

HERITAGE ASSETS

- 4.12 In respect of heritage matters there are two major Heritage Assets that required detailed consideration. The Church of St. Peter and St. Paul is situated at the driveway entrance and is visible across the site. It is a Grade I listed structure built in the Late 12th Century, extended in 14th Century and in 1510, the church was restored in 1861 and the tower in 1881. There are number of memorials within the Church Yard which are listed as Grade II in their own right. To the south of the Church lies the Rock Farm Moated Site which is a Scheduled Ancient Monument (SAM). The monument includes the remains of a moated enclosure, deserted medieval village and associated earthworks, situated on the level summit of a low hill in gently rolling farmland.

16/0512/FULL

The SAM designation covers part of the ground where the structure to be converted to the reception building, although the building itself has no historic merit.

- 4.13 Both Historic England and the Council's Conservation Officer have visited the site and considered the proposals in detail. Their initial comments have led to a revised Heritage Impact Assessment and drawings to be submitted. The Council's Conservation Officer has set out comments that are in favour of the proposal. At the time of writing whilst Historic England have indicated that they are happy with the revised details in principle, their formal comments on the detailed impact are yet to be received. These will be reported via the Addenda and Corrections Sheet.
- 4.14 From the original comments received it is understood that whilst there will be no physical harm to the SAM as no below ground works are proposed, there may be less than substantial harm caused through the visual impact of the new building on immediate and long views of the assets and the increased use of the site overall. The NPPF advises that in these circumstances Public Benefits can be considered,. The Planning Practice Guidance states that Public Benefits should flow from the development and fall within the Social, Economic and Environmental dimensions of sustainable development, as defined within the NPPF.
- 4.15 The establishment of racing stables within the area will provide an enhanced social role within the area, providing accommodation for stable hands along with sporting interest. Economic benefits will be provided through employment opportunities both at the construction phase and long term at the stables, along with associated opportunities for local business in providing supplies and linked services. In environmental terms the proposals will substantially improve the visual appearance of the site, provide additional landscaping and ecology enhancements, through additional bat and bird boxes and other wildlife features. Heritage benefits will be provided through the enhancing the significance of the SAM and the contribution of its setting and reducing the risks to it overall.
- 4.16 These public benefits provide significant weight in favour of the application, although the final balance will be considered once the final comments from Historic England have been received. This will be provided as part of the Addenda and Corrections Sheet.

LANDSCAPE AND VISUAL AMENITY

- 4.17 As the proposal in the main is a conversion of existing buildings there is limited impact over and above the existing situation. The converted buildings will be visually enhanced and this provides some overall benefits to the landscape and visual amenity.

16/0512/FULL

- 4.18 The new building is situated with the stable area and set into the embankment limiting distant views of it from further away. Where views will be seen it will sit neatly within the context of the existing yard area and will not cause harm to the landscape and visual amenity.
- 4.19 The gallops will be the aspect of the development that will be seen from the greatest number of vantage points particularly as it will cross public rights of way. The gallop stretches from Dick Brook to the south and runs west before running north alongside Porchbrook Road and finishing on the northern boundary of the top field which lies adjacent to the Church. The gallop will be constructed of synthetic materials to provide a quality track needed to support the facility, however the visual appearance will appear as a natural track in the landscape. The main impact is that of the guide rails that run each side of the gallop and make the finish area, these are typically white to enable horses to train for racecourse environments. The applicants have stated that in particularly sensitive areas the rails could be painted green. It is my view that the rails in the top field will be disruptive of the main views to and from the listed church which can be gained from the public right of way that intersects this field. As such it suggested that a condition could be imposed requiring the rails to be painted green within the top field. In other areas I am satisfied that whilst there may be some impact on the landscape from the white rails these will be seen only from Public Rights of Way and from properties at Porchbrook and this will be in the context of the undulating landform and wooded area of Dick Brook. As such I am content that the impact here will not be so serious as to have a significant impact on character.
- 4.20 Where there will be any loss of character the proposals detail landscape enhancements that are shown as being appropriate for Timbered Plateau Farmlands Landscape Character Type within the County's Landscape Character Assessment namely, strengthening and replacing hedgerows, areas of group and linear tree planting and returning fields to pasture land. These aspects all come together to provide a balance over the harm and provide in my view an enhancement to the landscape character and visual amenity of the locality.

HIGHWAY IMPACT, ACCESS, AND PUBLIC RIGHTS OF WAY

- 4.21 Access to the site will be from the existing driveway which is situated adjacent to the Church and is shared with the converted barns at Rock Farm. The access is sufficient in width and visibility to be acceptable for the development as proposed. The applicants have provided a traffic summary of proposed movements demonstrating that on average there will be on average 20 car movements per day and on average 4 other vehicle movements per week, along with the normal tractor movements to maintain the fields at the appropriate times of the year. In addition to this, following some concerns from residents, a traffic management plan has been submitted to show how deliveries and other vehicle movements will be co-ordinated to minimise the impact on the narrow road network that leads to the site.

16/0512/FULL

- 4.22 The Highway Authority has considered the proposal alongside the information provided and has concluded that there will no adverse impact on highway safety as a result of the proposal. I agree with this viewpoint and taking into account the movements shown and the management plan, which can be tied to the development by a condition, the safety of road users and local residents will be maintained.
- 4.23 The existing line of Public Rights of Way will be maintained. Where they cross gallops these will be provided with gaps in the rails and suitable signage arrangements. These details have been agreed by the County Council's Countryside Service prior to application being submitted. I am happy that there will be not adverse impact on the public rights of way as a result of this proposal.

BIODIVERSITY AND TREES

- 4.24 A Biodiversity assessment has been submitted to support the proposal which concludes that *"The habitats present are common and widespread and are not of significant ecological value in their own right."* The report suggests areas for biodiversity enhancement including the provision of bat and bird nesting boxes and the creation of habitats such as trees or hedgerow, all of which are either proposed or can be conditional items. The Council's Countryside Conservation Officer agrees with these conclusions and subject to the imposition of suitable conditions has no objections to the proposal.
- 4.25 Whilst there are proposals for tree removal these are limited to those non native species such as conifers around the Scheduled Ancient Monument. The proposals include a substantial amount of native tree planting around the stable yard and the gallops as previously discussed. Existing hedgerows will be maintained and strengthened, although the gallops will puncture hedgerows along its route. The Arboricultural Officer has no objections to the proposals.

