

Open

Planning Committee

Agenda

6pm
Tuesday, 15th October 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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At the start of the meeting the Chairman will confirm if all or part of the meeting is being filmed.

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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.

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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, 15th October 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 17th September 2019.	7
5.	Applications to be Determined To consider the report of the Development Manager on planning and related applications to be determined.	13
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.	62
7.	Section 106 Obligation Monitoring 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.	72

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

Part 2

Not open to the Press and Public

10.	<p>New Enforcement Case</p> <p>To receive a report from the Corporate Director: Economic Prosperity and Place on a new enforcement Case.</p>	-
11.	<p>Enforcement Matters</p> <p>To receive a report from the Corporate Director: Economic Prosperity and Place that provides Members with a summary on enforcement matters.</p>	-
12.	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.	

WYRE FOREST DISTRICT COUNCIL

PLANNING COMMITTEE

COUNCIL CHAMBER, WYRE FOREST HOUSE, FINEPOINT WAY, KIDDERMINSTER

17TH SEPTEMBER 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.33 Apologies for Absence

There were no apologies for absence.

PL.34 Appointment of Substitutes

No substitutes were appointed.

PL.35 Declarations of Interests by Members

There were no declarations of interests.

PL.36 Minutes

Decision: The minutes of the meeting held on 13th August 2019 be confirmed as a correct record and signed by the Chairman.

PL.37 Applications To Be Determined

The Committee considered those applications for determination (now incorporated in Development Management Schedule No. 577 attached).

6:15pm Councillor C J Barnett entered the meeting and, as a result of missing the officer presentation and part of the public speaking, did not vote on application 19/0080/FULL.

Decision: The applications now submitted be determined, in accordance with the decisions set out in Development Management Schedule No 577 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.38 Planning and Related Appeals

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

Decision: The details be noted

There being no further business, the meeting ended at 7:52pm

WYRE FOREST DISTRICT COUNCIL

PLANNING COMMITTEE

17th September 2019 Schedule 577 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.

Councillor C J Barnett arrived at 6:15pm and as a result of missing the officer presentation and part of the public speaking, did not vote on application 19/0080/FULL.

Application Reference: 19/0080/FULL
Site Address: LAND ADJACENT TO WALNUT COTTAGE, BLISS GATE ROAD, ROCK, KIDDERMINSTER, DY14 9XU
The Committee received representation from Mrs Griffiths (Objector) and Mr Deeley (Applicant) prior to a decision being made.
Application DEFFERED for a site visit

Application Reference: 19/0242/FULL
Site Address: DRAKELOW TUNNELS, KINGSFORD LANE, KIDDERMINSTER, DY11 5SA
The Committee received representation from Eleni Randle (Objector on behalf of residents), Peter Brady (Agent) and Councillor John Hart (Wolverley and Cookley Parish Council) prior to a decision being made.
REFUSED for the following reason:
<ol style="list-style-type: none"> 1. The unsustainable location of the site for a B8 storage and distribution use would result in future staff members being solely reliant on private car use and there are no effective means of mitigation for the lack of accessibility by sustainable modes due to the road conditions within the vicinity of the site and the uncertainty of a minibus service. As such, the proposed development is considered to be contrary to Policy CP03 of the adopted Wyre Forest District Core Strategy, Policy SAL.CC1 of the adopted Site Allocations and Policies Local Plan and Paragraphs 108 and 110 of the National Planning Policy Framework. 2. The proposed modular buildings, entrance canopy structure and car parking area would have a greater impact on openness than the existing development, and would therefore constitute inappropriate development and no very special circumstances exist to outweigh the substantial harm caused to the Green Belt, contrary to Policies SAL.UP1 and SAL.PDS1 of the adopted Site Allocations and Policies Local Plan and Paragraph 145 of the National Planning Policy Framework.

3. The proposed development would provide inadequate on-site parking provision which would result in the displacement of parking onto the rural lanes and lead to an adverse and severe impact on highway safety, contrary to Policy CP03 of the adopted Wyre Forest District Core Strategy, Policies SAL.CC1 and SAL.CC2 of the adopted Site Allocations and Policies Local Plan and Paragraphs 108 and 109 of the National Planning Policy Framework.

Application Reference: 19/0268/FULL

Site Address: 55 HIGH CLERE, BEWDLEY, DY12 2EX

The Committee received representation from John Pryce (Objector) and Lorraine Bridges (Applicant) prior to a decision being made.

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. Highway condition
7. Cycle Storage to be provided
8. Landscaping scheme including boundary treatments to be submitted
9. Landscaping scheme to be implemented
10. J1 (Removal of PD Rights for Alterations to Roof and Extensions)
11. Side facing windows to be obscure glazed

Note

A. Private Drive

Application Reference: 19/0312/FULL

Site Address: CHERRY HILL HOUSE, DOWLES ROAD, BEWDLEY DY12 2RD

APPROVED subject to the following conditions:

1. A6 (Full with no reserved matters)
2. A11 (Approved plans)
3. B1 (samples/details of materials)
4. Prevent conversion of garage
5. Details of the size of the trees at planting

Notes

A Avoid works during bird nesting season

B Services of an ecologist being sought to prevent harm to bats

Application Reference: 19/0451/FULL

Site Address: WEST MIDLAND SAFARI PARK, SPRING GROVE,
BEWDLEY, DY12 1LF

APPROVED subject to the following conditions:

1. A6 (Full with no reserved matters)
2. A11 (Approved plans)
3. External Materials as proposed for animal houses and Muck Clamp
4. Details of materials and finishes for Safari Lodges and viewing huts
5. Site and Finished Floor Levels
6. Further Bat Surveys to be undertaken
7. External Lighting Scheme
8. Ecological Management Plan
9. Updated Landscaping Plan to show new woodland by redundant manure heap area and retention of woodland adjacent to African Ungulate species house
10. Planting Plan including timing of planting
11. Woodland Management Plan
12. Tree Protection Measures for the Lime and Sycamore Trees
13. Programme of archaeological work including a Written Scheme of Investigation
14. Implementation of agreed archaeological work
15. Surface water and foul water drainage strategy
16. Require the existing Cheetah and Ungulate Houses to be demolished
17. An amended site layout plan is required to show revised access road to serve the 8no. holiday lodges

Application Reference: 19/0435/FULL

Site Address: 32 CLAUGHTON STREET, KIDDERMINSTER, DY11 6PU

APPROVED subject to the following conditions:

1. A6 (Full with no reserved matters)
2. A11 (Approved plans)
3. B1 (Building and hard surfacing materials)
4. B10 (Windows to be set back a minimum of 75mm of brickwork)
5. B13 (Site and finished floor levels)
6. J1 (Removal of permitted development rights for enlargements, extensions and outbuildings)
7. J5 (The store/garage not to be used for living accommodation)
8. C9 (All existing hedgerows as shown on the proposed plan to be retained)
9. Surface Water to discharge to soakaway drainage
10. Access and parking including cycle parking to be provided
11. Require first 5m of driveways to be surfaced in a bound material.

