

Open

Planning Committee

Agenda

6pm
Tuesday, 13th August 2019
Council Chamber
Wyre Forest House
Finepoint Way
Kidderminster



Planning Committee

Members of Committee:

Chairman: Councillor C E E Edginton-White

Vice-Chairman: Councillor J Aston

Councillor C J Barnett

Councillor S J Chambers

Councillor M J Hart

Councillor F M Oborski MBE

Councillor J W R Thomas

Councillor V Caulfield

Councillor P Harrison

Councillor L J Jones

Councillor C Rogers

Councillor L Whitehouse

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

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

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

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

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

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

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

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

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

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

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

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

*Unless there are no reports in the open session.

NOTES

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

Wyre Forest District Council

Planning Committee

Tuesday, 13th August 2019

Council Chamber, Wyre Forest House, Finepoint Way, Kidderminster

Part 1

Open to the press and public

Agenda item	Subject	Page Number
1.	Apologies for Absence	
2.	Appointment of Substitute Members To receive the name of any Councillor who is to act as a substitute, together with the name of the Councillor for whom he/she is acting.	
3.	Declarations of Interests by Members In accordance with the Code of Conduct, to invite Members to declare the existence and nature of any Disclosable Pecuniary Interests (DPI's) and / or Other Disclosable Interests (ODI's) in the following agenda items and indicate the action that they will be taking when the item is considered. Please see the Members' Code of Conduct as set out in Section 14 of the Council's Constitution for full details.	
4.	Minutes To confirm as a correct record the Minutes of the meeting held on the 9th July 2019.	7
5.	Applications to be Determined To consider the report of the Development Manager on planning and related applications to be determined.	12
6.	Planning and Related Appeals To receive a schedule showing the position in relation to those planning and related appeals currently being processed and details of the results of appeals recently received.	39
7.	To consider any other business, details of which have been communicated to the Solicitor to the Council before the commencement of the meeting, which the Chairman by reason of special circumstances considers to be of so urgent a nature that it cannot wait until the next meeting.	

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

Not open to the Press and Public

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

WYRE FOREST DISTRICT COUNCIL

PLANNING COMMITTEE

COUNCIL CHAMBER, WYRE FOREST HOUSE, FINEPOINT WAY, KIDDERMINSTER

9TH JULY 2019 (6PM)

Present:

Councillors: C E E Edginton-White (Chairman), J Aston (Vice-Chairman), C J Barnett, V Caulfield, S J Chambers, P Harrison, M J Hart, L J Jones, F M Oborski MBE, C Rogers, J W R Thomas and L Whitehouse.

Observers:

There were no members present as observers

PL.17 Apologies for Absence

There were no apologies for absence

PL.18 Appointment of Substitutes

No substitutes were appointed

PL.19 Declarations of Interests by Members

PL.20 Minutes

Decision: The minutes of the meeting held on 18th June 2019 be confirmed as a correct record and signed by the Chairman.

PL.21 Applications To Be Determined

The Committee considered those applications for determination (now incorporated in Development Management Schedule No. 575 attached).

Councillor S Chambers entered the room at 6:23pm and abstained from voting on application 19/0049/FULL as she had not been present for the Officer presentation or Member deliberation.

Decision: The applications now submitted be determined, in accordance with the decisions set out in Development Management Schedule No 575 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.22 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.23

Section 106 Obligation Monitoring

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

Decision: The details be noted.

There being no further business the meeting ended at 6:30pm.

WYRE FOREST DISTRICT COUNCIL

PLANNING COMMITTEE

9th July 2019 Schedule 575 Development Management

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

Application Reference: 19/0242/FULL
Site Address: DRAKELOW TUNNELS, KINGSFORD LANE, KIDDERMINSTER, DY11 5SA
Application DEFERRED at the request of the Development Manager

Councillor S Chambers entered the room at 6:23pm and abstained from voting on application 19/0049/FULL as she had not been present for the Officer presentation or Member deliberation.

Application Reference: 19/0049/FULL
Site Address: UPPER NORCHARD FARM, NETHERTON LANE, DUNLEY, STOURPORT-ON-SEVERN, DY13 0UJ
REFUSED for the following reasons: <ol style="list-style-type: none"> 1. The location of the residential accommodation fails to accord with Housing Policies DS01 or DS04 of the Adopted Wyre Forest Core Strategy, or policies SAL.DPL1 or SAL.DPL2 of the Adopted Wyre Forest Site Allocations and Policies Local Plan. These policies seek to guide residential development to appropriate locations. To approve the development at the location proposed would result in new development on non-previously developed land which lies outside a settlement boundary and goes against Development Plan policies and Paragraphs 77, 78 and 170 of the National Planning Policy Framework, which seek to protect the intrinsic character and beauty of the open countryside. This would lead to significant and demonstrable harm that would not be outweighed by the benefits of the scheme, when assessed against the National Planning Policy Framework as a whole. 2. The application site is considered to be an unsustainable location for a new dwellinghouse, given the lack of opportunities for sustainable modes of transport such as walking, cycling and public transport and future occupants would be wholly reliant on the car. To allow the development in these circumstances would be contrary to Policy CP03 of the Adopted Wyre Forest Core Strategy, Policy SAL.CC1 of the Adopted Wyre Forest Site Allocations and Policies Local Plan and Sections 7 and 9 of the National Planning Policy Framework. 3. The proposed development would result in the loss of Grade 2 (Very Good) agricultural land as defined by Natural England's Agricultural Land Classification and no justification has been submitted by the applicant to

demonstrate that the development is necessary. The unnecessary loss of this parcel of agricultural land would have an adverse impact on the District's best and most versatile agricultural land, contrary to Policy DS04 of the Adopted Wyre Forest Core Strategy, Policy SAL.UP14 of the Adopted Wyre Forest Site Allocations and Policies Local Plan and Paragraph 170 of the National Planning Policy Framework.

4. The proposal would involve the erection of buildings in an undeveloped field within the rural area of the District, which would fail to preserve the openness and character of the rural landscape and erode the intrinsic character and beauty of the open countryside. As such, the development would be contrary to Policies DS01 and CP12 of the Adopted Wyre Forest District Core Strategy, Policies of the Adopted Wyre Forest District Site Allocations and Policies Local Plan and Paragraphs 127 and 170 of the National Planning Policy Framework.

Application Reference: 19/0279/FULL

Site Address: 49 CRUNDALLS LANE, BEWDLEY, DY12 1JN

APPROVED subject to the following conditions:

1. A6 (Full with no reserved matters)
2. A11 (Approved plans)
3. B3 Finishing materials to match)

Application Reference: 19/0299/FULL

Site Address: 20 EASTCOTE COTTAGES, BROCKENCOTE, CHADDESLEY CORBETT, KIDDERMINSTER, DY10 4PU

APPROVED subject to the following conditions:

1. A6 (Full with no reserved matters)
2. A11 (Approved plans)
3. B1 (samples/details of materials)
4. Details of walls, fences and other means of enclosure to be submitted
5. B13 (Levels details)
6. Details of hard and soft landscaping to be submitted
7. Landscaping to be implemented.
8. Removal of permitted development – Class A extensions and Class E outbuildings
9. Level 1 Building Recording
10. Retention of existing hedgerows
11. Tree protection during construction
12. No dig specification for section of driveway
13. Pre commencement tree site meeting
14. Ecological Mitigation and Enhancement Measures
15. Provision for bat boxes/tiles and bird boxes
16. New bat survey required before any demolition takes place
17. Access, turning area and parking facilities to be provided.

Notes

- A No vegetation clearance to be undertaken during bird nesting season.
- B In order to minimise any nuisance from noise, vibration and dust emissions during the demolition and construction phases the applicant should refer to the WRS Demolition & Construction Guidance and ensure its recommendations are complied with.

**EXECUTIVE SUMMARY TO REPORT OF
DEVELOPMENT MANAGER**

Planning Committee

13/08/2019

PART A Report

Ref.	Address of Site	Recommendation	Page No.
19/0243/RESE	VICTORIA CARPET SPORTS GROUND CHESTER ROAD SOUTH KIDDERMINSTER	APPROVAL	13

PART B Reports

Ref.	Address of Site	Recommendation	Page No.
19/0043/FULL	LAND OFF LONGBANK BEWDLEY	APPROVAL	24
19/0296/FULL	SION LODGE HILLPOOL KIDDERMINSTER	DELEGATED APPROVAL	29
19/0356/FULL	OLD HALL FARM TENBURY ROAD CLOWS TOP KIDDERMINSTER	APPROVAL	32

WYRE FOREST DISTRICT COUNCIL

PLANNING COMMITTEE
13TH AUGUST 2019

PART A

Application Reference:	19/0243/RESE	Date Received:	23/04/2019
Ord Sheet:	383755 275023	Expiry Date:	23/07/2019
Case Officer:	Helen Hawkes	Ward:	Aggborough & Spennells

Proposal: Approval of Reserved Matters (Appearance, Landscaping and layout) in respect of approved Outline application (17/0511/OUTL) for residential development

Site Address: VICTORIA CARPET SPORTS GROUND, CHESTER ROAD SOUTH, KIDDERMINSTER, DY101XH

Applicant: Stonewater 1 Limited

Summary of Policy	DS01, CP01, CP02, CP03, CP04, CP05, CP07, CP11, CP12, CP13 and CP14 (CS) SAL.PFSD1, SAL.DPL1, SAL.DPL3, SAL.CC1, SAL.CC6, SAL.CC7, SAL.UP4, SAL.UP5, SAL.UP7, SAL.UP9 (SAAPLP) National Planning Policy Framework Planning Practice Guidance
Reason for Referral to Committee	'Major' planning application
Recommendation	APPROVAL

1.0 Site Location and Description

1.1 The application site has an area of 2.2 hectares and comprises greenfield land at the corner of Spennells Valley Road and A449 Chester Road South. The site lies adjacent to the south west edge of Kidderminster Golf Course. The site has an open central area that consists of an disused football and cricket pitch, last used as formal playing fields in 2003, surrounded by mature trees many of which have Tree Preservation Orders (TPO 280). Apart from at both northern corners of the site, and to the south east corner, the site is within Flood Zone 2.