DRAINAGE

- 4.26 A comprehensive drainage strategy has been submitted which details all foul and surface water drainage for the stable yards and buildings. It also provides a scheme for betterment to reduce surface water flows from the fields reducing flooding opportunities at Porchbrook through the inclusion of a depression within the lower fields to collect and slow water flows in this area. North Worcestershire Water Management are happy with the proposals in principle. However discussions are ongoing as to the exact details of the proposals, as the applicants wish to resolve all issues at the planning stage rather than the Council imposing a condition for these details. I am confident that these discussions will be either resolved by the date of committee, even if this should not be case the outstanding matters are not fundamental so as to result in refusal being recommended.

16/0512/FULL

THE PLANNING BALANCE

- 4.27 The considerations have discussed the potential areas of concern including those of heritage, landscape, amenity and highway issues. Where there are areas of harm that would be caused these have been balanced against the positive aspects of the proposal including the enhancements to heritage assets, visual amenity and landscape character along with the three dimensions of sustainable development as espoused by the NPPF. Subject to confirmation being received of a no objection response from Historic England, I consider that the overwhelming balance is in favour of the application.

5.0 Conclusions and Recommendations

- 5.1 The proposal for riding stables, gallops and associated works at Rock Farm has been fully considered against the key aspects of this case. It is concluded on balance that the proposal will result in enhancements to important heritage assets, landscape character and visual amenity. Any harm to matters of acknowledged importance will be limited and will be outweighed by the positive aspects of the scheme.
- 5.2 It is therefore recommended that the application be given **delegated APPROVAL** subject to:
- a. a 'no objection' response from Historic England being received; and
 - b. the following conditions:
 - 1. A6 (Full with no reserved matters)
 - 2. A11 (Approved plans)
 - 3. B6 (External details – approved plan)
 - 4. Residential occupation limited to stable staff only
 - 5. Landscaping scheme submitted within 3 months of gallop installation
 - 6. Landscape implementation
 - 7. Drainage implementation
 - 8. Highway Management Plan
 - 9. No lighting without permission
 - 10. Biodiversity enhancement
 - 11. Protection of Public Rights of Way

Application Reference:	16/0534/FULL	Date Received:	08/09/2016
Ord Sheet:	382465 280114	Expiry Date:	03/11/2016
Case Officer:	Tom Cannon	Ward:	Wyre Forest Rural

Proposal: Erection of single storey extension to existing dwelling, closure of existing vehicular access including re-surfacing of existing driveway and construction of new vehicular access and driveway to serve dwelling

Site Address: SOLCUM HOUSE, DRAKELOW LANE, WOLVERLEY DY11 5RU

Applicant: Mr & Mrs Steffen

Summary of Policy	CP11, CP12 (CS) SAL.CC1, SAL.UP1, SAL.UP7, SAL.UP8, SAL.UP9 (SAAPLP) Sections 7, 9 (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 Solcum House is a large detached property which is set back from Drakelow Lane. It is currently served by a long access drive which also doubles up as a public right of way (PRoW). Visibility for vehicles emerging from the existing access is currently restricted by the wall serving the neighbouring property to the north. This application seeks to address this issue by moving the access further to the south. I understand that permission was granted in 2010 for a new access in approximately this position; however, this has subsequently lapsed.

- 1.2 The property which lies within the Green Belt originally comprised of a pair of semi-detached cottages. These properties were converted and extended in the 1980s to provide a single dwelling. The current application also proposes to add a single storey extension to the existing property.

2.0 Planning History

- 2.1 10/0620/FULL – Reposition of access drive leading to Solcum House : Approved but not implemented.

- 2.2 WF/177/81 – Conversion of 2 cottages into single residence : Approved and implemented

16/0534/FULL

- 2.3 WF/444/81 – Garages and log store : Approved and implemented.
- 2.4 WFR/81/582 – Conversion of two cottages into one : Approved and implemented.
- 2.5 WF/264/82 – 4 dormer windows to rear elevation : Approved but not implemented.

3.0 Consultations and Representations

ORIGINAL PLANS

- 3.1 Wolverley and Cookley Parish Council – Recommends refusal. Would like to seek clarification on adequate visibility splays. Will the footpath also be diverted?
- 3.2 Highway Authority – The application should be deferred to address matters concerning visibility from the proposed access.
- 3.3 North Worcestershire Water Management – Requests clarification on the implications of the proposed driveway on surface water drainage in the area.
- 3.4 Worcestershire County Council Countryside Access Mapping Officer – The development should have no adverse effect on the public right of way. The applicant is advised that the construction works should not interfere with the function of the route of the public right of way.
- 3.5 Ramblers Association – No objections, the proposal would not adversely affect the existing public right of way.

AMENDED PLANS

- 3.6 Wolverley and Cookley Parish Council – Comments awaited
- 3.7 Highway Authority – No objections and recommends that if permission is granted, conditions should be attached regarding the closure of the existing access, and construction of the approved access, including the requisite visibility splays.
- 3.8 North Worcestershire Water Management – No objections.
- 3.9 Worcestershire County Council Countryside Access Mapping Officer – No additional comments.
- 3.10 Ramblers Association – Comments awaited.
- 3.11 Neighbour/Site Notice – No third party representations received

16/0534/FULL

4.0 Officer Comments

4.1 The main issues in this case are:

- 1) Whether the proposal is inappropriate development in the Green Belt; and
- 2) The effect of the proposed access arrangement on highway safety in Drakelow Lane.

WHETHER INAPPROPRIATE DEVELOPMENT

PROPOSED EXTENSION

4.2 Paragraph 89 of the National Planning Policy Framework (NPPF) sets out that local planning authority should regard the construction of new buildings as inappropriate development in the Green Belt. Exceptions to this include: *extension or alteration of a building provided that it does not result in disproportionate additions over and above the size of the original building.*

Policy SAL.UP1 of the Wyre Forest Site Allocations and Policies Local Plan (SAAPLP) closely aligns with the Framework in this respect, albeit it refers to extensions to dwellings rather than buildings.

