

**Open**

# **Planning Committee**

## **Agenda**

**6pm**  
**Tuesday, 19th June 2018**  
**Council Chamber**  
**Wyre Forest House**  
**Finepoint Way**  
**Kidderminster**



## Planning Committee

### Members of Committee:

Chairman: Councillor J A Hart  
Vice-Chairman: Councillor D Little

Councillor J Aston  
Councillor P Harrison  
Councillor N Martin  
Councillor C Rogers  
Councillor S J Williams

Councillor S J Chambers  
Councillor M J Hart  
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 Sian Burford, Assistant Committee Services Officer, Wyre Forest House, Finepoint Way, Kidderminster, DY11 7WF. Telephone: 01562 732766 or email [sian.burford@wyreforestdc.gov.uk](mailto:sian.burford@wyreforestdc.gov.uk)

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

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

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

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

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

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

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

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

## **WEBCASTING NOTICE**

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

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

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

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

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

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

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

\*Unless there are no reports in the open session.

## **NOTES**

- Councillors, who are not Members of the Planning Committee, but who wish to attend and to make comments on any application on this list or accompanying Agenda, are required to give notice by informing the Chairman, Solicitor to the Council, or 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 Corporate Director: Economic Prosperity & Place before the meeting.
- 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 June 2018

Council Chamber, Wyre Forest House, Finepoint Way, Kidderminster

Part 1

Open to the press and public

<b>Agenda item</b>	<b>Subject</b>	<b>Page Number</b>
<b>1.</b>	<b>Apologies for Absence</b>	
<b>2.</b>	<b>Appointment of Substitute Members</b>  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.	
<b>3.</b>	<b>Declarations of Interests by Members</b>  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.	
<b>4.</b>	<b>Minutes</b>  To confirm as a correct record the Minutes of the meeting held on the 24th May 2018.	7
<b>5.</b>	<b>Applications to be Determined</b>  To consider the report of the Development Manager on planning and related applications to be determined.	10
<b>6.</b>	<b>Planning and Related Appeals</b>  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.	36
<b>7.</b>	<b>Section 106 Obligation Monitoring</b>  To consider a report from the Corporate Director: Economic Prosperity and Place that gives details of the most current Section 106 Obligations which require monitoring.	44

8.	<b>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.</b>	
9.	<b>Exclusion of the Press and Public</b>  To consider passing the following resolution:  “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”.	

## Part 2

Not open to the Press and Public

10.	<b>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.</b>	
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**WYRE FOREST DISTRICT COUNCIL**

**PLANNING COMMITTEE**

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

**THURSDAY 24TH MAY 2018 (6 PM)**

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**Present:**

Councillors: J A Hart (Chairman), D Little (Vice-Chairman), S J Chambers, H E Dyke, I Hardiman, P Harrison, M J Hart, N Martin, F M Oborski MBE, C Rogers, J A Shaw and S J Williams.

**Observers:**

Councillor A Totty.

**PL.01      Apologies for Absence**

Apologies for absence were received from Councillor J Aston and Councillor R Wilson.

**PL.02      Appointment of Substitutes**

Councillor H E Dyke was a substitute for Councillor J Aston.  
Councillor I Hardiman was a substitute for Councillor R Wilson.

**PL.03      Declarations of Interests by Members**

Councillor S J Williams declared an Other Declarable Interest (ODI) in respect of application 18/0079/FULL, that his Daughter is a teacher at Winterfold House School. He advised he would stay in the room whilst the application was discussed and would vote on the application.

**PL.04      Minutes**

**Decision: The minutes of the meeting held on 17th April 2018 be confirmed as a correct record and signed by the Chairman.**

**PL.05      Applications To Be Determined**

Councillor A Totty entered the meeting at this point (6:05pm)

The Committee considered those applications for determination (now incorporated in Development Control Schedule No. 564 attached).

**Decision: The applications now submitted be determined, in accordance with the decisions set out in Development Control Schedule No 564 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.06            Planning and Related Appeals**

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

**Decision: The details be noted.**

**PL. 07            Exclusion of the Press and Public**

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

**PL.08            New Enforcement Case**

The Committee received a report from the Corporate Director: Economic Prosperity and Place on a new enforcement case.

**Decision: The Solicitor to the Council receive delegated authority to serve or withhold an Enforcement Notice for the reason detailed in the confidential report to the Planning Committee.**

There being no further business, the meeting ended at 6:21pm.



**WYRE FOREST DISTRICT COUNCIL**

**PLANNING COMMITTEE**

**24<sup>th</sup> May 2018 Schedule 564 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.

<b>Application Reference:</b> 18/0079/FULL
<b>Site Address:</b> WINTERFOLD HOUSE SCHOOL, WINTERFOLD, CHADDESLEY CORBETT, KIDDERMINSTER, DY10 4PW
<b>APPROVED</b> subject to the following conditions: <ul style="list-style-type: none"> <li>1. A6 (Full with no reserved matters)</li> <li>2. A11 (Approved plans)</li> <li>3. Agrees the external materials for the cricket pavilion</li> <li>4. Tree Protection measures to be agreed on site</li> <li>5. Landscaping to be agreed</li> <li>6. Landscaping to be implemented</li> <li>7. Retention of trees</li> <li>8. Sustainable drainage condition</li> <li>9. Requires the existing cricket pavilion building to be demolished after completion of the replacement pavilion</li> <li>10. Restrict hours of use of floodlighting</li> <li>11. Requires floodlighting columns to be finished in a black colour.</li> <li>12. Community use agreement</li> </ul>

<b>Application Reference:</b> 18/0141/FULL
<b>Site Address:</b> 2 CHAFFINCH DRIVE, KIDDERMINSTER DY10 4SZ
<b>APPROVED</b> subject to the following conditions: <ul style="list-style-type: none"> <li>1. A11 (Approved plans)</li> <li>2. Materials</li> </ul>

<b>Application Reference:</b> 18/0172/FULL
<b>Site Address:</b> 125 BRINDLEY STREET, STOURPORT-ON-SEVERN DY13 8JW
<b>APPROVED</b> subject to the following conditions: <ul style="list-style-type: none"> <li>1. A6 (Full with no reserved matters)</li> <li>2. A11 (Approved plans)</li> <li>3. B1 (Samples/details of materials)</li> </ul>

## EXECUTIVE SUMMARY TO REPORT OF DEVELOPMENT MANAGER

Planning Committee

19/06/2018

### PART A Report

Ref.	Address of Site	Recommendation	Page No.
18/0163/FULL	LAND OFF STOURBRIDGE ROAD (adj. HURCOTT LANE) KIDDERMINSTER	APPROVAL	11

### PART B Report

Ref.	Address of Site	Recommendation	Page No.
18/0035/FULL	STONE MEADOW BUTTS LANE STONE KIDDERMINSTER	APPROVAL	26

WYRE FOREST DISTRICT COUNCIL

**PLANNING COMMITTEE**

**19<sup>TH</sup> JUNE 2018**

**PART A**

<b>Application Reference:</b>	18/0163/FULL	<b>Date Received:</b>	27/02/2018
<b>Ord Sheet:</b>	384983 278373	<b>Expiry Date:</b>	29/05/2018
<b>Case Officer:</b>	Paul Round	<b>Ward:</b>	Wyre Forest Rural

**Proposal:** Full planning application for a residential development of 91 dwellings, public open space, vehicular and pedestrian access and associated infrastructure.

**Site Address:** LAND OFF STOURBRIDGE ROAD, (adj. HURCOTT LANE), KIDDERMINSTER, DY102XB

**Applicant:** MILLER HOMES LTD

<b>Summary of Policy</b>	DS01, DS02, DS04, DS05, CP01, CP02, CP03, CP04, CP05, CP07, CP12, CP13, CP14 (CS) SAL.PFSD1, SAL.DPL1, SAL.DPL2, SAL.CC1, SAL.CC2, SAL.CC7, SAL.UP1, SAL.UP2, SAL.UP3, SAL.UP4, SAL.UP5, SAL.UP7, SAL.UP9, SAL.UP14 (SAAPLP) Paragraphs 6-17 inclusive and Sections 1, 4, 6, 7, 8, 9, 10, 11, 12 [Achieving sustainable development] (NPPF) NPPG
<b>Reason for Referral to Committee</b>	'Major' planning application Statutory or non-statutory Consultee has objected and the application is recommended for approval Third party has registered to speak at Committee
<b>Recommendation</b>	<b>DELEGATED APPROVAL</b> <b>subject to a Section 106 Agreement</b>

## 1.0 Site Location and Description

- 1.1 The application site consists of some 3.6 hectares (8.9 acres) of existing arable agricultural land located at the north-east edge of the existing urban area of Kidderminster, between existing residential development fronting Stourbridge Road and Hurcott Lane.
- 1.2 The site is bounded by the A451 Stourbridge Road to the north west and Hurcott Lane to the north east. The south west boundary abuts the 1930's residential properties in Stourbridge Road and 1960's/70's dwellings behind in Kendlewood Road. To the rear of the site, to the south east, is further agricultural (grazing) land.