Notes

- A Vehicle crossing information
- B Public sewer information

Application Reference: 19/0458/FULL

Site Address: 6 CHURCH WALK, KIDDERMINSTER, DY11 6XY

APPROVED subject to the following conditions:

1. A6 (Full with no reserved matters)
2. A11 (Approved plans)
3. B1 (samples/details of materials)
4. Site Levels and Finished Floor Levels
5. Cycle Parking to be provided
6. Details of walls, fences and other means of enclosure to be submitted
7. Details of hard and soft landscaping to be submitted
8. Removal of Permitted Development Rights for extensions, roof alterations and outbuildings
9. Construction Environmental Management Plan

Notes

- A Vehicle crossing information
- B Public sewer information

Application Reference: 19/0465/FULL

Site Address: BURLISH GOLF COURSE, CAR PARK, ZORTECH AVENUE, KIDDERMINSTER, DY11 7DY

APPROVED subject to the following conditions:

1. A9 – 2 Year Temporary Condition
2. A10 Personal Permission for Travelling Showpeople
3. Occupation of Caravans by Travelling Showpeople and dependants.
4. A11 Approved Plans
5. Maximum of 6 residential caravans at any one time
6. External Lighting Details and hours
7. No excavations adjacent to Nature reserve
8. No new areas of hardstanding without provision of surface water drainage.
9. Restrictive hours for testing and maintenance of equipment
10. Connection to main drainage

Notes

- A Foul Drainage
- B Site Licence
- C Provision of Waste Collection

**EXECUTIVE SUMMARY TO REPORT OF
DEVELOPMENT MANAGER**

Planning Committee

15/10/2019

PART A Reports

Ref.	Address of Site	Recommendation	Page No.
19/0150/FULL	FORMER MIDLAND INDUSTRIAL PLASTICS SITE STEATITE WAY STOURPORT-ON-SEVERN	DELEGATED APPROVAL	14
19/0484/FULL	LAND OFF MAYFLOWER CLOSE STOURPORT-ON-SEVERN	DELEGATED APPROVAL	28

PART B Reports

Ref.	Address of Site	Recommendation	Page No.
19/0080/FULL	LAND ADJACENT TO WALNUT COTTAGE BLISS GATE ROAD ROCK KIDDERMINSTER	APPROVAL	40
19/0448/OUTL	SHAWHILL HEIGHTINGTON BEWDLEY	APPROVAL	54

WYRE FOREST DISTRICT COUNCIL

PLANNING COMMITTEE

15TH OCTOBER 2019

PART A

Application Reference:	19/0150/FULL	Date Received:	01/03/2019
Ord Sheet:	380119 272404	Expiry Date:	31/05/2019
Case Officer:	Paul Round	Ward:	Mitton

Proposal: Erection of 106 dwellings with car parking, new estate roads, and associated infrastructure.

Site Address: FORMER MIDLAND INDUSTRIAL PLASTICS SITE, STEATITE WAY, STOURPORT-ON-SEVERN, DY138PQ

Applicant: Taylor Wimpey West Midlands & Willsgrove Developments Limited

Summary of Policy	DS01, DS03, CP01, CP02, CP03, CP11, CP12, CP14 (CS) SAL.DPL1, SAL.CC1, SAL.CC2, SAL.CC7, SAL.UP5, SAL.UP7, SAL.UP9, SAL.WS1 (SAAPLP) National Planning Policy Framework Planning Practice Guidance Noise Policy Statement for England
Reason for Referral to Committee	'Major' planning application Third party has registered to speak at Committee Application involving proposed Section 106 obligation
Recommendation	DELEGATED APPROVAL subject to Section 106 Agreement

1.0 Site Location and Description

- 1.1 The site is located to the west of Stourport on Severn and located off Steatite Way, a cul-de-sac accessed from Bewdley Road. The site is a former industrial site which has been cleared and is vacant, it is surrounded on three sides by residential dwellings with Morgan Technical Ceramics, an industrial factory, to the south and south east.
- 1.2 The site is previously development land and is allocated for residential development within the Development Plan. The trees to the entrance of the site are protected by a tree preservation order.
- 1.3 The application is submitted in full and seeks for approval for 106 dwellings to be constructed along with associated access roads.

19/0150/FULL

2.0 Planning History

- 2.1 10/0035/OUTL - Demolition of existing buildings and erection of a 67 bed Care Home and 102 dwellings with associated access, roadways, parking and open space : Withdrawn
- 2.2 15/0623/OUTL - Erection of up to 106 dwelling houses and means of access : Undetermined

3.0 Consultations and Representations

- 3.1 Stourport on Severn Town Council – No objection and recommend approval.
- 3.2 Highway Authority – No objection subject to conditions. This application follows on from discussions as part of 15/0623/OUTL and meetings to discuss the policy positions as the stand today. As a result the proposal is considered to be acceptable with the exception that the cycle parking details are not shown on the drawings, as such a condition will be required to address this. The two nearest bus stops will need to be upgraded to ensure that they are accessible for all users, this be best addressed through a section 106 contribution. Alterations are proposed to Steatite way to amend the existing bellmouth and provide for vehicle accesses to the frontage plots, these works are considered to be acceptable and conditions are proposed to ensure they are delivered at an appropriate time.
- 3.3 Arboricultural Officer – No objections subject to conditions
- 3.4 Countryside Manager - The application has now been fully detailed in respect of Ecology and Biodiversity. No Objections subject to conditions.
- 3.5 Worcestershire County Council Children’s Services (Education) - Lickhill Primary School is a popular school that is consistently oversubscribed. The number of families living in the Lickhill catchment area outweighs the number of places available at this popular primary school and forecast pupil numbers show take up rates from families living within the locality will be at or near the Published Admission Number (PAN) for the foreseeable future. There is no guarantee that families moving on to this development will be able to secure a place at Lickhill Primary School. However, families also seek places at other nearby schools including St Wulstan's Primary School. Current indication is that there is some surplus capacity at St Wulstan's Catholic Primary School and forecasts indicate that pupil numbers will be lower than the PAN for the foreseeable future. Current indication is that there is sufficient capacity to admit the proposed pupils from this development. A developer contribution towards primary school education will not be sought.

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Stourport High School currently has sufficient capacity to admit the number of pupils that will be generated from this development. A developer contribution towards secondary school education will not be sought.

A developer contribution towards education infrastructure will not be sought from this development.

- 3.6 Worcestershire County Council Planning (Waste) - The submitted application form states that no areas have been allocated for the storage and collection of waste, and that no arrangements have been made for the separate storage and collection of recyclable waste. We would expect to see details for the storage and collection of waste, including separate storage and collection of recyclable waste, in line with "part (a)" of the policy. Any facilities proposed should be in line with the ADEPT report "Making Space for Waste" (June 2010). We would recommend that these details are clarified prior to planning permission being granted. However, if the Planning Authority is minded to grant planning permission with these matters outstanding, we strongly recommend that pre-commencement conditions should be imposed to ensure that these matters are properly addressed.

- 3.7 Worcestershire County Council Planning (Health) - The HIA confirms that the proposal does not contribute to healthy food and drink provision. However, there is opportunity for this proposal to contribute to such provision such as edible planting throughout the site and a small community orchard within the open green spaces. In addition the Public Health Directorate would like to see opportunities for food growing in small plots distributed across the site, close to homes, making the growing of food easy, accessible and sociable. This would mean more green space to be included within the development itself, not just at the edges. This can also contribute to positive mental and emotional health for future residents. The proposal makes no reference to provision of play facilities for children.

Public Health would like to see areas developed for young children and also Local Areas of Play (LAP) which include provision for older children and teenagers, to improve levels of outside play, physical activity and social interaction. The Public Health Directorate supports developments that encourage active travel and suggests that secure cycle parking for visitors to homes and to any green space / LAP is included in the development. We are concerned that cycle parking in sheds does not necessarily prioritise cycling over motorised travel, as accessing a bicycle from a shed is not easier than accessing a car from a garage. We would welcome innovative cycle storage design to make cycling more attractive than motorised travel for short journeys.