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- 1.2 The character of the surrounding area comprises a mixture of residential, commercial and recreational uses with residential properties located to the west, on the opposite side of Chester Road South and commercial premises to the south, on the opposite side of Spennells Valley Road. Abutting the site to the north and east is the golf course to Kidderminster Golf Club. The site is in a sustainable location, being 1.5km from Kidderminster town centre with good access to public transport and local shops and services.
- 1.3 The application is for reserved matters approval following Outline Consent reference 17/0511/OUTL, approved May 2018. The Outline Consent approved the principle of development for up to 45 dwellinghouses with access off Spennells Valley Road. The current application therefore seeks approval for the remaining reserved matters, namely:
- Scale
 - Appearance
 - Layout
 - Landscaping
- 1.4 The proposed development would comprise 27 affordable rent units (14 x 2-bed, 13 x 3-bed) and 18 shared ownership units (6 x 2 bed, 12 x 3 bed). In response to concerns raised by the Highway Authority the scheme has been amended to include a 1 metre wide servicing area to the north of the access road, near to the boundary with the golf course.
- 1.5 Outline Consent was granted with a Section 106 Agreement which secured a minimum of 24% of the units to be affordable and off-site financial contribution comprising of £20,000 towards improvements to 2 bus stops on A449 and Chester Road South, £1500 towards the provision of an uncontrolled pedestrian crossing on Chester Road South and public open space contributions in line with the tariff set by the adopted Planning Obligations SPD. In this application, the proposed development would deliver 100% affordable homes and the agreed off-site financial contributions.

2.0 Planning History

- 2.1 17/0511/OUTL - Development of up to 45 residential dwellings (Use Class C3) with associated access, car parking, landscaping, open space and other associated works at land off Spennells Valley Road, Kidderminster : Approved 1.5.18
- 2.2 13/0120/OUTL - Outline Application for a new Leisure Centre and associated works with some matters reserved : resolution to grant permission (not formally granted)
- 2.3 08/1044/FULL – Erection of a hotel (C1); public house/restaurant (A4); indoor and outdoor bowling facility (D2), access, car parking, landscaping and associated works : Approved 29.2.12

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- 2.4 07/1165/FULL – Erection of hotel (C1), public house/restaurant (A3), indoor/outdoor bowling facility (D2), access, car parking, landscaping and associated works : Withdrawn
- 2.5 WF.0154/05 – Full: Erection of 50 bedroom hotel with integral restaurant together with associated access, car parking and landscaping works : Withdrawn

3.0 Consultations and Representations

- 3.1 Kidderminster Town Council – Recommend approval.
- 3.2 Highway Authority – No objections subject to conditions to ensure the access and parking facilities including cycle parking and footway provision is provided. To also require a welcome pack promoting sustainable forms of access and a Construction Environmental Management Plan to be submitted and agreed, and then implemented.

Additional comments were made by County Street lighting advising that the existing street lighting on a section of Spennells Valley Road would be substandard for the new access and that they would need to be upgraded. *(Officer Comments – As the 'Means of Access' was approved under the outline consent, no additional conditions can be imposed in relation to this matter).*

- 3.3 Environment Agency – For completeness, we commented on the outline planning application on 27 September 2017 (our letter reference SV/2017/109583/01-L01). Based on our previous response we have no further comments to make at the reserved matters stage.
- 3.4 Worcestershire Regulatory Services (Noise) – No objection to the application subject to conditions to require the recommended noise mitigation measures as set out in the revised noise assessment for this application are implemented in relation to the acoustic boundary fencing to the rear garden of Plot 1 and to require the glazing and ventilation specification detailed in the Environmental Noise Assessment to be implemented.
- 3.5 Worcestershire Regulatory Services (Contaminated Land) – As no further information has been submitted regarding contaminated land matters the contaminated land conditions proposed under outline planning are still relevant.
- 3.6 Severn Trent Water – The proposed site layout plan does not show drainage proposals and as such we would request that the condition attached to the Outline Consent is not discharged and that we are consulted again once drainage proposals have been submitted.

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- 3.7 North Worcestershire Water Management Officer – No objection and advises that this application does not include any details regarding the information conditioned in condition 13 (finished ground/floor levels), condition 14 (flood management plan), condition 15 (surface water drainage scheme) and condition 16 (SuDS Management Plan) attached to the Outline Consent.

For this application, I do believe that it is important that the applicant decides on how the everyday route for the Golf Club discharge will be imbedded into the development, as this could have an impact upon the design of the development, however I don't think that the absence of this information would be a valid reason to withhold approval of this Reserved Matters application. The applicant risks having to come back with a revised scheme if the details approved under this Reserved Matters application were to alter. I appreciate that the applicant is looking into this issue and is carrying out the required surveys etc to inform the design.

- 3.8 Housing Enabling Officer – I can confirm that from the Strategic Housing Teams perspective we would welcome the much needed contribution to meeting the need for additional affordable family housing in Kidderminster.

- 3.9 West Mercia Police Designing Out Crime Officer - No objection.

- 3.10 Aboricultural Officer – No objection as the majority of the protected trees on the site are to be retained and are not directly affected by the proposals. Conditions are considered necessary to request a Tree Protection Plan and a pre-start site meeting to ensure the protecting fencing is correct on site before any site clearance works start and a condition to secure a landscaping establishment and management plan for the site.

- 3.11 Countryside Manager – The application does not include any details on lighting or the provision of bat boxes and therefore the conditions attached to the Outline Consent still remain. It would be good to see double the amount of wildflower planting on the proposed landscaping plan. I am also unhappy with the proposed plants in the wildflower mix. I also feel the percentage of grass species could do with being reduced to reduce competition for the wildflowers being planted. The grass species in the wildflower mix are far from the typical assemblages found locally. The wetland mix similarly needs to be amended to reflect what found locally. An appropriate management plan for the landscaping would also be required but can be conditioned.

- 3.12 Neighbour/Site Notice – One letter has been received from a member of Kidderminster Golf Course stating that they are concerned about how the existing discharge route from the golf course will be dealt with by this development.

(Officer Comment – The drainage issue will be reviewed by the developer, the golf club and the North Worcestershire Water Management Officer. This has been communicated to the correspondent who is satisfied with the response).

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4.0 Officer Comments

4.1 The Outline Consent established the principle of development for up to 45 dwellinghouses on this site and the access point off Spennells Valley Road. Therefore the current application seeks approval for the remaining reserved matters which are:

- Scale
- Appearance
- Layout
- Landscaping

4.2 The design policies within both the Adopted Core Strategy and the adopted Site Allocations and Policies Local Plan seek to ensure that developments reflect design quality which maximise opportunities to contribute to local distinctiveness and improves the character of an area. The National Planning Policy Framework advises that *'Good design is indivisible from good planning'*.

SCALE

4.3 The Outline Consent did not restrict any building heights by condition. The proposal would introduce a mix of two-storey semi-detached and terrace dwellinghouses. I am of the view that the size and massing of the proposed dwellinghouses would reflect the scale of existing residential properties on Chester Road South and within the Spennells Estate. I therefore consider that the scale of the development acceptable and consistent with the outline planning permission.

APPEARANCE

4.4 During this application there has been subtle changes made to the design of the dwellinghouses to improve their individual design and to create a sense of place with a distinctive character. The windows have been given a vertical hierarchy by making the ground floor windows wider than the first floor windows and changes have been made to the window header/cils treatment and two different brick materials would be used for the dwellinghouses to help provide some variation in the streetscene and visual interest.