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- 1.3 The site topography is dominated by a central raised area which runs south west to north east. There are no internal landscape features. The site is bounded by native, predominantly hawthorn, hedgerows to the north, east and south, and there are a number of trees located around the boundary.
- 1.4 The site is not located within the Green Belt, and is allocated as part of a wider Area of Development Restraint within the Site Allocations and Policies Local Plan (SAAPLP).

## **2.0 Planning History**

- 2.1 16/0003/OUTL - Outline planning application for a residential development of up to 100 dwellings, public open space, vehicular and pedestrian access and associated infrastructure. Detailed approval is sought for access, with all other matters reserved : Refused; Appeal submitted
- 2.2 Members are advised that a request for a Screening Opinion under Regulation 5 of the Town and Country Planning (Environmental Impact Assessment Regulations 2011 (as amended) in respect of development of up to 150 dwellings was submitted in 2015 (ref: 15/0334/EIASC). It was determined that the number of dwellings did not constitute Environmental Impact Assessment (EIA) development.

## **3.0 Consultations and Representations**

- 3.1 Wolverley and Cookley Parish Council – Recommend Refusal; inadequate highway infrastructure to support the development, ecological concerns and concerns over school provision as there is no capacity locally to expand schools even if financial contributions are made.
- 3.2 Highway Authority – No objections subject to conditions. This application is similar to application 16/0003/OUTL. This application is of a reduced quantum and uses the same transport evidence base which makes the assessment robust. This application is a full application so the internal road and parking arrangement are also for consideration. The applicant has amended their proposal to address previously identified concerns and as a result the proposal is not considered to be acceptable. The application proposes a new access onto the Stourbridge Road and extends the footway to connect to the existing network, new bus stops are proposed and will be address through a financial contribution as will be the promotion of a speed limit extension. The Highway Authority has undertaken a robust assessment of the planning application. Based on the analysis of the information submitted and consultation responses from third parties the Highway Authority concludes that there would not be a severe impact and therefore there are no justifiable grounds on which an objection could be maintained.

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- 3.3 Severn Trent Water – No objection subject to condition
- 3.4 Arboricultural Officer – No objections to the development on arboricultural or landscape grounds. The development has been designed so as not to directly affect the trees and hedges that border the site and the proposed landscaping will result in landscape gain with the suitable tree, hedge, shrub and wild flower mix proposed. Conditions will be required for a maintenance/management agreement
- 3.5 Countryside Conservation Officer – No objections subject to ecological / landscape management plan.
- 3.6 Planning Policy - The site forms the northern part of Area of Development Restraint (ADR) which is safeguarded under the adopted local plan. The application as submitted is not in accordance with the current development plan as it is not an allocated site. However, it is an allocated ADR site, which is safeguarded land to meet longer term development needs of the District.

Under the Local Plan Review the Council consulted on the preferred options stage June – August 2017, the site is part of the existing ADR which is proposed for allocation. The Local Plan Review is progressing to the pre submission stage but this site can be afforded greater weight owing to its long-term safeguarded status.

A number of evidence based studies were undertaken to inform the Preferred Option stage of the emerging Local Plan which included a Green Belt Review and a Water Cycle Study.

The Green Belt study describes the site as follows:

*‘From a plateau adjacent to the A451 (Stourbridge Road), the land falls away to the south east and is prominent from the eastern approach to Kidderminster along the A451. The land forms part of the easterly setting of Kidderminster. Development of the site would not significantly damage Green Belt function at this location although the prominence of the site and the visual connection to the south, north and east means that openness would be compromised, requiring particular attention to the scale and massing of development. Development of the site would constitute sprawl along the A451, extending the built edge of Kidderminster into open countryside. However, this would be contained by Hurcott Lane.’*

Water Cycle Study (published May 2017) states that there are known hydraulic sewer flooding issues downstream and modelling would be required to assess/determine capacity improvements. Much of the site is likely to require pumping. Surface water should be managed by SUDs on site. There are no issues with surface water flooding and the site is outside of the flood plain.

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Planning Policy would support this proposed residential development of 91 dwellings. The site is part of an existing ADR site in the adopted Site Allocations and Policies Local Plan.

- 3.7 North Worcestershire Water Management - I believe that subject to conditions there is no reason to withhold approval of this application on water management grounds. I would welcome the implementation of green, above ground SuDS where possible.
- 3.8 Strategic Housing – No objections in principle; the site achieves the required affordable housing provision. The mix of units proposed is welcomed and supported.
- 3.9 Worcestershire County Council Archive & Archaeology Service – No objections. Should this application be granted consent then a standard negative condition be attached for a programme of archaeological work in order to test the results of the geophysical survey and prospect for types of archaeological material deposits and features that are difficult to identify using geophysical survey. In that context; I note the levels of magnetic noise present in the results that can mask more ephemeral survey responses. The programme of archaeological works will comprise a programme of trial trenching to determine whether any below-ground archaeological remains survive in the development area. If the presence of such remains is verified this would be followed by a defined programme of excavation and/or an archaeological watching brief to record the threatened remains prior to damage or destruction where they cannot be preserved in-situ
- 3.10 Worcestershire County Council (Landscape) - No objection to the proposed development on issues of landscape visual impact and landscape character.
- 3.11 Worcestershire County Council (Minerals and Waste) – No objections
- 3.12 Worcestershire County Council (Sustainability; Children's Services; Public Health)

ECOLOGY

No objections subject to conditions around construction and operational phases.

SUSTAINABILITY

Details of energy efficiency, climate change and sustainable waste need to be provided.

EDUCATION

No objections. Contributions required towards developments are required towards additional accommodation at Cookley Sebright Primary School and/or St Oswald's CE Primary School and at Wolverley CE Secondary School.

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**PUBLIC HEALTH**

Consideration needs to be given to pressure being place on health services, impact on health of existing residents and sustainable transport measures.

- 3.13 Worcestershire Regulatory Services (Noise) – No objections
- 3.14 Worcestershire Regulatory Services (Air Quality/Contamination) – No objection subject to conditions
- 3.15 West Mercia Police Designing Out Crime Officer – No objections; minor comments on layout.
- 3.16 Natural England - No objection
- 3.17 Neighbour/Site Notice – 12 letters of objection received. The grounds for objection are summarised as follows:
- The development will result in increased traffic on Hurcott Lane, particularly at peak times.
  - Stourbridge Road is already busy and a number of accidents have taken place. Additional traffic will make it worse. Need to look at lower speed limits and crossings.
  - No need to build on open countryside – should look at brownfield not greenfield land.
  - Development has already been refused being contrary to policy.
  - Transport assessment is technical and not easy to understand.
  - Biodiversity impact of development on site and SSSI.
  - Impact of surface water on SSSI and Hurcott Village.
  - Concern over management of landscape areas
  - Development should look at provision of bungalows.
  - Density around existing properties is too high.
  - Loss of privacy from number of new residents.
  - Inaccuracies of technical documents.
  - Pressure on local schools
  - Need to take account of other development in the area

A 42 signature petition has been submitted requesting 'access only' provision along Hurcott Lane with the road being blocked severed at the Nature Reserve car park. Although the petition has been submitted as an objection to this planning application, the subject matter of the petition does not reference this planning application. The petition should be looked at in this context.

