

Open

Planning Committee

Agenda

6pm
Tuesday, 19th September 2017
Council Chamber
Wyre Forest House
Finepoint Way
Kidderminster



Planning Committee

Members of Committee:

Chairman: Councillor S J Williams
Vice-Chairman: Councillor J R Desmond

Councillor J Aston
Councillor M J Hart
Councillor N Martin
Councillor C Rogers
Councillor J D Smith

Councillor J A Hart
Councillor D Little
Councillor F M Oborski MBE
Councillor J A Shaw
Councillor R Wilson

Information for Members of the Public:-

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

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

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

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

Public Speaking

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

*Unless there are no reports in the open session.

NOTES

- Councillors, who are not Members of the Planning Committee, but who wish to attend and to make comments on any application on this list or accompanying Agenda, are required to give notice by informing the Chairman, Solicitor to the Council, or Corporate Director: 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 Corporate Director: Economic Prosperity & Place.
- Councillors and members of the public must be aware that in certain circumstances items may be taken out of order and, therefore, no certain advice can be provided about the time at which any item may be considered.
- Any members of the public wishing to make late additional representations should do so in writing or by contacting their Ward Councillor prior to the Meeting.
- For the purposes of the Local Government (Access to Information) Act 1985, unless otherwise stated against a particular report, "background papers" in accordance with Section 110D will always include the case Officer's written report and any letters or memoranda of representation received (including correspondence from the Highway Authority, Statutory Undertakers and all internal District Council Departments).
- Letters of representation referred to in these reports, together with any other background papers, may be inspected at any time prior to the Meeting, and these papers will be available at the Meeting.
- **Members of the public** should note that any application can be determined in any manner notwithstanding any or no recommendation being made.

Wyre Forest District Council

Planning Committee

Tuesday, 19th September 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 15th August 2017.	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.	29
7.	To consider any other business, details of which have been communicated to the Solicitor to the Council before the commencement of the meeting, which the Chairman by reason of special circumstances considers to be of so urgent a nature that it cannot wait until the next meeting.	

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

Not open to the Press and Public

9.	<p>New Enforcement Cases</p> <p>To receive a report from the Corporate Director: Economic Prosperity and Place on new enforcement cases.</p>	-
10.	<p>Enforcement Matters</p> <p>To receive a report from Corporate Director: Economic Prosperity and Place that provides members with a summary on Enforcement Matters, and specifically the volume of new complaints.</p>	-
11.	<p>To consider any other business, details of which have been communicated to the Solicitor to the Council before the commencement of the meeting, which the Chairman by reason of special circumstances considers to be of so urgent a nature that it cannot wait until the next meeting.</p>	

WYRE FOREST DISTRICT COUNCIL

PLANNING COMMITTEE

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

15TH AUGUST 2017 (6 PM)

Present:

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

Observers:

Councillor M Rayner.

PL.20 Apologies for Absence

There were no apologies for absence

PL.21 Appointment of Substitutes

No substitutes were appointed

PL.22 Declarations of Interests by Members

In respect of application 17/0402/FULL Councillor Marcus Hart declared an ODI as he sits on the Chaddesley Education Foundation Trust that owns the land. He has no financial interest or DPI and will therefore remain in the meeting and debate and vote on the matter.

In respect of application 17/0269/FULL Councillor Rogers declared an ODI as he is the Council's representative on the Community Housing Group but that this would not prejudice his judgement. The Solicitor confirmed that there is a dispensation from the Ethics and Standards Committee as the Council has appointed Councillor Rogers to this external body.

PL.23 Minutes

Decision: The minutes of the meeting held on 18th July 2017 be confirmed as a correct record and signed by the Chairman.

PL.24 Applications To Be Determined

The Committee considered those applications for determination (now incorporated in Development Control Schedule No. 557 attached).

Decision: The applications now submitted be determined, in accordance with the decisions set out in Development Control Schedule No 557 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.25 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 report be noted.

PL.26 Land at Hill Top Farm, Dark Lane, Rock, Kidderminster

The Committee considered a report from the Corporate Director: Economic Prosperity and Place to determine whether the Tree Preservation Order No 414 (2017) relating to a tree on Land at Hill Top Farm should be confirmed or not.

Decision: The Tree Preservation Order be confirmed without modification.

TPO to include:

- 1 No. English Yew (*Taxus baccata*) [T1]

As it is a veteran tree that contributes to the amenity of the locality and is considered worthy of protection.

There being no further business, the meeting ended at 7.20 PM

WYRE FOREST DISTRICT COUNCIL

PLANNING COMMITTEE

15th August 2017 Schedule 557 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: 16/0003/OUTL
Site Address: LAND SOUTH OF STOURBRIDGE ROAD, KIDDERMINSTER
<p>REFUSED for the following reasons:</p> <ol style="list-style-type: none"> 1. The site is located within an area identified with the Adopted Wyre Forest Site Allocations and Policies Local Plan as an Area of Development Restraint and has not yet been released for development. The proposed development of the site for residential development would not accord with any of the exceptions for housing as set out with Policy SAL.UP1 of the Adopted Wyre Forest Site Allocations and Policies Local Plan. To release the land for residential development at this time would be contrary to Policies SAL.UP1 and SAL.UP2 of the Adopted Wyre Forest Site Allocations and Policies Local Plan. 2. The proposed housing development on non previously developed land is not currently allocated for residential purposes within Policies SAL.DPL1 and SAL.DP2. It is considered that the material circumstances in this case that would not provide a balance in favour of the application, given that the Council has in excess of a 5 year supply of housing land. To allow the proposed development of this site in these circumstances would therefore be contrary to Policies DS01 and DS04 of the Adopted Wyre Forest Core Strategy, Policies SAL.DPL1 and SAL.DPL2 of the Adopted Wyre Forest Site Allocations and Policies Local Plan and the Government Guidance as set out in the National Planning Policy Framework and Planning Practice Guidance

Councillor Oborski MBE left the meeting at 18.45 PM after the decision on this matter had been taken.

Application Reference: 17/0251/FULL
Site Address: CAR PARK ADJACENT TO REDTHORNE HOUSE, 11 HIGH STREET, BEWDLEY, DY122FB
<p>APPROVED subject to the following condition:</p> <ol style="list-style-type: none"> 1. Painting of cabinet housing etc within 1 month <p>Note Identification of plans.</p>

Application Reference: 17/0359/ADVE

Site Address: REDTHORNE HOUSE, REDTHORNE COURT, 11 HIGH STREET, BEWDLEY, DY122DJ

APPROVED subject to the following conditions:

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

Note

Materials as per approved plans

Application Reference: 17/0269/FULL

Site Address: KIDDERMINSTER MARKET AUCTION SITE, COMBERTON PLACE, KIDDERMINSTER, DY101QR

DELEGATED APPROVAL, subject to:

- a) the signing of a **Section 106 Agreement**; and
- b) the following conditions:
 1. A6 (Full with no reserved matters)
 2. A11 (Approved plans)
 3. Materials – to be agreed
 4. Details of bin stores
 5. Fencing/railings details to be provided (including proposed finish)
 6. Highways conditions (as suggested by the Highway Authority)
 7. Landscaping (type and management plan)
 8. Bat boxes to be provided
 9. Foul and surface water drainage details
 10. SuDS maintenance schedule to be agreed
 11. Noise mitigation as set out in the noise report to be adhered to in full
 12. Cycle parking
 13. Building Recording

Application Reference: 17/0292/FULL

Site Address: LAND ACCESS, VIA B4194, RIBBESFORD, BEWDLEY, DY122TQ

APPROVED, subject to the following conditions:

1. A6 (Full with no reserved matters)
2. A11 (Approved plans)
3. B6 (External details – approved plans)
4. No lighting
5. The approved building shall only be used for storing leisure equipment and shall not be used for any commercial purpose(s) whatsoever.

Notes

A Applicant's obligations regarding the Public Right of Way

B The applicant is advised that works (including temporary) in, or adjacent to the river Severn or its floodplain may need an Environmental Permit

Application Reference: 17/0402/FULL

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

APPROVED subject to the following conditions:

1. A8 (10 years temporary permission)
2. A11 (Approved Plans)

Application Reference: 17/0405/FULL

Site Address: STOURPORT PISTOL AND RIFLE CLUB, BONEMILL QUARRY,
MINSTER ROAD, STOURPORT-ON-SEVERN, DY13 8AS

APPROVED subject to the following conditions:

1. A8 (Temporary Permission – Buildings)
2. A11 (Approved Plans)
3. The building shall only be used by Stourport on Severn Pistol and Rifle Club.
4. No below ground services shall be installed.

