

Open

Planning Committee

Agenda

6pm
Tuesday, 18th April 2017
Council Chamber
Wyre Forest House
Finepoint Way
Kidderminster



Planning Committee

Members of Committee:

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

Councillor J Aston

Councillor J R Desmond

Councillor M J Hart

Councillor N Martin

Councillor J A Shaw

Councillor S J M Clee

Councillor J A Hart

Councillor D Little

Councillor F M Oborski MBE

Councillor R J Vale

Information for Members of the Public:-

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

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

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

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

Public Speaking

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

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

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

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

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

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

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

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

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

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

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

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

WEBCASTING NOTICE

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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, 18th April 2017

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 21st March 2017.	7
5.	Applications to be Determined To consider the report of the Development Manager on planning and related applications to be determined.	10
6.	Planning and Related Appeals To receive a schedule showing the position in relation to those planning and related appeals currently being processed and details of the results of appeals recently received.	33
7.	Section 106 Obligation Monitoring To consider a report from the Director of Economic Prosperity and Place that gives details of the most current Section 106 Obligations which require monitoring.	41

8.	To consider any other business, details of which have been communicated to the Solicitor to the Council before the commencement of the meeting, which the Chairman by reason of special circumstances considers to be of so urgent a nature that it cannot wait until the next meeting.	
9.	<p>Exclusion of the Press and Public</p> <p>To consider passing the following resolution:</p> <p>“That under Section 100A(4) of the Local Government Act 1972 the press and public be excluded from the meeting during the consideration of the following item of business on the grounds that it involves the likely disclosure of “exempt information” as defined in paragraph 3 of Part 1 of Schedule 12A to the Act”.</p>	

Part 2

Not open to the Press and Public

10.	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.	
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WYRE FOREST DISTRICT COUNCIL

PLANNING COMMITTEE

COUNCIL CHAMBER, WYRE FOREST HOUSE,
FINEPOINT WAY, KIDDERMINSTER

21ST MARCH 2017 (6PM)

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:

There were no members present as observers.

PL.69 Apologies for Absence

There were no apologies for absence.

PL.70 Appointment of Substitutes

No substitutes were appointed.

PL.71 Declarations of Interests by Members

Councillor M J Hart declared, in respect of application number 16/0703/FULL, that he was one of the Ward Members and had received correspondence over the preceding months from and had spoken with the applicant, his wife and representatives, but made it clear that he was a Member of the Planning Committee and would judge the application on its merits with an open mind.

Councillor F M Oborski declared, in respect of application number 16/0703/FULL, that she had had email correspondence relating to the application, but had made it clear that she was a Member of the Planning Committee and would judge the application on its merits, and came to the meeting with an open mind.

PL.72 Minutes

Decision: The minutes of the meeting held on 21st February 2017 be confirmed as a correct record and signed by the Chairman.

PL.73 Applications To Be Determined

The Committee considered those applications for determination (now incorporated in Development Control Schedule No. 552 attached).

Decision: The applications now submitted be determined, in accordance with the decisions set out in Development Control Schedule No.552 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.74 Planning and Related Appeals

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

Decision: The details be noted.

There being no further business, the meeting ended at 6.50pm.

WYRE FOREST DISTRICT COUNCIL

PLANNING COMMITTEE

21st March 2017 Schedule 552 Development Control

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

Application Reference: 16/0703/FULL
Site Address: FIELD 2 GLEBE LAND, CHURCHILL LANE, CHURCHILL, KIDDERMINSTER, DY10 3LX
DEFERRED for site visit.

Application Reference: 16/0740/S106
Site Address: 14-36 (even) GALA DRIVE, STOURPORT-ON-SEVERN, DY13 8DY
DELEGATED AUTHORITY for the Solicitor to the Council, in consultation with the Director of Economic Prosperity and Place, to prepare a deed of variation to vary the S.106 Agreement attached to Planning Permission 10/0321/OUTL.

Application Reference: 17/0006/S106
Site Address: LAND OFF MILL LANE, STOURPORT-ON-SEVERN
DELEGATED AUTHORITY for the Solicitor to the Council, in consultation with the Director of Economic Prosperity and Place, to vary the Section 106 Agreement to secure a financial contribution towards play area equipment in lieu of on-site provision.

**EXECUTIVE SUMMARY TO REPORT OF
DEVELOPMENT MANAGER**

Planning Committee

18/04/2017

PART B Reports

Ref.	Address of Site	Recommendation	Page No.
16/0749/FULL	REDTHORNE HOUSE REDTHORNE COURT 11 HIGH STREET BEWDLEY	APPROVAL	11
17/0086/FULL	74 SUMMER ROAD KIDDERMINSTER	APPROVAL	15
17/0091/FULL	CHADDESLEY CORBETT ENDOWED PRIMARY SCHOOL KIDDERMINSTER ROAD LOWER CHADDESLEY KIDDERMINSTER	APPROVAL	18
17/0104/RESE	VALE ROAD CAR PARK VALE ROAD STOURPORT-ON-SEVERN	APPROVAL	23
17/0164/FULL	WYRE FOREST LEISURE CENTRE SILVERWOODS WAY KIDDERMINSTER	APPROVAL	29

WYRE FOREST DISTRICT COUNCIL

PLANNING COMMITTEE
18TH APRIL 2017

PART B

Application Reference:	16/0749/FULL	Date Received:	21/12/2016
Ord Sheet:	378664 275233	Expiry Date:	15/02/2017
Case Officer:	Julia McKenzie- Watts	Ward:	Bewdley & Rock

Proposal: Replacement of railings with brick wall

Site Address: REDTHORNE HOUSE, REDTHORNE COURT, 11 HIGH STREET, BEWDLEY, DY122FB

Applicant: Mr P Crane

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

1.0 Site Location and Description

1.1 Redthorne House is a Grade II Listed Building located within a residential area of Bewdley and it is also part of the Conservation Area. The house is set over three floors and a basement and was recently converted from an unused nursing home into residential units.

1.2 The current proposal seeks to erect a wall and two pillars to the far right of the site immediately adjacent to the public footpath after removal of the existing pillars and railings.

2.0 Planning History

2.1 09/0145/FULL - Conversion of existing dwelling to create 8 no 1 bed flats and 1 no 4 bed dwelling : Approved 23/9/09

2.2 09/0146/LIST – Conversion of existing dwelling to create 8 no 1 bed flats and 1 no 4 bed dwelling : Approved 23/9/09

2.3 15/0043/LIST - Conversion of lower ground floor to 4 No. Units and a central granny annexe : Withdrawn

16/0749/FULL

- 2.4 16/0168/LIST - New stone plinth to terrace and refixing of existing railings. Removal of rear lamp and formation of new steps. Removal of front railings and erection of new wall and gates. Alterations to existing studio, forming new parapet wall, roof lights and replacement windows. New brick skin to side elevation. New doors to cellar arches : Approved 20/5/16

3.0 Consultations and Representations

- 3.1 Bewdley Town Council – Objection to the proposal and recommend refusal due to the lack of detail received regarding the impact within this Designated Conservation Area. Town Councillors are, in the main, angry and dismayed at the new public car park and, for this application, took the view that they need a full appraisal from the Conservation Officer and the Highway Authority regarding the impact on the Conservation Area, whether all due permissions have legally been obtained and the impact on the High Street with additional traffic/vehicles turning in etc
- 3.2 Conservation Officer – No objections subject to all external materials to be approved. Reference to the historic maps indicates that there was once a building on the site now occupied by the bin store and the provision of a wall at the back of pavement reinstates the alignment of this building.