4.3 The building was converted into a single dwelling over 30 years ago. However, it is the opinion of officers that the 'original dwelling' represents the pair of semi-detached cottages which occupied the site prior to their extension and conversion to provide a single residential unit.

4.4 The alterations and extension to form a single dwelling increased the size of the original building by 34sqm or 26%. Subsequent alterations, including the conversion of the roof space to provide additional living accommodation did not involve any external alterations to the property other than the insertion of several roof lights. The current application would extend the existing ground floor utility room by about 19sqm. When combined with the previous extensions, the proposal would result in a 39% increase in the footprint of the original dwelling. Clearly, having regard to the above factors, such an increase would not represent a disproportionate addition over and above the size of the original dwelling. Therefore, this aspect of the scheme would not constitute inappropriate development in the Green Belt.

NEW ACCESS AND DRIVEWAY

4.5 Paragraph 90 of the NPPF states that certain other forms of development are also not inappropriate development provided they preserve openness. Included in this list and also not therefore inappropriate are engineering operations. Policy SAL.UP1 of the SAAPLP does not specifically refer to 'engineering operations.' As the SAAPLP is silent on these matters, I have assessed this aspect of the application against paragraph 90 of the NPPF.

16/0534/FULL

- 4.6 In my experience engineering operations tend to include works which change the physical nature of the land – for example a hard standing, car park or road. Indeed, Section 336 of the Town and Country Planning Act confirms that “engineering operations” include the formation or laying out of a means of access to highways. As this application involves the provision of a new access and driveway it would represent an “engineering operation.” Given that the proposal would replace the existing vehicular access, driveway and post and rail fencing with a similar form of development and return the existing hard standing to grass, it would also preserve the openness of the Green Belt. Thus, when applying NPPF paragraph 90, this element of the scheme would also not represent inappropriate development in the Green Belt.

HIGHWAY SAFETY

- 4.7 The proposed new access would be positioned to the south of the existing access point and would therefore provide improved visibility for vehicles exiting the site and travelling north. Although an existing tree is situated in the highway verge to the south, and restricts visibility in this direction, this specimen is in a poor condition and is not of significant amenity value. It is proposed to remove this tree, which is within the ownership of the County Council, as part of this application (the applicant can apply for a licence to remove it). Therefore, subject to the removal of this tree, the proposed new access would provide improved visibility for vehicles exiting the site.

OTHER MATTERS

- 4.8 The proposed new driveway would be surfaced using permeable material. Consequently, it would improve drainage and surface water run-off in comparison to the existing track, which is at least in part, constructed in a bound material.
- 4.9 The development would safeguard the route of the existing ProW which passes through the site. It is however necessary to attach an advisory note to ensure that the ProW is not obstructed during construction works.

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)
 3. Matching materials

16/0534/FULL

4. The existing vehicular access onto Drakelow Lane shall be permanently closed to vehicular traffic and maintained as a pedestrian right of way in accordance with details which shall first be submitted to and approved in writing by the Local Planning Authority prior to the approved access being brought into use. The means of closure of the vehicular access the method of retention of the public right of way shall be carried out in accordance with the approved details.
5. The new vehicular access and visibility splays shall be laid out and constructed in accordance with the details shown on Drawing No 101 Rev B before the proposed vehicular access is brought into use. The approved visibility splays shall at all times be maintained free of obstruction exceeding a height of 0.6 metres above the adjacent carriageway level.
6. The approved access gates shall be set back 5 metres from the adjoining carriageway edge, and shall be made to open inwards only.

Application Reference: 16/0598/S73	Date Received: 10/10/2016
Ord Sheet: 384470 277211	Expiry Date: 05/12/2016
Case Officer: Tom Cannon	Ward: Offmore & Comberton

Proposal: Variation of Condition 7 of Planning Permission WF.289/97 to allow changes to operational hours

Site Address: UNIT 1B KIDDERMINSTER TRADE PARK, BIRMINGHAM ROAD, KIDDERMINSTER DY10 2RN

Applicant: Screwfix Direct Limited

Summary of Policy	CP11 (CS) SAL.UP7, SAL.CC1, SAL.CC2 (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 forms part of the Kidderminster Trade Park, a small complex of industrial units located off the Birmingham Road. Immediately to the rear of the trade park is Cairndhu Drive, a residential estate of predominately semi-detached and terraced properties.
- 1.2 Although currently vacant, the applicant (Screwfix Direct Limited) is seeking to develop the premises to provide a presence in this part of the town.

2.0 Planning History

- 2.1 WF.289/97 – Change of use of unit to storage and distribution of auto components (B8 Use), removal of canopy and installation of roller shutter door to front elevation : Approved and implemented.
- 2.2 16/0627/FULL – External alterations comprising the installation of 2 No ventilation grilles and 1 No new ramp and railings : Approved.

3.0 Consultations and Representations

- 3.1 Kidderminster Town Council – Oppose the application. Adverse impact on local residents from noise and traffic.
- 3.2 Highway Authority – No objections.

16/0598/S73

- 3.3 Worcestershire Regulatory Services (WRS0 – No objections. Any impact in respect of noise nuisance to nearby properties would be minimal. There have also been no historic noise complaints relating to this unit.
- 3.4 Neighbour/Site Notice – Single letter of objection received from neighbouring residents due to the potential noise and disturbance generated by staff members congregating for cigarette breaks etc at the external fire door which backs onto their property during the extended opening hours.