4.5 I am satisfied that the choice of brick material and roof tile would be in keeping with the character of the houses in Chester Road South. I also note that the dwellinghouses on the corner plots would have an element of render which is intended to provide a focal point at the corners and an end to the perimeter block. I therefore consider that the appearance of the proposed dwellinghouses are of a high quality and demonstrate a strong overall design concept. The details for the proposed boundary treatment have also been provided which shows appropriate brick walls to boundaries which lie directly adjacent to the public realm and that the existing metal railing boundary to Chester Road South will be retained and made good, and would include the removal of the mesh fencing to this boundary.

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LAYOUT

- 4.6 It is advised in the Government's Planning Practice Guidance that layout is how buildings, street blocks, routes and open spaces are positioned in an area and how they relate to each other and that new developments should aim to respond well to existing prevailing layout of areas and provide privacy and security to homes.
- 4.7 The proposed layout of the plots, houses and roads closely reflects the indicative Masterplan that was submitted and approved as part of the outline consent.
- 4.8 The layout would consist of two perimeter block layouts, which would ensure the roads and public spaces are well overlooked and an active street scene can be provided. It also ensures the properties back onto one another to create private and enclosed rear gardens. The proposed houses nearest to Spennells Valley Road would create a strong linear building line to this road frontage and appropriate house types with dual frontages have been sited on the corner plots to help orientate people around the site and to retain visual interest and natural surveillance to both elevations. The layout of the main spinal road into the site has been purposely curved to reduce vehicle speed and the houses are set back an acceptable distance from the new roads.
- 4.9 The layout of the car parking spaces has been balanced with planting in the majority of the plots. However, this has been difficult to provide for the frontages to all plots, but it is considered that the layout of these parking spaces would not harm the visual amenity of the site or the outlook for future residents given the setting of the site with trees lining the site boundary, and a large proportion of the site along the southern boundary being retained as green infrastructure. The car parking spaces for plot 36 have also been revised to ensure they are adjacent to the rear garden and not on the opposite side of the road to ensure better control of the car parking spaces. The site layout has been amended to provide a one metre margin to the north of the adopted road in order to provide sufficient space for services, in response to concerns raised by the Highway Authority.
- 4.10 The proposed development would provide 10 metre minimum garden depths and a good separation between each dwellinghouse and their gardens would be provided to maintain an acceptable level of privacy and outlook for future occupiers. All residential properties would have external access to their rear gardens from their driveways to ensure refuse bins and cycle storage can be provided within the rear gardens. The houses adjacent to the western boundary of the site have been positioned a sufficient distance away from the trees along the road frontage to Chester Road South to avoid any overshadowing of these properties and potential pressure on the Council to have these trees reduced in size or felled by future occupiers.

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- 4.11 Due to the close proximity of the A449 Chester Road South, the development has been carefully designed to minimise the impact of traffic noise on the new residential properties and Worcestershire Regulatory Services are satisfied that a 2.4 metre high acoustic fence around the rear garden to Plot 1 would mitigate any unacceptable noise impact.
- 4.12 The North Worcestershire Water Management Officer has considered the layout of the site in terms of the potential flood risk given that the site falls partly in Flood Zone 2 and how it is to manage the existing discharge route from the adjacent golf course and surface water flows. It was concluded in the Outline Consent that the development would not be adversely affected by flood risk and that it would not increase flood risk elsewhere.
- 4.13 There is an existing discharge route (mainly consisting of ground and spring water) from the adjacent golf course, which crosses the site in a pipe, in a north to south direction, and then through a culverted drain beneath Spennells Valley Road and down to the Hoo Brook. It is proposed that this existing discharge route would be diverted in a new pipe around the west of the development and then reconnected to the existing pipe. Whilst not all the information has been provided about this proposed diversion as further surveys are required, the North Worcestershire Water Management Officer is satisfied that the drainage details can be address by the conditions that were attached to the Outline Consent and that this is no a valid reason to withhold approval of this Reserved Matters application. The applicant has been in discussion with the Golf Course and the North Worcestershire Water Management Officer has also confirmed that the proposed layout of the site should not impede the final drainage strategy for the site.
- 4.14 To conclude, the layout of the site is considered to be acceptable and would create an acceptable residential environment for future occupiers that would not have a detrimental impact on the wider area, in accordance with Policy CP11 of the Adopted Core Strategy, Policy SAL.UP7 of the Adopted Site Allocations and Policies Local Plan, the Design Guide SPD and the National Planning Policy Framework.

LANDSCAPING

- 4.15 New tree planting and soft landscaping would be provided to help soften the front parking areas and frontages to dwellinghouses.
- 4.16 The landscaping scheme has been amended to include wildflower planting that comprises a good mix of native plant species that reflect what if found locally in response to the comments received from the Countryside Manager

19/0243/RESE

- 4.17 The development would require the removal of some trees around the perimeter of the site, but mainly adjacent to the access point and this has already been considered acceptable in the outline consent. The Council's Arboricultural Officer has raised no objection to the layout and areas for landscaping, subject to safeguarding conditions to ensure the trees to be retained are appropriately protected during the site clearance and construction works. I consider that the site layout offers good opportunity for landscaping and that the submitted landscaping scheme provides a comprehensive planting schedule that would ensure the development integrates well into this site, and reinforces the greenery around the perimeter of the site.

OTHER MATTERS

- 4.18 The Housing Enabling Officer has welcomed the proposed delivery of 100% affordable housing and has confirmed that the housing size and tenure is acceptable.
- 4.19 The Highway Authority has raised no objection to the proposed development and have confirmed that the parking provision, road layout and cycle provision are all acceptable. I concur with this view.

5.0 Conclusions and Recommendations

- 5.1 The application would deliver 45 affordable dwellinghouses in a sustainable location that is appropriate for residential development. The development in terms of its scale, appearance, layout and landscaping would secure a high quality development and add to the overall quality of the area. The scheme is fully in accordance with Development Plan policy.

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

1. Approved plans
2. This approval constitutes a consent of reserved matters under condition 2 of 17/0511/OUTL
3. Materials in accordance with details submitted
4. Boundary Treatment in accordance with details submitted
5. Planting in accordance with approved scheme
6. Landscaping establishment and management plan
7. Access, parking facilities including cycle parking and footway provision
8. Residential Welcome Pack
9. Construction Environmental Management Plan
10. Require recommended noise mitigation measures for garden area of Plot 1 to be provided.
11. Approved glazing and ventilation specification to be provided.
12. Tree Protection Plan
13. Pre-Start site meeting to ensure the tree protection fencing is correct on site.

19/0243/RESE

Notes

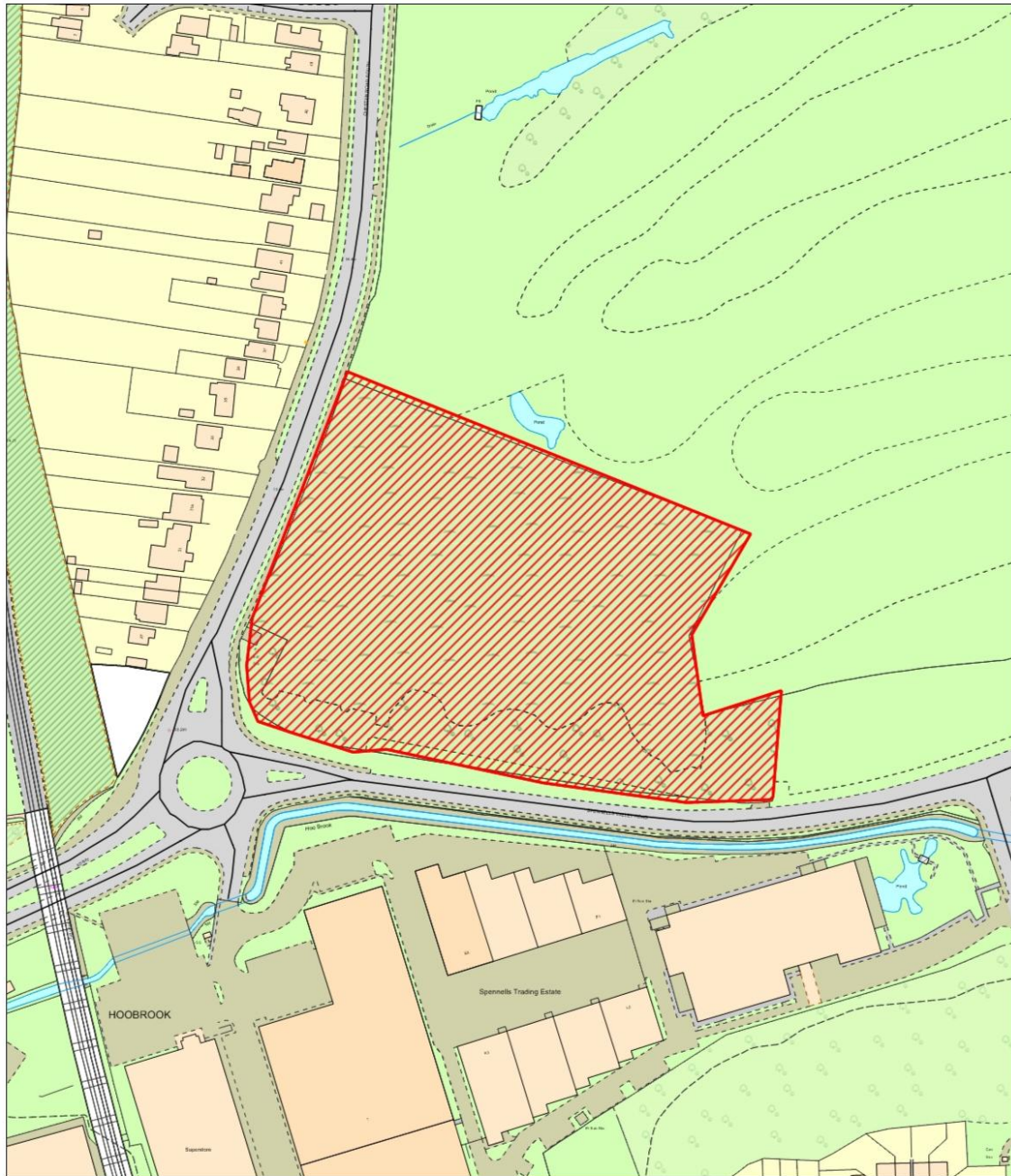
- A. Drainage - The applicant should be aware that a pipe crosses the application site in a roughly north-south orientation. This pipe forms part of a more extensive piped system that is used to discharge predominantly ground and spring water from within the Golf Club area and beyond towards the Hoo Brook. The applicant is advised to check the existence of any wayleave agreement and to discuss retention of this piped system or any alternative arrangements to ensure the uninterrupted flow through the site with the upstream landowner.