The existing railings are modern and have no heritage significance.

The proposed wall, in using bricks and copings to match those of the recently erected wall to the front garden of Redthorne House will contribute to the enhancement of the Bewdley Conservation Area. This is a specific consideration of the P(LBCA)A 1990 and thus this proposal should be approved.

4.0 Officer Comments

- 4.1 An application was approved in 2016 for the erection of a 22 metre expanse of brick wall and gates to the front of Redthorne House. The current application seeks permission for the replacement of the remaining section of railings that exist at the far right side of the site adjacent to High Street with a brick wall. The new wall will measure 5.6m in width and 2m in height in materials to match the wall to the front of the property approved in 2016.
- 4.2 The Council's Conservation Officer supports the proposal due to the lack of harm to the Listed Building itself or the Conservation Area. He has commented that the wall will, in his view, contribute to the enhancement of the Bewdley Conservation Area as it would replace the existing modern railings which have no heritage significance. It is worthy of noting that the historic maps indicate that there previously existed a building on the site now occupied by the bin store and the provision of a wall at the back of pavement reinstates the alignment of this building.

16/0749/FULL

- 4.3 Bewdley Town Council has objected to the proposal and recommend refusal due to the lack of detail received regarding the impact within this Designated Conservation Area. They have requested a full appraisal from the Conservation Officer and the Highway Authority regarding the impact of the new car park in the Conservation Area, whether all due permissions have legally been obtained and the impact on the High Street with additional traffic/vehicles turning in.
- 4.4 The applicant's agent has submitted supplementary information in order to address the concerns raised by the Town Council. It is explained that the existing railings and wall on this section (the subject of this application) were removed, in consultation with the Conservation Officer, following an incident where a lorry collided with the railings leaving them in a hazardous position. The concerns, therefore, over this section being retrospective should be alleviated by the fact that the works to date were just the removal of brick work and railings following this incident. The other works mentioned by the Town Council are outside the scope of this application and are subject to ongoing discussions.
- 4.5 The current application solely relates to the erection of the new wall, as described and no other development. The Town Council's concerns relating to the new car park and highway movements cannot be taken into account on this application. In relation to their concerns about the lack of detail received regarding the impact within the Conservation Area, the application has been accompanied by an extensive Heritage, Design and Access Statement which details the significance of the Heritage Assets and how the proposal relates to this significance. The Conservation Officer has offered a 'no objection' response to the proposal following due consideration of the development and the supporting information.
- 4.6 It is concluded that in visual terms the replacement wall will continue the provision of a boundary wall along the entire frontage of the property replacing the modern railings and screen the bin store from public view. The wall is therefore considered to be acceptable in terms of its impact on the adjacent listed Redthorne House, Conservation Area and streetscene.

5.0 Conclusions and Recommendations

- 5.1 The proposed brick wall is considered to be of a design that would complement the Conservation Area and the adjacent Listed Building. The effects of the development on neighbouring properties and the surrounding area have been carefully assessed and it is considered that there will be no undue loss of amenity. The proposal is thus in accordance with the relevant policies of the Development Plan.

16/0749/FULL

5.2 It is therefore recommended that the application be **APPROVED** subject to the following conditions:

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

Application Reference:	17/0086/FULL	Date Received:	27/01/2017
Ord Sheet:	382226 275192	Expiry Date:	24/03/2017
Case Officer:	John Baggott	Ward:	Foley Park & Hoobrook

Proposal: Extensions - Single storey to raise garage, form utility, kitchen and hall (retrospective)

Site Address: 74 SUMMER ROAD, KIDDERMINSTER, DY117JS

Applicant: Mr T Muir

Summary of Policy	CP11 (CS) SAL.UP7, SAL.UP8 (SAAPLP) Design Guidance SPD
Reason for Referral to Committee	Development Manager considers that the application should be considered by Committee
Recommendation	APPROVAL

1.0 Site Location and Description

- 1.1 The application property is a stand alone detached dwelling, located within a predominantly residential area, on the east side of Summer Road on a linear plot facing side-on to the highway.
- 1.2 The front elevation faces southwards along Summer Road, whilst the eastern elevation faces towards the gated residential development of The Chestnuts (accessed via Stourport Road), with the properties located therein sited at the bottom of a steep embankment.

2.0 Planning History

- 2.1 There is no planning history of relevance.

3.0 Consultations and Representations

- 3.1 Kidderminster Town Council – No objections and recommend approval.
- 3.2 Highway Authority – No objections.

17/0086/FULL

3.3 Neighbour/Site Notice – Whilst Officers were alerted to the unauthorised commencement of the development by neighbours, which culminated in the submission of this retrospective application, following direct neighbour notification and the posting of a site notice no third party representations have been made in respect of the current formal planning application.

4.0 Officer Comments

4.1 As identified above, this is a retrospective planning application for extensions and alterations to the original detached dwellinghouse, which consists of:

- A single storey flat roof side extension along the entire depth of the property and extending out a further 3.5 metres to the rear to provide kitchen and utility room;
- A single storey flat roof forward extension linking the aforementioned side extension to the existing detached garage;
- A pitched roof front porch;
- A replacement pitched roof above the existing garage;
- Rendering of the original property;
- Additional section of 1.8 metre high fencing along the side boundary adjacent to the footway on Summer Road.

4.2 In isolation, the single storey side extension described above would have constituted permitted development, but being combined and physically attached with the other elements described, and specifically the forward link to connect to the garage and the extension beyond the rear, the side extension too also requires the benefit of planning permission.

4.3 Members will be aware that notwithstanding the retrospective nature of the application as submitted planning legislation does make allowance for the submission of retrospective planning applications, which in turn must then be considered in the same way as if the development had not already commenced.

4.4 In design terms, and notwithstanding the use of a flat roof along the side extension, the alterations and additions are appropriate and proportionate to the original host dwelling, and the change from what was a rather uninspiring light facing brick to the off-white/pale grey facing render (allied with the new replacement darker window frames) is a positive enhancement to the property. The continuation of the 1.8 metre high fencing, to further enclose the side of the property, is acceptable and does not look at all out of place in this location.

17/0086/FULL

- 4.5 Undoubtedly the key consideration in respect of the application is the relationship with the properties in The Chestnuts. That said, these properties already look directly out onto the extremely steep embankment which rises up to Summer Road and given the single storey nature of the extensions, adjacent to the previous boundary fence along the top of the embankment, any additional impact upon the outlook from the rear of the properties in question would be limited.
- 4.6 The replacement pitched roof above the existing garage, which is incorporated into these overall extensions and alterations to the property, raises the roof height in this section by a little over 0.5 metres due to the shallow pitch of the roof, and this replicates the pitch of the porch roof, resulting in an appropriate front elevation to the property.
- 4.7 It is the case that the extensions feature 3 side facing windows, but these consist of an obscure glazed WC window, and a pair of high level kitchen windows to provide natural light into what is a rather narrow, and potentially otherwise dark, room. Added to which, the separation distance between the extension and the properties in The Chestnuts is approximately 13 metres, which is considered to be acceptable.
- 4.8 As previously identified, there have been no third party objections to the current planning application.