**EXECUTIVE SUMMARY TO REPORT OF
DEVELOPMENT MANAGER**

Planning Committee

19/09/2017

PART A Report

Ref.	Address of Site	Recommendation	Page No.
17/0375/FULL	96-104 CANTERBURY ROAD KIDDERMINSTER	DELEGATED APPROVAL	13

PART B Reports

Ref.	Address of Site	Recommendation	Page No.
17/0318/FULL	UNIT 27A EDWIN AVENUE HOO FARM INDUSTRIAL ESTATE KIDDERMINSTER	APPROVAL	19
17/0397/FULL	ORCHARD HOUSE BAXTER AVENUE KIDDERMINSTER	APPROVAL	23
17/0489/LIST	BEWDLEY MUSEUM & TOURIST INFORMATION LOAD STREET BEWDLEY	APPROVAL	26

WYRE FOREST DISTRICT COUNCIL

PLANNING COMMITTEE
19TH SEPTEMBER 2017

PART A

Application Reference:	17/0375/FULL	Date Received:	06/06/2017
Ord Sheet:	381207 276557	Expiry Date:	01/08/2017
Case Officer:	Julia McKenzie-Watts	Ward:	Blakebrook & Habberley South

Proposal: Conversion and subdivision of 96 Canterbury Road from convenience store (Use Class A1) to two hot food take away shops (Use Class A5), conversion and extension of 100 and 102 Canterbury Road from newsagents and hairdressers (Use Class A1) to create a new convenience store (Use Class A1) and creation of new car park and service access

Site Address: 96-104 CANTERBURY ROAD, KIDDERMINSTER, DY116DH

Applicant: Nisa Local

Summary of Policy	DS01 CP01 CP03 CP09 CP11 (CS) SAL.GPB2, SAL.GPB3 SAL.UP7 SAL.UP9 SAL.CC1 SAL.CC2 (SAAPLP) Section 2 (NPPF)
Reason for Referral to Committee	Third party has registered to speak at Committee . Statutory or non-statutory Consultee has objected and the application is recommended for approval
Recommendation	DELEGATED APPROVAL

1.0 Site Location and Description

1.1 Number 96-104 Canterbury Road is a local centre which consists of a parade of shops on the Habberley Estate in Kidderminster.

1.2 The site currently consists of 5 units –

- Number 96: Nisa Local (A1)
- Number 98: Habberley Fish bar (A5)
- Number 100: Currently vacant, previously News Express, newsagents and post office (A1)
- Number 102: Canterbury Studios, hair and beauty (A1)
- Number 104: Presently vacant, previously Carter's Pets Garden and Convenience store (A1)

17/0375/FULL

- 1.3 The site is identified in the Site Allocations and Policies Local Plan as being in a residential area.

2.0 Planning History

- 2.1 17/0413/FULL – Single storey rear extension to existing retail unit : Approved 3/8/17

3.0 Consultations and Representations

- 3.1 Kidderminster Town Council – Refuse; over-intensive use of the site in a residential area; not in keeping with the local neighbourhood
- 3.2 Highway Authority – Recommend approval subject to conditions and notes. Whilst the proposed location of the bus stop is a betterment in terms of positioning in the highway, a Traffic Regulation Order is required to protect the bus stop and delivery vehicles must not use the bus stop for deliveries. This will be progressed as part of the S278 Agreement post any planning approval. Improvements to the bus stop to include Kassel kerbs and a shelter will be required, should it be deemed necessary by the Highways engineer. A Stopping Up Order is required to enable the removal of the lay-by and the applicant is required to contact the National Planning Casework Unit to facilitate this process.
- 3.3 Disability Action Wyre Forest - No reassurance that the development will have level thresholds as currently the site the shops do not have level thresholds
- 3.4 West Mercia Police Designing Out Crime Officer – No objections
- 3.5 Neighbour/Site Notice – 43 letters of objections, 4 petitions containing 16, 158, 47 and 24 signatories have been received. Object strongly to this planning application on the basis that it will have a serious negative impact to all the residents on both Canterbury Road and Cathedral Avenue due to the increase in traffic and litter. There is already a litter problem around the existing shop area on Canterbury Road from both dropped litter and over flowing litter bins. Litter is also dropped, as well as blown all the way along Cathedral Avenue. Due to the location of the shops many shoppers use Cathedral Avenue as a cut through rather than turn in the road outside the shops, meaning the traffic levels are high already for a residential road of this type. The additional of another 2 take away food outlets to the existing chip shop as well as a much larger supermarket will vastly increase both the traffic and the litter and be of no benefit to the residents.

17/0375/FULL

Increased levels of litter, increased levels of traffic, extra cooking smells, late night opening hours and large delivery vehicles parking in front of the new proposed location of the current convenience store moving further along the row

3.6 Worcestershire Regulatory Services – Awaiting comments

4.0 Officer Comments

PROPOSAL

- 4.1 Planning permission is sought for the conversion and subdivision of number 96 Canterbury Road from a convenience store (A1) to two hot food takeaway shops (A5), the conversion and extension of numbers 100 and 102 Canterbury Road from a newsagents and hairdressers (A1) to create a new convenience store including a post office (A1) and the creation of a new car park and service area.
- 4.2 In order to facilitate these changes, the development would involve a number of changes. Firstly, the relocation of the hair salon from its current location at number 102 Canterbury Road to number 104 Canterbury Road, the erection of a single storey extension of 149 sq m to the rear of Units 100 (125 sq m) and 102 (61 sq m) and conversion to create a a single convenience store of 335 sq m (280 sq m sales area and 55 sq m back of house). It is also proposed to remove the entrance door at the front of unit 100 and replace with a large glazed area. The current convenience store at number 96 Canterbury Road would be divided to form two A5 takeaway units with a new service bay at the rear.
- 4.3 At the present time, the front of the shopping parade is tarmac with pedestrian access and a bus stop on the highway. The application proposes the creation of 17 new off street car parking spaces with a new vehicular access after relocation of the existing bus stop.

SITING, SCALE AND DESIGN

- 4.4 The shopping parade exists at the present time and the proposed changes to the existing units will allow for better use of the site by way of a larger convenience store and additional service provision for local residents. The proposed single storey extension to the rear of numbers 100 and 102 would be located to the rear of the units not being visible from the front or side of the site. The changes to the front fenestration would update the current facade and as such would not appear out of character within the street scene.

17/0375/FULL

HIGHWAY SAFETY

- 4.5 The existing bus stop immediately adjacent the front of the shopping parade is to be retained but relocated further along the road in order to allow the creation of an access into the new parking area. The Highway Authority has commented that whilst the proposed location of the bus stop is a betterment in terms of positioning in the highway, a Traffic Regulation Order is required to protect the bus stop and delivery vehicles must not use the bus stop for deliveries. This will need to be progressed as part of the Section 278 of the Highways Act 1980 Agreement if planning approval is given.
- 4.6 A Stopping Up Order will also be required in order to enable the removal of the layby and the applicant is required to contact the National Planning Casework Unit to facilitate this process prior to the first use of the shops.
- 4.7 The new parking area provides the required two disabled parking spaces and cycle parking, and a condition is recommended to any forthcoming planning permission that these areas are properly consolidated, surfaced and drained prior to the first use of the shops.
- 4.8 Policy SAL.CC1 of the Adopted Wyre Forest District Site Allocations and Policies Local Plan (SAAPLP) states that: *“Proposals which would lead to the deterioration of highway safety will not be allowed”*, whilst Policy SAL.CC2 calls for suitable levels of car parking to serve development, as required. At the present time no off street parking exists and any vehicles visiting the shops have to park on the adjacent highway at the front of the shops. The Highway Authority has no objection to the provision of seventeen parking spaces which will allow parking of cars for users of the parade in a designated off street car park.

OTHER ISSUES

- 4.9 As summarised above in paragraph 3.5, the application has been the subject of a number of objections and petitions primarily from the neighbours and residents of Canterbury Road and beyond. The nature of the objections raised is not unusual for such an application particularly within a predominantly residential estate such as this. Officers appreciate that matters such as perceived increased levels of litter, increased traffic, extra cooking smells, late night opening hours and large delivery vehicles parking in front of the new proposed development are a real concern to local residents. However, it is worth noting that no objections have been received from the Highway Authority or the Designing Out Crime Officer to the proposal. Any resulting anti-social behaviour would be a matter for the Police should it occur, and a condition restricting the hours of opening of the units can be included on any permission given.
- 4.10 At the time of writing the report, comments are awaited from Worcestershire Regulatory Services in terms of noise and smell of the two new A5 units. However, any information received, including recommended conditions, can be reported on the Addenda and Corrections sheet.