 - B. Section 38 Agreement Details - If it is the applicant's intention to request the County Council, as Highway Authority, to adopt the proposed roadworks as maintainable at the public expense, then details of the layout and alignment, widths and levels of the proposed roadworks, which shall comply with any plans approved under this planning consent unless otherwise agreed in writing, together with all necessary drainage arrangements and run off calculations shall be submitted to the County Council's Network Control Manager, Worcestershire County Council, County Hall, Spetchley Road, Worcester, WR5 2NP. No works on the site of the development shall be commenced until these details have been approved by the County Council as Highway Authority and an Agreement under Section 38 of the Highways Act, 1980, entered into.

 - C. Streetlighting - The applicant shall contact WCC Lighting Team as part of the process to retrieve a design brief to inform a lighting design for the area. The extents of the work shall be covered within the design brief, these may extend significantly past any S38 or S278 boundaries to ensure continuity of light and power supply. The developer will be responsible for any works above that which WCC street lighting considers normal maintenance activities.
- 5.3 The above conditions are in addition to the conditions imposed at the outline stage (Ref. 17/0511/OUTL), although some have now been agreed by this application or are in the process of being discharged. The list of conditions that were attached to the Outline Consent are:
- 1. A1 (Standard Outline)
 - 2. A2 (Standard Outline – Reserved Matters)
 - 3. A3 (Submission of Reserved Matters)
 - 4. A11 (Approved Plans)
 - 5. Construction of the vehicular access shown in the approved plan to be submitted (to include the provision of the pedestrian crossing)
 - 6. Provision of visibility splays in accordance with the details approved by the Highway Engineer
 - 7. Implementation and Monitoring of the of the Residential Travel Plan in accordance with the regime set out in the Plan
 - 8. B1 (samples/details of materials)

19/0243/RESE

9. Details of walls, fences and other means of enclosure to be submitted
10. Details of existing and proposed levels to be submitted
11. Details of hard and soft landscaping to be submitted
12. Details of landscape management plan to be submitted
13. Details of finished floor levels
14. Details of Surface Water drainage to be submitted
15. Flood Management Plan to be submitted
16. Details of SuDS management plan to be submitted
17. Details of foul and surface water flows to be submitted
18. Submission of details to demonstrate that noise levels in external amenity areas will not exceed 50dB LAeq
19. Reporting of any unexpected contamination
20. Tree protection details to be submitted



Economic Prosperity and Place Directorate

Victoria Carpet Sports Ground

Chester Road South

Kidderminster, DY10 1XH



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

WYRE FOREST DISTRICT COUNCIL

PLANNING COMMITTEE
13TH AUGUST 2019

PART B

Application Reference:	19/0043/FULL	Date Received:	24/01/2019
Ord Sheet:	376089 274524	Expiry Date:	21/03/2019
Case Officer:	Julia McKenzie-Watts	Ward:	Bewdley & Rock

Proposal: Erection of stables and change of use of land (Retrospective)

Site Address: LAND OFF LONGBANK, BEWDLEY

Applicant: Miss S Hopkins

Summary of Policy	CP11, CP12 (CS) SAL.CC1, SAL.UP5, SAL.UP7, SAI.UP13 (SAAPLP) Design Guidance, Supplementary Planning Document National Planning Policy Framework
Reason for Referral to Committee	Statutory or non-statutory Consultee has objected and the application is recommended for approval
Recommendation	APPROVAL

1.0 Site Location and Description

1.1 The proposal site is adjacent to the Wyre Forest SSSI. This part of the SSSI is known as Earnwood Copse and is listed in the Ancient Woodland Inventory as Ancient & Semi-Natural Woodland.

1.2 This application is retrospective for the erection of stables and change of use of the land for us by the applicant. The stable building consists of three stables which would measure 10.9m in length by 3.7m depth with an overhanging roof of 1.1m to a shallow pitched roof height of 2.9m accessed off a track leading (Beau Castle Drive) out onto Longbank.

2.0 Planning History

2.1 None

19/0043/FULL

3.0 Consultations and Representations

- 3.1 Bewdley Town Council – Recommend refusal of this retrospective application based on the fact that there was no indication from County Highways as to road safety issues on this busy road and we had been told that previous applications in this area had been refused by them for this very reason. Also, the fact that the stables are located very closely to the Wyre Forest SSSI led to concerns, together with the potential for the land to be used for further development at some time in the future.
- 3.2 Highway Authority – No objection. It is stated that the site has been in use for 5 years so there is an existing traffic generation which is low and there are no reported personal injury accidents in this location on the A456 according to the information available. The access is existing with acceptable visibility.
- 3.3 Natural England – No objection subject to appropriate mitigation being secured.

We consider that without appropriate mitigation the application would damage or destroy the interest features for which the Wyre Forest Site of Special Scientific Interest (SSSI) has been notified.

In order to mitigate these adverse effects and make the development acceptable, the following mitigation measures are required:

- Any external light should be well designed and directed away from the SSSI.
- Manure should be stored away from the SSSI.

We advise that an appropriate planning condition or obligation is attached to any planning permission to secure these measures.

The proposal site is adjacent to the Wyre Forest SSSI. This part of the SSSI is known as Earnwood Copse and is listed in the Ancient Woodland Inventory as Ancient & Semi-Natural Woodland.

Further advice on mitigation:

- Light pollution has a detrimental impact on woodland biodiversity. External light should not be directed or spill into the SSSI.
- Nutrients leaching from manure heaps could impact on the species composition of the SSSI. Any manure heaps should be sited at least 10m from the SSSI boundary and ideally stored in a properly constructed manure store, or at least covered to reduce runoff

19/0043/FULL

- 3.4 North Worcestershire Water Management - I understand that this is a retrospective application. The site is located within the catchment of the Dowles Brook. Downstream this brook forms part of the Wyre Forest SSSI and there known flooding issues downstream. This means that it is important the development will not lead to additional runoff leaving the site (compared to the pre-development situation) and that the development will not lead to pollution, for instance from manure. Conditions are recommended to ensure that a scheme for surface water drainage is submitted and also details to be submitted in relation to the manure heap.
- 3.5 Countryside Manager – Requests that no further lighting is installed at the site until a lighting plan has been produced which clearly demonstrate that light levels will not be increased in order to prevent light pollution causing harm to wildlife associated with the adjacent SSSI.
- 3.6 Neighbour/Site Notice : Two letters have been received raising the following concerns:
- Retrospective nature of application
 - Application form is inaccurate
 - Future applications that may have greater impact
 - Development close to SSSI
 - Impact of lighting
 - Lack of parking for all vehicles
 - Water supply and drainage
 - Enforceability of conditions

4.0 Officer Comments

- 4.1 The main considerations are whether the development is acceptable in principle, and whether it would have a detrimental impact on the rural character, highway safety and on biodiversity.

PRINCIPLE OF DEVELOPMENT

- 4.2 The application relates to a piece of land accessed off Longbank in Bewdley. The site measures three acres and has been used since October 2018 for the keeping of horses and has a stable erected on it with a small area of hardstanding.
- 4.3 Policy SAL.UP13 of the Adopted Site Allocations and Policies Local Plan relates to Equestrian Development and states that proposals for equestrian related development will be assessed to ensure that they will not individually or cumulatively affect the quality and character of the landscape and the amenity of any adjacent residential areas. In addition they will be required to demonstrate that they have taken full account of their potential impact on local biodiversity and habitats and wherever possible should incorporate measures to promote and protect biodiversity.