5.0 Conclusions and Recommendations

- 5.1 Officers would in no way wish to condone the actions of the Applicant in this instance and the resulting retrospective nature of this application and it stands to be considered, on its merits, in the same way as any other properly made planning application.
- 5.2 The scale of the extensions is proportionate to the original host property and in design terms is an acceptable development on this linear plot. The Relationship between the extensions and neighbouring properties, specifically those in The Chestnuts, has been fully assessed and is found to be acceptable.
- 5.3 For the reasons set out above, it is recommended that the application be **APPROVED** subject to the following conditions:
1. A11 (Approved plans)
 2. B6 (External details – approved plans)

Application Reference:	17/0091/FULL	Date Received:	08/02/2017
Ord Sheet:	389169 273633	Expiry Date:	05/04/2017
Case Officer:	John Baggott	Ward:	Wyre Forest Rural

Proposal: Substitution of housetype on the previously approved Planning Application Ref 15/0264/FULL, through the addition of a Conservatory at the rear of Plot 10

Site Address: CHADDESLEY CORBETT ENDOWED PRIMARY SCHOOL,
KIDDERMINSTER ROAD, LOWER CHADDESLEY,
KIDDERMINSTER, DY104QN

Applicant: A&H Construction & Developments PLC

Summary of Policy	CP05, CP11 (CS) SAL.UP1, SAL.UP6, SAL.UP7, SAL.UP8 (SAAPLP) CC2, CC9, CC10, CCSA1 (Chaddesley Corbett Neighbourhood Plan) Design Guidance SPD Sections 7, 9, 12 (NPPF)
Reason for Referral to Committee	Statutory or non-statutory Consultee has objected and the application is recommended for approval
Recommendation	APPROVAL

1.0 Site Location and Description

- 1.1 The application site is that of the former Chaddesley Corbett Endowed School located within the centre of the village, and specifically Plot 10 of the residential redevelopment of the former school site, as previously approved by Planning Committee under application reference 15/0264/FULL.
- 1.2 Plot 10 is one of a pair of semi-detached properties and is located towards the northern end of the private driveway which serves the entire residential development, and backs onto the long established and historic properties which front the public highway in The Village.

2.0 Planning History

- 2.1 15/0264/FULL – New residential development comprising a conversion of the school building into 4 apartments and erection of a new development of 11 houses : Approved (23/03/16).

17/0091/FULL

3.0 Consultations and Representations

3.1 Chaddesley Corbett Parish Council – Objection, and recommend Refusal.

You will recall the extent to which the Parish Council went to ensure that the development on this site was strictly in line with the original footprint of the existing school buildings. The design had to fit in with the environment and protect views from local footpaths and St Cassians Church and to protect the visible amenities. A conservatory at the rear of the property would not be in keeping with the surroundings, and is likely to set a precedent for other properties. Our neighbourhood plan identified the need for smaller properties in the parish and every effort was made to ensure that these properties met that criteria. We would strongly recommend that this, and any other future requests of this type should be rejected.

3.2 Conservation Officer – Having raised objections to the initial submission, following receipt of additional information the following comments are made:

Further to my (previous) comments a heritage statement has been received which proposes a timber conservatory rather than one fabricated from UPVC.

The applicant suggests in their heritage statement that the proposal will not cause harm to the Conservation Area, and in isolation I think this is probably a reasonable assertion, however the addition of any structure to the rear of the newly developed properties does beg the question as to why these properties were not designed with such facilities in the first place. The garden plots are small and will be reduced further by such extensions.

A varied assortment of lean-to conservatories and orangery/garden rooms could lead to the diminution of the overall aesthetics of the development and cumulatively, the over-development of the site.

In particular I am very concerned about the addition of such suburban features on the rear of properties backing onto St Cassians Church which could compromise its setting and fail to preserve or enhance the character of the Conservation Area.

In this specific application the location of the conservatory will affect views of the church from the gardens of other newly constructed properties, thus there will be no enhancement from their points of view. However it is also fair to state that these views have only recently been opened up by the demolition of redundant school buildings and thus overall I consider the impact on view to be neutral.

17/0091/FULL

The application drawings are for a UPVC conservatory and thus should not be approved. This can be resolved by the imposition of a no approval condition to these drawings and the requirement to submit manufacturers detailed drawings for the timber conservatory for approval. The reason being to ensure that the design chosen does not harm the character of the Conservation Area.

This does not set a precedent for an “in principle” approval to conservatories on every plot, as some plots are sited in locations where the addition of conservatories will cause harm to the setting of the listed building and the conservation area itself.

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

4.0 Officer Comments

4.1 In granting planning permission for the redevelopment of the former Chaddesley Corbett Endowed School site, and being particularly mindful of the site’s location within the Green Belt and the associated issues surrounding the extent of the previously developed parts of the application site; the potential impact upon the character and visual amenities of the area; the potential impact upon neighbouring historic properties and the Conservation Area; and, to ensure that adequate private rear garden space was retained for each of the properties, it was considered prudent and appropriate to remove permitted development rights for (amongst other things) domestic extensions to the properties as approved.

4.2 The current application seeks permission for the inclusion of a conservatory to the rear of Plot 10, to be constructed at this stage rather than as a possible future extension (requiring planning permission due to the aforementioned removal of permitted development rights).

4.3 As previously identified, Plot 10 as approved was one of a pair of semi-detached three bedroom dwellings. The proposed amendment to Plot 10 is identical in everyway to what was previously approved, but with the addition of a 2.9 metre deep timber framed conservatory to the rear (accessed via the kitchen/dining room). With a width of 5.1 metres and a maximum height of 2.8 metres, the simple lean-to/mono-pitch roof design is not overly fussy or unnecessarily ornate.

4.4 The timber frame would be supported on a load bearing brick wall on both sides (up to 0.7 metres in height), with a full height timber-framed glazed section to the rear. All timber is to be painted to match the colour of the window frames, soffits and other timber detailing of the development (an essentially cream colour).

17/0091/FULL

- 4.5 Plot 10, being one of the 4 no. semi-detached properties on the site, is one of the wider plots with a rear garden width of some 7.2 metres. The garden depth is some 10.2 metres which with the addition of the conservatory would reduce to 7.3 metres, which is similar in depth to that previously approved for Plots 1 to 3 of the development, and thereby not entirely out of place. The resulting useable garden area would equate to some 52 sq.m. in area which is on the limits of acceptability for a property of this size.
- 4.6 The separation distance between the proposed revised Plot 10 and existing properties facing onto The Village reduces as a result of this proposal from the previous minimum distance of 34 metres to a little over 31 metres. By any stretch of the imagination, this remains a healthy distance in terms of any impact upon those heritage assets and any potential or perceived impact upon the privacy and amenities of the occupiers of those properties. In this regard, it is noteworthy also that no objections have been received from the occupiers of neighbouring properties.
- 4.7 Members will have noted the views and objections of Chaddesley Corbett Parish Council as set out under paragraph 3.1 above. Whilst it is the case that in considering the original application for the redevelopment of the school site, the comparison between the previous built footprint and what was then proposed was a major consideration, especially given the Green Belt location, it was also the case that, as reported at that time, direct like-for-like comparison was not completely achievable and some “off-setting” of floorspace had to be accommodated in the interests of making the development viable and in order to improve the views of and relationship with St Cassians Church. In any event, as a result of the permission granted and the subsequent redevelopment of the former School the site has now begun a new chapter in it’s history in planning terms.
- 4.8 Notwithstanding the history of the site and the matters at play at the time of the original planning permission, in Officers’ opinion, it would be unreasonable to adopt a blanket approach preventing any alterations to the properties as originally approved. The removal of permitted development rights for future domestic extensions gave the Council continued control over the future of the development, and allowed for fair consideration of any such proposal on a case by case basis. Whilst the current application is a substitution of housetype, it effectively amounts to the same thing – i.e. an extension to the previously approved Plot 10, and stands to be considered on its merits.
- 4.9 The comments of the Conservation Officer, as set out under Paragraph 3.2 above, provide a summary of the key factors at play in the consideration of future proposals at this development and in particular this current application, especially in terms of the impacts upon the heritage assets. It is Officers’ opinion that the consideration of this current application turns on these comments and the support for the proposal therein.