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#### **4.0 Officer Comments**

- 4.1 The application is submitted following the refusal of a previous outline application (16/0003/OUTL) in August 2017. The application was refused for the following reasons:
1. The site is located within an area identified in 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.
- Members will note that these reasons are purely based on a policy position at the time, and do not include any technical matters as there were no grounds to refuse the application on detailed or technical grounds.
- 4.2 This current application is submitted in full and looks to provide 91 dwellings on the site. This will include a full policy compliant 30% provision of affordable units along with the necessary road infrastructure and landscaping. This report will consider the application under the following headings;
- Current Policy Context and Principle of Development
  - Highway Impacts and Access Provision
  - Layout and Density
  - Design and Appearance
  - Neighbours Amenity
  - Landscape Impact and Ecology
  - Drainage
  - Other Matters
  - Planning Obligations
  - Material Benefits in Favour of the Development
  - The Planning Balance



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CURRENT POLICY CONTEXT AND PRINCIPLE OF DEVELOPMENT

- 4.3 Since the determination of the previous application, the Council has been subject to a challenge at appeal at The Lakes Road, Bewdley, by Gladman Developments. The resulting decision by the Planning Inspectorate has shown persistent under-delivery of housing across the District. In line with paragraph 47 of the NPPF an additional of 20% should therefore be applied to any housing target. This is a significant change from the 5% buffer that had been applied until this point. The Inspector in his decision confirmed that, notwithstanding the Council's position, the Council did not have a 5 year supply of housing.
- 4.4 In addition, the Inspector stated that as the Adopted Wyre Forest Core Strategy was being prepared prior to the National Planning Policy Framework and was based on revoked Regional housing targets, that such relevant policies for delivery of housing are out of date. The Council accepted this position as part of the appeal, having already moved away from Local Plan set housing targets to Objectively Assessed Housing Needs (OAHN). The knock-on effect is that relevant policies for housing supply are out of date and can no longer be relied upon.
- 4.5 Although the development is located on non-previously development land and within an area of development restraint as set out in the Adopted Wyre Forest Site Allocations and Policies Local Plan, the fact that these restraint policies are judged to be out of date results a different determination approach based on the NPPF and not the housing policies of the Development Plan.
- 4.6 The two factors of out of date housing delivery policies and a lack of a 5 year supply, result in any application for housing development being judged against the 'presumption in favour' as set out in the NPPF. The presumption is set out in paragraph 14, which states that where relevant policies of a development plan are out of date, that development should be approved unless any identified harm significantly and demonstrably outweighs the benefits of the scheme. This approach is often termed the 'tilted balance'. This balance is only avoided where specific policies within the NPPF indicate that development should be restricted such as sites identified as SSSI, Green Belt etc. Although the site is allocated as an Area of Development Restraint it is not Green Belt or any other designation which would restrict development. On this basis paragraph 14 is engaged and the 'tilted balance' has to be applied.
- 4.7 This route of determination is a different policy starting position than was previously considered, where a refusal was issued based on reliance of up to date policies and a healthy 5 year supply. There is therefore a significant material change of circumstances since the determination of the previous application. It therefore falls to consider the technical considerations to examine whether there is any harm identified and the weight attributed to any harm.

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**HIGHWAY IMPACTS AND ACCESS PROVISION**

- 4.8 Access to the site will be directly from Stourbridge Road (A451) via a single point of access, approximately 180m from the junction of Hurcott Lane. The internal layout shows cul-de-sac style roads and private drives accessed from the principal road which loops across the site. It is clear from the layout there is no access to Hurcott Lane or any secondary access to Stourbridge Road.
- 4.9 As with the previous outline proposal, this application has been supported by a technical highway assessment. This report in addition to considering the impact of the development on highway safety and the surrounding road network has also recommended enhancement measures.
- 4.10 From a technical perspective the transport assessment has identified the optimum position for the access, allowing for 160m visibility splays to be provided. It is acknowledged that enhancement can be secured by extending the 30mph speed limit, a matter that the Applicant is willing to promote and contribute towards.
- 4.11 The number of vehicle trips and their likely routes has been considered by both the Applicant's consultant and the County Council, which has included the use of the Wyre Forest transport model. The resulting findings have concluded that the number of trips on the network will not result in any significant impact that would resist the development or require mitigation measures. It is acknowledged that there are concerns over the additional use of Hurcott Lane during peak times, however it is evident that only a percentage of new trips will utilise this route and of those a smaller percentage at peak times. Based on the technical findings I can find no evidence to conclude that this development would result in an unacceptable increase of traffic to the detriment of highway safety or that the highway infrastructure will be unable to cope with the development. The Highway Authority have issued a robust no objection response and when joined with the technical analysis as submitted with the application I conclude that the number of vehicle trips can be accommodated on the network, and that the access provision is acceptable and will not result in significant harm to the safe use of Stourbridge Road.
- 4.12 In addition to the promotion of extension of the 30mph limit, the proposals include the provision of footway to the south of Stourbridge Road and the provision of enhanced bus shelters. In addition the Developer has agreed to provide payment to the County Council to carry out personal travel planning provision for the site. These aspects weigh in favour of the application and are judged as enhancements rather than mitigation.

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**LAYOUT AND DENSITY**

- 4.13 The development proposes a range of dwelling sizes and types at a density of approximately 36 dwellings to the hectare. This level of density is not only reflective of the adjoining development but provides a suitable visual harmony going into the rural area. The development provides a suitable level of dwellings without compromising character of the surrounding area. This approach is in full conformity to the policy thrust within the NPPF.
- 4.14 The layout of the development has been refined during the application process. The proposal provides development of properties that are not visually cramped having the required parking and amenity provision. In addition areas of open space and landscaping are provided to soften the development and supplement the sense of space. Each property has been positioned and orientated to ensure that gardens are not overlooked or overshadowed by other properties. The proposals provide a strong streetscene to both Stourbridge Road and the internal road network, which provides a important design presence, continuing the existing character of the area. Overall the layout design has been well conceived and provides an acceptable approach to development in this locality.

**DESIGN AND APPEARANCE**

- 4.15 The properties proposed are two storeys in nature and are intended to reflect of the local character of the area. Plots along Stourbridge Road are set back behind the existing hedgerow, and provide a rhythm of gables and bay windows. A mixture of red brick is shown to be used across the development to ensure some variety, with some gables picked out in render. Fully rendered units are proposed at specific gateway positions to help demark the entrance and create landmarks across the development. A mixture of brown, red and grey tiles are proposed to provide interest and to reflect the character and diversity of design on the area. The overall effect of the design solution adopted is of sufficient quality that is suitable for the site and compatible with the surrounding area.

**NEIGHBOURS AMENITY**

- 4.16 There are five properties that directly adjoin the application site, 231, 231a and 232 Stourbridge Road, and 75 and 98 Kendlewood Road. The development is set away from the boundary of properties in Kendlewood Road by approximately 8m, providing a landscape buffer between the proposed properties and the existing boundary. This reduces any perceived impact from these properties and ensures that where there are existing side facing windows that no overlooking will occur to the new properties. The effect of this buffer is to set the development also away from the boundaries of 231a and 232 Stourbridge to a lesser degree.

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- 4.17 The property that will experience the most amount of change is 231 Stourbridge Road, with 8 new properties surrounding its boundary. The amendments to the design of the layout has resulted in properties being set substantially back from Stourbridge Road in line with 231 which is accepted as a suitable approach, leaving the frontage to maintain its open feel. Where properties do side or back on to this property, a minimum garden length of 10m is achieved ensuring that no adverse overlooking will occur. Boundary treatment is shown as being 1.8m close boarded fencing where appropriate, which is an acceptable approach.
- 4.18 I appreciate the concerns expressed by residents, however based on the proposed layout and the separation distances that have been achieved, it is concluded that no adverse loss of amenity will occur to residential properties.

#### LANDSCAPE IMPACT AND ECOLOGY

- 4.19 In respect of landscape impact, as part of the Local Plan Review the Council commissioned a Green Belt Review Study to look at a number of sites, including the application site. The study stated:

*Development of the site would not significantly damage Green Belt function at this location although the prominence of the site and the visual connection to the south, north and east means that openness would be compromised, requiring particular attention to the scale and massing of development. Development of the site would constitute sprawl along the A451, extending the built edge of Kidderminster into open countryside. However, this would be contained by Hurcott Lane.*

- 4.20 In addition to this the Applicant's have undertaken their own Landscape and Visual Assessment of the site, considering long, medium and short range views. This assessment concludes:

*The development of the site would be a logical extension to development on the northeastern edge of Kidderminster, in keeping with the settlement pattern that characterises the town. The location of the site on the top of the plateau is consistent with much of the housing within and around Kidderminster. Development within the site would only have high landscape impacts on the arable field that would be lost to the housing development. Aside from this and the 11m of hedgerow being removed for the site access, all other features would be retained. The majority of the existing hedgerows would be enhanced through infill planting and improved management. There would also be a noticeable increase in biodiversity, due to the introduction of the ecological corridor and extensive planting of native trees on the site boundary.*

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Change is identified to the immediate vicinity, however it is acknowledged that retention of landscape features, such as hedges, and the landscape proposals submitted will allow the development to assimilate into the surroundings over time and any short-term harm will be adequately mitigated.