19/0043/FULL

- 4.4 It is recognised by the Council that the development of new horse infrastructure can have a positive effect on the rural economy and leisure industry. The existing stable building and change of use of the field to equestrian purposes is for non-commercial leisure use and is considered acceptable in principle, being an appropriate use within the countryside.

IMPACT ON THE RURAL LANDSCAPE AND CHARACTER

- 4.5 The Worcestershire County Council Landscape Character Assessment identifies the site as 'Wooded Forest' which is a dissected, undulating, hard rock plateau of sandstone, with impoverished sandy soils. Land use is forestry with tree cover provided by extensive woodland of an ancient character. Generally it is an unsettled landscape with low density dispersal of stone dwellings and infrequent roads
- 4.6 The stable building has been sited up against a tree screen near to an existing gate access into the field. It has been designed to have a very low height at 2.9m and constructed in traditional materials namely a timber frame and cladding with a plastic coated profiled sheet roof. The size of the stable with three bays is considered to be appropriate for the size of the field and would comply with the space standards for stables as recommended by the British Horse Society.
- 4.7 I therefore consider that the proposed stable would be acceptable in terms of siting, scale and design and would not harm the rural landscape or character of the open countryside, in accordance with Policy SAL.UP7 and SAL.UP13 of the Adopted Site Allocations and Policies Local Plan.

IMPACT ON HIGHWAY SAFETY

- 4.8 Concerns have been raised by the Parish Council regarding other applications in the area that have been refused due to access issues onto the A456 and the potential for accidents. The Highway Authority stated they would have no objection to the application as the applicant does have right of access and the site is for leisure use only. Moreover it is stated that the site has been in use for 5 years so there is an existing traffic generation which is low and there are no reported personal injury accidents in this location on the A456 according to the information available to the Highway Authority. I agree with the Highway Authority that the access is existing with acceptable visibility and, as such, it is considered that the proposal would accord with Policies SAL.CC1, SAL.CC2 and SAL.UP13 of the Adopted Site Allocations and Policies Local Plan.

IMPACT ON BIODIVERSITY

- 4.9 Numerous concerns have been raised over lighting at the site, however the mobile lighting that exists on site is not considered to be development and is therefore outside planning control. Each stable has a light provided within and there is also a light underneath the canopy, however the Countryside Manager has requested that no further lighting is installed at the site until a lighting plan has been produced which clearly demonstrate that light levels will not be increased in order to prevent light pollution causing harm to wildlife associated with the adjacent SSSI.

19/0043/FULL

- 4.10 Natural England have also been consulted and have commented that they have no objections. They have advised that as light pollution has a detrimental impact on woodland biodiversity external light should not be directed or spill into the SSSI and also nutrients leaching from manure heaps could impact on the species composition of the SSSI and therefore any manure heaps should be sited at least 10m from the SSSI boundary and ideally stored in a properly constructed manure store, or at least covered to reduce runoff.

DRAINAGE

- 4.11 As the site is located within the catchment of the Dowles Brook, downstream this brook forms part of the Wyre Forest SSSI where there are known flooding issues and as such it is important to ensure that the development will not lead to additional runoff leaving the site (compared to the pre-development situation) and that the development will not lead to pollution, for instance from manure. Conditions are recommended to ensure that a scheme for surface water drainage is submitted and also details to be submitted in relation to the manure heap.

ANY OTHER ISSUES

- 4.12 Concern has been raised over the potential future use of the site; however the current application is solely for the retention of the stables and the change of use of the land. A condition is recommended to ensure that the stables are for personal use only.

5.0 Conclusions and Recommendations

- 5.1 I consider that the stable building and change of use of the land would result in no additional impact on the open space and rural character of the landscape or the immediately adjacent properties. Appropriate traditional materials would be used and the stable would be sited alongside an existing tree line which helps with screening. I therefore consider that the proposal would accord with relevant local and national planning policies and is therefore considered to be sustainable development.
- 5.2 It is therefore recommended that the application be **APPROVED** subject to the following conditions:
1. A11 (Approved plans)
 2. No part of the application site hereby approved for the keeping of horses as indicated on the submitted location plan shall be occupied by horses not owned by or leased to the owner Miss S Hopkins and it shall not be used for any commercial purpose(s) whatsoever
 3. A scheme of soakaway drainage shall be submitted and approved
 4. A full lighting assessment shall be submitted and approved

Application Reference:	19/0296/FULL	Date Received:	17/05/2019
Ord Sheet:	389257 276683	Expiry Date:	12/07/2019
Case Officer:	Kelly Davies	Ward:	Wyre Forest Rural

Proposal: Single storey rear extension

Site Address: SION LODGE, HILLPOOL, KIDDERMINSTER, DY104PG

Applicant: J Hanlon

Summary of Policy	CP11 (CS) SAL.UP1, SAL.UP7, SAL.UP8 (SAAPLP)
Reason for Referral to Committee	Statutory or non-statutory consultee has objected and the application is recommended for approval
Recommendation	DELEGATED APPROVAL

1.0 Site Location and Description

- 1.1 The application site relates to a three-bedroom detached dwelling located down a private track off the A450 Worcester Road, Kidderminster. The site is a former lodge that would of once lay within the grounds of Sion House and the historic parklands that surround it. It is estimated that the lodge dates to somewhere around the 1760's.
- 1.2 The site includes a detached split level dwelling constructed from brick and stone with a slate roof. Due to the significant changes in the ground levels from the highway, the dwelling appears small in scale from the front elevation and consist of a single storey dwelling with dormer windows and chimney typical of that of a lodge. Steps to the side of the dwelling, lead down to the rear garden and reveals a further two storeys and a single storey brick extension which has been added at a later date.
- 1.3 The host dwelling lies within extensive grounds which is landscaped with mature hedges and trees. There are no clearly visible residential dwellings in any direction when viewed from Sion Lodge. The site is washed over by the West Midlands Green Belt.
- 1.4 Planning permission is sought for the erection of a single storey rear extension to provide two additional bedrooms with en-suite and a large family kitchen/dining area. The proposed extension would have a flat roof with roof lights, side and rear facing windows and would be constructed in facing brick and roof tiles to match the existing building. There will be bi-fold patio doors to the rear with two side facing windows to the east and one small porthole window to the west. Two additional side doors will also be inserted.

19/0296/FULL

2.0 Planning History

- 2.1 WF.813/83 – Extension : Refused
- 2.2 WF.442/84 – Kitchen extension : Refused
- 2.3 12/0301/FULL – Two storey rear extension : Approved

3.0 Consultations and Representations

- 3.1 Chaddesley Corbett Parish Council – Refusal. Potential over-development in the Green Belt and inappropriate design in the Green Belt.
- 3.2 Conservation Officer – Views awaited
- 3.3 Neighbour/Site Notice – No representations received.

4.0 Officer Comments

- 4.1 The main considerations for this application are whether the design of the proposed extension is in keeping with the character and appearance of the existing building and the local area and the impact upon the Green Belt.
- 4.2 Policies SAL.UP7 and SAL.UP8 of the Adopted Wyre Forest Site Allocations and Policies Local Plan requires that residential extensions should be in scale and in keeping with the form, materials and detailing of the original building; be subservient to and not overwhelm the original building, which should retain its visual dominance; harmonise with the existing landscape or townscape and not create incongruous features and not have a serious adverse effect on the amenity of neighbouring residents or occupiers.
- 4.3 The proposal is for a single storey extension which will involve the removal of the existing kitchen extension to the side and rear. The existing extension is relatively modern, with little if any architectural character. The proposed extension will sit at the basement level of the dwelling and will create a large family area and provide two additional bedrooms on top of the existing two bedrooms.
- 4.4 The proposed extension will be 8m by 9m and would comprise of a flat roof with walk on glazing in the roof and a balcony with balustrades. It is proposed that the facing brick will match that of the existing dwellinghouse.

19/0296/FULL

- 4.5 The position of the proposed extension at basement level means that the proposal will not detract from the architectural characteristics of the lodge when viewed from the highway and will appear subservient when viewed against the three storey dwelling at the rear.
- 4.6 The Wyre Forest Green Belt guidance states that extensions within the Green Belt cannot exceed more than 75% of the original volume of the house, although the extension on plan may appear large, due to the three storey element of the dwelling at the rear and the only previous extension being removed, the extension would fall within the 75% increase. The proposal is therefore deemed to accord with Policy SAL.UP1 of the Adopted Wyre Forest Site Allocations and Policies Local Plan. I am also satisfied that the extension would be a proportionate extension to the existing dwelling and would therefore meet one of the exceptions listed in 145 of the National Planning Policy Framework, which allows certain developments in the Green Belt. The development is therefore considered to be appropriate development in the Green Belt.
- 4.7 Due to the location of the site, there are no visual neighbours within 150m of the site. However, the site is surrounded by historic parkland and the proposed extension may be viewed from walkers. Due to the vast separation distance, it is considered that the proposed extension will not have an adverse effect on walkers or neighbouring properties.