17/0091/FULL

5.0 Conclusions and Recommendations

- 5.1 The scale, design and appearance of the proposed conservatory and in turn the revision of the previously approved Plot 10 is considered to be acceptable, and the impact upon existing heritage assets and neighbouring properties has been assessed and found to be neutral.
- 5.2 Whilst acknowledging the concerns expressed by Chaddesley Corbett Parish Council, it is considered that in this instance and on this particular plot the additional floorspace in the form of the addition of the conservatory would not detract from the overall development and the surroundings and is of such a size as not to undermine the original considerations and comparisons regarding what amounted to the extent of previously developed land on the site. The proposal would not detract from the requirements of the Neighbourhood Plan Policy CCSA1 and would not increase the number of bedrooms in the property such that, having already accepted this plot as a three bedroom house there would be no further conflict with the aims of Policy CC2 of the Neighbourhood Plan.
- 5.3 For the above reasons, 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. Notwithstanding the plans hereby approved, no approval is granted for a UPVC conservatory and full details of the proposed timber conservatory design shall be submitted for approval.
 4. Low reflectivity glass to be used to minimise reflections and glare.

Application Reference:	17/0104/RESE	Date Received:	16/02/2017
Ord Sheet:	381292 271516	Expiry Date:	13/04/2017
Case Officer:	Paul Round	Ward:	Mitton

Proposal: Approval of reserved matters(Layout, scale, appearance, access, landscaping) in respect of approved Outline Application (15/0624/OUTL) for residential development (max 6 units)

Site Address: VALE ROAD CAR PARK, VALE ROAD, STOURPORT-ON-SEVERN, DY138YJ

Applicant: Elmsvyne Ltd

Summary of Policy	CP03, CP11 (CS) SAL.CC1, SAL.CC2, SAL.UP7, SAL.UP9 (SAAPLP) National Planning Policy Framework 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	APPROVAL

1.0 Site Location and Description

- 1.1 The site compromises of a former section of the Council pay and display car park on Vale Road, Stourport and includes the redundant toilet block. It is bounded to the north by the remaining public car park; to the east by residential properties/businesses in Mitton Gardens; to the south by St. Wulstan and St. Thomas of Canterbury Catholic Church; and to the west (on the opposite side of Vale Road) by Mitton Lodge apartments and a petrol filling station. There are trees to the front of the site, one of which, a Lime, is of high amenity value and has recently been protected by a Tree Preservation Order.
- 1.2 The reserved matters application is submitted following outline approval granted in 2016 for 6 residential units on the site.

2.0 Planning History

- 2.1 WF.312/80 – Bottle Bank Skip : Temporary Approval 3 years 30.04.81
- 2.2 WF.872/81 – Re-siting of Bottle Bank Skip : Refused 14.11.81
- 2.3 WF.580/83 – Can Bank Skip : Refused 02.09.83
- 2.4 15/0624/OUTL – Residential development (max 6 units) : Approved 18.02.16

17/0104/RESE

3.0 Consultations and Representations

- 3.1 Stourport-on-Severn Town Council – Views awaited on additional information provided to the Town Council
- 3.2 Highway Authority – No objections subject to condition and notes
- 3.3 Arboricultural Officer – No objections. Proposed landscaping areas will provide benefit to the protected tree. Protection and method statement conditions are recommended.
- 3.4 Worcestershire Regulatory Services – We have no adverse comments to make in respect of the reserved matters application that are not covered by the original outline application, the full contaminated land conditions are still recommended.
- 3.5 North Worcestershire Water Management – No objections subject to drainage conditions.
- 3.6 Archdiocese of Birmingham (Catholic Church) – No objections to the proposals.
- 3.7 Neighbour/Site Notice – Five letters received raising the following comments:
- The significant reduction in car park size will be a permanent reduction to a facility, for which there is no alternative in the immediate vicinity. This will impact upon the capability to meet Home Care Services for the elderly population close to the existing car park. The approval of the Retirement Lodge opposite the car park was partly predicated on the existence of that facility
(Officer Comment – The principle of the reduction of the size of the car park has previously been accepted by virtue of the outline permission granted under planning application 15/0624/OUTL).
 - The reduction in car parking will impact upon the services provided by the adjacent Catholic Church. Doubtless, WFDC will suggest that the approval covers affordable homes, so severely restricting objections that can be placed by the Church.
 - Vale Road is a very dangerous highway and any further access to it by vehicles, or unsupervised children, can only increase the risk of further accidents, as have been recently witnessed.
 - WFDC. is obviously choosing to ignore all the latest studies into the effects of particulate inhalation. The levels of pollution along Vale Road can be readily demonstrated by the amount of deposits on the front of Mitton Lodge.

17/0104/RESE

- Vale Road is not a road that is policed. Traffic goes along at horrendous speed so if these units are built, it is a fatality waiting to happen. This is the only car park this side of Stourport and to reduce the spaces in my mind is a stupid idea. Its a shame I live on Vale Road I can see the consequences that are going to happen.

(Officer Comment – The principle of the reduction of the size of the car park has previously been accepted by virtue of the outline permission granted under planning application 15/0624/OUTL).

- My own great concern is that the health and safety issues have been totally inadequately explored in relation to the current planning proposal, and that, not actually living on Vale Road as we do, you and others have a completely insufficient grasp of what the traffic here is really like. I do not exaggerate when I tell you that there is constant, unremitting traffic along Vale Road's 3 lanes including buses, huge articulated lorries (which really should not be allowed through Mitton Street and Vale Road in Stourport at all, as they are far too big for the roadways, they are not doing business in Stourport and they are just taking a short cut to get to Kidderminster.) There are also large farm vehicles and of course constant, heavy, car, van, motorbike etc traffic. Many of these vehicles drive at huge speeds along Vale Road, totally un-policed, and the lorries thunder along vibrating our building at Mitton Lodge and churning out diesel fumes and pollution. The buses too are diesel powered. I dread to think what the pollution level is like on Vale Road in the daytime, but we cannot open our windows at the front of Mitton Lodge because of the black dust that coats everything within a few hours. Such are the dangers posed by these vehicles that it is astonishing that anyone thinks for one moment that this is a suitable place to build even 6 properties where children might live. It is an accident just waiting to happen. There have been 2 very serious pedestrian accidents within 400 yards of the proposed houses since Christmas, pedestrians both hit by vehicles, one fatal and the other with very serious injuries, the current status of those injuries is unknown to me. They were adult victims. Children have an even greater propensity to walk or run into roads, so Vale Road is the last place children should be living. In fact with the current state of the traffic volume, speed, noise and pollution, none of us should really be living here.
- 6 small homes will make very little difference to any perceived housing needs in Stourport and totally ignores the needs of the occupants for a safe, pleasant and suitable road to live on. Leaving aside the need for the car park in the long term, if family houses are built on that site, someone will very quickly and maybe tragically realise what a mistake has been made. It can still be prevented, if someone sees sense.

17/0104/RESE

- The layout lacks imagination and is of a standard design. There is a failure to give reference to adjacent vernacular and a lack of detail and articulation in elevational treatment, resulting in an appearance appropriate to a 1950's development.
- Retention of hedge important for scheme.
- Visibility splay should be shown on plans.
- Questions over the enforceability of access to prevent vehicles reversing out onto Vale Road.
- Does the house type satisfy the housing requirement for Stourport?