17/0375/FULL

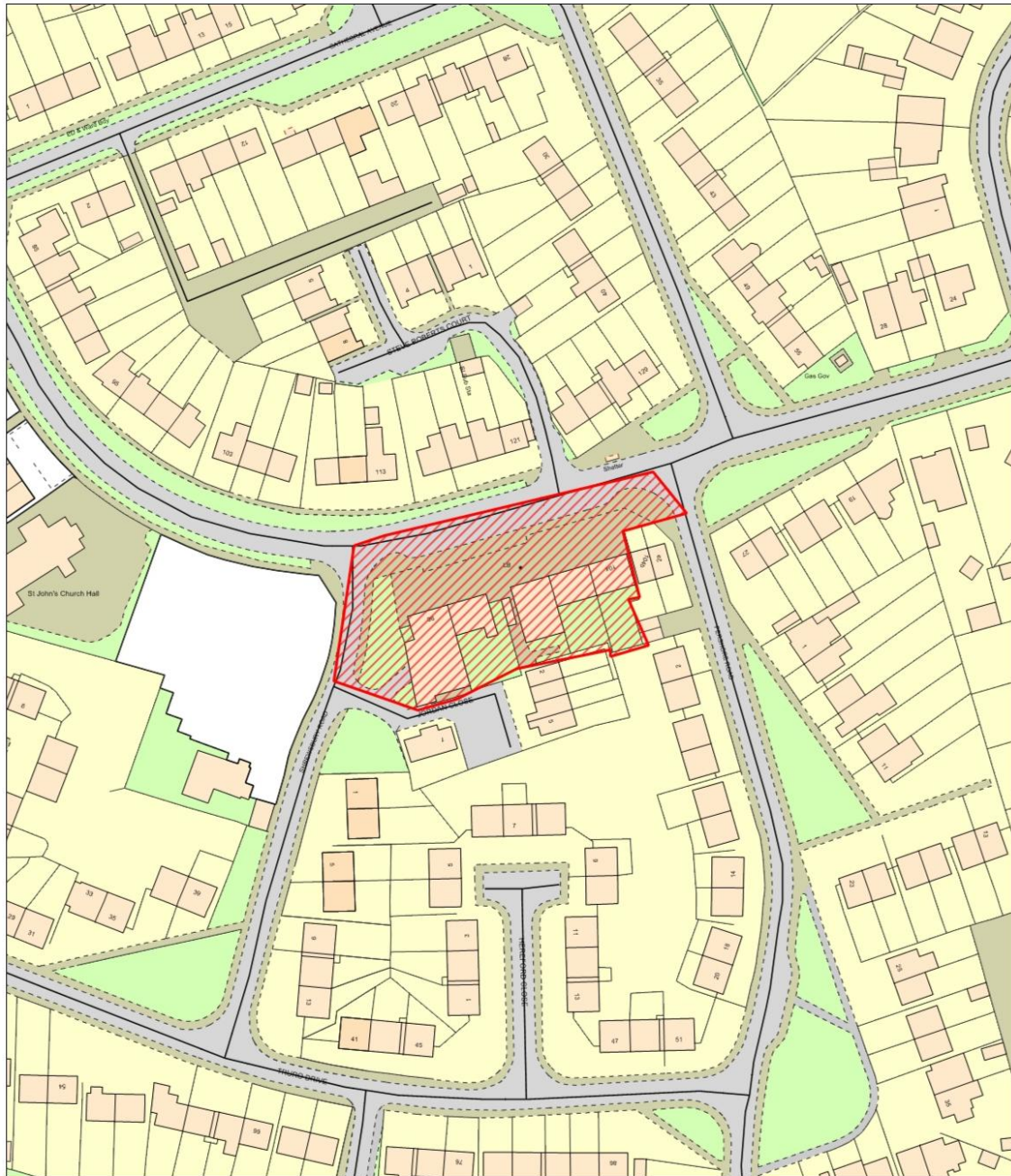
5.0 Conclusions and Recommendations

5.1 The proposals represent an appropriate form of development in this location which would have an acceptable appearance in the street scene and is capable of implementation without detriment to neighbour amenity.

5.2 It is therefore recommended that the application be granted **delegated APPROVAL** subject to a 'no objection' response from Worcestershire Regulatory Services, and the following conditions:

1. A6 (Full with no reserved matters)
2. A11 (Approved plans)
3. B3 (Finishing materials to match)
4. Opening hours restriction
5. Highways conditions

Note
Highways



Economic Prosperity and Place Directorate

96-104 Canterbury Road

Kidderminster

DY11 6DH



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WYRE FOREST DISTRICT COUNCIL

PLANNING COMMITTEE
19TH SEPTEMBER 2017

PART B

Application Reference:	17/0318/FULL	Date Received:	19/05/2017
Ord Sheet:	383463 274246	Expiry Date:	18/08/2017
Case Officer:	Paul Round	Ward:	Foley Park & Hoobrook

Proposal: A new industrial unit/warehouse with offices and parking

Site Address: UNIT 27A, EDWIN AVENUE, HOO FARM INDUSTRIAL ESTATE, KIDDERMINSTER, DY117RA

Applicant: Greensafe Property Ltd

Summary of Policy	DS02, CP02, CP03, CP08, CP11 (CS) SAL.GPB1, SAL.CC1, SAL.CC2, SAL.CC7, SAL.UP7 (SAAPLP) National Planning Policy Framework Planning Practice Guidance
Reason for Referral to Committee	'Major' planning application
Recommendation	APPROVAL

1.0 Site Location and Description

- 1.1 The site forms a 1.1 hectare plot on Hoo Farm Industrial Estate to the south of Kidderminster. It is more specifically located to the north of the estate bounded by industrial development to the south and west, residential properties to the north and the A449 to the east. It sits on an area of land at a similar level to other industrial units, although the land to north and east falls dramatically away.
- 1.2 The site is allocated for industrial purposes within the Adopted Wyre Forest Site Allocations and Policies Local Plan.
- 1.3 The proposal seeks for a warehouse building measuring approximately 46.5m x 45.3m. The building will contain a large warehouse along with ancillary office accommodation. The applicants have stated that the proposal will create an additional 20 employees at the facility.

17/0318/FULL

2.0 Planning History

- 2.1 WF.605/04 – Erection of new unit (Use Class B8) to the rear with car parking area, extension to Briten Ltd. with car parking area, new access approach : Approved 10/11/04
- 2.2 07/1265/OUTL - Erection of a new warehouse building (use Class B8) & associated car parking : Approved 22/2/08

3.0 Consultations and Representations

- 3.1 Kidderminster Town Council – Recommend approval
- 3.2 Highway Authority – Additional justification required for parking numbers and types of delivery vehicles used.
- 3.3 Arboricultural Officer – I have no objections to the proposed new industrial unit/warehouse as there are not trees with a high amenity value directly affected.
- 3.4 Worcestershire Regulatory Services (Noise/Light Pollution) – No objections subject to conditions
- 3.5 Worcestershire Regulatory Services (Contaminated Land) – No objections subject to Gas Protection condition
- 3.6 Health and Safety Executive – No objections
- 3.7 North Worcestershire Water Management – No objections subject to condition
- 3.8 Neighbour/Site Notice – No representations received

4.0 Officer Comments

- 4.1 Outline planning permission was granted for a warehouse building on this land in November 2004 (WF.605/04) and again in February 2008 (07/1265/FULL). The land is allocated for employment purposes within the Adopted Wyre Forest Site Allocations and Policies Local Plan. The principle of allowing the proposed B8 development is therefore acceptable. The design of the building is typically industrial in appearance, but given its context this is an acceptable approach.

17/0318/FULL

- 4.2 Neighbouring residential properties are located at a much lower level in Kenilworth Drive, Chirk Close and Flint Close. The building proposed has been designed with a low roof profile with two ridge lines in order to keep the overall height as low as possible (8.5 metres). The walls of the building are approximately 7 metres high and the building is situated approximately 20 metres away from the nearest residential properties, which are at the bottom of the steep vegetated slope.
- 4.3 Due to the tree screen and other vegetation I am satisfied that the development, from a physical point of view, will hardly be visible, if at all, from these properties. However, residential properties situated further away on this estate may well be able to see parts of the building. It is therefore concluded that no adverse harm will be caused to residential amenity.
- 4.4 The development will be very visible on the skyline when viewed from certain locations notably from parts of the Worcester Road, Hoo Road and Chester Road South. However, the building will 'read' against other buildings which are already very prominent. It is not considered that there will be visual harm caused under these circumstances.
- 4.5 The Highway Authority has requested further information in respect of parking and types of vehicle used. The Interim Parking Standards issued by the County Council states that "[c]ommercial operators are best placed to understand the needs of their business and to determine how land under their control should be managed." It continues that additional information can be required where neighbours will be impacted. On this occasion, there are no residential properties that will be impacted as the property is within the industrial estate. The proposed unit will be utilised alongside the existing business and will not be a separate entity. 36 car parking spaces (including 1 disabled space) and 6 light goods vehicles spaces have been provided which meet the occupiers existing and expanded need. I do not feel that the added requirement of justifying an adequate parking layout is required. The Highway Authority has no objections in respect of other highways matters.
- 4.6 The application is a major application and as required by the Planning Practice Guidance, Sustainable Drainage Systems (SuDS) should be provided unless demonstrated to be inappropriate. Discussions have taken place with North Worcestershire Water Management and the principle of a suitable drainage system has been agreed. The finer detail of the scheme can be submitted prior to development being commenced and can form part of a suitably worded condition on any forthcoming permission. It is sufficient for the purposes of the determination of this application that agreement of a potentially suitable system has been agreed. On this basis I am satisfied that the obligations of local and national policy in respect of drainage have been met.