In support of easier, more accessible active travel routes, the Public Health Directorate supports developments that create pedestrian and cycle routes at the ends of cul de sacs that cut through to roads to address natural desire lines and so make walking and cycling easier, shorter and natural. We recommend a minor amendment to the proposed layout to link the existing walking/cycling routes through the development. This could be

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accommodated by a short linking section of shared-use footway roughly between the frontages of plots 12 and 35.

The developer has not referred to any steps to reduce carbon emissions. This could be implemented if renewable energy installations (e.g. solar power) were to be integrated into all properties, but particularly shared ownership and social rented housing, thus reducing the impact of fuel poverty for the less affluent in the community.

As a preventative approach to air pollution, the Public Health Directorate would want to see dedicated electric vehicle charging provision for all properties, sufficient to allow for fast charging.

As well as access to healthcare, consideration should be given to the capacity of health facilities and their ability to cope with approximately 300 extra residents. The HIA states that at the time of writing, there has been no assessment of the capacity at the nearby GP service to accommodate residents of the new dwellings. We would welcome such an assessment being undertaken (and if possible also including other relevant health and care services necessary to support the new residents), with the results informing the approach to development delivery.

- 3.8 West Mercia Designing Out Crime Officer – No objections.
- 3.9 Worcestershire Regulatory Services (Noise) – Object. No satisfactory scheme of mitigation has been proposed and current noise assessment does not provide a full picture of the noise environment.
- 3.10 Worcestershire Regulatory Services (Contaminated Land) – No objection subject to remediation and validation condition.
- 3.11 Worcestershire Regulatory Services (Air Quality) – No objections subject to conditions requiring cycle parking, electric charging points and low NOx Boilers.
- 3.12 Planning Policy - In reference to Policy CP04 Affordable Housing Provision in the Adopted Core Strategy (2010), it is noted that affordable housing is accepted at a lesser amount where *affordable housing provision is proven to undermine the viability of a development, particularly due to residual land values*. Therefore, the Case Officer will need to be satisfied that the applicant has provided sufficient evidence to justify why the affordable housing provision should be lower than the minimum set by policy.

In regards to the noise assessment survey, the noise levels are deemed acceptable so long as they are deemed acceptable by the case officer.
- 3.13 North Worcestershire Water Management - From a water management / drainage point of view the information submitted for application 19/0150/FULL is very similar to the information that was submitted for the Outline application back in 2015 (15/0623/OUTL).

19/0150/FULL

It is clear that the permeability of the site is sufficient to drain the site via infiltration. As it is not clear yet that this is acceptable from a ground contamination perspective, the application includes an alternative drainage strategy that relies upon discharge to the surface water sewers. The proposal is to reduce the pre-development Brownfield runoff rates by 30 % to 89 l/s for the 1 in 100 year situation + 30% Climate Change. This is not in line with statutory technical standards for SuDS (Defra 2015), which sets out that discharge should be reduced to Greenfield runoff levels where reasonable practicable. The surface water drainage strategy does not details what the Greenfield runoff rates would be for this site, nor why reduction to Greenfield runoff level would not be reasonable practicable for this particular site. I note that STW have advised in their 2019 developer enquiry response that if soakaways are not possible due to ground contamination they would reluctantly accept the proposed discharge rate of 89l/s, but that they would support any request of the LLFA (me) for a greater reduction in flow rates.

The proposal is to use 3 discharge points, throttled to 57 l/s (zone 1 - west), 34 l/s (zone 2 - east) and 5 l/s (zone 3). The required attenuation will be provided through oversized pipes in the adoptable road (1:30 yr) and storage tanks in the private areas (remainder). I am concerned that the 72m³ attenuation tank for Zone 2 (East) straggles a number of back gardens. Not only will this complicate the future maintenance (access, responsibility), I am also concerned that (depending on amount of cover) fences and trees/shrubs grown in borders adjacent could impact upon the functionality of the tank. I appreciate this might sound like detailed design, but as the Highway authority is normally reluctant to accept storage above 1:30 yr underneath the adoptable road and other communal areas appear limited, I believe that it is a valid point to make now.

Storage tanks and oversized pipes do not provide any water quality treatment, but the permeable paving proposed to be provided to all private car parking bays will. If ground contamination is found to be present then these permeable pavements will need to be lined to prevent infiltration (as this could mobilise contaminants).

CONCLUSION

I understand that further investigation of contamination potentially present on the site is not intended until planning permission has been granted. This means that although infiltration remains the preferred method of discharge for surface water, we need to ensure that the proposed alternative (attenuated discharge to the sewer) is deliverable. I believe that the point I made above regarding the positioning of the attenuation tanks will need to be addressed. The application can proceed but will need to be subject to a suitably worded condition.

- 3.14 Housing Services - The plans include for 14 units of affordable housing - only 13% of total provision which is obviously below current or emerging policy. However, I understand that this provision has been justified and verified by a viability assessment. I am supportive of 100% rented with a revised mix of 2 and 3 bedroom properties which is a better match to identified housing need.

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- 3.15 NHS Wyre Forest Clinical Commissioning Group (CCG) – No objection in principle. The development will result in increased patient demand within Stourport where capacity is already exceeded considerably. Request contribution of £40,624 for infrastructure in order to meet increased demand.
- 3.16 Worcestershire Acute Hospitals NHS Trust - The Trust is currently operating at full capacity in the provision of acute and planned healthcare. It is further demonstrated that although the Trust has plans to cater for the ageing population and growth, it will not be able to plan for the growth in a piecemeal manner. The contribution is being sought not to support a government body but rather to enable that body to provide services needed by the occupants of the new homes. The development directly affects the ability to provide the health service required to those who live in the development and the community at large. Without contributions to maintain the delivery of health care services at the required quality standard and to secure adequate health care for the locality the proposed development will put too much strain on the said infrastructure, putting people at significant risk. This development imposes an additional demand on existing over-burdened healthcare services, and failure to make the requested level of healthcare provision will detrimentally affect safety and care quality for both new and existing local population. This will mean that patients will receive substandard care, resulting in poorer health outcomes and pro-longed health problems. Such an outcome is not sustainable. A contribution of £237,355 is sought.
- 3.17 Severn Trent Water – No objection subject to conditions
- 3.18 Neighbour/Site Notice – 13 letters from Neighbours objecting to the proposal raising the following issues:
- Position of new dwelling will result in loss of light to property and garden
 - Highway safety issues of cars accessing directly onto Steatite Way
 - Inadequate access to serve the number of properties, junction needs improvements
 - Improvements to the Burlish Crossing traffic light system are also required
 - Significant increase of traffic which will impact on already congested roads
 - Concerns over protected species and wildlife
 - The contaminated nature of the land is of concern, especially if remediation is done during dry periods.
 - Concerns over construction noise and vehicle movements
 - Is the sewerage system capable of accommodating the new development?
- 1 letter on behalf of Morgan Technical Ceramics
- The noise assessment submitted is inadequate and not fit for purposes.
 - The noise mitigation measures proposed are insufficient
 - No consideration to the safety of lagoon and settlement pits
 - Drainage pipes serving MTC lie within the site

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4.0 Officer Comments

POLICY CONTEXT AND PRINCIPLE OF DEVELOPMENT

4.1 The site is a previously developed site allocated within the urban area of Stourport on Severn. The re-development of this site is fully in accordance with Policy SAL.DPL1 of the Adopted Wyre Forest Site Allocations and Policies Local Plan. In addition policy SAL.WS1 provides a specific policy for the development of this site which sets out the detailed considerations for its development. However, it is clear from a starting perspective that the development of this site is wholly acceptable in principle and is in accordance with the existing Development Plan.