4.0 Officer Comments

4.1 The application follows outline approval given under reference 15/0624/OUTL for up to 6 dwellings, dealing with those matters reserved for future consideration namely, layout, scale, appearance, access and landscaping. Members will be aware that the principle of development on this scale has been established through the outline permission and cannot be revisited by this application which deals with the detail only. The reserved matters will be considered in turn by this report.

LAYOUT

4.2 The proposed layout shows the 6 dwellings arranged as 3 pairs of semi-detached properties of a staggered arrangement following the line of Mitton Gardens. The properties will face onto Vale Road, although separated by landscaping, parking and access driveway. Each of the properties has small areas of front garden along with approximately 9m rear gardens. Each rear garden is subdivided by 1.8m high close board fencing with the front boundaries to plots 1 and 6 being defined by 1.2m high bow top painted railings.

4.3 The layout as submitted provides an acceptable approach to the site providing an appropriate approach to the streetscene. The dwellings are a minimum of 21m from the properties in Mitton Gardens providing ample separation distances between the properties and will not lead to adverse overlooking or loss of amenity to existing or new residents. The layout is considered acceptable and meets the relevant design policies of the development plan.

17/0104/RESE

SCALE AND EXTERNAL APPEARANCE

- 4.4 Each pair of semi-detached dwellings are shown as being approximately 8m in height and having of a footprint of approximately 10.8m x 9.2m. Internally provision is made for a kitchen, lounge and WC at ground floor and three bedrooms and a bathroom at first floor. The scale of the properties is akin to those in Mitton Gardens and the two storey nature adheres to the character of properties on the east side of Vale Road. It is considered that the scale of development is acceptable.
- 4.5 The external appearance again follows the theme of properties on Mitton Gardens of semi-detached properties with hipped roofs. The proposed elevations show a brick finish to the walls which would fit within the existing streetscene. Whilst it is accepted that there are a number of white rendered properties, it is considered that the use of brick on this occasion is acceptable when looking at the mixture of styles within the locality. Notwithstanding the comments made as a result of the neighbour consultation it is concluded that the design is acceptable and conforms to the design policies of the Development Plan.

ACCESS

- 4.6 The principle of providing access to a development of 6 properties off Vale Road was agreed as part of the original outline permission. This application provides the detail of the access as well as the driveway and parking areas. The proposed new access off Vale Road will be of sufficient width and allows for two vehicles to pass each other uninterrupted and provides sufficient pedestrian and vehicular visibility splays. The access leads to a shared space with two individual parking spaces for each property. The Highway Authority has assessed the details of the application and has found the detailed proposal to be acceptable in highway terms and will not result in harm to the highway network.
- 4.7 I understand the comments expressed by the objectors. However, the principle of the access has already been established through the outline approval. The detailed design submitted has been fully considered by the Highway Authority and is found to be acceptable in all respects.

17/0104/RESE

LANDSCAPING

- 4.8 The rear gardens of the properties will be lawn with the rear boundary hedge retained. The front of each property will be treated with landscaped areas around the parking spaces and between the properties. Shrub planting will replace the existing grass border to Vale Road with an increased area around the root protection zone of the protected Lime Tree. A further landscaped area will be provided to the other side of the access to match the existing grass verge and provide a green area to the front of plot 6. The Arboricultural Officer is happy with the protection afforded and benefit to the protected Lime tree through increased permeable areas. The landscaping areas shown and the existing vegetation retained are an appropriate response to landscaping for this site. The exact species of shrubs and tree/hedge protection will be addressed through conditions.

OTHER MATTERS

- 4.9 A number of conditions were already imposed on the outline planning permission; any reserved matters permission being is an adjunct to, and it does not replace the original outline. As such conditions on reserved matters permission should not duplicate the outline permission and should only detail the matters that have been raised as part of the detailed consideration.

5.0 Conclusions and Recommendations

- 5.1 This reserved matters submission following outline planning permission 15/0624/OUTL has demonstrated that the layout, scale, external appearance, access and landscaping for the six dwellings proposed is acceptable. The matters have been carefully considered by relevant consultees and in the context of constraints of the area. The proposal is found to be acceptable in respect of all matters and will not result in adverse harm to the locality, neighbouring properties or the highway network.
- 5.2 It is therefore recommended that the application be **APPROVED** subject to the following conditions:
1. A4 (Reserved matters only)
 2. A11 (Approved plans)
 3. Method statement for working with protected tree root protection zone
 4. C9 (Hedge protection)
 5. C11 (Maintenance of existing hedge)
 6. C13 (Landscape management plan)
 7. Highways – details of access, turning area and parking
 8. Highways – details of 'Right Turn Only' and 'One Way' signage
 9. Highways – Cycle parking
 10. Highways – Submission of welcome pack

Note

No works in publicly maintained highway

Agenda Item No. 5

Application Reference: 17/0164/FULL **Date Received:** 15/03/2017
Ord Sheet: 382369 274322 **Expiry Date:** 10/05/2017
Case Officer: Paul Round **Ward:** Foley Park & Hoobrook

Proposal: Additional car parking spaces

Site Address: WYRE FOREST LEISURE CENTRE, SILVERWOODS WAY,
KIDDERMINSTER, DY11 7DT

Applicant: PLACES FOR PEOPLE LEISURE MANAGEMENT

Summary of Policy	CP03, CP11 (CS) SAL.CC1, SAL.CC2, SAL.UP7, SAL.UP9 (SAAPLP) National Planning Policy Framework 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	APPROVAL

1.0 Site Location and Description

- 1.1 The site forms land within the District Council's ownership inside the former British Sugar Site now known as Silverwoods. The site has been developed by Places for People Leisure Management in conjunction with the Council to provide a new Leisure Centre, which opened in July 2016.
- 1.2 The application relates to the car parking area associated with the Leisure Centre and seeks to provide additional parking provision.

2.0 Planning History

- 2.1 14/0095/FULL - Outline Application for a New Leisure Centre and Associated Works with some Matters Reserved : Approved 09.05.14
- 2.2 15/0015/RESE - Construction of leisure centre with associated parking, service area and external floodlit sports pitches with boundary fencing; reserved matters approval for appearance, layout and landscaping following outline consent ref. 14/0095/OUTL : Approved 20.04.15
- 2.3 16/9003/NMA - Non-Material Amendment to Planning Permission 15/0015/RESE (Changes to car parking and servicing layout; internal re-configuration and changes to elevations) : Approved 20.04.16

17/0164/FULL

3.0 Consultations and Representations

- 3.1 Kidderminster Town Council – Views awaited
- 3.2 Highway Authority – No objections
- 3.3 Arboricultural Officer – While it is a shame to lose some of the landscaping around the new leisure centre, I have no objections to the remodelling of the car park or the proposed new landscaping.
- 3.4 Neighbour/Site Notice – No representations received.