5.0 Conclusions and Recommendations

- 5.1 The application is recommended for approval as it would not have any detrimental impact on the amenities of neighbouring occupiers or upon the character of the existing lodge or local area. The existing dwelling would still retain its visual dominance and the proposed extension would not result in an incongruous feature within the Green Belt. The development therefore would accord with the requirements of Policy CP11 of the Adopted Core Strategy and Policies SAL.UP1, SAL.UP7 and SAL.UP8 of the Adopted Wyre Forest District Site Allocations and Policies Local Plan and the National Planning Policy Framework.
- 5.2 It is therefore recommended that the application be given **delegated APPROVAL** subject to a 'no objection' response from the Conservation Officer and the following conditions:
1. A6 (Full with no reserved matters)
 2. A11 (Approved plans)
 3. External materials to match existing building

Agenda Item No. 5

Application Reference: 19/0356/FULL **Date Received:** 07/06/2019
Ord Sheet: 372379 272110 **Expiry Date:** 02/08/2019
Case Officer: Sarah Mellor **Ward:** Bewdley & Rock

Proposal: Proposed 1 No four bed house with garage, parking and access improvements

Site Address: OLD HALL FARM, TENBURY ROAD, CLOWS TOP,
KIDDERMINSTER, DY149HE

Applicant: Mr G Harding

Summary of Policy	DS01, CP03, CP11, CP12 (CS) SAL.PFS1, SAL.DPL1, SAL.CC1, SAL.CC2, SAL.CC7, SAL.UP5, SAL.UP7, SAL.UP9 (SAAPLP) Design Guidance, Supplementary Planning Document National Planning Policy Framework Planning Practice Guidance
Reason for Referral to Committee	Planning application represents departure from the Development Plan. Statutory or non-statutory Consultee has objected and the application is recommended for approval
Recommendation	APPROVAL

1.0 Site Location and Description

- 1.1 The application site is a triangular shaped portion of land, located to the north of Old Hall Farm. It is currently used as part of the garden land of Old Hall Farm and is approximately 1023 sq.m. in area. The nearest settlement is Clows Top; 0.8 miles from the site and there are three primary schools all within 4.5 miles of the site - Far Forest (2.2 miles / 4 minutes), Baynton (2.15 miles / 5 minutes) and St Anne's C of E Primary School (4.43 miles / 7 minutes).
- 1.2 The site is accessed off the Tenbury Road and is relatively flat. Beyond the site, the access road continues to serve Old Hall Farm, and further to serve a larger parcel of land. This larger parcel of land has received consent under 19/0140/FULL for the development of 2 no. detached dwellings, similar in scale and design as proposed by this application.
- 1.3 The western boundary of the site consists of an established conifer hedge, and to the east, a post and rail fence fronting the access track. There is an opening in the southern boundary provided access to Old Hall Farm.

19/0356/FULL

2.0 Planning History

- 2.1 19/0140/FULL – Proposed 2 no. 4 bed houses with garage, parking and access improvements : Approved 04.06.2019

3.0 Consultations and Representations

- 3.1 Rock Parish Council – It was resolved to recommend refusal for this application as the Parish Council believes it's a very overdeveloped site with very poor highway visibility.
- 3.2 Highway Authority – Subject to conditions, the proposed access details, included in the approved application are acceptable for the additional dwelling.
- 3.3 Worcestershire Regulatory Services [WRS] (Contaminated Land) – No objection subject to a condition to ensure no potential contaminated land issues.
- 3.4 North Worcestershire Water Management – I am aware that recently an application for two dwellings on the other side of Old Hall Farm by the same applicant has been approved (19/0140/FULL) and note that the current application proposes a rather similar approach for the discharge of foul and surface water. I would point out though that the ditch that bordered the 19/0140/FULL application site does to my knowledge not border the current application site.

The site is located in the catchment of one of the upper tributaries of Dick Brook. There are known issues downstream. It is therefore important that the application will not result in an additional discharge into this ditch.

SURFACE WATER DRAINAGE

Information submitted with this application sets out that surface water from the development will be discharged to soakaway if the ground conditions are suitable. It is understood that the suitability for soakaway drainage varies hugely in this area. <http://www.landis.org.uk/soilscapes/index.cfm#> classifies the soils in this area as generally 'Slowly permeable seasonally wet acid loamy and clayey soils' which are characterised by impeded drainage, with very wet ground conditions particularly in winter. If discharge cannot solely be made via soakaway drainage then alternatives will need to be considered that will not increase the discharge to the ditch compared to the pre-development situation. The information submitted with the application sets out that an attenuated discharge into the ditch is being envisaged. No further details have been submitted. I would like to point out specialised flow controls might need to be used to limit the discharge to pre-development levels as this is a relative small development. In areas with known issues downstream we normally require that systems get designed to deal with the 1 in 100 year event plus an appropriate allowance for climate change.

19/0356/FULL

FOUL WATER DRAINAGE

The application form sets out that foul water will be disposed of via a sewage package treatment plant. I understand that the proposal is to use a Klargestor BioDisc designed for up to 6 people. The question is how treated effluent will be disposed of. Again, the question will be whether the ground is suitable for a drainage field. The application states that if the ground conditions are not suitable for a drainage field treated effluent will be discharged into the ditch. As set out in my response to application 19/0140/FULL this ditch only runs intermittent, which deems is not suitable for receiving treated effluent. This means that a sewage treatment plant solution will not be possible if the on-site tests show that the ground is not suitable for a drainage field. A cesspit might be the only viable alternative in that instance.

CONCLUSION

Like with application 19/0140/FULL I doubt very much whether the proposed drainage methods are suitable for this site, but as alternative solutions can probably be found I believe that my doubts will not be sufficient reason to withhold approval of this application on water management grounds. I also assume that approval of application 19/0140/FULL will have inevitably set a precedent.

- 3.5 Countryside Manager – No objection subject to conditions to require a site clearance inspection, all excavations to be covered at night, and to secure bird, bat and insect houses. An informative is also recommended to ensure no works occur during the bird nesting season.
(Officer Comment - The plans show the provision of the above on the side elevation of the property).

- 3.6 Neighbour/Site Notice – One comment received:
- Over development when added to 19/0140/FULL
 - Access not good
 - Services may not be adequate

4.0 Officer Comments

PRINCIPLE OF DEVELOPMENT/ POLICY CONTEXT

- 4.1 Policy SAL.DPL1 of the Adopted Site Allocations and Policies Local Plan advises that new residential development is normally allowed subject to the site comprising previously developed land. As the application site comprises a domesticated portion of land although more recently used as garden land for Old Hall Farm it is not a previously developed site, and therefore contrary to Policy SAL.DPL1.

19/0356/FULL

- 4.2 Notwithstanding this, Housing numbers within the Adopted Wyre Forest Core Strategy were set based on data derived from the Regional Spatial Strategy, which was subsequently been withdrawn. The current need is based upon Objectively Assessed Housing Need Assessment. The National Planning Policy Framework advises that based on these circumstances relevant policies for the supply of housing are therefore out of date. Based on the latest Housing Residential Land Availability data, whilst the Council is able to demonstrate a 5 year supply of deliverable housing sites there still is a need to maintain and boost this supply. In any case, the 'out of date' nature of the plan results in the presumption in favour of sustainable development set in paragraph 11 of the National Planning Policy Framework being engaged. Applications should therefore be approved unless any identified harm significantly and demonstrably outweighs the benefits including that of boosting housing land supply. This application is to be considered in this context.

DESIGN

- 4.3 The application proposes the erection of a dwelling on the site with detached double garage to front and access drive with turning area. The accommodation would consist of an entrance hall, study, dining room, lounge, utility and living / kitchen room with bi-fold doors leading into the garden with 4 bedrooms each with en suite at first floor level, bedroom 1 will have a bi-fold door with external balcony. The dwelling would measure 10.9m in width, 9m in depth with the living room extending further behind the lounge to a maximum depth of 13m to a maximum ridge height of 6.4m. The materials proposed are natural oak cladding and plain clay tiles, however samples of these are to be submitted in order to ensure that the properties blend with the adjacent buildings. In design terms the dwellings are sympathetic in scale and character to the surrounding properties.

AMENITY

- 4.4 Given the separation distance to nearest facing residential property to the west at over 400m, it is not considered likely that the proposed dwelling would have an adverse impact on neighbouring properties in terms of privacy and daylight.
- 4.5 The rear balcony is considered acceptable owing to the aforementioned separation distance. All first floor side windows would be obscurely glazed and as such the impact on the neighbours would be minimal.