17/0318/FULL

- 4.7 As the building is to be located close to the escarpment, it is worthy of consideration whether the proposed building will cause land instability, particularly as residential properties are located at the bottom of the slope. This was discussed at the time of the previous applications and it was considered that this could be satisfactorily dealt with by way of a condition attached to the planning permission. The requirement of additional information prior to works commencing on site can be dealt with by way of a condition on any forthcoming permission.
- 4.8 There are no other outstanding matters that would result in material planning concerns. There are clearly economic benefits to this proposal including job creation. It is therefore concluded that the planning balance is clearly in favour of the application.

5.0 Conclusions and Recommendations

- 5.1 The proposed industrial building is acceptable in principle and design. The impact on neighbouring properties and the wider environment has been fully considered and found to be acceptable. Adequate access and parking can be provided to the building. The economic benefits along with the lack of any other harm results in an acceptable scheme.
- 5.2 It is therefore recommended that the application be **APPROVED** subject to the following conditions:
1. A6 (Full with no reserved matters)
 2. A11 (Approved plans)
 3. B6 (External details – approved plan)
 4. C6 (Landscaping – small scheme)
 5. C8 (Landscape implementation)
 6. E2 (Sustainable drainage)
 7. Highways – Access, parking and turning
 8. Highways – Secure parking for 6 cycles
 9. Gas Protection
 10. Control of Lighting
 11. Noise Assessment
 12. No development shall take place until an investigation of the site has been undertaken to ascertain whether the site is affected by slope instability etc.

Application Reference: 17/0397/FULL **Date Received:** 16/06/2017
Ord Sheet: 383760 277252 **Expiry Date:** 11/08/2017
Case Officer: Kate Whitfield **Ward:** Broadwaters

Proposal: Two storey and single storey rear extension, single storey front extension and alterations to garage roof

Site Address: ORCHARD HOUSE, BAXTER AVENUE, KIDDERMINSTER, DY102HB

Applicant: MR & MRS D PREECE

Summary of Policy	CP11 (CS) SAL.UP7, SAL.UP8 (SAAPLP) Design Guidance SPD
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 refers to a detached, three bedroom property on a residential estate road to the east of Kidderminster town centre. There are neighbouring properties on either side and to the rear.
- 1.2 The proposals seek permission for domestic extensions to the side and rear.

2.0 Planning History

- 2.1 There is no relevant planning history on this site.

3.0 Consultations and Representations

- 3.1 Kidderminster Town Council – Refuse. The proposal represents overdevelopment of the site.
- 3.2 North Worcestershire Water Management - Advice given on potential risk of surface water flooding to site.
- 3.3 Neighbour/Site Notice – No representations received

17/0397/FULL

4.0 Officer Comments

- 4.1 The application proposes the following extensions to a residential dwelling :
- A single storey front extension to the existing garage and the replacement of the existing flat roof with a pitched roof.
 - A part two storey and part single storey rear extension. On the ground floor this will provide a larger lounge and kitchen. On the first floor, all existing bedrooms will be increased in size, with an en-suite being provided to the master bedroom.
- 4.2 The main issues to consider are:
- (i) The impact of the proposal on the character and appearance of the property.
 - (ii) The impact upon residential amenity.

THE IMPACT OF THE PROPOSALS ON THE CHARACTER AND APPEARANCE OF THE PROPERTY

- 4.3 Cumulatively the proposed extensions represent a fairly significant increase in the size of the property and will significantly alter its character. However, it is considered overall that the additions have been well designed, integrate well with the host dwelling and will add some architectural interest and generally improve the appearance of the property.
- 4.4 The main part of the extension will be to the rear of the property where a two storey intersecting gable is to be added at the same height as the main roof along with a half storey extension with two pitched roof dormer windows. This extension is considered to be appropriate in scale and in keeping with the form of the original building.
- 4.5 On the front elevation the only alteration will be a small front extension and the replacement of the flat roof over the side garage with a pitched roof. This alteration is considered to be an improvement which updates the appearance of the property and is more in keeping with its overall appearance. The plans indicate that the existing property and the extensions are to be predominantly rendered. There are a number of other rendered properties along Baxter Avenue and this material is considered to be generally in keeping with the street scene in this location.
- 4.6 Adequate amenity space will be retained within the property's rear garden and the dwelling has a large front driveway area capable of accommodating at least three cars. The comments of Kidderminster Town Council are noted, however, in this case it is considered that the application site can accommodate the larger resulting property without appearing excessively cramped or over developed. Overall the proposal is considered to accord with the aims of Policy SAL.UP8 of the Site Allocations and Policies Local Plan.

17/0397/FULL

IMPACT ON RESIDENTIAL AMENITY

- 4.7 There are neighbouring properties on either side of the application site. The property most affected by this proposal is the bungalow on the north eastern side, where the two storey element of the rear extension will be sited. The side elevation of this property abuts the boundary with the application site.
- 4.8 The bungalow currently extends further back than the application site property and as a result of this the extension, when built, will only project around 2 metres beyond the rear elevation of this neighbouring dwelling. There will also be a gap of around a metre between the two dwellings, and this separation distance means that the proposal accords with the 45 degree code. Therefore, the extension will not have a negative impact on the light or outlook enjoyed by the neighbouring bungalow. French doors and a Juliet balcony will be installed in the first floor rear elevation, however, this is not considered to give rise to any overlooking above that considered reasonable between urban dwellings. There is also adequate distance between the host dwelling and the other neighbouring property preventing any adverse impact arising from the front extension to the garage.
- 4.9 The proposal is therefore deemed to be acceptable and accord with Policy SAL.UP8 in terms of its impact on residential amenity.

5.0 Conclusions and Recommendations

- 5.1 It is therefore concluded that the proposed extensions are acceptable in terms of siting, scale and design and will have no adverse impact on the character and appearance of the dwelling or the residential amenity of neighbouring properties. The proposal therefore accords with the relevant policies of the Development Plan.
- 5.2 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. Render to be completed prior to occupation of the extension

Application Reference: 17/0489/LIST **Date Received:** 03/08/2017
Ord Sheet: 378653 275319 **Expiry Date:** 28/09/2017
Case Officer: Kate Whitfield **Ward:** Bewdley & Rock

Proposal: Alterations to existing storage areas to create 2 new toilets in The Shambles

Site Address: BEWDLEY MUSEUM & TOURIST INFORMATION, LOAD STREET, BEWDLEY, DY122AE

Applicant: WYRE FOREST DISTRICT COUNCIL

Summary of Policy	CP07, CP11 (CS) SAL.DPL11, SAL.UP6, SAL.UP7 (SAAPLP) Sections 7, 12 (NPPF)
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 application concerns alterations to part of the buildings occupied by Bewdley Museum. Bewdley Museum is located within the heart of Bewdley Town Centre and lies within the designated Conservation Area for the town. The museum occupies several buildings within the site. This specific application refers to two storage areas which are located between ‘The Shambles’ and ‘The Ropewalk’. This part of the Museum was a former market building and prison cells, built in 1783, and is a Grade II Listed Structure in its own right.

1.1 It is proposed to convert these storage areas into two new toilets. A new doorway is to be constructed within the corridor between ‘The Shambles’ and ‘The Ropewalk’ and an existing window opening in-filled. Existing doors to ‘The Shambles’ and ‘The Ropewalk’ will remain.

2.0 Recent Planning History (of relevance)

2.1 WF.0166/03 - Internal alterations to existing textile craft workshop and alterations to elevation to The Shambles : Approved 15/4/03

2.2 08/0118/LIST - Alterations to create café; disabled toilets & new workshops, including replacement roofing & hardstanding : Approved 2/4/08

2.3 09/0187/LIST - Alterations to fenestration & creating of new doorway & block up existing doorway : Approved 26/8/09

17/0489/LIST

- 2.4 15/0547/LIST - Alterations to existing glazed timber screen to Shambles Craft Studio by insertion of new timber glazed doors and adjustment to brick paving to enable level access : Approved 19/11/2015

3.0 Consultations and Representations

- 3.1 Conservation Officer - The existing storage areas appear to date from the early to mid-20th century and have been inserted within the envelope of the more historic structure. Whilst these storage areas possess no historic or architectural interest in themselves, listed building consent has been sought owing to the sensitivity of the location in respect to the views down The Shambles which leads to further areas of the museum.

There will be no harm to the significance of the surrounding listed building provided that the doorways and doors are detailed to match those in the adjacent structures. However any slight degree of "harm" that could be attributed to the changes in the 20th century fabric is off-set by the considerable public benefits of providing sufficient visitor facilities in this busy museum.

It is considered that the National Planning Policy Framework at paragraph 134 is satisfied as well as Policy SAL.UP6 of the Adopted Wyre Forest District Site Allocations and Policies Local Plan.

- 3.2 Neighbour/Site Notice - No representations have been received.