4.2 The detailed aspects of the proposal will be covered under the following headings:

- Design and Layout
- Highway Access and Parking
- Amenity of Neighbouring Properties
- Neighbouring Businesses and Noise
- Trees and Landscaping
- Drainage
- Contaminated Land and Air Quality
- Protected Species and Habitats
- S.106 Planning Obligations and Affordable Housing

DESIGN AND LAYOUT

4.3 The main access road enters the site from the existing access point for the site. A new estate road then loops around the site with a number of roads and private drives provided from it. All properties have frontages either to the main road or private drive, with six properties fronting directly on to Steatite Way. The properties provide a range of 2, 3 and 4 bedroom properties all with parking in close proximity and a minimum garden length of 10m. Rear gardens will be secured with suitable fencing with corner plots demarked with brick and fence walls or green walls. A number of plots are provided with single storey garages which are detached and set back from the front of the property. It is considered that the overall layout is acceptable and maximizes the use of the land without compromising the quality of the built environment.

4.4 The properties are in the main two storey dwellings, with the 4 bed semi-detached properties being 2 ½ storey. The properties are well designed using a mixture of designs whilst maintaining a common palette of materials. The proposals show a consistent use of red brick and tile with defining window headers and footers and a mixture of edge brickwork or string courses. Elements of render are introduced on some properties, along with bay windows and differing canopy designs. The overall impact of the design creates for interest to be shown within the streetscene in a unified approach.

4.5 The design of the properties and layout is of a high quality that will positively contribute to the overall appearance of the area. The proposal is fully

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acceptable and complies with the design policies of the Development Plan and the Framework

HIGHWAY ACCESS AND PARKING

- 4.6 The development will utilise the existing access, and will continue the 5.5m road with 2m footpath either side. Where private drives are provided within the development, no more than 7 properties are served from these areas. Parking is provided within the curtilage of the properties or in close proximity, at a quantity that reflects the County Council's parking standards.
- 4.7 The application has been supported by a transport assessment that has been robustly assessed by the Highway Authority. The Highway Authority considers that the number of properties proposed can be accommodated on the existing highway network without result in any highway conflict. In particular consideration has been given to the junction with Bewdley Road and the traffic light junction at Burlish Crossing, with the conclusion that the impact is acceptable on this occasion. It is appreciated that objectors may consider that there will be an increase on traffic as a result of this development. However, I agree with the Highway Authority that the development will result in additional traffic but such impact will not result in a severe impact, which is the test set by paragraph 109 of the framework.

AMENITY OF NEIGHBOURING PROPERTIES

- 4.8 The site is surrounded by residential properties. The design and layout of the development results in the interaction of existing and proposed in the vast majority of cases is to the rear garden. As the proposed gardens are all of a minimum of 10m in length and provided with appropriate boundary treatment no adverse overlooking will occur. Plots 12, 80 and 106, however, all present a side facing gable to the existing properties. For these plots there is a minimum of 12m between any existing windows and the gable of the proposed dwelling. Officers have considered these existing properties carefully and concluded that the proposals will not result in an adverse loss of daylight or be over dominant on existing amenity areas. The development as proposed can be constructed without any significant impact on amenity of neighbouring properties.

NEIGHBOURING BUSINESSES AND NOISE

- 4.9 The site also lies adjacent to the Morgan Technical Ceramics (MTC) factory. This is a well established business within Wyre Forest with high employment and economic benefits to the district. Whilst it is essential to ensure that new residential properties are not adversely impacted by noise, it is also highlighted in paragraph 182 of the Framework that existing business should not be unduly restricted due to new development. As such officers have engaged with both the developers and MTC to ensure that the proposals achieve both of these purposes. A number of noise assessments and additional information has been submitted. Worcestershire Regulatory Services have fully considered all submissions and remain concerned that there are discrepancies between the Applicant's assessment and position and the assessment produced by MTC. Following lengthy discussions, a joint

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assessment was conducted last month and further information is being gathered at the time of writing. Worcestershire Regulatory Services are clear in their position that a scheme of acceptable mitigation can be achieved. However, based on the current position it is unclear whether mitigation can be achieved purely on site or whether mitigation at source (within MTC boundaries) is required.

- 4.10 Significant progress has been made thus far and I am confident that a suitable solution can be achieved. As this is a technical matter, the acceptability or otherwise lies with Worcestershire Regulatory Services. The comments made by MTC have been taken into account and are considered important in the context on maintaining an important business in the area. The joint approach to noise assessment and mitigation will allow a two way process between MTC and the applicant. However, ultimately the acceptability lies within Worcestershire Regulatory Services. Subject to a no objection response from Worcestershire Regulatory Services and any suitable conditions imposed that the development can proceed. In order to advance this matter, it is considered that delegated authority be given to Officers subject to acceptance of a scheme of mitigation by Worcestershire Regulatory Services.

TREES AND LANDSCAPING

- 4.11 The existing protected trees to the frontage of the site will be maintained. No development will take place near these trees. The remaining site is a cleared industrial site and has no vegetation or trees that are worthy of retention. A comprehensive landscape plan has been submitted which includes hedge, tree and shrub planting which will significantly raise the landscape quality of the area. The landscaping flows throughout the site providing strategic green areas on corners. Trees are also proposed to the frontage of Steatite Way to integrate the development into the existing streetscene. The Arboricultural Officer has reviewed the proposals and has no objections to the scheme. The landscaping of the site and the retention of the trees is wholly compatible with the policies of the Development Plan.

DRAINAGE

- 4.12 The application is supported by a drainage strategy which has been reviewed by North Worcestershire Water Management (NWWM) and Severn Trent Water (STW). STW have confirmed that subject to a condition requiring additional information they have no capacity issues for foul drainage. NWWM as the Local Lead Flood Authority have fully considered the assessment and have sought additional information. In line with National Standards for SuDS Guidance produced by DEFRA, Surface Water run off rates for new development should be as close to Greenfield rates as reasonably practical. In addition, consideration needs to be given to the treatment of water taking account of existing contamination.
- 4.13 Although substantial correspondence and additional information has been submitted to Officers and NWWM, Officers are not at the time of writing satisfied that adequate justification has been provided for the rates proposed or that Greenfield rates are not achievable. However, adequate information has been provided to show that a drainage scheme can be achieved with the

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required information/justification being provided via a suitably worded condition. Subject to the imposition of such a condition there is no objection to the drainage scheme proposed.

CONTAMINATED LAND AND AIR QUALITY

- 4.14 A full contaminated land assessment and air quality assessment has been provided to Worcestershire Regulatory Services. This demonstrates that the levels of contamination can be fully remediated and the remediation proposal is suitable. Subject to the submission of a verification report to demonstrate the remediation works Worcestershire Regulatory Services have no objection on contamination grounds. In respect of air quality, Worcestershire Regulatory Services consider that the number of units will not result in an adverse impact on air quality. However, in order to mitigate any increase, conditions requiring cycle parking, electric charging points and low NOx boilers are recommended. With suitable conditions imposed it has been demonstrated that the development will not result in adverse harm in this respect.

PROTECTED SPECIES AND HABITATS

- 4.15 An Ecological Assessment and additional information has been submitted which sets out proposals for avoidance, mitigation and enhancements. The Countryside Manager is now satisfied that the proposals will not result in adverse harm to protected species or habitats and that any harm can be mitigated and enhancements provided.