19/0356/FULL

SUSTAINABLE LOCATION OF DEVELOPMENT

- 4.6 The Highway Authority initially raised objections in the respect of the location of the development particularly stating that the site location is not accessible by sustainable modes of transport and as such future occupiers will be reliant on private car use. The justification for the objection is that whilst it is acknowledged that the applicant has submitted some information in a 'Sustainability Report' these details do not address the lack of infrastructure in terms of footway provision to enable safe access to key amenities and facilities. In this location the A456 is subject to the national speed limit (60mph) and whilst there is a short section of wide grass verge available going east towards The Colliers Farm Shop and Cafe where there is also a bus stop, it is not acceptable to suggest that pedestrians should be walking in this environment. The route would not be suitable for vulnerable users such as families with young children or those with disabilities and it would not be suitable as a daily commuter route. The lack of adequate footway provision and street lighting will deter journeys on foot particularly during winter months and in times of adverse weather conditions and similarly the environment on a busy, high speed route is not conducive to cycling.
- 4.7 The National Planning Policy Framework highlights a presumption in favour of sustainable development and a need to ensure the location allows a strong economy to be built and supports a vibrant healthy community with accessible local services.
- 4.8 Paragraph 108 of the National Planning Policy Framework requires decision makers to consider appropriate opportunities to promote sustainable transport modes based on the application type and location. Given the location of the site, it is expected that there would be limited access to public transport; however there is a public footpath (number 324) which links the development site with Clows Top 0.6 miles away (1016 metres) and access to a local shop, post office and bus stop. Bewdley Town Centre is also close by (Approximately 10 minutes by car) with a range of shops and services including bus services to other towns and cities.
- 4.9 Members will note that there is no requirement to ensure that all sites achieve maximum accessibility, but that it must be appropriate given the type of development and its location. It is accepted that this proposal for two detached dwellings is in a rural location and that it would not be considered to be ideal to walk along the road due to the lack of a formalised footpath and due to the speed limit on the road cycling may not be the preferred mode of transport. However, the location of the public footpath is considered appropriate to the area and would provide access to local services and bus routes if required.
- 4.10 The access to the site would be widened to 4.5m, and then narrow to 4m and the remainder widened to 3.5 metres. This accords with the scheme approved under 19/0140/FULL.

19/0356/FULL

- 4.11 In light of the approved application at the adjacent site under 19/0140/FULL, the Highway Authority have rescinded their comments and now recommend a conditional approval.

LANDSCAPE AND ECOLOGY

- 4.12 The application site comprises a relatively flat triangular grass field with a total area of 1023 sq.m. which appears to be used as the garden to Old Hall Farm.
- 4.13 The proposed development would cause some harm to the landscape, as it would be replacing an existing undeveloped grass field with a dwellinghouse and associated domestic paraphernalia. However, the proposed dwelling would fit in with the context of the clustered pattern of development in this area. Conditions recommended will seek for details of landscaping and boundary treatment to be submitted and the removal of Permitted Development Rights for any additional outbuildings.
- 4.14 The Countryside Manager has requested a few conditions to be added which seek a pre site clearance walk over by an ecologist, avoiding works in the bird nesting season (1st September to 1st March), all excavations to be covered and providing a means of escape for inadvertently trapped animals. The submitted plan shows bat and bird boxes appropriately sited on the side elevation. Subject to appropriate conditions, it is considered that the development would not have a detrimental impact on ecology and would accord with Policy SAL.UP5 of the adopted Site Allocations and Policies Local Plan.

OTHER MATTERS

- 4.15 Worcester Regulatory Services have requested the inclusion of a landfill and ground gases condition due to the site being within 10m of an area with a history of 'mining of coal and ignite' and of 'unknown filled ground' and therefore there may be potential significant contaminated land issues on site.

5.0 Conclusions and Recommendations

- 5.1 The precedent for development of this parcel of land has been set under 19/0140/FULL. Notwithstanding this, independent assessment of this application finds that whilst there are limited opportunities to promote sustainable modes of travel and the poor quality of the route in terms of no footway or street lighting provision, given that the development is for a dwellinghouse located within the countryside, it is not considered that the site is so intrinsically unsustainable to justify a refusal of the application. The future occupiers of the dwellinghouse would support the rural community of Clows Top and would contribute to additional housing in this location. Notwithstanding the minor adverse harm to the openness of the countryside, no harm has been identified that would significantly or demonstrably outweigh the benefits of the scheme, including the boost in housing supply and therefore the planning balance is clearly in favour of the proposed development.

19/0356/FULL

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

1. A6 (Full with no reserved matters)
2. A11 (Approved plans)
3. B1 (samples/details of materials)
4. Details of walls, fences and other means of enclosure to be submitted
5. Details of hard and soft landscaping to be submitted
6. Drainage
7. Drainage
8. Gas protection measures – verification report shall be submitted and approved in writing by the Local Planning Authority
9. A pre site clearance walk over by an ecologist.
10. All excavations works to be covered and provide a means of escape for inadvertently trapped animals.
11. Removal of permitted development rights for future outbuildings
12. Obscure glazing to side facing first floor windows
13. Site and finished floor levels

Notes

- A Land Drainage Consent required
- B Avoid works during bird nesting season

WYRE FOREST DISTRICT COUNCIL

Planning Committee

13 August 2019

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
WFA1517 18/0566/FULL	APP/R1845/W/1 9/3223931	MRS PATRICIA PAYNE	HOBRO CHALET HOBRO WOLVERLEY KIDDERMINSTER DY115SZ Replacement chalet and associated works including cellular mesh to driveway	WR 01/04/2019	06/05/2019			
WFA1518 18/3077/PNRE	APP/R1845/W/1 9/3222905	Mr B Connolly	BARN 5 WOODSIDE FARM TANWOOD LANE CHADDESLEY CORBETT Change of use of agricultural building to a dwellinghouse	WR 01/04/2019	06/05/2019			

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
WFA1520 19/0218/ENF	APP/R1845/C/18 /3216916	Mr Robert Dyke	EASTER COTTAGE NORTHWOOD LANE HILL FARM BEWDLEY DY121AS Unauthorised two storey extension to a bungalow (Enforcement case 16/0049/ENF)	WR 12/04/2019	17/05/2019			
WFA1521 19/0112/FULL	APP/R1845/D/19 /3227534	Mr Fereday	40 AUDLEY DRIVE KIDDERMINSTER DY115NE Proposed single storey front extension	WR 15/05/2019	19/06/2019			Dismissed 28/06/2019

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
WFA1522 19/0078/FULL	APP/R1845/W/1 9/3227454	MR AND MRS JONES	28 CHURCH WALK KIDDERMINSTER DY116XZ Single storey rear extension	WR 16/05/2019	20/06/2019			
WFA1523 19/0132/FULL	APP/R1845/D/19 /3228442	Mr M Nock	NAROK BIRDS BARN LANE WOLVERLEY KIDDERMINSTER DY115SG Proposed car port and rear balcony	WR 24/05/2019	28/06/2019			Dismissed 17/07/2019

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
WFA1524 18/0615/FULL	APP/R1845/D/19 /3228800	Catherine May	35 CASTLE ROAD COOKLEY KIDDERMINSTER DY103TH Increase in main roof ridge height to allow for loft conversion plus dormer	WR 04/06/2019	09/07/2019			Dismissed 25/07/2019
WFA1525 19/0135/FULL	APP/R1845/D/19 /3229190	Mr G Randhawa	27 STANKLYN LANE TORTON KIDDERMINSTER DY104HR Two storey extensions to side and rear	WR 05/07/2019	09/08/2019			
WFA1526 19/0222/FULL	APP/R1845/D/19 /323055	Mr M Dearlove	8 SWALLOW DRIVE KIDDERMINSTER DY104DG First floor side extension	WR 09/07/2019	13/08/2019			



Appeal Decision

Site visit made on 17 June 2019

by J Spurling BSc(Hons) DipTP PGDip(Law) PGDip(CMI) MRTPI MCI

an Inspector appointed by the Secretary of State

Decision date: 28 June 2019

Appeal Ref: APP/R1845/D/19/3227534

40 Audley Drive, Kidderminster DY11 5NE

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
 - The appeal is made by Mr Fereday against the decision of Wyre Forest District Council.
 - The application Ref 19/0112/FULL, dated 18 February 2019, was refused by notice dated 12 April 2019.
 - The development proposed is a single storey front extension and associated internal works.
-

Decision

1. The appeal is dismissed.

Main Issue

2. The main issue is the effect of the proposed development on the living conditions of the occupiers of No 38 Audley Drive, with particular regard to loss of light and outlook.

Reason

3. The appeal site comprises a two storey semi-detached property, set within a residential cul-de-sac. It currently has a single storey flat roofed front protrusion that spans part of the front elevation.
4. The front elevations of Nos 38 and 40 are both orientated broadly in a south-easterly direction. No 38 has a window, at ground floor level to the front elevation, which serves a habitable room. It is agreed that the proposed extension would breach the Council's 45 degree code and the appellant refers to a figure of 35 degrees. The 45 degree rule is a tool which can be used to assess the impact of a proposed extension, with particular regard to overshadowing and loss of outlook to a neighbouring habitable room window.
5. The proposal would extend beyond the 45 degree line when drawn from the centre of the ground floor front elevation window at No 38. Due to the proposed extension being sited close to the ground floor window at No 38, coupled with its height and orientation, this would reduce the amount of daylight to the ground floor window of No 38 at certain times of the day. Due to the height and siting of the proposed extension coupled with the proximity to the boundary of No 38, there would be an overbearing and oppressive presence along the boundary, which would have an enclosing effect on the outlook from the ground floor window of No 38.