- 4.21 Based on these two separate studies it is clear that whilst there will be landscape change there will not be significant landscape harm. The site provides a suitable site for expansion of this part of Kidderminster following the historic settlement pattern. In addition the presence of Hurcott Lane and the ecological barrier provide a clear demarking of the site and defensible boundary to the wider landscape. These matters lead me to the conclusion that there will be no significant harm to the landscape.
- 4.22 Ecological matters have been addressed through a raft of technical surveys and assessments. These have been considered by Natural England, the County Council and the Council's Countryside Conservation Officer. There is agreement that the development will not cause significant harm to habitats or protected species, and importantly no harm will be caused to the nearby SSSI. The ecological zone of approximately 20m in depth across the southern boundary is a substantial benefit which carries weight as an enhancement. Where there are some concerns in respect of construction methodology and long term maintenance, these can be addressed through suitably worded conditions. On this basis there are no outstanding matters in respect of ecology, that need to be addressed and as such no significant or unmitigated harm has been identified.

#### **DRAINAGE**

- 4.23 The application is supported by a comprehensive Flood Risk Strategy and drainage strategy. It is accepted that the site itself is not at risk of flooding, however the submissions go on to consider how that there is potential for additional surface water to cause flooding elsewhere. The strategic drainage proposals aim to maximise permeability to the site and seeks to ensure that there is no greater run-off from the site than the existing situation. North Worcestershire Water Management, as the Local Lead Flood Authority, has reviewed the submission and is satisfied with the proposals subject to conditions setting out the detailed proposals. In respect of foul drainage Severn Trent Water has confirmed that it has no objections to the number of dwellings proposed on the existing system, again, subject to conditions requiring submission of detailed proposals. In view of these responses, it is concluded that there are no drainage issues associated with the site.

#### **OTHER MATTERS**

- 4.24 The application submission also includes archaeological, noise, air quality, mineral and contaminated land assessments. Members will note that in response to these technical documents there are no statutory objections, consultees being happy that adequate information has been provided or that matters can be addressed through appropriate conditions.

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- 4.25 Based on all of the technical and detailed considerations for this proposal, following a thorough consideration of all matters, including objections raised by residents and the Parish Council, it has been established that there is no harm established that can be considered to be significant or is unmitigated.

**PLANNING OBLIGATIONS**

- 4.26 The applicant has agreed to enter into a S.106 agreement to secure affordable housing provision and financial contributions.
- 4.27 The proposal includes 27 units for affordable housing providing 6 no. 1 bed apartments, 15 no. 2 bed houses, 5 no. 3 bed houses and 1 no. 4 bed houses. These will be split 70% for rent and 30% shared ownership. The Housing Services Manager has confirmed that this provision is acceptable. The location of the units is split across the site to allow integration, although grouping to help with management regimes. Overall the policy compliant provision and the nature of the provision are considered to be of substantial weight in favour of the development.
- 4.28 Financial contributions are sought for the following in line with the Council's Planning Obligations SPD.
- Education contribution of £373,356
  - Public Open Space Contribution of £101,714
  - Highway contributions of
    - £20,000 for Bus Stop Provision
    - £4,905 for Promotion of Speed Limit Extension
    - £18,200 for Personal Travel Planning

It is also likely that the NHS will seek contributions towards healthcare provision as requested in the previous application although, at the time of writing this report, there has been no response to the Council's consultation.

- 4.29 Additional obligations are also required to secure long term maintenance of landscape and ecological areas These physical and financial provisions towards social and environmental dimensions of sustainable development also weigh heavily in favour of the development.

**MATERIAL BENEFITS IN FAVOUR OF THE DEVELOPMENT**

- 4.30 In addition to the benefits already raised within this report it is highlighted that the development alone will provide employment to the construction industry of around 240 FTE jobs, along with the associated economic spend to the District. It is also estimated that the development could contribute in the region of £1.6M in New Homes Bonus as well as the financial benefits through Council Tax and Parish precept.

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- 4.31 Section 70(2) of the Town and Country Planning Act 1990 (as amended) provides that a local planning authority must have regard to a local finance consideration as far as it is material. Planning Practice Guidance advises that “Whether or not a ‘local finance consideration’ is material to a particular decision will depend on whether it could help to make the development acceptable in planning terms. It would not be appropriate to make a decision based on the potential for the development to raise money for a local authority or other government body”. On this occasion the combination of financial contributions required as part of the development and the potential New Homes Bonus that would be received add additional weight in favour of the development.
- 4.32 The development of the application site will help boost the supply of housing within the District. If the site is excluded from the supply, only a 4.8 year supply can be achieved. The inclusion of the site within the supply would increase the supply to 5 years. This is significant and provides substantial weight in favour of the development and helping the Council remedy its undersupply of housing that is prevalent at this moment in time.

#### THE PLANNING BALANCE

- 4.33 Having established that consideration of this proposal is squarely within the ‘tilted balance’ at set out within the Framework, examination the technical and detailed aspects of the development has been undertaken. It is concluded that that any harm that would be caused is not significant and would be only of immediate local impact. Such harm would not be demonstrably significant so as to offset the tilted presumption in favour as set in the NPPF. The additional benefits of the scheme including the enhancements to environmental, economic, and social dimensions only seek to cement the balance in favour.
- 4.34 It is accepted that a plan-led approach is at the heart of sustainable development, however the circumstances of the housing provision and policy position in the District result in a deviation from a plan-led approach having to be taken to ensure that acceptable development is achieved rather than unwarranted and hostile development. There is harm caused from the development being outside the scope of the Development Plan but the benefits of securing additional housing in a suitable location results in a neutral consideration in this respect.
- 4.35 Notwithstanding the previous refusal, the policy position has materially changed. When taking account of all the aspects of the development and weighing them in the ‘tilted balance’ I find that the balance is clearly and soundly in favour of the development,

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## 5.0 Conclusions and Recommendations

5.1 The development although not in accordance with development plan, due to the relevant policies for housing being out of date and the lack of a 5 year supply, the presumption in favour of sustainable development as set out in paragraph 14 of the National Planning Policy Framework is engaged. The full assessment of the application in all aspects has not identified any matters that result in significant harm or harm that is not mitigated. When weighed in the 'tilted balance' the material considerations in favour of the development are not demonstrably outweighed by any harm identified. The proposal represents sustainable development and can be supported as development that will be acceptable in all technical and detailed matters and will boost housing supply within the District.

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

- i. the signing of a **Section 106 Agreement**; and
- ii. the following conditions:

- 1. A6 (Full with no reserved matters)
- 2. A11 (Approved plans)
- 3. B6 (External details – approved plan)
- 4. Boundary treatment
- 5. B13 (Levels details)
- 6. C8 (Landscape implementation)
- 7. Landscape Management Plan
- 8. Archaeology
- 9. Archaeology implementation
- 10. Surface Water Drainage
- 11. SuDS management
- 12. E2 (Foul and surface water)
- 13. Highway implementation
- 14. CEMP
- 15. Sustainability measures
- 16. Noise implementation
- 17. Contaminated Land
- 18. Unexpected Contamination
- 19. Electric Vehicle charging points
- 20. Low NOx emissions
- 21. Air Quality