4.0 Officer Comments

- 4.1 The Council has a statutory requirement under Section 16(2) of the Planning (Listed Buildings and Conservation Areas) Act 1990, in considering whether to grant listed building consent for any works, to have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses. Policy SAL.UP6 of the Adopted Wyre Forest District Site Allocation and Policies Local Plan also states that conversions, alterations and repairs to heritage assets should take into account the materials, styles and techniques to be used and ensure that there is no detrimental impact on the significance of the heritage asset.
- 4.2 In this case the Conservation Officer has raised no objections to the proposed alterations required to establish the new toilets, subject to conditional approval of the new door and frame. The proposed works affect part of the building which was added during the 20th century and will not alter the original plan form of the building or compromise its structural integrity and architectural significance.

17/0489/LIST

- 4.3 The National Planning Policy Framework states that where a proposal will lead to less than substantial harm to the significance of a designated heritage asset this harm should be weighed against the public benefits of the proposal. Bewdley Museum represents an important visitor attraction for the town and a valuable community facility, the enhancement of which is supported under Policy CP07 of the Adopted Wyre Forest District Core Strategy and Policy SAL.DPL11 of the Adopted Wyre Forest District Site Allocations and Policies Local Plan. The application advises that the additional toilet facilities are required due to year-on-year growth in visitor numbers to the museum and are important for its continued growth. In this case it is therefore considered that any limited harm to the fabric of the building will be outweighed by the public benefits in providing the additional facilities.

5.0 Conclusions and Recommendations

- 5.1 The proposed alterations required to the building in order to facilitate the installation of the new toilet facilities will preserve the historic form and structural integrity of the original Listed Building. The proposal is therefore deemed to accord with Policy SAL.UP6 of the Adopted Wyre Forest District Site Allocations and Policies Local Plan and the Council obligations under Section 16 of the Planning (Listed Buildings and Conservation Areas) Act 1990.
- 5.2 It is recommended that the application be **APPROVED** subject to the following conditions:
1. A7 (Listed Building/Conservation Area Consent)
 2. A11 (Approved Plans)
 3. Approval of the new door and door frame.

WYRE FOREST DISTRICT COUNCIL

Planning Committee

19 September 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
WFA1477 16/0738/FULL	APP/R1845/W/1 7/3173912	Mr A Warren	232 HOO ROAD KIDDERMINSTER DY101LT	WR 08/05/2017	12/06/2017			Dismissed 15/08/2017
			Proposed new detached dwelling					

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
WFA1478 16/0550/OUTL7	APP/R1845/W/1 3173741	Gladman Developments Ltd	OFF THE LAKES ROAD BEWDLEY DY122PH Outline planning permission for up to 195 residential dwellings (including up to 30% affordable housing), introduction of structural planting and landscaping, informal public open space and children's play area, surface water flood mitigation and attenuation, vehicular access point from The Lakes Road and associated ancillary works. All matters to be reserved with the exception of the main site access off The Lakes Road (DY12 2BP).	LI 16/05/2017	20/06/2017	11/07/2017	24/10/2017 Council Chamber	

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
WFA1479 16/3044/PNRE	APP/R1845/W/1 7/3174098	Mr Nathan Nunn	BARN AT UPPER MOOR SMALL HOLDINGS TIMBER LANE STOURPORT- Change of use of Agricultural Building to Residential	WR 30/05/2017	04/07/2017			Dismissed 16/08/2017
WFA1480 17/0042/FULL	APP/R1845/W/1 7/3174380	Mr M Stanton	LAND OFF ELEANOR HARRISON DRIVE COOKLEY KIDDERMINSTER Change of use of land to equestrian use and the construction of stable block; manege and associated parking and turning area	WR 30/05/2017	04/07/2017			Dismissed 16/08/2017

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
WFR1481 17/0008/S73	APP/R1845/W/1 7/3176382	Legal & General Property Partners	EASTER PARK HOO FARM WORCESTER ROAD SUMMERFIELD KIDDERMINSTER Variation to condition 4 of 06/0065/RESE to allow two night time deliveries Tuesday - Saturday and one night time delivery on Sunday and Monday at Unit 3, Easter Park	WR 11/07/2017	15/08/2017			

Appeal Decision

Site visit made on 24 July 2017

by Alexander Walker MPlan MRTPI

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

Decision date: 16th August 2017

Appeal Ref: APP/R1845/W/17/3174098

Barn, Upper Moor Smallholding, Timber Lane, Stourport-on-Severn, Worcestershire DY13 9LU

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant approval required under Schedule 2, Part 3, Class Q of the Town and Country Planning (General Permitted Development) Order 2015.
 - The appeal is made by Mr Nathan Nunn against the decision of Wyre Forest District Council.
 - The application Ref 16/3044/PNRES, dated 26 August 2016, was refused by notice dated 21 October 2016.
 - The development proposed is the change of use of agricultural barn to use as a single dwelling house, including building of gable wall, construction of inner cavity walls, creation of new door and window openings and re-cladding of walls and roof.
-

Decision

1. The appeal is dismissed.

Preliminary Matters

2. The appellant seeks prior approval for the conversion of the appeal building to a dwellinghouse under the provisions of Schedule 2, Part 3, Class Q of the Town and Country Planning (General Permitted Development (England) Order 2015 (GPDO).

Main Issues

3. The main issue in this appeal is whether the proposed change of use constitutes permitted development pursuant to Class Q of Part 3 of Schedule 2 to the GPDO, having regard to the extent of the works proposed and the external dimensions of the resultant dwelling.

Reasons

4. The GPDO states at paragraph Class Q that permitted development is development consisting of (a) a change of use of a building and any land within its curtilage from a use as an agricultural building to a use falling within Class C3(dwellinghouses) of the Schedule to the Use Classes Order; and (b) building operations reasonably necessary to convert the building referred to in paragraph (a) to a use falling within Class C3(dwellinghouses) of that Schedule.
5. Sub-paragraph Q.1.(i) states that development under Class Q(b) is not permitted if it would consist of building operations other than the installation or replacement of windows, doors, roofs or external walls, or water, drainage, electricity, gas or other services, to the extent reasonably necessary for the

building to function as a dwellinghouse. The permitted development rights also include partial demolition to the extent reasonably necessary to carry out such building operations. However, the works that are undertaken must not exceed works necessary to convert the building, as opposed to it being a fresh build, as set out in *Hibbitt v SSCLG and Rushcliffe BC* [2016]¹, as referred to me by the appellant.

6. The National Planning Practice Guidance² (NPPG) states that the permitted development right under Class Q assumes that the agricultural building is capable of functioning as a dwelling. Nonetheless, it indicates that for the building to function as a dwelling, some building operations which would affect the external appearance of the building and which would otherwise require planning permission would need to be undertaken and should be permitted. The NPPG further clarifies that it is not the intention of the permitted development right to include the construction of new structural elements for the building. Consequently, it is only where the existing building is structurally strong enough to take the loading which comes with the external works to provide the residential use that the building would be considered to have the permitted development right.
7. The appellant states that the steel frame and the block work walls would be retained. The existing block walls would be increased in height to the eaves of the roof and the existing metal sheets on the walls removed and replaced with timber cladding. The existing open northern elevation would have a large glazed wall with bi-folding doors. The existing roof sheets would be removed and replaced with a zinc standing seam roof. A concrete floor would also be laid.
8. The appellant contends that the concrete floor, construction of block work walls behind the existing metal sheeting and the inner leaf of blockwork are not considered to be development under s55 of the Town and Country Planning Act 1990 (the Act). Notwithstanding the above, s55(2)(a) of the Act only applies to works of "*maintenance, improvement or other alteration of any building*". The works identified by the appellant have not taken place and the determination of this appeal relates to a proposed conversion under Class Q of the GPDO in terms of works reasonably necessary to convert the existing building. Consequently, there is a difference between works that affect only the interior of the building falling under s55(2)(a) of the TCPA and those carried out under Class Q of the GPDO.
9. The works proposed utilise very little of the existing building, i.e. the steel frame and the low, single-skin block wall. The proposal would require a significant amount of works, most notably the significant raising of the existing blockwork, the recladding of the walls, the complete building of the northern wall, the replacement of the roof and the construction of a concrete floor. Such works could be said to fall under the scope of Class Q.1(i). However, Q(b) concerns the conversion of the building and Q1.(i) the works reasonably necessary to achieve this. As set out in the NPPG, the assumption is that the building in question is capable of functioning as a dwelling. The only parts of the building that would likely be retained would be the existing steel structure and the low block work. Therefore, I consider that the works required to

¹ *Hibbitt and Another v Secretary of State for Communities and Local Government and Rushcliffe Borough Council* [2016] EWHC 2853 (Admin)

² Paragraph: 105 Reference ID: 13-105-20150305

enable the building to function as a dwellinghouse go beyond a conversion and the statutory limits of what could be considered reasonably necessary to achieve this. The proposal would in all practical terms be starting afresh, with only a modest amount of help from the original agricultural building.