4.0 Officer Comments

BACKGROUND AND MAIN ISSUES

- 4.1 Planning permission was granted in 1997 (ref. WF.289/97) for the change of use of the premises the subject of this current application to the storage and distribution of auto components (B8 Use). The agent has provided photographic evidence and Council Tax records for the previous businesses which occupied the unit, confirming that the 1997 permission has been implemented. It is accepted that the proposed end user (Screwfix) would represent a B8 use and is therefore covered by the extant permission.
- 4.2 Condition No 7 of Planning Permisison WF.289/97 states that: *“There shall be no working, including loading and unloading, or trading from the premises except between the hours of 8.00 a.m. and 8.00 p.m. Monday to Friday; 8.00 a.m. to 3.00pm. on Saturdays and at no time on Sundays or Bank Holidays.”* The reason given for this condition was: *“To safeguard the interests and amenity of neighbouring residential property.”*
- 4.3 The applicant is seeking to extend trading to between 07:00 – 20:00 Mondays to Fridays (including Bank Holidays), 07:00 – 18:00 on Saturdays, and between the hours of 10:00 and 16:00 on Sundays.
- 4.4 In light of the above, I consider that the main issue in this case is whether the existing condition is reasonable and necessary in the interests of the living conditions of nearby residents, with particular regard to noise and disturbance.

LIVING CONDITIONS

- 4.5 The main vehicular access, parking and customer entrance to the premises is situated immediately to the west of the units, away from nearby residential properties which are concentrated to the east and north-west of the site. Due to this relationship, any potential noise and disturbance associated with vehicles manoeuvring in the car park, the opening and closing of car doors, and movement of people into and out of the main customer entrance during the extended opening hours is unlikely to materially affect the living conditions of nearby residents. The existing units would also serve as a noise barrier, restricting the potential impact on residential properties in Cairndhu Drive immediately to the rear.

16/0598/S73

- 4.6 Concerns have been raised regarding the potential noise generated by staff members congregating outside the rear fire escape for cigarette breaks. This area backs directly onto residential properties in Cairndhu Drive. However, the applicant has confirmed that staff members will be discouraged from using the rear fire escape as a smoking area, with an area set aside to front of the premises for this purpose. Moreover, as the business would only employ five people who would have their breaks on a rota basis, even if they did use the rear fire escape during these times, the potential noise and disturbance generated by such a small number of people is unlikely to cause material harm to nearby properties. The presence of an on-site staff room would further reduce the need for staff members to assemble in the area to the rear of the unit during these periods.
- 4.7 Thus, it is considered that the proposed increased opening hours for customers, despite including early mornings, Sundays and Bank Holidays when one could normally expect a quieter noise environment, would not have a detrimental effect on the living conditions of nearby residents, with particular regard to noise and disturbance. As such, it would accord with one of the core planning principles of the NPPF; to always seek to ensure a good standard of amenity for all existing and future occupants of land and buildings.
- 4.8 WRS have confirmed, at paragraph 3.3, that there is no history of complaints from this and adjoining premises and that any noise or nuisance levels would be minimal and, as such, they raise no objections.

OTHER MATTERS

- 4.9 The proposal would not materially affect the existing access or parking arrangements within the industrial estate or nearby residential streets which are served by separate vehicular accesses. Therefore, the proposal would accord with Policies SAL.CC1 and SAL.CC2 of the Site Allocations and Policies Local Plan (SAAPLP) which, amongst other things, seek to ensure that development, does not lead to a deterioration of highway safety.

5.0 Conclusions and Recommendations

- 5.1 The extended opening hours would not harm the living conditions of nearby residents. It is not therefore necessary to repeat the conditions imposed on the original permission as it is clear from the formal decision notice that all conditions imposed under the original permission so far as the same are still subsisting and capable of taking effect still apply. Thus, Condition 7 is replaced with a new condition reflecting the increased customer opening hours.

16/0598/S73

- 5.2 For these reasons, it is recommended that the application be **APPROVED** subject to the following condition:

The premises shall only be open for customers between the following hours:
07:00 – 20:00 Mondays – Fridays (including Bank Holidays and Public Holidays)

07:00 – 18:00 on Saturdays

10:00 – 16:00 on Sundays.

There shall be no working, deliveries taken at or despatched from the premises, including loading or unloading outside the following hours:

08:00 – 20:00 Mondays – Fridays

08:00 – 15:00 on Saturdays; and not at all on Sundays, Bank Holidays, and Public Holidays.

Application Reference: 16/0607/FULL **Date Received:** 11/10/2016
Ord Sheet: 379845 275924 **Expiry Date:** 06/12/2016
Case Officer: Tom Cannon **Ward:** Wribbenhall & Arley

Proposal: Demolition of existing bungalow and erection of 2 new detached houses with gardens

Site Address: 155 KIDDERMINSTER ROAD, BEWDLEY DY12 1JE

Applicant: Mr Ron Mackie (Gomac Business Development LTD)

Summary of Policy	CP11, CP12 (CS) SAL.DPL1, SAL.CC1, SAL.CC2, SAL.UP6, SAL.UP7 (SAAPLP) County Council Parking Standards SPD Sections 6, 7, 12 (NPPF) Planning Practice Guidance (PPG)
Reason for Referral to Committee	Statutory or non-statutory Consultee has objected and the application is recommended for approval. Town Council request to speak on application
Recommendation	APPROVAL

1.0 Site Location and Description

- 1.1 The application site comprises of a detached bungalow set within a substantial landscaped plot. The existing property, which extends across the majority of the width of the site, fronts onto Kidderminster Road, the main arterial route into the centre of Bewdley. The built form in this area consists of an eclectic mix of modern two storey detached and semi-detached properties, intertwined with older Georgian and early to mid-Victorian houses.
- 1.2 To the north-east of the site are Nos 157 and 159 Kidderminster Road, a pair of semi-detached Georgian town houses which are set forward of the existing bungalow. Given their age, design, and well preserved architectural detailing, these properties are clearly of significant architectural and historic interest, reflected in their inclusion on the Local Heritage List for Bewdley. As such, they represent non-designated heritage assets which the National Planning Policy Framework (NPPF) confirms should be preserved in a manner appropriate to their significance.