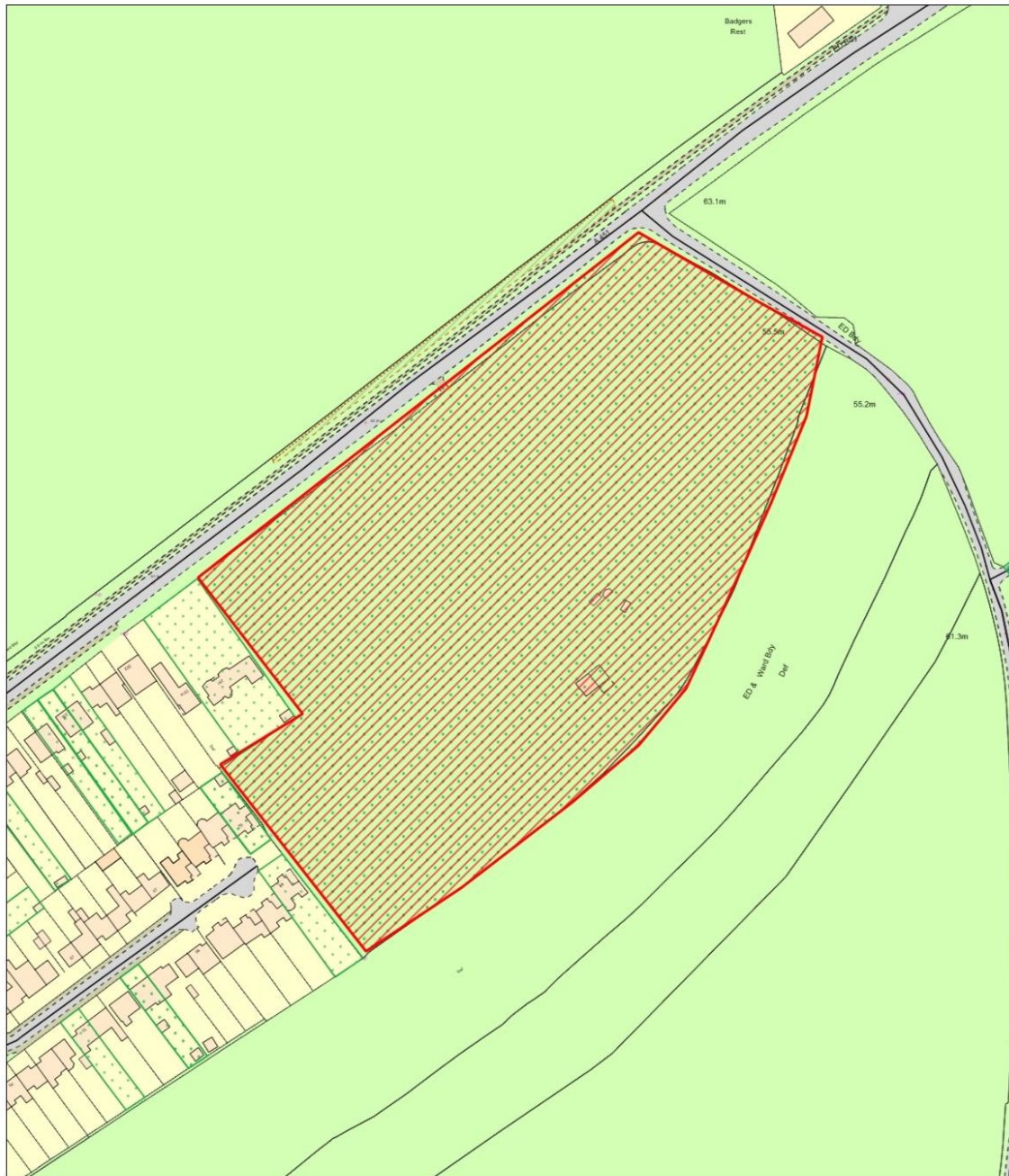
### Notes

- A SN2 (Section 106 Agreement)
- B Highway



Planning Committee

18/0163/FULL



Economic Prosperity and Place Directorate

Land off Stourbridge Road (adj. Hurcott Lane)

Kidderminster

DY10 2XB



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WYRE FOREST DISTRICT COUNCIL

**PLANNING COMMITTEE**

**19<sup>TH</sup> JUNE 2018**

**PART B**

<b>Application Reference:</b>	18/0035/FULL	<b>Date Received:</b>	12/01/2018
<b>Ord Sheet:</b>	385725 274404	<b>Expiry Date:</b>	13/04/2018
<b>Case Officer:</b>	Sarah Mellor	<b>Ward:</b>	Wyre Forest Rural

**Proposal:** Demolition of existing buildings and redevelopment to create 6no residential units

**Site Address:** STONE MEADOW, BUTTS LANE, STONE, KIDDERMINSTER, DY104BH

**Applicant:** CITILOGUE LTD

<b>Summary of Policy</b>	DS01,DS04, CP01, CP02, CP03, CP11, CP12, CP14 (CS) SAL.DPL2, SAL.PDS1, SAL.CC1, SAL.CC2, SAL.UP1, SAL.UP5, SAL.UP6, SAL.UP7, SAL.UP9, SAL.PPS1 (SAAPLP) Sections 6, 7, 9, 10, 11, 12 (NPPF)
<b>Reason for Referral to Committee</b>	'Major' planning application
<b>Recommendation</b>	<b>APPROVAL</b>

## 1.0 Site Location and Description

- 1.1 The site forms part of the former Butts Lane Depot and is located to the south east of Kidderminster Town Centre.
- 1.2 Through the granting of a number of planning permissions, there are a number of residential dwellings occupying the site, alongside a number of the original buildings which served the previous use.
- 1.3 Owing to the range of buildings and hardstandings which stood on the site, it is considered to comprise previously developed land. The site also lies within the West Midlands Green Belt.

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## **2.0 Planning History**

- 2.1 17/0423/FULL – Change of use of building to form 2 no. Residential Dwellings : Approved 15.9.17
- 2.2 17/0422/FULL – Conversion of existing buildings to form 5 no Residential Dwellings. (Resubmission of 16/0571/FULL) : Approved 15.9.17
- 2.3 16/0571/FULL – Conversion of existing building to form 3 No. Residential dwellings with access improvements : Approved 25.1.17
- 2.4 15/0705/FULL – Proposed conversion to form dwelling with associated car parking : Approved 18.2.16

## **3.0 Consultations and Representations**

- 3.1 Stone Parish Council – Comments awaited on revised plans.
- 3.2 Highway Authority – No objection subject to conditions. The proposed development represents a reduction in the number of dwellings from 7 to 6 therefore the previous highways conditions are still applicable. The site access is as existing and is acceptable for 6 dwellings, the internal roads will remain as private and there is ample parking provision within the site.
- 3.3 Environment Agency – No comments received
- 3.4 Worcestershire Regulatory Services (Contamination) – A Phase I study is recommended to ensure the site is suitable for its proposed use. This will be secured by a Tiered Investigation condition.
- 3.5 Conservation Officer – It is relevant to consider the previous planning approval on this site (16/0571/FULL). This originally proposed conversions into five dwellings (variously referred to as units 1 to 5 or barns 1 to 5), but the approved scheme was for units 3, 4 and 5 only.

The structures on this site were previously WWII Royal Ordnance Factory Workers Hostel Accommodation and related facilities. They are included on several Worcestershire HER records and are thus considered to be undesignated heritage assets. As such Policy SAL.UP6 of the adopted Wyre Forest District Site Allocations and Policies Local Plan (SAAPLP) and the National Planning Policy Framework (NPPF) paragraph 135 are relevant in the determination of this application.

As part of 16/0571/FULL the applicant provided two important pieces of information relating to the structures on the site. The first is a structural report ref: BG06058 dated June 2106; the second is the Level 3 Historic Building Survey ref: midlanda1-269113 dated November 2016.

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The specialist reports covered a wider area than the application site, including other structures within the applicant's ownership (and one in the ownership of a third party).

Within application 16/0571/FULL the significance of the site was explained in detail and the Historic Building Survey usefully charted the development of such workers hostels during the early part of WWII and the improvements made to their facilities as the war progressed. This site was provided with a canteen and other welfare and social facilities as well as a theatre/cinema complex.

The original proposed scheme within 16/0571/FULL included the conversion of the theatre/cinema complex into two dwellings (units 1 and 2).

Responding to the proposals contained within 16/0571/FULL I commented as follows:

*"Although the condition of several of these structures is considered sufficiently sound to warrant repair and re-use, even though the remains may be skeletal at best, other structures have deteriorated to such an extent that they are completely ruinous and beyond repair."*

*"I consider that the complete demolition of all of the remaining structures will result in a considerable degree of harm to the significance of the complex as a whole, reducing ones understanding of it and those elements which remain. The partial demolition and reconstruction of those structures to be retained will result in less than substantial harm to their significance".*

*"None of the structures is designated and there already exists an extant and implemented planning permission on this site, however, and it is in this context that this application must be considered".*

The present application has supplemented the already considerable information provided under 16/0571/FULL with a further "Summerfield Munition Workers' Hostel site, Butts Lane, Stone, Kidderminster - historic building assessment and statement of significance" dated 19<sup>th</sup> April 2018.

That assessment considers the present condition of the surviving buildings and considers that:

*"The present buildings represent less than 10% of the original hostel buildings and have all been thoroughly stripped of all original fixtures and fittings, several are part demolished and all have been adapted to a greater or lesser extent".*

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The assessment concludes:

*“None of the remaining buildings has any architectural merit, and the historical value is low, being only by association with the former munitions factory. Having been previously recorded in detail there is little to be gained in retaining the derelict structures, which are not capable of economical repair. The surviving buildings are unsuitable for conversion to domestic use, largely because of their box-like form, shabby institutional appearance, awkward linear dimensions and inherent structural shortcomings”.*

The applicant has complied with the requirements of the NPPF at Paragraph 128 and Policy SAL.UP6 in establishing the significance of those remaining undesignated heritage assets on the site as low.