6. I conclude that the proposal would significantly harm the living conditions of the occupiers of No 38 with regard to loss of light and outlook. The proposal would therefore be contrary to policies SAL.UP7 and SAL.UP8 of the Wyre Forest District Council Site Allocations and Policies Local Plan 2006 – 2026 (2013), and guidance contained in the adopted Design Quality Supplementary Planning Guidance (2004). Amongst other matters, these seek to ensure that proposals are of the highest design quality and that extensions should accord with the 45 degree code.

Other Matters

7. I accept that that the proposal has been designed to complement that of the existing dwelling and that it would be subordinate to the host dwelling. However, this does not overcome the harm that I have identified. The appellant has also drawn my attention to a number of other front extensions within Audley Drive, which they consider provides justification for their proposed scheme. I do not have full details of the other cases before me, nor do I know the circumstances relating to these developments in order to enable me to draw a comprehensive comparison with the case before me. I have therefore determined the appeal on its own merits.

Conclusion

8. Taking all matters into consideration, I conclude that the appeal should be dismissed.

J Spurling

INSPECTOR

Appeal Decision

Site visit made on 1 July 2019 by Amanda Sutton BA Hons DipTP DMS MRTPI

Decision by R C Kirby BA(Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 17 July 2018

Appeal Ref: APP/R1845/D/19/3228442

Narok, Birds Barn Lane, Wolverly, DY11 5SG

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
 - The appeal is made by Mr Matthew Nock against the decision of Wyre Forest District Council.
 - The application Ref 19/0132/FULL, dated 27 February 2019, was refused by notice dated 18 April 2019.
 - The development proposed is described as 'Alterations to dormers to form gables, new dormer, formation of carport, rear balcony, canopy, enlarge existing window openings to form doors, replacing concrete tiles with clay tiles'.
-

Decision

1. The appeal is dismissed.

Appeal Procedure

2. The site visit was undertaken by an Appeal Planning Officer whose recommendation is set out below and to which the Inspector has had regard before deciding the appeal.

Procedural Matters

3. The original description of development as detailed above was revised during the course of the application. The Council's decision notice refers to the development as 'proposed carport and rear balcony' and the appellant has described the proposed development as this in his appeal form. I have considered the proposal accordingly.

Main Issues

4. The appeal site is located within the West Midlands Green Belt. Accordingly the main issues in this case are:
 - whether the proposal would be inappropriate development in the Green Belt for the purposes of the National Planning Policy Framework (the Framework) and development plan policy;
 - the effect of the proposal on the openness and purpose of the Green Belt; and
 - if the proposal is inappropriate, whether the harm by reason of inappropriateness, and any other harm, is clearly outweighed by other

considerations, so as to amount to the very special circumstances necessary to justify the development.

Reasons

Whether Inappropriate Development

5. Policy SAL.UP1 of the Wyre Forest Site Allocations & Policies Local Plan 2013 (Local Plan 2013) seeks to prevent inappropriate development in the Green Belt, unless very special circumstances prevail. This generally accords with the National Planning Policy Framework 2019 (Framework).
6. The Framework states that the construction of new buildings is inappropriate in the Green Belt, with limited exceptions. Paragraph 145 (c) of the Framework states that extensions or alteration of a building provided that it does not result in disproportionate additions over and above the size of the original building is not inappropriate development.
7. The Framework makes it clear in its Glossary that 'Original building' is a building as it existed on 1 July 1948, or if constructed after 1 July 1948, as it was built originally. It is clear from the planning history of the property that it has been substantially extended in the past. In 1975 planning permission was granted for a first floor to the existing bungalow, and in 1995 planning permission was granted for an attached garage.
8. Although the proposed extensions are modest in themselves, taken with the extensions that have already been undertaken to the property, would result in an 'original building' that has been engulfed by extensions. Therefore, the proposal would amount to a disproportionate addition over and above the size of the original building. As such it would result in inappropriate development in the Green Belt. Inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances.

Openness

9. The fundamental aim of the Green Belt is to prevent urban sprawl by keeping land permanently open. Paragraph 144 of the Framework requires substantial weight be given to any harm to the openness of the Green Belt.
10. The proposed balcony would be situated on the first floor, at the rear of the appeal property, essentially infilling an area between the existing garage and dwelling house. It would not protrude beyond the existing building line of the garage and dwelling house or result in a change to the existing roof line, therefore, the appearance from the side elevations of the dwelling house would not alter. It would not result in a loss of openness to the Green Belt.
11. However, the new car port, as a result of the increase in height proposed to this part of the dwelling would reduce openness both spatially and visually. Whilst such a reduction would be limited and localised, harm to the Green Belt would be caused. The screening afforded by existing vegetation would not mitigate this harm.

Other Considerations

12. The Framework makes it clear at paragraph 144 that substantial weight is given to any harm to the Green Belt. It establishes that 'very special circumstances' will not exist unless potential harm to the Green Belt by reason

of the inappropriateness, and any other harm resulting from the proposal is clearly outweighed by other considerations.

13. It is noted the proposed carport is designed to protect the appellant's vehicles, however, the appeal property benefits from a garage which could address this issue. The proposed replacement of roof tiles, and removal of the existing gable may improve the appearance of the garage roof but this does not outweigh the harm to the Green Belt outlined above.
14. It is submitted that the appellant is seeking to refurbish the appeal property to create a 'modern, efficient family home', however, the potential to do this would not be impeded by this decision.
15. The appellant highlights that the appeal property could be extended under permitted development rights, which would allow development potentially more harmful than that proposed. However, I do not have any details before me to allow comparison with this proposal and therefore, this limits the weight I can attach to this matter.
16. I observed, on the site visit, that a neighbouring property benefits from a similar type of development as this proposal, however, I have judged this case on its individual merits. Similar development elsewhere does not justify harmful development.

Conclusion and Recommendation

17. The new extension would be inappropriate development in the Green Belt and further harm to the Green Belt would be caused as a result of loss of openness. I have given these matters substantial weight. I have considered all other relevant considerations before me, to which I give limited weight, and conclude that taken together they do not outweigh the harm the proposed development would cause to the Green Belt. Consequently the very special circumstances necessary to justify this development do not exist. The proposal is contrary to the Green Belt aims of Policy SAL.UP1 of the Local Plan 2013 and the Framework.
18. For the reasons outlined above, it is recommended that this appeal should be dismissed.

A J Sutton

APPEALS PLANNING OFFICER

Inspector's Decision

19. I have considered all the submitted evidence and concur that the appeal should be dismissed.

R C Kirby

INSPECTOR



Appeal Decision

Site visit made on 3 July 2019

by R Morgan MCD MRTPI

an Inspector appointed by the Secretary of State

Decision date: 25th July 2019

Appeal Ref: APP/R1845/D/19/3228800

35 Castle Road, Cookley, Kidderminster DY10 3TH

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
 - The appeal is made by Catherine May against the decision of Wyre Forest District Council.
 - The application Ref 18/0615/FULL, dated 21 September 2018, was refused by notice dated 18 April 2019.
 - The development proposed is increase in main roof ridge height to allow for loft conversion plus dormer.
-

Decision

1. The appeal is dismissed.

Main Issue

2. The main issue is the effect of the development on the character and appearance of the area.

Reasons

3. The appeal property is located at the top of Castle Road, an attractive residential street which slopes down into the village of Cookley. The street is characterised by a mixture of properties of varying ages with different roof pitches and heights, however the host property forms one of a group of three houses, Nos 35, 37 and 39, which are sited close together and are similar in style.
4. The host property and the two adjacent houses have relatively shallow roof pitches which are characteristic of this style of property. The proposed development would result in the roof of No 35 appearing overly large and out of proportion with both the house itself and when viewed alongside the two adjacent properties. The change in angle of the roof pitch would also appear awkward in relation to Nos 37 and 39.
5. Due to the slope of the road, the ridge height of No 35 is already very slightly higher than No 37. The proposed increase would exacerbate this, creating a more significant height difference between the three dwellings which would appear out of character with the group.
6. Despite the use of matching materials, I consider that the proposed alterations would cause harm to the character and appearance of the dwelling and the area for the reasons set out above. As such the development would be

contrary to Policy CP11 of the Wyre Forest District Core Strategy 2006-2026 and Policies SAL.UP7 and SAL.UP8 of the Site Allocations and Policies Local Plan 2013, which require that new developments are well designed; integrate well into the existing streetscene and are in scale and keeping with the original building. Furthermore the proposal fails to comply with paragraph 127 of the National Planning Policy Framework which, amongst other considerations, requires that developments add to the overall quality of the area and are sympathetic to local character.

7. For the above reasons the appeal is dismissed.

Rosie Morgan

Inspector