10. There is no evidence before me, in the form of a structural report, that the existing steel frame could support the proposed zinc standing seam roof without any alterations to it. Whilst the blockwork appears to be straight, there is no indication as to what conditions the foundations are in and whether they could support the additional weight of building on top of the existing block work, the addition of an inner leaf and the timber cladding. Furthermore, there is no evidence to indicate how the large expanse of glazing in the north elevation would be supported. Accordingly, there is insufficient evidence to demonstrate that the proposal would not require works that would go beyond what is reasonably necessary for the building to function as a dwellinghouse.
11. The Council also contend that the proposed dwelling would exceed the external dimensions of the existing building. They have provided tables indicating the differences between the external dimensions of the existing and proposed building. However, based on the drawings submitted, it appears to me that the building would not exceed the external dimensions at any point. The appellant also confirms as such. Therefore, I find that the proposal accords with Q.1(g).
12. Based on the above the proposed works would go beyond building operations reasonably necessary to convert the building as set out in Q (b) and Q.1(i) and as such would not be development permitted under Schedule 2, Part 3, Class Q of the GPDO.
13. Given my conclusion above there is no need for me to consider the prior approval matters as it would not alter the outcome of the appeal.

Conclusion

14. For the reasons set out above, and having had regard to all matters raised, the appeal is dismissed.

Alexander Walker

INSPECTOR

Appeal Decision

Site visit made on 24 July 2017

by Alexander Walker MPlan MRTPI

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

Decision date: 16th August 2017

Appeal Ref: APP/R1845/W/17/3174380

Land Off Eleanor Harrison Drive, Cookley, Kidderminster DY10 3RZ

- 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 M Stanton against the decision of Wyre Forest District Council.
- The application Ref 17/0042/FULL, dated 17 January 2017, was refused by notice dated 17 March 2017.
- The development proposed is the change of use to equestrian and the construction of stable block; manege; and associated parking and turning area.

Decision

1. The appeal is dismissed.

Main Issues

2. The main issues in this appeal are:
 - whether the proposal is inappropriate development in the Green Belt having regard to relevant development plan and national planning policies, taking into account the effect on the openness of the Green Belt and the purposes of including land within it;
 - the effect of the proposed development on the openness of the Green Belt and the character and appearance of the surrounding area;
 - the effect of the development on biodiversity and protected species, with particular regard to birds; and
 - if the proposal is inappropriate development whether the harm by reason of inappropriateness, and any other harm, is clearly outweighed by other considerations and if so, whether this amounts to the very special circumstances required to justify the proposal.

Reasons

Inappropriate Development

3. The appeal site lies within the Green Belt. Paragraph 79 of the National Planning Policy Framework (the Framework) states that the essential characteristics of Green Belts are their permanence and openness. Paragraph 89 of the Framework states that the construction of new buildings in the Green Belt shall be regarded as inappropriate development. However, there are exceptions to this presumption against development in the Green Belt. One

such exception is the *provision of appropriate facilities for outdoor sport, outdoor recreation and for cemeteries, as long as it preserves the openness of the Green Belt and does not conflict with the purposes of including land within it.*

4. Paragraph 90 of the Framework sets out further exceptions, which includes engineering operations, providing *it preserves the openness of the Green Belt and does not conflict with the purposes of including land within it.*
5. Policy SAL.UP1 of the Wyre Forest District Site Allocations and Policies Local Plan (the LP) 2013 sets out similar exceptions. However, whilst it includes the above exception in paragraph 89, it continues to state '*...or for other uses of land which preserve the openness of the Green Belt, and do not conflict with the purposes of including land within it*'. However, paragraph 89 specifically relates to new buildings. As the proposal includes a change of use from agricultural to equine use, the development, as a whole, does not comply with the provisions of paragraph 89 or the specified exceptions. Furthermore, the proposed change of use does not fall within the exceptions set out in paragraph 90.
6. In relation to the interpretation of paragraphs 89 and 90, I have been referred to various judgements. The courts have determined in *Fordent Holdings v SSLG and Cheshire West and Chester Council* [2013]¹ that paragraphs 89 and 90 are closed lists. The High Court judgement of *Timmins v Gedling Borough Council* [2014]², also established that whilst a building may not be inappropriate under paragraph 89 its does not cover the use of the land.
7. I note the appellant's argument that in *LB Bromley V SSCLG and Rookery Estates Company* [2016]³ it was found that providing new buildings fall within the use and other restrictions of the applicable indent of paragraph 89 the mere fact that permission for a new building may also involve a material change of use does not mean that it ceases to be appropriate development. However, it also confirmed that this does not bring in via the back door the general material change of use of land category. It was also found that the only changes of use permitted in paragraph 89 are those arising from the new buildings defined as appropriate under it and in accordance with the conditions there set out. However, this is with regard to the use of the building, not any other land.
8. Whilst paragraph 89 does allow the provision of appropriate facilities for outdoor sport, outdoor recreation and for cemeteries, this is with regard to the construction of buildings only. For example, facilities in association with an existing recreational use could be considered not inappropriate under this exception. I do not consider that it allows for a change of use of land in association with the provision of such facilities.
9. Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires the appeal to be determined in accordance with the development plan unless material considerations indicate otherwise. I have had regard to the

¹ *Fordent Holdings Ltd v Secretary of State for Communities and Local Government and Cheshire West and Chester Council* [2013] EWHC 2844 (Admin)

² *Timmins and Lymn Family Funeral Service v Gedling Borough Council and Westerleigh Group Limited* [2014] EWHC 654 (Admin)

³ *The London Borough of Bromley v Secretary of State for Communities and Local Government and Rookery Estates Company* [2016] EWHC 595 (Admin)

appellant's argument that the LP post-dates the Framework and therefore should be given greater weight. I agree that the Inspector did consider Policy SAL.UP1, having made a suggested modification to it. However, following the adoption of the LP, the case law I have referred to above has provided significant judgements on how national Green Belt policy should be interpreted. In light of this, SAL.UP1 is clearly inconsistent with paragraph 89 of the Framework as it allows changes of use of land in the Green Belt and is therefore less restrictive than the Framework. Accordingly, I therefore attribute limited weight to Policy SAL.UP1 and significant weight to paragraph 89.

10. I have had regard to the planning permissions referred to me by the appellant which suggest that the Council have previously considered the change of use of land in the Green Belt as not inappropriate development. Notwithstanding the lack of details regarding these schemes before me, I have considered the proposal on the basis of its own merits.
11. I have had regard to the Council's argument that the level of stable and shelter provision is excessive compared to the size of the site with regard to the recommended horse to acreage ratio set out in the British Horse Societies 'Guidelines for the Keeping of Horses'. The Council state that the guidelines suggest the provision of 1 hectare per horse. However, my understanding of the guidelines, which have been presented to me by the appellant, is that it states approximately 2 horses per hectare. Based on the proposed horse management system set out by the appellant and the guidelines, I consider that the proposed level of stable and shelter provision would be appropriate facilities to serve the proposed use.
12. The change of use of the land and the construction of the buildings, including the stables and the manege that would be used in conjunction with this use, would be for outdoor recreational use. However, the exceptions set out in paragraphs 89 and 90 of the Framework do not permit such changes of use. I therefore find that the proposal would be inappropriate development, which is, by definition, harmful to the Green Belt.

Character and Appearance

13. The appeal site is an open field on the edge of a built-up settlement, Cookley. Running along the western boundary is a public footpath on the western side of which are boundary fences, hedging and trees that form the rear boundaries of dwellings on the edge of the settlement. The site contains a small number of timber sheds, generally located in the northern section. The field is one of a number of other similar small fields that appear to have once formed part of a larger field. Each field is divided by post and wire fencing.
14. Whilst the site is located adjacent to the edge of Cookley, it is nevertheless clearly read as open countryside and is characteristic of a rural setting. The proposed stables would be relatively large; however, they would have a low profile and would sit within proximity of existing vegetation to the west. The manege would have a large footprint; however, only its perimeter fencing would be readily seen from medium to long distances and given that it would be post and rail fencing, it would be visually permeable, allowing views through it. For similar reasons, the hardstanding would also not be visually intrusive.

15. In addition to these features, the site would also contain a muck store, mobile hay feeder and mobile field shelters. Whilst I accept that these features may not require planning permission in themselves, they nevertheless make a contribution to the use of the sites overall effect on the character and appearance of the area. However, these features and their use in conjunction with equine activities are typically found in the open countryside.
16. The site is relatively small, particularly where the bulk of the built form would be. However, the site forms part of a large collection of fields that are only separated by visually permeable fencing. Therefore, the proposed development would be read in the wider site context. Dues its limited visual intrusion, I do not consider that the development would appear cluttered or represent overdevelopment.
17. Policy CP12 of the Wyre Forest District Core Strategy (the CS) 2010 identifies a number of landscape types. The appeal site is located within the 'Sandstone Estatelands' landscape type. I have not been presented with the Landscape Character Assessment referred to by the Council and the appellant. However, the appellant states that the assessment identifies the key characteristic of the 'Sandstone Estatelands' landscape type as being arable land use, hedgerow boundaries to fields and planned enclosure pattern. I do not find that the proposal would significantly harm this landscape type.
18. Whilst the stable block would restrict views of the surrounding countryside, this would only be limited to public views from the adjacent footpath, which would only be for a brief moment whilst users of the path pass the building.
19. I find therefore that the proposal would not significantly harm the character or appearance of the area and as such would comply with Policy CP12 of the Wyre Forest District Core Strategy (the CS) 2010 and Policy SAL.UP13 of the LP, which sets out specific requirements for equestrian development.