My advice to the Council is to accept that the buildings are now beyond economic repair and the form and massing of the surviving theatre building (the least ruinous, albeit skeletal) is incapable of re-use without such substantial reconstruction little, if any, of its significance could be retained or understood.

The report dated 19<sup>th</sup> April in my opinion serves as a recording and should be deposited with the Worcestershire HER.

The loss of the heritage assets represents substantial harm to these assets, however their significance is low and there are compensatory benefits in replacing these assets with new homes, something which can be considered under the NPPF paragraph 135.

I have no objections.

### 3.6 CPRE (summarised/material considerations) –

- Development will set an unwelcome precedent
- This site does not fall into any of the specific cases where development is permissible in the Green Belt under NPPF, whose terms are very similar to those of WFCS, though it was prepared under previous planning policy. The remaining exception of “very special circumstances” also does not apply
- Nevertheless, this is a brownfield site (though in the Green Belt). It is undesirable that such land should be left derelict, as this land is. In the long term we would like to see the land developed. If anything, we would suggest that the site could appropriately accommodate slightly more houses than this application proposes

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- 3.7 Countryside Manager – The application has been supported with an appropriate ecological report that has made several recommendations in order to conserve and enhance bat roosts found on site. These recommendations have been taken on board and appear in the various site plans. No objection from the Countryside Manager is raised from a biodiversity perspective.
- 3.8 West Mercia Police Designing Out Crime Officer – No objections; each dwelling should have a secure perimeter, particularly at the rear. Physical security should meet the requirements of Secured by Design.
- 3.9 Spatial Planning Manager - No comments received
- 3.10 North Worcestershire Water Management (NWWM) – A location plan has been submitted that shows two soakaways for each property and calculations have been submitted, which indicate that these soakaways will be designed to be able to cope with a 1 in 100 year rainfall event + 30 allowance for climate change. I understand that the proposal is that all driveways will be permeable using a gravel finish upon a permeable base. For the extension of the existing access road an impermeable concrete is being proposed, with a discharge to French drains to the side. This is another form of soakaway drainage. No objections subject to condition.
- 3.11 Natural England – No comments to make
- 3.12 NHS – No comments received
- 3.13 Strategic Housing Manager – Adopted Wyre Forest District Core Strategy Policy CP04 Providing Affordable Housing requires 30% of affordable housing on sites of ten or more in Kidderminster and Stourport and on sites of 6 or more in the Bewdley and the rural areas. The footnote in Policy CP04 (No 18) states this will apply to all types of residential development including conversions and change of use.

Policy SAL.DPL2 of the Adopted Wyre Forest District Site Allocations and Policies Local Plan (SAAPLP) 'Rural Housing' requires that within rural areas of the District, residential development will only be permitted where the site has been identified by the Parish Council to meet an identified local need, it is replacement for permanent lawful dwelling or is subject to a Community Right to Build Order, none of which apply to this scheme. Policy SAL.DPL2 further states that replacement dwellings in the open countryside will only be permitted where:

- the dwelling is still subject to residential use and has not been abandoned
- the residential dwelling is in the same or less prominent position as the original
- the replacement dwelling should not exceed the size of the original dwelling

Again none of these apply in this instance.

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Although Policy SAL.DPL2 states that residential development will also be considered where it complies with relevant rural development or Green Belt policies, I don't think it is the policy intention that residential development in the Green Belt should be permitted where it does not comply with Policies CP04 or SAL. DPL2.

Approving this current application would undermine both Policies CP04 and SAL.DPL2 and therefore should be considered for refusal.

3.14 Neighbour/Site Notice – The application has generated 2 representations from third parties all in the form of objections. The grounds for objection are summarised as follows:

- The latest plan does not seem to have any dimensions and the houses seem disproportionately small compared to the original buildings and the consent for conversion at that time.
- Development would be on Green Belt land and not on any previous footprint.
- `Hard standing` is not included in the equivalence, some of this standing is also shared with my property. So this might be equitable for any development I would consider on my property.
- This development is not appropriate either for the site or the supporting road network, nearly all access is single track.
- Concerns about privacy as there has been no communication from any party about my boundaries or privacy.
- This is planning and development by stealth and does not balance or seem equitable with any other single planning applications in the area.
- The existing plans for conversion seem to be modified at will, roof trusses on flat roof conversions.
- Block double garage construction – out of sight from the road.
- The `Spinney` is probably 5 times the original size and 50% taller than previously.
- Separation of 2 buildings.
- There also seems to be a lot of road development for 9 houses already, in anticipation no doubt of a further 7 houses. This could be an extra (total) 40 vehicles through this network.
- The plans don't seem to have any restriction on fence panels and boundary separation – in a green belt setting.

No comments were received following neighbour reconsultation for a scheme of 6 no. dwellings.

#### **4.0 Officer Comments**

##### **OVERVIEW**

4.1 The history of the wider depot site is complex however, despite this, it is important to establish a number of facts.

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- 4.2 Permission has so far been granted for residential development on the site via various applications.
- 4.3 This residential development initially took the form of the conversion of the original buildings. Therefore, a precedent has been set for the use of the site for new residential development.

**PLANNING POLICY AND THE PRINCIPLE OF THE DEVELOPMENT**

- 4.4 The development proposed under this application is submitted having regard to Policy SAL.UP1 of the SAAPLP.
- 4.5 The aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open. This policy states that development may be considered acceptable where it is for the replacement of a building, provided the new building is in the same use and not materially larger than the one it replaces. In addition, as a previously developed site, allowance is given for complete redevelopment.
- 4.6 Given that there are existing buildings on this site, it is not considered reasonable or justifiable to prevent appropriate replacement buildings, subject to the openness of this part of Stone being preserved. Further consideration of the scheme in terms of openness is set out below.
- 4.7 The scheme, as submitted, was for 7no. dwellings. These were proposed as a mix of one and two storey dwellings. Following discussions with the applicant, the scheme has been revised to 6 no. dwellings, all of which are to be single storey. This amendment is considered to contribute to ensuring the openness of the Green Belt.
- 4.8 Also Policy SAL.PDS1 of the SAAPLP concerns sites within the District which are considered to be previously developed however lie within the Green Belt. Such development proposal should:-
  - i. Contribute to the achievement of the objectives for the use of land in Green Belts.
  - ii. Not exceed the height of the existing buildings and other structures and trees.
  - iii. Not give rise to off-site infrastructure problems.

The proposals would fully comply with these policy criteria.

- 4.9 The former use across the site was largely as hostel accommodation with some ancillary buildings.
- 4.10 It is noted that some objection has been raised on the basis that the buildings are now to be demolished rather than converted, however on the basis of the above policy, it is considered acceptable in principle to consider the buildings from replacement rather than conversion.



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**HERITAGE AND CONSERVATION**

- 4.11 The Conservation Officer has considered the scheme and concurs with the submission of the applicant, that the buildings are now beyond economic repair and the form and massing of the surviving theatre building (the least ruinous, albeit skeletal) is incapable of re-use without such substantial reconstruction. Little, if any, of its significance therefore could be retained or understood.
- 4.12 It is considered that the applicant has complied with the requirements of Paragraph 128 of the NPPF and Policy SAL.UP6 of the SAAPLP in establishing the significance of those remaining undesignated heritage assets on the site as low.
- 4.13 As such although the loss of these heritage assets represents substantial harm, their significance is low and there are compensatory benefits in replacing these assets with new homes in accordance with Paragraph 135 of the NPPF.

**HIGHWAYS AND ACCESS**

- 4.14 The site comprises an existing access with internal roads that will remain in the same layout and serve the proposed development. The Highway Authority has considered the scheme and note that there is ample parking provision within the site. The revision of the scheme to 6 no. dwellings would have no adverse impact upon the comments of the Highway Authority. Subject to conditions, the development is considered acceptable.

**DRAINAGE**

- 4.15 The application is supported by plans indicating the soakaway drainage for the 6 no. dwellings. Each property would be served by two soakaways and calculations have been submitted, which indicate that these soakaways will be designed to be able to cope with a 1 in 100 year rainfall event + 30 allowance for climate change.
- 4.16 Driveways will be surfaced in a permeable material on a permeable base and the extension to the existing access road will be served by concrete however discharged to adjacent soakaways.
- 4.17 On this basis, no objection is raised, subject to a condition the drains as submitted are installed prior to first use of the development and to the correct specification and are subsequently maintained.