4.0 Officer Comments

- 4.1 The original scheme approved under reserved matters approval 15/0015/RESE allowed for 180 car parking spaces, 9 disabled spaces and 18 cycle spaces. In view of the additional needs associated with servicing arrangements, and the need to provide an electricity sub-station within the confines of the site, amendments were approved in 2016 reducing the car parking provision to 171 car spaces, 9 motorcycle spaces, 9 disabled spaces and 18 cycle spaces. This represents the current parking position on site.
- 4.2 Since its opening the Centre has proved to be exceptionally popular with an average of 35,000 users per month rising to 47,000 users in January. At peak times the car park has reached saturation and has resulted in vehicles parking on prohibited sections of Silverwoods Way and on other areas around the Centre. Whilst some of the issues have been resolved by the centre management through greater communication and physical measures, has concluded that more car parking spaces are required.
- 4.3 The proposal sees the loss of 16 spaces and the creation of 47 additional spaces (including 1 additional disabled space) giving an overall increase of 31 spaces (and raises the total number of disabled spaces from 9 to 10 spaces) split of over three areas. A full landscaping scheme has been submitted with the proposal.
- 4.4 The first area lies to the north-west corner of the site adjacent to the sports hall and outdoor five-a-side pitches. Following removal of the existing 10 spaces, 19 spaces will be created following the existing line of the parking spaces on both side running up to the outdoor pitches. This is a sensible extension to the car park which has little visual impact on the surrounding area. There will be a slight reduction in green space, however the landscaping proposed to be retained and enhanced which will mitigate any loss.

17/0164/FULL

- 4.5 The second area is situated in the southern part of the site and fronts onto Silverwoods Way and the footpath link leading to Felix Baxter Drive. The removal of 6 spaces facilitates the continuation of spaces along the boundary and the creation of an additional bank of spaces, providing 17 spaces in total. The amount of green space will again be reduced, however a similar shape of landscaping area will be retained allowing the transplanting of the existing two Hornbeam trees, the addition of a further Hornbeam and wild flower bed. The impact of bringing car parking closer to Silverwoods Way will be reduced through this planting and when viewed in the context of car park as a whole is judged to be an acceptable approach to additional car parking.
- 4.6 The final area is located in the south-east part of the site close to the entrance and adjacent to the existing disabled/motorcycle spaces. It is proposed to relocate the two disabled spaces adjacent to the motorcycle spaces to continue the existing run of disabled spaces, along with the addition of a further space to create a total of 10 disabled spaces. A further 9 standard car parking spaces will be provided in this area. There will be a minor incursion into the existing green area and along with the realignment of the existing footpath re-location there will a slight reduction in landscaping. The landscaping plan shows the retention of the Hornbeam trees lining Silverwoods Way, the re-instating of the wildflower bed, along with additional shrub planting along the route of the footpath and to the edge of Silverwoods Way. Such an approach to landscaping will help soften any impact and again when viewed against the context of the existing car park will have little impact.
- 4.7 Across all three areas there is a holistic approach to ensure the continuation of landscaping to edge of spaces. This will allow the additional spaces to be assimilated into the existing car park will little visual impact and in a planned way. The proposal will result in a total provision of 201 car spaces, 9 motorcycle spaces, 10 disabled spaces and 18 cycle spaces. It is considered that once established the car park will read as a single entity without prejudicing the design quality of the leisure centre as previously envisaged.
- 4.8 There have been no adverse comments from neighbouring properties or consultees in response to the proposal. It is felt that resulting car parking provision will be an overall benefit to the amenity of the surrounding area and residents limiting any indiscriminate parking.

17/0164/FULL

5.0 Conclusions and Recommendations

- 5.1 The proposal results in the provision of an additional 31 spaces for the Wyre Forest Leisure Centre in response to the increased demand for car parking over recent months. The additional spaces have been carefully considered and will be integrated into the existing car park and provided with suitable landscaping. The impact of the proposal will be slight and will not adversely affect the visual appearance of the area. It is considered that overall there will be a net benefit to amenity of the locality.
- 5.2 It is therefore recommend that the application be **APPROVED** subject to the following conditions:
1. A6 (Full with no reserved matters)
 2. A11 (Approved plans)
 3. C8 (Landscape implementation)

WYRE FOREST DISTRICT COUNCIL

Planning Committee

18 April 2017

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
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			Dismissed 07/03/2017

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
WFA1472 16/0566/FULL	APP/R1845/W/1 6/3165099	Shared Access	CHESTER ROAD SPORTS & SOCIAL CLUB CHESTER ROAD NORTH Erection of 15m shrouded monopole to support 3no. telecommunications antennae for use by Telefonica, which together with the installation of 2no. dishes and 4no. ground based equipment cabinets will provide 2G, 3G and 4G mobile electronic communication services from the installation.	WR 23/01/2017	27/02/2017			

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
WFA1473 17/0052/ENF	APP/R1845/C/16 /3164662	Mr D Hensall	HOARSTONE STABLES HOARSTONE LANE BEWDLEY DY121LB Unauthorised Mobile Home (Enforcement Case 16/0023/ENF)	WR 31/01/2017	07/03/2017			
WFA1474 17/0056/ENF	APP/R1845/C/16 /3165263	Mr G Smith	THE GRANARY HODGE HILL FARM BARNs BIRMINGHAM ROAD Unauthorised single storey orangery/garden room to side of main building (Enforcement Case 16/0116/ENF)	WR 01/02/2017	08/03/2017			

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
WFA1475 16/0520/OUTL	APP/R1845/W/1 7/3167317	Mrs G Everton	31 CHURCH WALK STOURPORT-ON- SEVERN DY130AL	WR 24/02/2017	31/03/2017			
			Application for Outline Planning Approval for the erection of a detached dwelling					
WFA1476 16/0569/FULL	APP/R1845/D/17 /3167747	Mr C Page	THE RETREAT LOWE LANE KIDDERMINSTER DY115QP	WR 21/03/2017	25/04/2017			
			Extension of existing bungalow to provide bathroom					

Appeal Decision

Site visit made on 29 November 2016

by J J Evans BA (Hons) MA MRTPI

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

Decision date: 07 March 2017

Appeal Ref: APP/R1845/W/16/3152536

Bury Hall, Church Bank, Wolverley, Worcestershire, DY11 5TH

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
 - The appeal is made by Mr Neil Griffiths against the decision of Wyre Forest District Council.
 - The application Ref 16/0005/FULL, dated 20 November 2015, was refused by notice dated 17 May 2016.
 - The development proposed is the conversion of an ex school building to a two bed dwelling.
-

Decision

1. The appeal is dismissed.

Procedural Matters

2. The appeal building is within the Wolverley Conservation Area. As required by Section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 (the Act) I have paid special regard to preserving or enhancing the character or appearance of a conservation area.
3. The appeal submission was supported with a set of drawings showing an alternative scheme. The appellant explained these drawings were required by the Council but were not registered by them. The Council were requested to specify the drawings upon which they made their decision, and have stated that the relevant drawings were 15-116-1, 15-116-3, 15-116-4, and 15-116-5. The appellant has confirmed this is the case and for the avoidance of doubt I have determined the appeal on the basis of the drawings refused by the Council.