Openness and the Purpose of Including Land within the Green Belt.

20. The stable building would be approximately 18.3m x 7.3m and have a height of approximately 2.8m to the ridge height. Although it would have a low profile, the introduction of a building of that size and bulk onto a site with no significant existing built development would have an adverse effect on openness.
21. Furthermore, the hardstanding and the manege would occupy a large area. As these features would also represent built form, even though they would not be readily visible, they would also have an adverse effect on openness. This would be further exacerbated by other paraphernalia, including the hay feeders, shelters and muck store. In addition, the use of the site would likely involve the presence of cars and horse boxes on the site and parking in what is currently an open field. I appreciate that these would not be permanent. However, they would nevertheless add to the overall harm to openness.
22. Despite my finding that no visual harm arises from the development, I find that the erosion of three-dimensional space arising from the overall size of the stable building, the built form of the hardstanding and the manege and the associated paraphernalia and activities associated with the use would result in an erosion of openness, which would conflict with paragraph 79 of the

Framework which identifies openness as an essential characteristic of Green Belts.

23. The fundamental aim of Green Belt policy, as set out in paragraph 79 of the Framework, is to prevent urban sprawl by keeping land permanently open. In that the proposal would locate a building on the site where there is currently none, it would materially reduce openness thereby failing to preserve it. The proposal would also conflict with the purposes of safeguarding the countryside from encroachment. Accordingly, I attribute significant weight to the effect it would have on openness.
24. I find therefore that the proposal fails to preserve the openness of the Green Belt and conflicts with the purposes of including land within it, in particular safeguarding the countryside from encroachment.

Protected Species

25. Paragraph 99 of Circular 06/2005 'Biodiversity and Geological Conservation-statutory obligations and their impact within the planning system' ODPM states that developers should not be required to carry out surveys for protected species unless there is a reasonable likelihood of the species being present and affected by development. Where this is the case, the survey should be completed and any necessary measures to protect the species should be in place, through conditions and/or planning obligations, before the permission is granted.
26. The Council state that the site is on pasture land and there is a chance that semi improved grassland habitat may exist on the site and that similar habitats are nearby. The Council also confirm that there is evidence that there are a number of farmland bird species within the area. The appellant was given the opportunity to submit a Phase 1 ecological report. However, no such report has been carried out.
27. The appellant contends that as it is grazing land and there are no ponds within the vicinity, the appeal site has a low ecological value. He also notes that the site could be used for farming activities at any time. However, as there is evidence of farmland bird species nearby and the site is typical farmland within proximity of hedgerows and trees I consider that there is a reasonable likelihood of species being present and affected by the proposal.
28. I note that the appellant proposes to enhance the biodiversity of the area by planting a hedge along part of the western boundary of the site. However, in the absence of an ecological assessment it is not possible to ascertain whether or not this would sufficiently mitigate any harm to protected species.
29. I find therefore that in the absence of an ecological assessment of the appeal site it is not possible to ascertain the effect the dwelling would have on protected species. Therefore, the proposal would fail to comply with Policy CP14 of the CS and Policies SAL.UP5 and SAL.UP13 of the LP, which, amongst other things, seek to protect and enhance biodiversity.

Other Considerations

30. Paragraph 88 of the Framework states that substantial weight should be given to any harm to the Green Belt and that very special circumstances will not exist unless the potential harm to the Green Belt by reason of inappropriateness,

and any other harm, is clearly outweighed by other considerations. I turn now to address other considerations that, potentially, might clearly outweigh harm arising from inappropriate development in the Green Belt, the erosion of openness and the conflict with the purposes of including land within it so as to provide the very special circumstances required to justify a grant of planning permission.

31. The proposal would allow for the the site to be managed. However, I see no reason why it could not be adequately managed were it to be used for agricultural purposes.
32. The proposed planting of a hedgerow would also provide wildlife habitat. However, as I have referred to above, in the absence of an ecological assessment it is not clear whether this would adequately offset any harm the proposal would have on biodiversity.
33. I do not find that these matters, individually or cumulatively, amount to the very special circumstances required to clearly outweigh the harm to the Green Belt.

Conclusion

34. The appeal scheme has harmful implications for the Green Belt in terms of inappropriate development, the erosion of the openness of the Green Belt and the conflict with the purpose of including land within it. In accordance with national policy, such harm carries substantial weight, which the other considerations put forward by the appellant do not clearly outweigh. Consequently, the very special circumstances necessary to justify the development do not exist and therefore it is contrary to Policy SAL.UP1 of the LP and the Framework. Furthermore, it has potentially harmful implications on biodiversity and protected species.
35. For the reasons given above, having regard to all matters raised, the appeal is dismissed.

Alexander Walker

INSPECTOR

Appeal Decision

Site visit made on 24 July 2017

by Alexander Walker MPlan MRTPI

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

Decision date: 15th August 2017

Appeal Ref: APP/R1845/W/17/3173912

232 Hoo Road, Kidderminster, Worcestershire DY10 1LT

- 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 A Warren against the decision of Wyre Forest District Council.
 - The application Ref 16/0738/FULL, dated 13 December 2016, was refused by notice dated 28 February 2017.
 - The development proposed is a new detached dwelling.
-

Decision

1. The appeal is dismissed.

Main Issues

2. The main issues are:
 - whether the development would accord with the Council's housing strategy;
 - the effect of the development on the character and appearance of the area;
 - the effect on the living conditions of the occupants of neighbouring residential properties, with regard to privacy, outlook, light and noise and disturbance; and
 - whether the development would provide adequate living conditions for future occupants, with regard to private amenity space.

Reasons

Housing Strategy

3. Policy DS01 of the Wyre Forest District Council Core Strategy (the CS) 2010 states that new development will be concentrated on brownfield sites within the urban areas of Kidderminster and Stour-on-Severn. Policy SAL.DPL1 of the Wyre Forest District Council Site Allocations and Policies Local Plan (the LP) 2013 follows on from Policy DS01, supporting residential development on previously developed sites within areas allocated primarily for residential development in the urban areas of Kidderminster.
4. The appeal site forms part of the garden area of No 232 Hoo Road. The appellant does not dispute the Council's contention that the site is not previously developed land, a view which I share. I acknowledge that the site is

within a well-established residential area and has good access to shops, services and facilities.

5. Policy DS01 only permits the development of brownfield land, which can reasonably be interpreted as previously developed land. In addition, Policy SAL.DPL1 is explicitly clear that only previously developed sites will be allowed. Paragraph 4.12 in the reasoned justification for Policy SAL.DPL1 provides further support by making particular reference to the exclusion of garden land from the definition of previously developed land. Therefore, it seems to me that in support of Policy DS01, Policy SAL.DPL1 does allow residential development within areas allocated primarily for residential development in the urban areas of Kidderminster. However, this excludes the development of garden land.
6. Therefore, as the site is not previously developed land, it fails to fall within any of the locations where residential development would be allowed as identified in Policies DS01 or SAL.DPL1. As such, the development would fail to accord with the Council's housing strategy.

Character and Appearance

7. The appeal site is located in a predominantly residential area that comprises two-storey, detached, semi-detached and terraced properties. The properties vary in their design, period, scale and appearance. The clearly defined building lines, the properties being set back from the road and the regularity of their positioning provides a spaciousness character to the leafy suburban area. Moreover, rear gardens backing onto each other create large green spaces that make a positive contribution to the area's openness.
8. The appeal site comprises part of the large rear garden of No 232 Hoo Road. A wide driveway to the side of the existing dwelling serves the rear garden. The site is rectangular in shape and shares boundaries with the rear gardens of properties on Hoo Road and Aggborough Crescent. Overall, the site reflects the open character of the area.
9. The proposed dwelling would be surrounded by the rear gardens of a number of properties. Due to its set back position and the siting of the existing dwelling to the front, the dwelling would not be readily visible from the nearest public highway, Hoo Road, and as a result would fail to engage with the streetscene.
10. Furthermore, the limited amount of private amenity space would be in marked contrast to the generally spacious rear gardens of the surrounding properties. I note that properties on College Road also have small gardens. However, these properties are smaller than the proposed four bedroom detached dwelling.
11. In addition, the dwelling would accommodate almost the full width of the site, which would fail to reflect the spacing to the side of neighbouring properties and the general openness of the area.
12. The appellant refers to examples of development in rear gardens in the locality. I have had the opportunity to view the buildings to the rear of No 25 Aggborough Crescent and can confirm that it is not a dwelling. It is a garage and hobby/store room that was originally associated with No 25. Furthermore, whilst it is a large outbuilding, it is significantly smaller than the surrounding

dwellings. I do not agree with the appellant's argument that it has the appearance of a dwelling. Whilst it does have a separate driveway, the large garage door and single window in the front elevation are not typical of a dwelling. Furthermore, I also observed the outbuildings at Saxifrage Place. I agree that buildings in rear gardens are present in the locality, which is not uncommon in residential areas. However, there is a clear distinction between outbuildings and dwellings. The residential character of the area is partly informed by dwellings that have a frontage with the road. The proposed dwelling would have no such relationship. Due to it being located so far from the road, the dwelling would not have any visual relationship with the public realm.