PLANNING OBLIGATIONS AND S.106 AGREEMENT

- 4.16 The Council’s adopted Planning Obligations SPD details how the Council will approach financial and physical contributions towards development. Consideration also needs to be given to the Governments latest guidance on Section 106 Agreements as set out in the National Planning Policy Framework and the Planning Practice Guidance.
- 4.17 In view of the SPD and as part of the consultation process the following financial contributions have been noted:

Consultee	Contribution for	Amount
Worcestershire County Council	Bus Stop Provision	£20,000
Worcestershire County Council	Education	£0
Wyre Forest District Council	Public Open Space	£143,854
NHS – CCG	Doctors Surgery Extension	£40,624
NHS – Trust	Services	£237,355
		£441,833

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- 4.18 Members will also be aware of Policy CP04 that sets out that the District will seek affordable housing contributions of 30% in these circumstances. Policy SAL.DPL3 sets out the circumstances where affordable housing contributions can be reduced on the basis of viability. Paragraph 64 of the Framework sets out that minimum level of 10% should be secured. The development can only support 13% affordable housing provision. The 14 units will be provided as 100% social rent with 8 no. 2 bed properties and 6 no. 3 bed properties. The mix and the tenure has been fully supported by the Housing Services Manager and based on current known need within the area. Whilst this is a reduction against the ideal full provision, this number and tenure has been fully justified and verified from a viability perspective. I am satisfied that this is maximum level of affordable housing that can be viably provided.
- 4.19 When taken as whole the package of S.106 requires is not insignificant. Each of the contributions must only be sought if the three tests set out in paragraph 56 of the Framework at met. These tests are as follows:
- a) necessary to make the development acceptable in planning terms;
 - b) directly related to the development; and
 - c) fairly and reasonably related in scale and kind to the development.
- 4.20 In line with Policy SAL.DPL, paragraph 57 of the Framework and the Planning Practice Guidance a viability assessment has been provided for this site, which has been independently verified by the Council's consultant. It is clear that the site has viability issues which are not uncommon for brownfield sites. The viability of the development has demonstrated that all contributions and affordable housing delivery cannot be achieved. Officers have expressed the priority to affordable housing given the established need for such accommodation within the District. In addition it is considered that improvements to the bus infrastructure is at a level that can be accommodated within the viability of the development, and would suggest that there is limited other opportunities to improve this infrastructure.
- 4.21 Public Open Space contributions are included within the SPD. It is considered that such contributions although they may be able to be justified as important are not as high priority as those that have been indentified. They cannot be added to the requirements set out above as the scheme would become unviable
- 4.22 Contributions have been sought from the NHS Clinical Commissioning Group for improvements to existing doctor's surgery infrastructure at Stourport Health Centre and York Street Surgery. In respect of priority, the Local Planning Authority is currently considering a planning application for a new medical centre at Stourport which will combine and increase the capacity of these existing surgeries. It would appear that a viable solution is already in place to meet this requirement; this lowers the priority for this request. Given its priority the development cannot support this request from a viability perspective.

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- 4.23 Finally, contributions have been sought from the NHS Trust. Such contributions are required for the shortfall of health services to cover revenue costs. The need for, and provision of, healthcare facilities and infrastructure and health and wellbeing related services are clearly capable of being treated as a relevant material consideration in reaching planning decisions and therefore should be carefully considered as part of the decision making process.
- 4.24 Officers have had ongoing discussions with the NHS Trust in general terms as to their methodology for establishing costs and the assumptions that they have made in approaching requests for contributions. Officers are not clear that the justification of the impact is sufficiently precise. Revenue shortfall is only as a result of the nature of the Government's formulae for calculating revenue funding. Having considered requests by the NHS Trust on this application and generally it is considered that requests based on the current methodology are not sufficiently robust as to meet the three tests set out in paragraph 56 of the Framework. In particular Officers have questioned the following:
- Whether all projected service users are new to the Trust's catchment area for services and facilities;
 - Migration assumptions;
 - Whether assumptions on demand arising from future affordable housing provision are correct;
 - Demographic and household size assumptions; and
 - Whether all services to be provided are appropriate to be funded through developer contributions.
- 4.25 On this basis it is not recommended that contributions are sought for these purposes on this occasion. Notwithstanding, the comments made above the development does not have sufficient viability to support this contribution in any event and given the concerns raised it is of a lower priority than other contributions mentioned above.
- 4.26 Taking account of all these considerations, it is considered that a Section 106 Agreement should be sought for 13% affordable housing and improvements to bus stops as requested by the County Council.

5.0 Conclusions and Recommendations

- 5.1 The development of this previously developed site is long over due and is acceptable in principle being allocated within the Adopted Wyre Forest Site Allocations and Policies Local Plan. The design and layout of the development is wholly acceptable providing a well designed site whilst making efficient use of the land. The development can be built without resulting in any adverse impact on neighbouring residential properties or adjoining businesses. It has been shown that that access and parking can be provided acceptability and that the development can be accommodated on the highway network without any serious impact on highway safety. Detailed technical

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matters have been resolved through the imposition of conditions or the provision of additional information. The site can viably provide 13% affordable housing and contributions to improve bus stops within the area. Other contributions are not sought for the reasons set out within the report.

5.2 It is therefore recommended that **delegated** authority be given to **APPROVE** this application subject to:

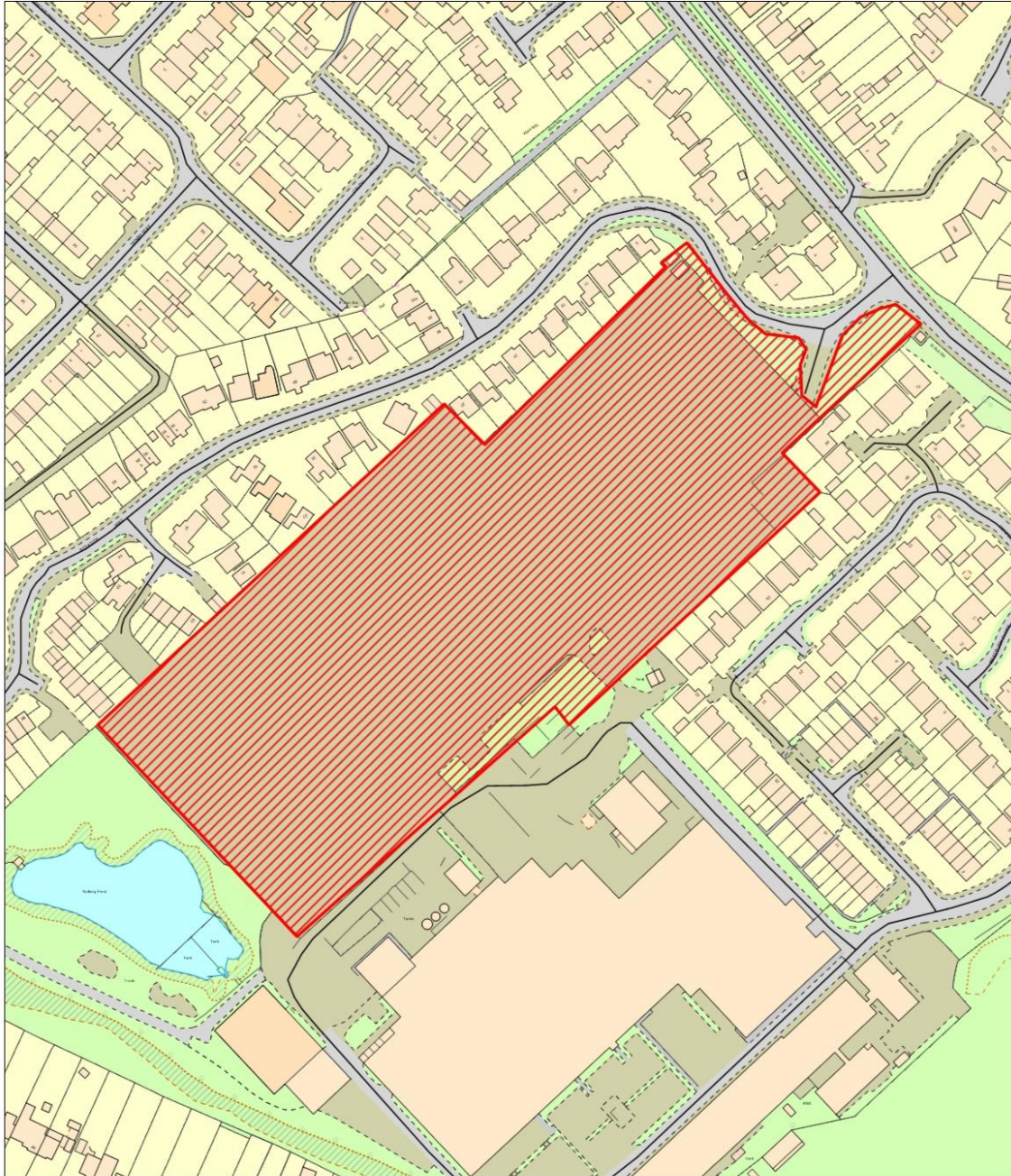
- a) a 'no objection' response from Worcestershire Regulatory Services (Noise) and imposition of any conditions recommended;
- b) the signing of a **Section 106 Agreement** as detailed within the report; and
- c) the following conditions:

- 1. A6 (Full with no reserved matters)
- 2. A11 (Approved plans)
- 3. B6 (External details – approved plan)
- 4. B12 (Erection of fences/walls)
- 5. B13 (Levels details)
- 6. C8 (Landscape implementation)
- 7. Management Plan for landscape areas
- 8. Surface Water Drainage details to be submitted to achieve as close to Greenfield run-off rates as practicably possible
- 9. E2 (Foul and surface water)
- 10. Ecology Mitigation
- 11. J1 (Removal of permitted development – residential)
- 12. J9 (Open plan frontages)
- 13. J7 (Windows – obscure glazing)
- 14. CEMP
- 15. Validation report for remediation
- 16. Unknown Contamination
- 17. Vehicle charging points to be provided
- 18. Ultra-low NOx boilers
- 19. Access Parking and Turning
- 20. Highway Improvements / Offsite works
- 21. Travel Plan
- 22. Cycle Parking
- 23. Details of bin storage

Notes

- A. SN2 (Section 106 Agreement)
- B. SN1 ((Removal of permitted development rights)
- C. SN12 (Neighbours' rights)
- D. Highways
- E. Waste provision

5.3 Should no resolution be achieved to either the noise mitigation or the signing of the Section 106 Agreement by 31 December 2019 that **delegated** authority be given to **REFUSE** this application.



Economic Prosperity and Place Directorate
Former Midland Industrial Plastics Site
Steatite Way
Stourport on Severn, DY13 8PQ



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Scale 1:2000

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

Application Reference: 19/0484/FULL
Ord Sheet: 381421 270747
Case Officer: Helen Hawkes

Date Received: 30/07/2019
Expiry Date: 24/09/2019
Ward: Mitton

Proposal: Erection of 4 no. detached three-bedroom dwelling houses with associated access and works

Site Address: LAND OFF MAYFLOWER CLOSE, STOURPORT-ON-SEVERN, DY139RR

Applicant: Cathedral 73 Ltd

Summary of Policy	DS01, CP01, CP02, CP03, CP07, CP11, CP12, CP14 (CS) SAL.PFSD1, SAL.DPL1, SAL.CC1, SAL.CC2, SAL.CC7, SAL.UP5, SAL.UP7 and SAL.UP9 (SAAPLP) Design Guidance SPD National Planning Policy Framework Planning Practice Guidance
Reason for Referral to Committee	Planning application represents departure from the Development Plan Third party has registered to speak at Committee Application involving proposed Section 106 obligation
Recommendation	DELEGATED APPROVAL subject to Section 106 Agreement

1.0 Site Location and Description

- 1.1 The application site relates to an area of open space, which is rectangular in shape and measures 0.155 hectares in size. It lies on the edge of an existing housing estate that was constructed in the late 1980s/early 1990s following the disposal of the former Stourport-on-Severn Power Station.
- 1.2 The surrounding area is predominantly residential in character. There is a pedestrian footpath adjoining the site to the front (east), to the north, and part of the rear boundary (west). Beyond the footpaths to the east and north are residential properties and there is a residential property that backs onto the site to the south. To the west, beyond a small embankment is public open space which runs parallel with the River Severn. The site is located approximately 97 metres from the river bank and falls within Flood Zones 2 and 3.
- 1.3 The proposed development is for the erection of four detached dwellinghouses with attached garages to the side. The dwellinghouses would be sited together in a row, with regular gaps between the buildings. They would be set back behind a private access road with one shared vehicular access off Mayflower Close and each plot would have parking for two cars on the driveway.

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- 1.4 Amendments have been made during this application to increase the width of each car parking space in response to initial concerns raised by the Highway Authority and further information has been provided in relation to flood risk and drainage in support of the application.
- 1.5 A Preliminary Ecological Appraisal with Preliminary Roost Assessment and a Phase 1 Geo-Environmental Desk Study Report was also submitted in support of the application.

2.0 Planning History

- 2.1 WF/0974/87 – Residential and Open Space : Approved 20.10.87.
- 2.2 WF/0460/87 – Residential, Small Supermarket/General Store and Open Space: Approved 31.08.89.

3.0 Consultations and Representations

- 3.1 Stourport-on-Severn Town Council – No objection and recommend approval.
- 3.2 Highway Authority (*Initial response*) – No objection in principle but need to see circulation space on the parking spaces with dimensions shown on the plan.

(*Second response*) – No objection subject to conditions to require the access, turning and parking facilities to be provided. An informative is also required to make the applicant aware that any highway works required for the construction of the new vehicular access must be carried out by WCC contractor Ringway.

It is noted that the proposed development is for 4 dwellings with 3 dwellings being served off a private shared drive which is not adoptable by the Highways Authority. It is noted that each dwelling has 3no. bedrooms plus a 'study' upstairs and 2 parking spaces are required in line with standards. Circulation space in line with standards has been provided on a revised plan and the site layout is acceptable. Visibility must be provided and maintained on all access points. Cycle parking is available in the garages for each dwelling.

A new vehicular crossover will be required for Plot 1 and also for vehicular access to Plots 2 – 4. The Highway Authority has undertaken a robust assessment of the planning application and concludes that the proposal is not contrary to Paragraph 109 of the National Planning Policy Framework and therefore there are no justifiable grounds on which an objection could be maintained.