Main Issues

4. The main issues are *firstly*, whether the proposed conversion would be inappropriate development in the West Midlands Green Belt; *secondly*, the effect of the proposal on the openness of the green belt; *thirdly*, whether the proposal would provide adequate living conditions for future residents with particular regard to external amenity space; and *fourthly*, whether the harm to the green belt by reason of inappropriateness, and any other harm, is clearly outweighed by other considerations so as to amount to the very special circumstances necessary to justify it.
-

Reasons*Green Belt - Inappropriate Development and Openness*

5. The appeal site is within the West Midlands Green Belt and is part of a group of mostly residential buildings that were formerly a school. Positioned around a courtyard that is partly used for parking, these dwellings and the nearby church form a distinct cluster of buildings occupying an elevated position above the river valley. Although there is a surgery and community hall sharing the access from Wolverley Road, these and the former school buildings are upon a spur of high ground and are set apart from the built up areas of the nearby village by the topography and agricultural land. This distinct separation is very different to the concentration of development found in the valley bottom and to the south west. As such I find the appeal building to be positioned within a rural area.
6. I understand the building was constructed and used as a laboratory for the school. Its former use and relationship to the school is clearly apparent in its appearance, with its elegant decorative brickwork and detailing, and a large lantern roof light. From the evidence before me, including my site inspection, it is apparent the building is now used as a domestic workshop / store, with a kitchen, living room and bathroom above. Whilst noting the appellant's consideration that the appeal building is not a domestic outbuilding due to its original use in connection with the school, it is clearly no longer in such a use, but is and has been for some time, a domestic outbuilding.
7. The appellant considers the site is unique and that a pragmatic approach should be taken to the development. Be that as it may, I find the proposal is for the conversion of a residential outbuilding in a rural area. It would not therefore be the limited infilling of a village within a green belt referred to in the National Planning Policy Framework (the Framework). Policy SAL.UP1 of the Wyre Forest District Council Site Allocations and Policies Local Plan (2013) (LP) states that development will not be permitted in the green belt, except in very special circumstances, unless it meets one of the criteria listed. The re-use or conversion of buildings is such an exception, as long as the development accords with the requirements of LP Policy SAL.UP11.
8. Amongst other things, LP Policy SAL.UP11 controls the conversion of domestic outbuildings in rural areas. The Framework states that certain forms of development, including the re-use of buildings provided that they are of permanent and substantial construction is not inappropriate development in the green belt. This is provided that the development preserves the openness of the green belt and does not conflict with the purposes of including land within it. The general thrust of the Council's policies is to restrict development in the green belt to certain instances and this is broadly consistent with the requirements of the Framework.
9. Both the Framework and LP Policy SAL.UP11 make it clear that the re-use of buildings in the green belt depends on their being of permanent and substantial construction. Neither of the main parties has provided a structural assessment to ascertain if the outbuilding is such a building. From my inspection the building appeared to be well-built, and the proposed works would be limited to replacing existing doors and windows, to insulate the roof and provide a new staircase. On the basis of the evidence before me, the building is a permanent

structure, and the proposed works would not be the significant building works precluded by LP Policy SAL.UP11.

10. However, LP Policy SAL.UP11 specifically restricts the conversion of domestic outbuildings to dwellings, and as such the proposal would be in conflict with this policy. Furthermore, there would be a loss of openness resulting from the scheme, albeit a small loss. The garden of 9 Bury Hall would be subdivided to provide a bin and covered cycle store, and this and the construction of a brick wall around it would impact on the openness of the green belt, as would the provision of a door canopy. The side of the building would have a constrained and cluttered appearance, and the loss of openness would be noticeable. Thus the residential conversion of a domestic outbuilding would be inappropriate development contrary to the requirements of LP Policy SAL.UP11 and of the Framework.
11. The appellant considers the proposal would be the redevelopment of a previously developed site in the green belt and as such LP Policy SAL.PDS1 applies. However, this policy refers to the redevelopment of sites within the Council's area. As the appeal scheme is for the conversion of an existing building and not the redevelopment of a site, this policy is not relevant.

Living Conditions

12. I share the Council's concerns that the site would not provide adequate amenity space for future occupiers of the property. The subdivision of the No 9's garden would appear as contrived rather than as an integrated part of the design. Even though parking would be retained for No 9, the external space for the proposed dwelling would be harmfully constrained, particularly so when compared to the former school complex as a whole. LP Policy SAL.UP7 does not specifically refer to amenity space, but it does require all proposals to demonstrate the highest design quality. For the reasons given the proposal would fail to accord with this requirement.
13. I noted that some of the properties within the complex had limited external space. Nevertheless, from what I saw at my visit domestic servicing and parking arrangements were included as an integral part of the complex. Whilst accepting the proximity of community services and facilities to the site, the Planning Practice Guidance (the Guidance) refers to the provision of servicing for dwellings having to be carefully considered and well designed to ensure that they are safe to use, discrete and accessible. In this particular instance the narrow width of the servicing strip would so cramped and restricted that it would be awkward to manoeuvre bins and cycles within it. This would not be the good standard of amenity for future residents as sought by the Framework and the Guidance.
14. Drawings were submitted for the appeal that showed a larger outdoor amenity space for the proposed dwelling. However, this scheme is very different to that refused by the Council, particularly as it extends the site area. The appeal process should not be used to evolve a scheme. It is important that the facts before me are essentially those considered by the Council and other parties. In this instance there are several differences between the appeal scheme and that considered by the Council. The amended scheme differs significantly from the application and whilst the Council have had an opportunity to comment, others have not, and I am therefore unable to accept it as an amendment.

15. I note the appellant's concerns regarding the Authority's handling of the application particularly with regard to the matter of amended drawings. However, these are procedural matters, and such concerns fall to be pursued by other means separate from the appeal process and are not for me to consider.

Other Matters

16. My attention has been drawn to matters of land ownership and management arrangements. However, such issues would be for the relevant parties to resolve, and have not had any bearing on my assessment of the planning issues in this appeal.
17. The scheme would necessitate the conversion of the existing outbuilding, and I note the Council's ecological advisor considers there to be a low potential use of the building by bats because of the rooflight. Be that as it may, it is not clear from the submission whether bats would be affected by the proposal. However, as I am dismissing the appeal for other reasons this matter has not been decisive.

Other Considerations and Very Special Circumstances

18. The former school is a Local Heritage Building, within the Wolverley Conservation Area. Separated from the village on a prominent spur of high ground, the buildings of this complex are a distinct feature. The conversion would mostly retain the distinct and high quality form of the building that makes a positive contribution to the conservation area and to the school complex. Having regard to the existing domestic use of the site, the proposal would preserve the character and appearance of the conservation area and a Local Heritage Building.
19. The appellant and the Council's Conservation Officer have pointed out that the scheme would allow the long term survival of a building that is on the Local Heritage List, and the appellant considers this a very special circumstance. I accept the building makes a positive contribution to the former school complex and the conservation area. However, it has not been demonstrated that the building is at serious risk or that converting the building to a dwelling is the only means of securing its long-term future, particularly as maintenance and / or repairs would not be dependent on its conversion. This other consideration does not outweigh the harm to the green belt or the harm I have found with regard to the living conditions of future occupiers, and would not therefore be a very special circumstance to justify the development.

Conclusion

20. The conversion of the building would be inappropriate development in the green belt and there would be a loss of openness, contrary to development plan policy and objectives of the Framework. Nor would the proposal provide adequate amenity space for future occupiers. These harms would be substantial and would not be outweighed by any other considerations that would amount to very special circumstances. Consequently, for the reasons given above and having considered all other matters raised, the appeal is dismissed.

J J Evans INSPECTOR

SECTION 106 OBLIGATION MONITORING

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

This list only records applications dating back to 2010 and should Members wish to see records relating to applications before then, they are available on request. Members are advised that S106 Agreements will only appear as ‘completed’ once the relevant planning application has been determined.