13. I also note the appellant's reference to properties being viewed as behind others at Saxifrage Place. However, these are not examples of back land development. The dwellings have their own frontage with a road and do not have the same relationship the appeal property would have with the existing dwelling and the streetscene. Therefore I attribute this matter limited weight.
14. As a result, the siting of the dwelling in this location would represent a cramped form of back land development that would conflict with the well-established pattern of development in the area; failing to respect the relationship existing properties have with each other and their adjacent roads and eroding the openness of the area.
15. I find therefore that the dwelling would significantly harm the character and appearance of the area. As such, it would fail to comply with Policy SAL.UP7 of the LP and Policy CP11 of the CS, which, amongst other matters, seek to ensure that new development has appropriate regard to the common building line and historic street pattern; integrates well with the existing streetscene; and, sensitively connects to the surrounding streets, spaces and communities.

Living Conditions of the Occupants of Neighbouring Properties

16. The appellant states that the Council does not provide any minimum standards for separation distances. The Council does not dispute this. Accordingly, I have determined the appeal based on the evidence before me and my own observations.
17. The rear garden of No 231 Hoo Road would back onto the access serving the dwelling and would not have any significantly harm effect on the living conditions of its occupants. Furthermore, the dwelling would be sufficient distance from the rear garden of No 232 Hoo Road to ensure that there would not be any adverse overlooking.
18. Notwithstanding the above, the rear elevation of the dwelling would be approximately 4m from the eastern boundary of the rear garden of No 53 Aggborough Crescent. These windows would serve bedrooms. Whilst bedrooms are typically used in the evening and early morning, it is entirely plausible that they could also be used throughout the day. For example, these rooms could be used as a study, by children playing in their bedroom, or, by occupant's who work unsociable hours. As a result of the proximity of the windows on the rear elevation, there would be overlooking of much of No 53's rear garden. I note the appellant's argument that only a small section of the garden would be overlooked. However, I do not agree. The field of view from the windows would likely cover a considerable portion of the garden.

19. I therefore find that overlooking as a result of the first floor rear windows would significantly diminish the level of privacy afforded to the occupants of No 53, to the extent that it would significantly harm their living conditions.
20. The dwelling would also be in proximity of the rear boundary and rear elevation of No 53a Aggborough Crescent. The rear garden of No 53a is relatively shallow and the boundary comprises a close boarded timber fence and hedge. No 53a has a number of windows in the rear elevation that would face onto the proposed dwelling. The proposed two-storey building would rise substantially above the boundary fence/hedge and given its close proximity it would significantly reduce the outlook from these windows and the garden resulting in an unacceptable over bearing impact on the occupants of the property. I appreciate that the garden of No 53a is wide. However, the dwelling would dominate the outlook from much of it.
21. I note that neighbouring dwellings fronting onto College Road already overlook the rear garden of No 233 to some extent. Due to the proposed dwelling's parallel position to the shared boundary, views of No 233's garden from the dwelling would be at oblique angles. Whilst there would be some overlooking of No 233's rear garden from the first floor bedroom windows, I do not consider that this would be to such an extent that it would materially harm the privacy enjoyed by its occupants.
22. The dwelling would likely result in some loss of direct sunlight serving No 233's garden during the later hours of the day. However, given the length of No 233's garden, I do not consider that this would be significantly harmful. Moreover, the dwelling would be sufficient distance from the conservatory on No 233 that it would not materially reduce the amount of light serving it. In reaching this conclusion I have had regard to the personal circumstances of the occupants of No 233.
23. The proposed parking spaces serving the dwelling would be to the front of the dwelling, which would be in close proximity to the rear of No 233. However, they would be no closer than the existing car parking spaces to the front of No 232 or Hoo Road to the front of the site. Whilst cars coming into and out of the site would generate some noise and disturbance and would emit fumes, given that it is a single dwelling, I am satisfied that these traffic movements would not be so frequent that they would significantly harm the occupants of No 233.
24. I find therefore that the dwelling would significantly harm the living conditions of the occupants of neighbouring dwellings with regard to privacy and outlook. In their reasons for refusal regarding this issue, the Council cite Policy SAL.UP7 of the CS. However, it seems to me that this policy does not relate to residential amenity. Accordingly, I do not consider that this policy is relevant. Nevertheless, the proposal would fail to accord with the core planning principles of the National Planning Policy Framework (the Framework); in particular, it would not provide a good standard of amenity for all existing occupants.

Living Conditions of the Occupants of the Proposed Dwelling

25. As with separation distances, the Council does not have minimum standards for amenity space. The rear garden of the proposed dwelling would be approximately 4m deep and 8m wide. There would be significantly more space to the front. However, this would comprise tarmac, ground cover shrubs

- and parking. Therefore its usability would be considerably less than the lawned and patio area to the rear.
26. I note that the garden would be large enough for some typical outdoor activities such as sitting out and drying clothes. However, the proposal is a four bedroom dwelling and therefore it is reasonable to conclude that it would be occupied by a family. I do not consider that the rear private garden would be large enough to provide sufficient space for the needs of a family. I am not satisfied that this space could adequately accommodate bins, outdoor seating, a clothes line and provide sufficient useable space for children to play.
27. Furthermore, due to the limited depth of the garden and its westerly orientation the rear garden would not receive much sun light which would contribute towards the inadequacies of the private amenity space.
28. I find therefore that the dwelling would not provide adequate living conditions for future occupants of the dwelling having regard to the amount of private amenity space. In their reasons for refusal regarding this issue, the Council again cite Policy SAL.UP7 of the LP. However, it seems to me that this policy does not relate to residential amenity. Accordingly, I do not consider that this policy is relevant. Nevertheless, the proposal would fail to accord with the core planning principles of the Framework; in particular, it would not provide a good standard of amenity for all future occupants.

Other matters

29. The appellant contends that the existing dwelling is in a state of disrepair and that the proposed dwelling is inextricably linked to its renovation as it would help subsidise the necessary works. Whilst I noted during my site visit that the dwelling was in a poor state of repair, I do not accept that the renovation works can only be funded by the proceeds from the proposed dwelling. It is likely that the cost of building the new dwelling would exceed the renovation costs and there is no mechanism before me to ensure that the proceeds would be used as such. Accordingly, I attribute this matter limited weight.
30. Submissions were made relating to Article 8 of the European Convention on Human Rights and I recognise that Mr and Mrs Cull of No 233 Hoo Road considers that the proposal would interfere with their right to the peaceful enjoyment of all of their possessions and their right to respect for their private and family life. However, this must be weighed against the wider public interest. In this instance, whilst I have found that the dwelling would not significantly harm the living conditions of the occupants of No 233, any interference with Mr and Mrs Cull's peaceful enjoyment of their property and their right to respect for their private and family life is proportionate and strikes a fair balance in compliance with the requirements of Article 1 of the First Protocol. In any event, I have dismissed the appeal.
31. I have also had regard to Mr and Mrs Cull's argument with regard to 'right to light'. Whilst the effect of the development on the amount of light is a material consideration, the 'right to light' referred to is not and therefore has not had a bearing on my consideration of the planning merits of the proposal.
32. I have had regard to the concerns raised regarding highway safety. There may be occasions when a car has to wait in the road to access the property. However, such instances would be infrequent and would not pose a severe risk

to highway safety. I note that the local highway authority has not objected to the proposal and in the absence of any substantive evidence to the contrary I find no reason to disagree with this view.

33. With regard to safety concerns, the access would be narrow. However, there is no evidence before me that emergency services could not access the property. Moreover, with regard to security, contrary to concerns raised, the dwelling would provide greater natural surveillance of neighbouring properties, thus reducing the risk of crime.
34. Concerns raised regarding the stability of existing trees and the potential safety issues should they fall have not had a bearing on my consideration of the planning merits of the proposal.

Conclusion

35. I have had regard to the sites accessibility to a range of shop's, services and facilities and that the proposal would provide an additional family sized dwelling that would make a positive contribution to the supply of housing in the area. However, these benefits do not outweigh the harm I have identified.
36. For the reasons given above, having regard to all matters raised, the appeal is dismissed.

Alexander Walker

INSPECTOR