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- 3.3 Environment Agency – No objection and it is noted that the site appears to be a lower risk planning consultation which does not require direct consultation with the Environment Agency. It is recommended that the Local Planning Authority refers to the Environment Agency’s Area Flood Risk Standing Advice.
- 3.4 Arboricultural Officer – No objection as there are no trees with a high amenity value affected. The landscaping of the site should include hedges using native hedgerow species especially at the back of the rear gardens. A detailed landscaping plan is required as a condition to show the location, species, size of plants (at planting) of tree and hedge planting.
- 3.5 North Worcestershire Water Management Officer (*Initial response*) – Recommend deferral until further information is submitted in relation to finished floor levels and modelled flood levels for this site.
- (*Second response*) – No objection subject to a condition to require a scheme of surface water drainage for all roofs and hardstanding areas. It is noted that the application form indicates that discharge via infiltration is being envisaged. Also, with regards to the additional information submitted about flood risk, it is acknowledged that the proposed rear boundary fence has been moved back to be outside of the area at risk of flooding in the 1 in 100 year + climate change event. Also, that the dwellinghouses would have a finished floor level of 22.15 AOD which is above the 1 in 100 year modelled flood level and climate change, which has been measured at 20.84 AOD (higher central) or 21.49 APD (upper end). I therefore believe that there would be no reason to withhold approval of this application on flood risk grounds.
- 3.6 Countryside Manager – No objection subject to conditions to require details of external lighting and a scheme for ecological mitigation and enhancement measures for bat, bird, other mammal species, reptiles and amphibian species and for this scheme to be approved and implemented accordingly. Further confirmation is required as to whether the existing hedgerow would be retained as part of the development.
- (*Officer Comments* – *The applicant has confirmed that the existing hedgerow would be retained*).
- 3.7 Worcestershire Regulatory Services (Contaminated Land Officer) – No objection subject to a condition to require a full Phase II environmental report and any subsequent remedial works are undertaken in order to ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other off site receptors.

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- 3.8 Worcestershire Regulatory Services (Noise Officer) – No objection to the application in terms of road traffic, or any other noise adversely impacting future residents. An informative is recommended to make the applicant aware of WRS ‘Code of Best Practice for Demolition and Construction Sites’ in order to minimise any nuisance during the construction phase.
- 3.9 Severn Trent Water – No objection and do not require a drainage condition to be applied, however, they recommend an informative to be attached to the decision notice to make the applicant aware that there may be a public sewer located within the application site.
- 3.10 Canal and River Trust – Awaiting comments.
- 3.11 Neighbour/Site Notice – 4 letters of objection from nearby occupiers have been received, stating the following concerns:
- Over intensive use, cramped and would severely affect other houses nearby;
 - There are larger and more easily accessible sites, such as Carpets of Worth site;
 - A similar small site off Santa Maria was turned down in 2012 and they only wanted to put 2 houses on it;
 - Application is not for the local Stourport people but just for financial gain;
 - Impact on environment;
 - Not in keeping with the design and external appearance of the rest of the estate;
 - Impact on wildlife, in particular birds, rabbits, hares and squirrels, and it is the responsibility of the council to safeguard the natural habitats of these animals and plants;
 - Loss of visual amenity, as this site was always a children’s play area/open space until something happened in 2018;
 - Loss of light/overshadowing;
 - Loss of privacy/overlooking, especially from the first floor bedrooms of the proposed houses and into habitable room windows, conservatory and garden/patio areas of neighbouring properties;
 - Reduce flood storage capacity;
 - Block the public footpath to the flood plain and make it more difficult to access this area;
 - Noise and disturbance from additional residents/cars;
 - Uncertainty over who will maintain the boundary and hedgerow when it becomes shared with the new properties;
 - Reduction in value of houses; and
 - Concerns are raised about what will happen to this land if this application is refused.

(Officer Comments – The proposed development will not obstruct the public footpaths in the vicinity of the site. The reduction in property values, maintenance of shared boundary fencing/hedgerows and financial gain from this development are private matters and not a material consideration).

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4.0 Officer Comments

- 4.1 The main considerations are whether the principle of housing development is acceptable taking into account relevant housing policy and site location and whether the development would result in loss of safeguarded open space or have a detrimental impact on character and appearance of the area, on highway safety, on existing residential amenity and the risk of flooding elsewhere.

PRINCIPLE OF DEVELOPMENT

- 4.2 The application site is allocated for residential on the adopted Proposals Map and is located within a sustainable location within an urban area of Stourport-on-Severn. However, the application site does relate to a Greenfield site and therefore would not entirely comply with Policy DS01 of the adopted Core Strategy and Policy SAL.DPL1 of the Adopted Site Allocations and Policies Local Plan which seek to concentrate new housing development on previously developed land.

- 4.3 The current housing supply policies within the Development Plan are considered to be out of date. This is because the housing numbers within the Wyre Forest Core Strategy were set based on data derived from the Regional Spatial Strategy, which has subsequently been withdrawn. The Council has for the last 3 years based its housing land availability figures on an assessed need. Relevant policies for the supply of Housing therefore are out of date. These factors result in the presumption in favour of sustainable development as 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 policy context.

- 4.4 In terms of site location, the site falls within a residential area of Stourport-on-Severn and lies only 650 metres away from Stourport-on-Severn town centre. It is therefore considered to be a suitable location for new housing and is acceptable in principle, subject to the following considerations.

LOSS OF OPEN SPACE

- 4.5 From planning history, it appears that this area of land was to be used as public open space for the housing development of the former Stourport-on-Severn Power Station and potentially developed into a children's play area (as per the Town and Country Planning 1971 Section 52 Agreement dated 31 August 1989, and Deed of Variation dated 10 February 1994 in respect of Planning Approvals WF974/87 WF460/87). I also note that one resident in their letter to this application has advised that the site was used as a children's play/open space area up until 2018. However, I could not see any evidence of play equipment and the site is now overgrown with vegetation and trees. There is also a fence around the site that prevents public access.

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- 4.6 Paragraph 97 of the National Planning Policy Framework advises that existing open space, sports and recreation sites, including playing fields, should not be built on unless an assessment has been undertaken, which has clearly shown the site to be surplus to requirements. Policy CP07 of the adopted Core Strategy is consistent with the Framework and states that open space provision and sport and recreation facilities within the District will be safeguarded and enhanced in accordance with the standards set out in the Open Space, Sport and Recreation Assessment.
- 4.7 The application site is not used for open space at present and the Local Planning Authority has never enforced the developer of this housing estate to provide a children's play area on this site as part of the Section 52 Agreement for the housing estate due to the passing of time.
- 4.8 The site is not accessible by the public and cannot be regarded as provided a high quality area of open space, since it lacks any facilities. Also, due to the limited size of the site and the close proximity to existing residential properties could not be used as a children's play area or as a public seating area.
- 4.9 The application site also lies adjacent to an extensive network of public open space alongside the River Severn embankment and within walking distance (650 metres) of Riverside Play Area, which provides health and recreation benefits for those living within this housing estate and would meet the needs of the future occupiers of this proposed development.
- 4.10 In addition, an audit was carried out on all open space, sports and recreation facilities in the District which was used to form the Wyre Forest District Council's Open Space Assessment Report (May 2017). In this audit only sites with a size threshold over 0.2 hectares was included. The application site measures 0.155 hectares and does not form part of the Wyre Forest District Council's Open Space Assessment Report (May 2017).
- 4.11 I further note that the site is not designated as Local Green Space within the current or emerging Local Plan and is allocated for residential within the adopted Proposals Map.
- 4.12 It is unlikely that the Council will enforce the current owner of the site to deliver a play area on this site and I believe that there is no desire for the land to be dedicated to the Council.
- 4.13 Following negotiations with the applicant, it has been agreed that a compensatory figure of £10,000 would be provided and would be used towards the new provision of play space at Riverside Play Area. This will need to be secured through a Section 106 agreement.
- 4.14 On balance, this area of open space is underused and due to its limited size only benefits the immediate residential properties in terms of views across the open space. It is considered to be surplus to requirements and that its loss would not have a detrimental impact on the wellbeing of residents in the local area given that alternative provision exists in the vicinity.