2.0 Planning History

- 2.1 15/0645/OUTL – Erection of two detached houses including access: Approved

16/0607/FULL

3.0 Consultations and Representations

ORIGINAL PLANS

- 3.1 Bewdley Town Council – Objects to this application due to road safety issues the proposed new access driveway to the second property would create. Its close proximity to the entrance to New Road where cars already have difficulty pulling out into the busy traffic approaching the B4190/A456 island means it will be dangerous and add to existing traffic congestion in this area. Visibility is already compromised by the cars parking on the grass verge outside No. 155 and up to the end of new road. The views of the Highway Authority should be sought on this matter. The Town Council wish to speak at the Planning Committee in connection with this application.
- 3.2 Highway Authority – No objections, subject to conditions regarding the surfacing and drainage of the proposed access, parking and turning areas, and the provision of electric charging points.
- 3.3 Conservation Officer – The proposed new dwellings do create more of a sense of streetscape than the existing bungalow which appears quite an alien feature and somewhat out of context. The front elevation of the proposed development is somewhat similar to that of the adjacent modern housing with a building width more similar to that of the pair of locally listed buildings.

The overall scale of the proposed development is somewhat larger than the adjacent properties particularly in respect of the depth of the plan. The ridge height is very similar to the height of the chimney of the locally listed building and this together with a lower eaves height serves to reduce the visual impact from Kidderminster Road.

The principal interest of the locally listed buildings is their architectural features and proportions on the elevation facing Kidderminster Road. This is not affected by the proposed development – the locally listed buildings are still read as an historic pair. The fact that they are set much closer to the road also emphasises their features of interest, particularly the hipped roof, the view of which from the road is not affected by the proposed development which is set back. No objections.

- 3.4 Severn Trent Water – No comments received.

AMENDED PLANS

- 3.5 Bewdley Town Council – The revised plans now propose one main access for both houses. I anticipate there will still be concerns expressed regarding access onto the Kidderminster Road - as this road is, at the best of times, difficult to pull out into (e.g. getting in/out of New Road is a difficult, plus cars park all along the grassed verges outside 155A to 159 to New Road entrance and block visibility).

16/0607/FULL

Has any consideration been given to creating one main entrance from the side of No. 155A to lead into the cul-de-sac area running from 153b Kidderminster Road? This would mean that vehicles would all access the main Kidderminster Road from one existing entrance? Clearly, this would require removal of the foliage/boundary wall etc to 155A, but would improve traffic flow/road safety. This application will be re-considered at the Town Council meeting on Monday 5th December at our evening meeting.

- 3.6 Highway Authority – Recommends that any permission which the District Council may wish to give includes conditions regarding the construction, surfacing and drainage of the proposed and closure of the new access, and the provision of secure cycle parking.
- 3.7 Conservation Officer – No objections to the revised plans.
- 3.8 Neighbour/Site Notice (*Officer Comment – Following the receipt of revised plans, neighbours acknowledge a significant improvement, but still have the following concerns about the proposed development*).

Objections received from the neighbour on the grounds of:

- Overlooking and loss of privacy;
- Overshadowing and loss of natural light;
- Disturbance;
- Overbearing; and
- Road safety issues.

4.0 Officer Comments

BACKGROUND AND MAIN ISSUES

- 4.1 Outline planning permission was granted last year, establishing the principle of the erection of two new dwellings on the site. It also approved the use of the existing access along the south-west boundary to serve the proposed development. Following the receipt of amended plans, this application seeks to provide a new centralised vehicular access.
- 4.2 Taking account of the above background, the main issues in this case are:
- (i) The effect of the proposed access arrangements on highway safety in Kidderminster Road;
 - (ii) The effect of the proposed development on the character and appearance of the area, including the adjacent non-designated heritage assets; and
 - (iii) The effect on the living conditions of nearby residents, with particular regard to outlook, daylight and sunlight.

16/0607/FULL

HIGHWAY SAFETY

- 4.3 Concerns have been raised regarding the proximity of the proposed new access to the private driveway serving six residential properties immediately to the west of the site. I understand that the occupiers of these houses are currently experiencing problems entering and exiting the driveway, due to the volume of traffic using Kidderminster Road. It has been suggested that the increase in vehicular movements generated by one additional dwelling would exacerbate the existing situation, which is made worse by the presence of parked cars along the adjacent highway verge, restricting visibility for drivers emerging from the access.
- 4.4 Given its proximity to the traffic island with the A456 and location on the main approach into Bewdley, there is a steady flow of traffic travelling in both directions on this part of Kidderminster Road. However, the modest number of additional vehicle movements connected with one extra dwelling is unlikely to materially affect access and egress both into and out of the adjacent driveway or traffic flows on Kidderminster Road, even during busy peak periods. Indeed, due to its position further to the north-east of the adjacent driveway, it could be argued that the proposed access arrangement would improve visibility for drivers emerging from this direction. Therefore, subject to conditions regarding the specifications and gradient of the proposed new access, as confirmed by the Highway Authority, the development would not have an adverse effect on highway safety in Kidderminster Road. As such, it would accord with Policy SAL.CC1 of the SAAPLP, which, amongst other things requires that proposals do not lead to a deterioration of highway safety.
- 4.5 It has also been suggested that access to the site could be taken from the private driveway to the south-west, preventing the need for the construction of a new vehicular access on Kidderminster Road. However, the applicant has confirmed that this would severely reduce on-site parking provision for the proposed dwellings. In addition, it is unclear who owns the intervening land required to link the site through to the existing private driveway. Given my conclusions on the first main issue, I therefore see no reason why this amendment is necessary to enable the development to be approved.

CHARACTER AND APPEARANCE

- 4.6 Houses in Kidderminster Road follow a varied alignment, with the more modern 20th century additions, including the existing bungalow set back from the street. This contrasts with the traditional Georgian and Victorian properties which are positioned closer to the road and therefore are more imposing and dominant features within the surrounding street scape. The proposed dwellings would be arranged in a staggered formation, with the front elevations set back from the pair of Georgian townhouses directly to the east. As a consequence, the layout of the scheme would respect the established pattern of development in Kidderminster Road.