**AMENITY**

- 4.18 The main considerations with regard to amenity are that of the internal spacing that is proposed between the dwellings.

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- 4.19 In terms of plots 1 and 2, these are sited in closest proximity of the 6 no. dwellings. In considering their respective internal layouts, it is noted that both would have ground floor bedroom windows facing the proposed boundary. Whilst this is not typical of the spacing around other dwellings proposed, it is a relationship that is considered acceptable and would be known to the future occupiers of the properties, prior to purchase or occupation.
- 4.20 As revised, plots 3, 4, 5 and 6 benefit from generous spacing. Their orientations are such that there would be no conflict in terms of overlooking of windows or rear gardens. This is supported by the fact that all dwellings are proposed as single storey and therefore no first floor windows.
- 4.21 It is felt that when considering the siting relative to existing dwellings, within and external to the site, due to the openness and spacing between dwellings, there would be no issues in terms of loss of privacy to the occupiers of existing neighbouring dwellings.
- 4.22 All dwellings would be served by generous private rear gardens to a satisfactory level of occupier amenity.

#### **ECOLOGY AND BIODIVERSITY**

- 4.23 The application was supported by the appropriate ecological report that has made several recommendations in order to conserve and enhance bat roosts found on site. The recommendations have been incorporated into the proposed site plans and therefore no objection is raised subject to the works being carried in accordance to the approved plans in order to secure the specified mitigation measures.
- 4.24 The Countryside Manager recommended that Natural England be invited to comment on the application. They raised no objection subject to protected species being appropriately considered. This has been done by the Countryside Manager as reported above.

#### **AFFORDABLE HOUSING**

- 4.25 The Council's Strategic Housing Manager has considered the application and comments that the scheme as submitted should make a provision of affordable housing units. This is on the basis that the site as whole would make a provision of 13 no. dwellings.
- 4.26 It is considered however that the application of "vacant building credit" is relevant in this case.
- 4.27 Vacant building credit is an incentive introduced by the Government in order to promote development on brownfield sites. The floor space of existing buildings can be used to offset against the calculations for affordable housing requirement.

18/0035/FULL

- 4.28 As shown on the site plan, the floor area of the 4 no. existing buildings proposed for demolition (A-D), equates to 1347.66 sq m. The floor area of the proposed units, now reduced to single storey would equate to 1306 sq m. This is a reduction of 41 sq m. This reduction indicates that no additional floor space is being created and therefore nothing against which to calculate the requirement for affordable housing.
- 4.29 In response to the comments of the Strategic Housing Manager, there is not considered to be a requirement to request a provision of affordable housing. The application has proceeded on this basis.

## 5.0 Conclusions and Recommendations

- 5.1 The principle of redeveloping this previously developed site for 6 no. dwellings is considered acceptable in principle. Having considered the detailed aspect of the application, no adverse harm has been identified. The proposal is considered acceptable in the context of the surrounding area.
- 5.2 It is therefore recommended that the application be **APPROVED** subject to the following conditions:-
1. A6 (Full with no reserved matters)
  2. A11 (Approved plans)
  3. B1 (Samples/details of materials)
  4. B11 (Details of enclosure)
  5. B13 (Levels details)
  6. Drainage
  7. Access, turning and parking facilities to be provided
  8. Landscaping scheme
  9. Retention of existing trees shown on 08D
  10. Ecological works to be carried out in accordance with submitted survey
  11. Contamination – Tiered Investigation
  12. Removal of Permitted Development Rights (Class A - E)

# WYRE FOREST DISTRICT COUNCIL

## Planning Committee

19 June 2018

### 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
WFA1487 17/0651/ENF	APP/R1845/C/17 /3184429	Mr & Mrs Voyce	VALE FARMHOUSE SPARUM FARM STANKLYN LANE SUMMERFIELD  Unauthorised change of use from dwellinghouse to dwellinghouse, dog boarding and dog grooming establishment and erection of dog kennel building.	WR  19/10/2017	23/11/2017			Dismissed  30/05/2018
WFA1489 17/0730/ENF	APP/R1845/C/17 /3188932	Mr M Fentiman	TROUGH OFF HABBERLEY ROAD BEWDLEY DY121LD  Unauthorised construction of a dwelling, domestic curtilage and	WR  29/11/2017	03/01/2018			

associated garden  
building (Enforcement  
Case 17/0053/ENF)

## Agenda Item No. 6

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
WFA1490 17/0186/TREE	APP/TPO/R1845/MR PAUL 6243	YEO	1 COMBERTON GARDENS KIDDERMINSTER DY103DB  Pollard Lime Tree	HE  03/01/2018	07/02/2018			
WFA1492 16/0441/FULL	APP/R1845/W/1 7/3189794	P & J Lawley	LAND AT WHYTEHOUSE FARM GREENWAY ROCK KIDDERMINSTER  20 starter homes and other ancillary works	WR  02/02/2018	09/03/2018			

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
WFA1496 16/0003/OUTL	APP/R1845/W/1 8/3196468	Miller Homes	LAND SOUTH OF STOURBRIDGE ROAD KIDDERMINSTER  Outline planning application for a residential development of up to 100 dwellings, public open space, vehicular and pedestrian access and associated infrastructure. Detailed approval is sought for access, with all other matters	LI  15/03/2018	19/04/2018	10/05/2018		

## Agenda Item No. 6

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
WFA1497 17/0380/FULL	APP/R1845/W/1 8/3193886	MR RALPH ROUND	VACANT PLOT, THURSTON COURT SEVERN SIDE SOUTH BEWDLEY DY122DX  New Dwelling	WR  29/03/2018	03/05/2018			



# Appeal Decision

Site visit made on 30 April 2018

**by Thomas Shields MA DipURP MRTPI**

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

**Decision date: 30 May 2018**

**Appeal Refs: APP/R1845/C/17/3184429 and 3184430  
Vale Farmhouse, Sparum Farm, Stanklyn Lane, Kidderminster,  
Worcestershire, DY10 4HS**

- The appeals are made under section 174 of the Town and Country Planning Act 1990 as amended by the Planning and Compensation Act 1991 ("the Act").
- The appeals are made by Mrs Janet Voyce (3184429) and Mr Mike Voyce (3184430) against an enforcement notice issued by Wyre Forest District Council.
- The enforcement notice was issued on 14 August 2017.
- The breach of planning control as alleged in the notice is without planning permission, the change of use of Vale Farmhouse from a residential dwelling house to a mixed use for a residential dwelling house and establishment for dog boarding, day care for dogs with associated exercise area and dog grooming, the change of use of the building referred to as a stable block on the plan to a dog kennel and the erection of a dog kennel building shown edged and hatched blue on the plan.
- The requirements of the notice are:
  - (1) Cease the use of the dwellinghouse and building referred to as a stable block on the plan for the unauthorised use for dog boarding, day care for dogs and dog grooming;
  - (2) Demolish the unauthorised dog kennel shown edged and hatched blue on the plan, removing all material arising from the demolition from the property and reinstate the land.
- The period for compliance with the requirements is 3 months.
- The appeals are proceeding on the grounds set out in section 174(2)(a) in respect of the Act.

## Decision

1. It is directed that the enforcement notice be varied in Section 6:

By deleting the words "3 months after this Notice takes effect" and substituting instead the words:

"Requirement (1) 3 months".

"Requirement (2) 5 months".

2. Subject to the variation the appeals are dismissed, the enforcement notice is upheld, and planning permission is refused on the applications deemed to have been made under section 177(5) of the Act.

## Procedural matter

3. The development subject of this appeal was refused planning permission by the Council in August 2017 (Ref: 17/0361/FULL). That decision has not been appealed, but documents associated with it have been submitted as part of this

appeal. I have therefore taken account of them insofar as they are relevant to the matters before me.

### **Appeal on ground (a)**

#### Main Issue

4. The main issue is the effect of the mixed use as a residential dwelling and as an establishment for the boarding, day care, and grooming of dogs on the living conditions of occupiers of nearby residential properties with particular regard to noise disturbance.