Application Number	Site	Provisions	Triggers for Compliance	Performance
17/0006/S106	Land off Mill Lane Stourport on Severn	Variation of S.106 agreement attached to WF.472.98 to allow a financial contribution in lieu of on-site provision of play area		Awaiting production of ownership evidence. Draft agreed.
16/0740/S106	14-36 (evens) Gala Drive Stourport on Severn	Variation of S.106 attached to Planning Permission 10/0321/OUTL to define and amend disposal and mortgage exclusion clause		Draft agreed. Awaiting costs agreement.
16/0688/FULL	Rifle Range Community Centre Dowles Road Kidderminster	<ul style="list-style-type: none"> • Public Open Space contribution of £3,384 • Affordable Housing – to be secured by condition 		Engrossments out for execution
16/0480/S106	Tesco Stores Ltd Castle Road Kidderminster	Variation of existing S106 regarding car parking management		Draft being finalised

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Application Number	Site	Provisions	Triggers for Compliance	Performance
16/0096/FULL	Eagles Nest Coningsby Drive Kidderminster	£10,000 to provide new bus shelter	First occupation	Agreement completed 2.3.17
16/0089/FULL	Corner of Castle Road and Park Lane Kidderminster	Public Open Space contribution of £6,878 towards St George's Park 'Bandstand' project	Prior to first occupation	Agreement completed 19.4.16

Application Number	Site	Provisions	Triggers for Compliance	Performance
16/0003/OUTL	Land South of Stourbridge Road Kidderminster	<ul style="list-style-type: none"> • Education contribution (exact figure will depend upon number and mix of houses) • £20,000 contribution towards bus shelter provision • Open Space contribution (exact figure will depend upon number and mix of houses) • 30% Affordable Housing • Biodiversity enhancements 		Draft out for approval
15/0623/OUTL	Former Midland Industrial Plastics Site Steatite Way Stourport on Severn	<ul style="list-style-type: none"> • Affordable Housing – 14 units based on affordable rent tenure; 8 x two bed units and 6 x three bed units • Highway contribution – A contribution of £10,000 is required to improve the 2 nearest bus stops to provide Kassell kerbs 		Draft being prepared
15/0480/FULL	The Beeches Ribbesford Bewdley	To prevent the implementation of Planning Permission 11/0246/FULL and/or 14/0259/FULL as well as this permission	Commencement of development	Agreement completed

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Application Number	Site	Provisions	Triggers for Compliance	Performance
15/0429/FULL	Units 1-4 Baldwin Road Stourport on Severn	<ul style="list-style-type: none"> • 30% Affordable Housing provision. 3 units (1 x 2 bed and 2 x 3 bed) • Public Open Space provision - £7,614.84 	<ul style="list-style-type: none"> • Prior to occupation of general market dwellings 	Agreement completed
15/0305/OUTL	Site of Former Sion Hill Middle School Sion Hill Kidderminster	<ul style="list-style-type: none"> • Public Open Space : Will be based on the following calculation: <ul style="list-style-type: none"> - Number of childbed spaces – 24 x £20.47 There is 50% for affordable housing units. 	Prior to first occupation	Draft agreement with applicant's solicitors

Application Number	Site	Provisions	Triggers for Compliance	Performance
		<ul style="list-style-type: none"> • Education Contributions : Will be based on the following <ul style="list-style-type: none"> - 1 bed dwelling of any type = £0 - 2 bed house = £2119 - 3 bed house = £2119 - 4+ bed house = £3179 - 2+ bed flats/apartments = £848 - Affordable Housing = £0 (To be payable to one of the following: <ul style="list-style-type: none"> - Wolverley Sebright Primary School - St Oswald's C of E Primary School - Wolverley High School) • Affordable Housing - Total 9 units (19.5%) - 79% / 21.5% in favour of Social Rented <ul style="list-style-type: none"> - 1 bed social rented = 28.5% - 2 bed social rented = 36% - 2 bed shared ownership = 21.5% - 3 bed social rented = 14% Highway Contribution of £22,000 for bus shelters 	<ul style="list-style-type: none"> • Prior to first occupation • Prior to occupation of one third of GMD • Commencement of development 	

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Application Number	Site	Provisions	Triggers for Compliance	Performance
14/0591/FULL/OUT	West Midland Safari Park Spring Grove Bewdley	Highway Contribution of £87,000 to provide additional Sunday bus services on Sundays and Bank Holidays routing between Kidderminster Railway Station and Bewdley Town Centre.	Prior to the commencement of development	Agreement completed 19.4.16
14/0358/FULL	Land adjacent 29 Mitton Street Stourport on Severn	<ul style="list-style-type: none"> • Education contribution of £43,656.00 • Public Open Space provision of £6,877.92 (allocation of funds to be confirmed) 	<ul style="list-style-type: none"> • First residential occupation • First residential occupation 	Agreement signed and completed.
14/0105/FULL	Stone Manor Hotel Stone Chaddesley Corbett	<ul style="list-style-type: none"> • Education contribution of £9,810 • Open Space provision of £2,862.72 	<ul style="list-style-type: none"> • Commencement of development • First residential occupation 	Agreement signed and completed
14/0056/FULL	Land at Sebright Road Wolverley	Open Space provision of £6,679.68	First residential occupation	Agreement signed and completed

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Application Number	Site	Provisions	Triggers for Compliance	Performance
14/0027/OUTL	Chichester Caravans Vale Road Stourport on Severn	<ul style="list-style-type: none"> • Education Contribution of £48,069 – to be used at Stourport Primary School / Stourport High School • Public Open Space Contribution of £11,450.88 – to be used at Riverside, Stourport • 30% Affordable Housing Provision – 8 units (4 Social Rent / 4 Shared Ownership) 1 No. House and 7 No. Apartments. 	<ul style="list-style-type: none"> • First residential occupation • First residential occupation 	Agreement signed and completed.
13/0657/FULL	Former Garage Site Off Orchard Close Rock	Open Space provision of £1,908.48	First residential occupation	Agreement signed and completed
13/0645/FULL	Land adjacent to Upton Road Kidderminster	Open Space provision of £2,385.60	First residential occupation	Agreement signed and completed.

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Application Number	Site	Provisions	Triggers for Compliance	Performance
13/0573/FULL	Coopers Arms Canterbury Road Kidderminster	<ul style="list-style-type: none"> • Education contribution of £12,714 • Open space provision of £4,294.08 	<ul style="list-style-type: none"> • Commencement of development • First residential occupation 	Agreement signed and completed
13/0553/EIA	Land at Nelson Road Sandy Lane Stourport on Severn	Ecological mitigation scheme and future management of wetlands	Upon completion	Draft out for approval
13/0494/FULL	Reilloc Chain Stourport Road Kidderminster	Public Open Space contribution of £13,896 (The agreement should replicate the agreement previously agreed under reference 13/0049/FULL)	First residential occupation	Agreement signed and completed.
13/0465/FULL	Stadium Close Aggborough Kidderminster	<ul style="list-style-type: none"> • Public Open Space contribution of £6,202.56 • Transport contribution – To be confirmed 		Agreement signed and completed
13/0082/FULL	Riverside Building Former Carpets of Worth Site Severn Road Stourport on Severn	<ul style="list-style-type: none"> • Education contribution of £9,810 • Public Open Space contribution of £2,316 • Affordable Housing – 3 no. dwellings 		Draft with applicant's solicitors and remains unsigned

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

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

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

Application Number	Site	Provisions	Triggers for Compliance	Performance
12/0146/EIA	Former British Sugar Site Stourport Road Kidderminster	(i) a minimum of 12% affordable housing; (ii) £100k towards a MOVA to be installed to increase the capacity at the junction of Stourport Road/Walter Nash Road West; (iii) a minimum of £90k towards maintaining three areas of informal open space (i. the knoll, ii. the informal space to the south of the site, iii. the wooded embankment adjacent to the canal) (iv) up to £35k towards public realm	Phased triggers	Agreement signed and completed
11/0471/FULL	Clent Avenue, Kidderminster	Open space contribution of £2,023.92	First occupation	Agreement signed and completed

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

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