16/0607/FULL

- 4.7 Properties in this area vary in their design and form, with a mix of gable fronted, hipped and pitched roof houses within the immediate vicinity of the site. The new dwellings would incorporate a dual fronted gable, drawing emphasis from the modern detached houses directly to the west. Although the ridge height of the properties would be marginally higher than adjacent development, there is a fluctuation in the scale of houses in Kidderminster Road, with certain properties taller than their immediate neighbours. Moreover, the visual impact and prominence of the proposed houses would be further negated by their reduced eaves height and recessed position. As such, the development would not appear unduly conspicuous within the surrounding street scape.
- 4.8 Turning to the impact on the adjacent locally listed buildings, due to the position of the proposed new dwellings, Nos 157 and 159 would still read as an historic pair and emphasise their features of interest, particularly the hipped roof and largely unaltered front elevations. Consequently, the proposal would preserve the significance of these non-designated heritage assets.
- 4.9 For the above reasons, I find that the development would respect the character and appearance of the area, including the significance of the adjacent non-designated heritage assets. It would therefore accord with Policies SAL.UP6 and SAL.UP7 of the SAAPLP which, amongst other things, require that proposals are of a high quality design and preserve heritage assets in a manner appropriate to their significance.

LIVING CONDITIONS

- 4.10 Revised plans have been submitted, amending the design and position of the proposed dwelling on plot 1. Essentially, a handed version of plot 2 is now proposed on this plot.
- 4.11 In respect of its impact on the neighbouring property to the west, No 153b Kidderminster Road, I am mindful that the proposed dwelling on plot 1 would extend forward of this property. However, due to the alignment of the existing and proposed dwellings, the development would not appear particularly imposing or adversely affect the outlook from the front facing lounge and bedroom of this dwelling. For these reasons, it would also not lead to the undue overshadowing of, or loss of sunlight to the south facing lounge and bedroom of this property. With regard to the impact on the daylight received into these openings, based on the evidence before me, I am satisfied that plot 1 would accord with a 45 degree line measured from the lounge and bedroom windows in the front elevation of No 153b.

16/0607/FULL

- 4.12 Turning to the effect on the rear of No 153b, the revised scheme has significantly reduced the scale of the rear part of Plot 1. In essence, a two storey section has been replaced with a low single storey element. As a consequence of its substantially reduced scale, the proposed dwelling would not appear unduly oppressive when viewed from the rear facing windows, conservatory and garden of No 153b. Moreover, despite the concerns raised by the neighbouring occupiers, it would not conflict with a 45-degree line taken from the mid-point of the rear facing kitchen/diner and bedroom windows of the neighbouring property, used to establish if the development would restrict the level of daylight received into these rooms. As the windows in the rear elevation of No 153b are north facing, there would also be no material impact on the sunlight to this property.
- 4.13 The dwelling on plot 2 would extend back beyond the rear elevation of No 157. Nevertheless, the rear part of the proposed property would be single storey in height and incorporate a shallow pitched roof, thereby reducing its visual impact on No 157. These factors, combined with the slightly lower ground levels on the application site would mean that the proposed dwelling on plot 2 would not appear unduly overbearing to, or adversely affect the outlook from the rear facing rooms and garden of No 157.
- 4.14 There is only one first floor window in the rear elevation of No 157, which is positioned on the northern side of the property, away from the boundary with the application site. Due to the separation distance involved, the proposed dwelling would not materially affect the daylight received into this window. Similarly, although the dwelling on plot 2 would conflict with a 45-degree line taken from the nearest ground floor window in No 157, this opening would be positioned over 6 metres from the single storey part of the proposed dwelling. The visual break between the two properties, combined with the modest scale of the single storey element of plot 2 would ensure that the dwelling would not adversely affect the level of daylight received into this window.
- 4.15 For the above reasons, I find that the development would not detrimentally affect the living conditions of nearby residents, with particular regard to outlook, daylight and sunlight. It would therefore accord with one of the core planning principles of the NPPF, to always seek to secure a good standard of amenity for all existing and future occupants of land and buildings.

OTHER MATTERS

- 4.16 Several other concerns have been raised by neighbouring residents regarding potential damage and disruption to property, and noise and disturbance during the construction phase. However, these are predominately civil matters, or issues which are dealt with under separate legislation (i.e. by Worcestershire Regulatory Services). Although a storm drain/sewer appears to cross the application site, matters relating to both foul and surface water drainage can be controlled by condition.

16/0607/FULL

- 4.17 In the interests of highway safety, it is necessary for details of how the proposed new access will be surfaced, drained and graded, together with the means of closing the existing site access, shall be submitted for approval. The proposed scheme would provide three parking spaces per unit which would accord with the County Council parking guidance. To ensure that the integral garages which form part of this provision are retained for the parking of vehicles, it is necessary to attach a condition to this affect.
- 4.18 As the approved plans provide details of all facing materials, I do not intend to impose a condition in this regard. To protect the living conditions of adjacent properties and in the interests of the character and appearance of the area, details of the proposed boundary treatments are required. For similar reasons, it is also both necessary and essential to remove permitted development rights for extensions and outbuildings on both plots.

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)
 3. 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, vehicle turning and parking areas would be surfaced, drained and graded (the gradient shall be no steeper than 1 in 8). No dwelling shall be occupied until the approved site access, vehicle turning and parking area has been constructed. The approved site access, vehicle turning and parking areas shall be retained thereafter, with the parking areas and garages 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.
 4. No development shall take place until details have been submitted to and approved in writing by the local planning authority of how the existing vehicular access is to be closed and the kerb line reinstated. No dwelling shall be occupied until the approved means of closure of the existing vehicular access and reinstated kerb line has been constructed.
 5. Boundary treatments
 6. Removal of permitted development rights for extensions and outbuildings
 7. Foul and surface water drainage

Agenda Item No. 5

Application Reference: 16/0616/FULL **Date Received:** 14/10/2016
Ord Sheet: 386646 277719 **Expiry Date:** 09/12/2016
Case Officer: Tom Cannon **Ward:** Wyre Forest Rural