#### Reasons

5. The appeal site comprises a detached bungalow and a separate stable building within a generous plot of land, and is located along a track and set back from the road and boundaries of residential properties on Stanklyn Lane by approximately 140 metres. The bungalow has been extended by the addition of a kennel block<sup>1</sup> to one side, and the use of the whole property is in mixed use as a dwellinghouse and for the appellants' business providing boarding, day care and grooming services for dogs. In combination of these services there is no more than a maximum of 36 dogs at the property at any one time.
6. The use of the appeal property in general terms has the potential to generate noise. Noise is a subjective matter which can affect people differently. It is an underlying factor of the more objective approach to noise assessment and management set out in the NPSE<sup>2</sup> and paragraph 123 of the Framework<sup>3</sup>. Also, closely linked to the approach set out in the NPSE and the Framework, the PPG<sup>4</sup> provides the Government's latest guidance in respect of determining whether noise impacts would be likely to be unacceptable or could be adequately mitigated. In summary, these three documents set out an objective approach to noise assessment, such that for the purpose of achieving sustainable development as described in the Framework, the right balance can be struck between protecting amenity on the one hand, with other economic, environmental and social needs on the other. I attach significant weight to them in reaching my decision.
7. The Council received complaints of excessive noise from the property from 2014 onwards and following an investigation and monitoring served a noise abatement notice in June 2017. It is argued for the appellants that some of the noise relating to barking dogs did and does not emanate from the appeal site but from other properties in the area. However, I note that no appeal was made against the noise abatement notice (AN). Moreover, the appellants sought to comply with the AN by implementing measures to control noise from the dogs.
8. Measures undertaken to date include sound insulation within the building, planting of a hedgerow, dogs being kept inside beyond 16:00 hours Monday to Friday and 15:00 on Sundays, CCTV monitoring of all areas to quickly identify barking dogs, the use of noise level monitoring equipment, the rotation of dogs in the outside areas to minimise numbers outside at any one time, the

<sup>1</sup> Shown hatched blue on the plan attached to the enforcement notice

<sup>2</sup> Noise Policy Statement for England, Defra (2010) see Explanatory Note

<sup>3</sup> National Planning Policy Framework (2012)

<sup>4</sup> National Planning Practice Guidance

handover of dogs back to owners within the confines of the building only, and additional members of staff. I saw some of these measures during my visit to the appeal site. However, notwithstanding these measures the Council has continued to receive complaints of noise from barking dogs and regard the level of noise to be harmful to residential amenity.

9. No objective analysis in the form of a detailed noise assessment has been submitted by the appellant to counter the Council's evidence. Moreover, given the distance of open land between the appeal site and the residential properties on Stanklyn Lane, I consider that any barking dogs at the appeal site, particularly in the open exercise areas, are likely to result in an unacceptably adverse impact upon the amenity of occupiers of those properties, either when in their gardens, or if indoors with their windows open.
10. I acknowledge the appellants' comments that some complaints of noise may have been attributable to dogs at other properties, rather than Vale Farmhouse as alleged. However, in any typical residential area it is not unusual for there to be complaints of pet dogs barking from time to time, but the hosting of up to 36 dogs at one single property, in relatively close proximity to other residential properties, significantly increases the potential for noise disturbance over and above the level one might expect from other pet dogs in a typical residential area.
11. It is submitted for the appellant that the Council's suggested planning conditions (in the event that the appeal were being allowed) impose restrictions that are already voluntarily in operation. However, I do not consider that those or other planning conditions would adequately mitigate the harm to residential amenity I have previously identified.
12. I conclude on the balance of the evidence and information before me that the use results in significant harm to the living conditions of nearby residential occupiers in conflict with the requirements of Policy SAL.GBP1 of the Wyre Forest Site Allocations and Policies Local Plan (2013), and with paragraph 17 of the Framework which sets out a core planning principle to secure a good standard of amenity for all existing and future occupants of land and buildings.

#### *Other matters*

13. No appeal has been made on ground (g) that the period of time to comply with the requirements in Section 5 of the notice is unreasonably short. However, it seems to me that the 3 month period to comply with requirement (1) is very much shortened if demolition and reinstatement set out in requirement (2) is also to be completed within the same 3 month period.
14. I will therefore vary the notice by allowing a period of 5 months for compliance with requirement (2). I consider this is more reasonable having regard to all the circumstances of the appeal.

#### **Conclusion**

15. For all the above reasons, and having regard to all other matters raised, the appeals are dismissed.

*Thomas Shields*

INSPECTOR

## SECTION 106 OBLIGATION MONITORING

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

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

Application Number	Site	Provisions	Triggers for Compliance	Performance
18/0163/FULL	Land off Stourbridge Road (adj. Hurcott Lane) Kidderminster	<ul style="list-style-type: none"> <li>• Education contribution of £373,356</li> <li>• Public Open Space Contribution of £101,714</li> <li>• Highway contributions of               <ul style="list-style-type: none"> <li>- £20,000 for Bus Stop Provision</li> <li>- £4,905 for Promotion of Speed Limit Extension</li> <li>- £18,200 for Personal Travel Planning</li> </ul> </li> <li>• Affordable Housing</li> </ul>		
18/0034/FULL	Stourport Road Kidderminster	Highways contribution of £15,405 to provide traffic signals on Stourport Road so that the approach from the Emergency Services Hub can have its own 'green wave' to enable clear passage and to provide a Traffic Regulation Order to protect the access for the emergency vehicles		

<b>Application Number</b>	<b>Site</b>	<b>Provisions</b>	<b>Triggers for Compliance</b>	<b>Performance</b>
17/0780/FULL	Blakebrook School Bewdley Road Kidderminster	<ul style="list-style-type: none"> <li>• Public Open Space of £19,174.32</li> <li>• Biodiversity contribution of £5,000</li> </ul>	First occupation	Completed 26 <sup>th</sup> March 2018
17/0511/OUTL	Land off Spennells Valley Road Kidderminster	<ul style="list-style-type: none"> <li>• Public Open Space contribution based on bedspaces</li> <li>• Contribution of £20,000 towards creation of bus stops</li> <li>• £1500 towards pedestrian crossing</li> <li>• Affordable Housing 29.8%</li> </ul>	<p>First occupation</p> <p>Prior to commencement</p> <p>Prior to commencement</p>	Completed 1 <sup>st</sup> May 2018

## Agenda Item No. 7

Application Number	Site	Provisions	Triggers for Compliance	Performance
17/0325/S106	Deasland Farm Deasland Lane Heightington	Variation of S.106 agreement associated with Planning Permission WF.0642/98 to allow Deasland Farmhouse to be separated from the farm holding and removal of agricultural tie		Engrossments out for signature by applicants
17/0269/FULL	Kidderminster Market Auction Site Market Place Kidderminster	Public Open Space contribution of £6,682		Agreement completed 23.10.17
17/0168/FULL	Doveleys Worcester Road Clent	S.106 agreement required to prevent the previously approved Planning Permission being implemented		Agreement completed 18.7.17
17/0102/FULL	1 and 2 Barretts Farm Cottage Rectory Lane Rock	S.106 agreement required to prevent any further work under the previously approved and implemented Planning Permission 10/0434/FULL		Agreement completed 20.4.17
17/0090/FULL	Barrow Hill Farm Bournes Green Kidderminster	S.106 agreement required to ensure that existing property must be demolished within 3 months of the occupation of the new property		Agreement completed 22.5.17

## Agenda Item No. 7

Application Number	Site	Provisions	Triggers for Compliance	Performance
17/0006/S106	Land off Mill Lane Stourport on Severn	Variation of S.106 agreement attached to WF.472/98 to allow a financial contribution in lieu of on-site provision of play area		Agreement finalised. Just resolving land transfer documents.
17/0001/OUTL	Alton Works Long Bank Bewdley	<ul style="list-style-type: none"> <li>Public Open Space contribution of £23,242</li> <li>Education contribution of £48,282</li> <li>Affordable Housing</li> </ul>		Draft agreement in circulation
16/0740/S106	14-36 (evens) Gala Drive Stourport on Severn	Variation of S.106 attached to Planning Permission 10/0321/OUTL to define and amend disposal and mortgage exclusion clause		Agreement completed 23.10.17
16/0688/FULL	Rifle Range Community Centre Dowles Road Kidderminster	<ul style="list-style-type: none"> <li>Public Open Space contribution of £3,384</li> <li>Affordable Housing – to be secured by condition</li> </ul>		Agreement completed 22.6.17
16/0480/S106	Tesco Stores Ltd Castle Road Kidderminster	Variation of existing S106 regarding car parking management		Draft being finalised

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



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

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

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

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

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

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

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

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



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

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

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

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