Proposal: Two storey rear extension

Site Address: BLACK & WHITE COTTAGE, PERRYFORD LANE,
WANNERTON, KIDDERMINSTER, DY103NL

Applicant: Mr R Kite

Summary of Policy	CP11, CP12 (CS) SAL.UP1, SAL.UP6 (SAAPLP) CB4 of the emerging Churchill and Blakedown Neighbourhood Plan Sections 7, 9, 12 (NPPF) Planning Practice Guidance (PPG)
Reason for Referral to Committee	Statutory or non-statutory Consultee has objected and the application is recommended for approval. Parish Council request to speak on application
Recommendation	APPROVAL

1.0 Site Location and Description

- 1.1 Black & White Cottage is situated at the junction of Perryford Lane and the A456 Birmingham Road, approximately 1 kilometre south-west of Blakedown. Its timber framed eastern wing dating from the late 17th or early 18th century, imposing chimney, and lean-to structure which would originally have housed livestock, add to its significance. The larger, more dominant western wing is a 19th century addition, also incorporating timber frame detailing, to mirror the appearance of the early part of the house.
- 1.2 Given its age, design and detailing, Black & White Cottage is clearly of significant architectural and historic interest, reflected in its inclusion on the Local Heritage List for Churchill and Blakedown. As such, the property constitutes a non-designated heritage asset.

2.0 Planning History

- 2.1 None relevant

16/0616/FULL

3.0 Consultations and Representations

- 3.1 Churchill and Blakedown Parish Council - The Parish Council objects to this application. The heritage report is incorrect as it states that the building is not locally listed when it is. This statement is inaccurate and misleading. Therefore, it is requested that the application is called in by a District Councillor and the Parish Council reserve the right to speak at Planning Committee.

(Officer Comment - The Heritage Statement has since been amended correcting the initial inaccuracy).

The Parish Council objects to the application. The fact that the building is locally listed and may be as old as the 17th Century puts the building in totally different category. The Conservation Officer says the reason it is locally listed is because of its historical importance, architecture and it is a Local Landmark. As for altering its character, the development would increase its size by 70%, changing its nature from a modest country cottage to a substantial house. The Officer should also take into account that it is in the Green Belt.

This planning application is different from normal applications where the Parish Council is more concerned with the view from the road etc. The Parish Council has recognised the importance of the Parish's Historical record in the Neighbourhood plan, policy CB4 and we have consistently taken the view that it should be protected. The Wyre Forest's Local Planning policy SALUP6, local listing is given similar protection to National listing.

- 3.2 Conservation Officer – The property is locally listed. A revised Heritage Statement is therefore required clarifying the status of the building. The Black and White Cottage is included on the Local Heritage List for Churchill and Blakedown ref: LLCB010. It is clearly shown on the 1842 Tithe Mapping at which time it was owned by Henry Lord Bishop of Exeter, Edward John Lord Hatherton and John Benbow (Trustees of the late Earl of Dudley). Whilst the majority of the building dates from the 19th century and later the timber framed eastern wing is probably late 17th or early 18th century in date. The massive chimney and survival of a lean-to building for livestock adds to its significance.

It is somewhat surprising that this original building was not designated as a listed building when the area was surveyed in the 1950s and 1960s. It is now, however, too altered in my opinion to warrant designation using Historic England's current stringent criteria. The proposals involve the addition of a large wing to the rear of the 17th century building but not involving any removal of the historic structural walls. The roof of the new wing dovetails into the existing roof. Whilst it is inevitable that the roof tiles will be removed as part of this process, there appears to be no reason to remove the historic roof structure itself, and I would advocate its retention in the "attic" space formed.

16/0616/FULL

Whilst the addition of modern extensions does create a rather large house, the form of the original C17 cottage will remain discernible in the development, and thus I consider that the proposal will comply with Policy SAL.UP6.

No objections, subject to conditions requiring a Level 3 Building Recording Investigation and, if required by County Archaeology, a further recording investigation to identify if there are any archaeological remains on site.

3.3 Worcestershire County Council Archive & Archaeology Service – Comments awaited.

3.4 Neighbour/Site Notice – No third party representations have been received.

4.0 Officer Comments

4.1 It is proposed to erect a two storey extension to the rear of the property to provide living/dining room; kitchen; and a new master bedroom with ensuite and walk-in wardrobe facilities.

4.2 The main issues in this case are:

- 1) The effect of the proposed extension on the significance of Black & White Cottage; and
- 2) Whether the proposal is inappropriate development in the Green Belt.

4.3 The proposed two storey addition would extend out from the original rear wall of the property, incorporating a dual-pitched roof which would follow the form and profile of the 19th century western wing. Although the new extension would be a sizeable structure, and a section of its roof would be partially visible above the lower eastern wing, it would be broadly subservient to and reflect the scale, design and architectural characteristics of the original building. Moreover, due to the position of the proposed rear extensions, the form of the original 17th century cottage would remain discernible in the development, and the historic structural walls of the property would be preserved.

4.4 To provide a thorough understanding of the survival and phasing of the construction of the existing building, a condition is recommended requiring a Building Recording Level 3 survey to be submitted to the local planning authority for public record, prior to any works of development or demolition. The 1842 title maps also indicate an earlier rear wing at the property. Therefore, the County Archive & Archaeology Service has been consulted on the application. Their comments will be reported to Committee, via the Addenda and Corrections Sheet..

16/0616/FULL

- 4.5 It is considered that the proposal would preserve the significance of the non-designated heritage asset. Thus, it would accord with Policy SAL.UP6 of the SAAPLP, Policy CB4 of the emerging Churchill and Blakedown Neighbourhood Plan, and one of the core planning principles of the Framework, to preserve heritage assets in a manner appropriate to their significance.
- 4.6 Paragraph 89 of the National Planning Policy Framework (NPPF) sets out that local planning authority should regard the construction of new buildings as inappropriate development in the Green Belt. Exceptions to this include: *extension or alteration of a building provided that it does not result in disproportionate additions over and above the size of the original building.* Policy SAL.UP1 of the Wyre Forest Site Allocations and Policies Local Plan (SAAPLP) closely aligns with the Framework in this respect, albeit it refers to extensions to dwellings rather than buildings.
- 4.7 For the purposes of paragraph 89 of the Framework and Policy SAL.UP1 of the SAAPLP, the 'original building' comprises of the late 17th/early 18th century eastern wing and the later 19th century addition. The original dwelling has been previously extended in the form of a single storey rear addition. However, this element would be demolished to allow for the proposed two storey rear extension.
- 4.8 The current application would result in a 60% increase in the footprint, and a 64% increase in both the floor area and volume of the original dwelling. Having regard to the above factors, such an increase would not represent a disproportionate addition over and above the size of the original dwelling. Therefore, the development would not constitute inappropriate development in the Green Belt and would be in accordance with the requirements of the NPPF (paragraph 89) and Policy SAL.UP1 of the Site Allocations and Policies Local Plan.

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)
 3. Matching materials
 4. No development or works of demolition shall take place until a Building Recording Level 3 survey to provide a thorough understanding of the survival and phasing of the existing building has been completed and submitted to the local planning authority for public record.

Application Reference: 16/0670/FULL	Date Received: 03/11/2016
Ord Sheet: 383426 276967	Expiry Date: 29/12/2016
Case Officer: Paul Round	Ward: Broadwaters

Proposal: The erection of a bandstand in open grassed area of a public park

Site Address: ST GEORGES PARK, RADFORD AVENUE, KIDDERMINSTER, DY102ES

Applicant: Friends of St. George's Park

Summary of Policy	CP07, CP11 (CS) SAL.UP4, SAL.UP7 (SAAPLP) Sections 7, 8 (NPPF) Planning Practice Guidance
Reason for Referral to Committee	The applicant is Wyre Forest District Council or is made on land owned by Wyre Forest District Council
Recommendation	DELEGATED APPROVAL

1.0 Site Location and Description

- 1.1 The application site forms the area of St. George’s Park in Kidderminster. It is bounded to the north by Radford Avenue; to the east by Coventry Street and the former Co-op Day nursery; to the south by the ring road; and, to the west by residential properties in Silver Street and Radford Avenue.
- 1.2 The Park was established in the early 1920’s and is designated within the current Adopted Wyre Forest Site Allocations and Policies Local Plan as Public Open Space. The site is within the ownership of the District Council.
- 1.3 The application seeks permission for the construction of a bandstand within the Park.

2.0 Planning History

- 2.1 None of relevance.

3.0 Consultations and Representations

- 3.1 Kidderminster Town Council – Views awaited
- 3.2 Disability Action Wyre Forest – Very pleased with this application with ramped access; a very positive application.

16/0670/FULL

- 3.3 Neighbour/Site Notice (consultation period expires 14 December 2016). At the time of compiling the report a single comment had been received which stated: “No complaints ... in fact quite excited”.

(Officer Comment – Any further comments received, either in support or against the development, will be reported via the Addenda and Corrections Sheet).

4.0 Officer Comments

- 4.1 The application has been submitted by the Friends of St. George’s Park and seeks for the construction of a bandstand within the Park. The project has been supported by the Council’s Parks and Green Spaces Team.

- 4.2 The applicants have provided the following information in support of the application:

“An integral part of the original plan and layout of the park in 1924 St George’s Park Bandstand was central to the official opening ceremony of the Park in 1927. It was well used for many years by bands and anecdotally dance lessons. Early in 1928 Kidderminster Military Prize Band requested permission from the Town Council to hold Sunday concerts on alternate Sundays at St George’s and Brinton Parks during the summer. Permission was granted and a grant of £10 made towards the band’s funds. The local paper reported that bands played into the evening for the Coronation celebrations of King George VI and Queen Elizabeth. Unfortunately when stage 1 of the Ring Road was built in the 1960’s the Park was remodelled. This resulted in the loss of the Bandstand, pool and the brook, all buried under several feet of backfill. The planned new Bandstand will replicate the original wooden one but in a more durable steel. It will include disabled access and be sited where the Old Pals Shelter once stood. It is hoped that once again it will become a central point of St George’s Park.

- 4.3 The Park is split in two by a footpath that runs north to south between Radford Avenue and the Ring Road. The bandstand is proposed to be located on the eastern half of the Park directly south of the basketball courts within an existing open area. It will be situated within the corner of this area accessed from the existing network of paths leading to the basketball courts. The location of the bandstand is acceptable and whilst taking up part of the Park area will provide a substantial enhancement to the quality of provision and therefore is acceptable in policy terms.

16/0616/FULL

- 4.4 The design of the bandstand replicates that of the 1920's bandstand although in modern materials, and provides stepped and ramped access. The structure and balustrade are shown as being constructed of powder coated galvanised steel, with the fibre cement slates being proposed for the roof covering, The plinth wall and ramp will be constructed of facing brickwork and capped with sandstone coping. The design has been clearly considered both in respect of the aesthetics and the usage, and the scheme has successfully provided a quality of design that is expected through Local Plan policy.
- 4.5 The bandstand is located approximately 80m from the residential properties in Silver Street and approximately 75m from properties in Radford Avenue. I am satisfied that the use of the bandstand will not adversely impact on the enjoyment of these properties over and above the current use as a Park. No lighting is proposed with the application and it is considered that this should be controlled by condition to avoid any use during the hours of darkness, which could have an adverse impact on residential amenity.

5.0 Conclusions and Recommendations

- 5.1 Overall the scheme is found to be acceptable and provides an enhancement of the provision at St. George's Park. The design and location of the bandstand is acceptable and it is considered that there will be no adverse impact on amenity to nearby residential properties.
- 5.2 It is therefore recommended that the application be given **delegated APPROVAL** subject to no new reasons for objection being received before the expiration of the notification period, and the following conditions:
1. A6 (Full with no reserved matters)
 2. A11 (Approved plans)
 3. B1 (Samples/details of materials)
 4. No lighting without formal permission from the Local Planning Authority.

WYRE FOREST DISTRICT COUNCIL

Planning Committee

13 December 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			Dismissed 15/04/2015
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/Mr R 5337	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 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
WFA1471 16/0413/FULL	APP/R1845/D/16 /3162356	Mr & Mrs Wootton	THE DELL CAKEBOLE LANE RUSHOCK VILLAGE RUSHOCK DROITWICH WR9 0NR Orangery to rear of property	WR 29/11/2016	03/01/2017			