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IMPACT ON LOCAL CHARACTER AND APPEARANCE OF AREA

- 4.15 The surrounding area is predominantly residential in character and comprises two-storey detached dwellinghouses set on a linear building line, with regular set backs from the road and similar plot sizes, which gives this area a coherent and harmonious character.
- 4.16 The proposed development would accord with the linear front building line of Nos. 42-48 Golden Hind Drive and would reflect the plot sizes in the local area. The development would have a density of 26 dwellings per hectare, which would be in keeping with the density of this housing estate. I am therefore consider that the development for four dwellinghouses would not result in an over intensive use of the site.
- 4.17 The proposed dwellings have been purposely designed to appear different to one another which is reflected in this housing estate and each dwellinghouse would have architectural features and materials that are repeated within this housing estate, for example: bay windows with lean-to-canopies above; pitched roof dormer windows or gables to the front; and elements of render with mock timber boarding. The site layout also shows that front gardens and a new hedgerow would be provided to help integrate the development into the area and add to the ecological value of the site as per the suggestion made by the Arboricultural Officer.
- 4.18 I am therefore satisfied that the proposed development would provide high quality housing that would integrate well into the surrounding built environment, in accordance with Policy CP11 of the adopted Core Strategy, Policy SAL.UP7 of the adopted Site Allocations and Policies Local Plan, the Design Guidance SPD and Paragraph 127 of the National Planning Policy Framework.

IMPACT ON RESIDENTIAL AMENITY

- 4.19 The nearest neighbouring dwellings in relation to this site are 1 Mayflower Close, 35 and 48 Golden Hind Drive and 46 and 48 Endeavour Place. Concern has been raised by local residents about overlooking and overshadowing and additional noise and disturbance caused by the additional traffic to this area as a result of this development.
- 4.20 Number 1 Mayflower Close has three ground floor side facing windows and a conservatory with high level windows that face the application site, over an area of open space. The proposed dwellings on plots 2 and 3 would be sited approximately 19.4 metres from the side elevation of 1 Mayflower Close and I consider that this separation distance to be acceptable, which would ensure no overlooking into the side facing windows or rear garden belonging to 1 Mayflower Close. I also note that the side elevation of 1 Mayflower Close is already overlooked by people using the public footpath, which lies adjacent to the side boundary of 1 Mayflower Close.
- 4.21 Number 35 Golden Hind Drive is situated on the opposite side of the road to the application site and 48 Golden Hind Drive is situated to the north of the site, on the opposite side of the public footpath. I do not consider that the

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development would result in any loss of privacy and the proposed dwelling on plot 1 would not breach the 45 degree code in relation to the nearest habitable room windows at 48 Golden Hind Drive given its separation distance. The side facing window to 48 Golden Hind Drive also appears to serve a landing and I have recommended conditions to require all side facing windows to be installed with obscure non-opening or top-opening glazing only to protect the amenities of existing residents of 48 Golden Hind Drive and 48 Endeavour Place.

- 4.22 Number 46 Endeavour Place lies perpendicular to the site and the proposed dwelling on plot 4 would face towards the side brick boundary wall of 46 Endeavour Place and would be over 11.6 metres from the existing rear garden. This separation gap would be no different to other windowed to garden relationships within the housing estate where houses back onto neighbouring rear gardens. There is also a similar example between the front elevation of 35 Endeavour Place and the rear garden to 33 Endeavour Place.
- 4.23 To the south of the site, the neighbouring property at 48 Endeavour Place backs onto the application site and has a rear conservatory and a rear garden measuring approximately 12.7 metres in length (measured from the rear elevation of the main house). The gable end of the proposed dwelling on plot 4 would have an obscured glazed side facing window in the side elevation facing No. 48 and I have attached a condition to secure this type of glazing. The separation distance between the side elevation of the proposed dwelling on plot 4 and the rear elevation of No. 48 Endeavour Place would be sited 12.7 metres, which is also considered to be an acceptable separation distance between windowed elevations and opposing 2 storey flank walls in order to protect the outlook of the existing residents at No. 48. There is also a 2 metre high hedgerow along the boundary that would be shared between the application site and No. 48, which would provide effective screening for the residents of 48 Endeavour Place.
- 4.24 I am satisfied that the proposed development would not appear overbearing or oppressive when viewed from the rear gardens of 46 and 48 Endeavour Place. I also do not consider that the proposals would result in any significant loss of daylight or sunlight to existing properties due to the gardens of Nos. 46 and 48 Endeavour Place being located to the south and southeast of the site. Any loss of sunlight to the rear garden belonging to No. 46 would be in the late afternoon and due to the separation distance is unlikely to be significant.
- 4.25 With regards to the concerns of nearby residents about noise and fumes from additional traffic, I do not consider that the development would result in significant noise or disturbance to warrant a refusal of the application given that the development is a compatible land use within this residential area.
- 4.26 Worcestershire Regulatory Services raises no objection to the development subject to conditions to require contaminated land risk assessment prior to any development as well as during development if any further contamination is found to be present. I consider these conditions to be necessary and I have

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attached them accordingly. The proposed development would provide a good living environment for future occupiers in terms of internal layouts and room sizes. The rear gardens would be acceptable in size for the proposed three-bed dwellinghouses.

IMPACT ON HIGHWAY SAFETY

- 4.27 The Highway Authority raises no objection to the amended site layout which shows that there would be sufficient space around the parked cars to access each car and to the rear garden. It is also advised that 200% parking provision is acceptable and that the development is unlikely to have an adverse impact on the surroundings highways.

DRAINAGE AND FLOOD RISK

- 4.28 The application site falls within Flood Zones 2 and 3 and therefore is at risk of flooding at peak river times. Paragraph 163 of the National Planning Policy Framework advises that when determining any planning applications, local planning authorities should ensure that flood risk is not increased elsewhere.
- 4.29 During this application the applicant has submitted further details on flood risk to demonstrate that the finished floor level of 22.15m AOD would be above the 1 in 100 year modelled flood level plus climate change allowance when a 600mm freeboard is added (which would give a design level of 21.44m AOD (higher central) or 22.09m AOD (upper end)). The applicant has also agreed to move the rear boundary fence back to outside the area at risk of flooding in the 1 in 100 year plus climate change event, in order to ensure no risk of flooding elsewhere.
- 4.30 The North Worcestershire Water Management Officer raises no objection on flood risk grounds and considers that the discharge of surface water can be agreed by condition. I am therefore satisfied that the proposed dwellings would not be at risk of flooding or result in the risk of flooding elsewhere. I have recommended a condition as recommended to ensure suitable drainage of the site. The proposed development would therefore comply with Policy CP02 of the adopted Core Strategy, Policy SAL.CC7 of the adopted Site Allocations and Policies Local Plan and the National Planning Policy Framework.

IMPACT ON BIODIVERSITY

- 4.31 Policy SAL.UP5 of the adopted Site Allocations and Policies Local Plan and Paragraph 175 of the National Planning Policy Framework advises that new development should avoid a net loss of biodiversity and that enhancements should be made where possible.
- 4.32 A Preliminary Ecological Appraisal with preliminary roost assessment has been submitted in support of the application. It concluded that the existing mature trees and species-rich hedgerow, located in the southwest of the site, should be retained within the development scheme and that the vegetation should be kept short prior to any development in order to reduce its suitability for wildlife. It further recommended that lighting would need to be carefully designed to ensure no harm to bat species and that a details ecological

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mitigation and enhancement strategy should be submitted and agreed in writing by the local planning authority and implemented in accordance with the agreed measures to ensure that the development minimises the impact upon protected species, whilst maximising the potential of retained habitats to enhance biodiversity.

- 4.33 The Countryside Manager agrees with this assessment and raises no objection subject to the recommended measures being secured by condition. I concur with this view and have recommended the conditions accordingly. The proposed development would therefore comply with Policy SAL.UP5 of the adopted Site Allocations and Policies Local Plan and the National Planning Policy Framework.

5.0 Conclusions and Recommendations

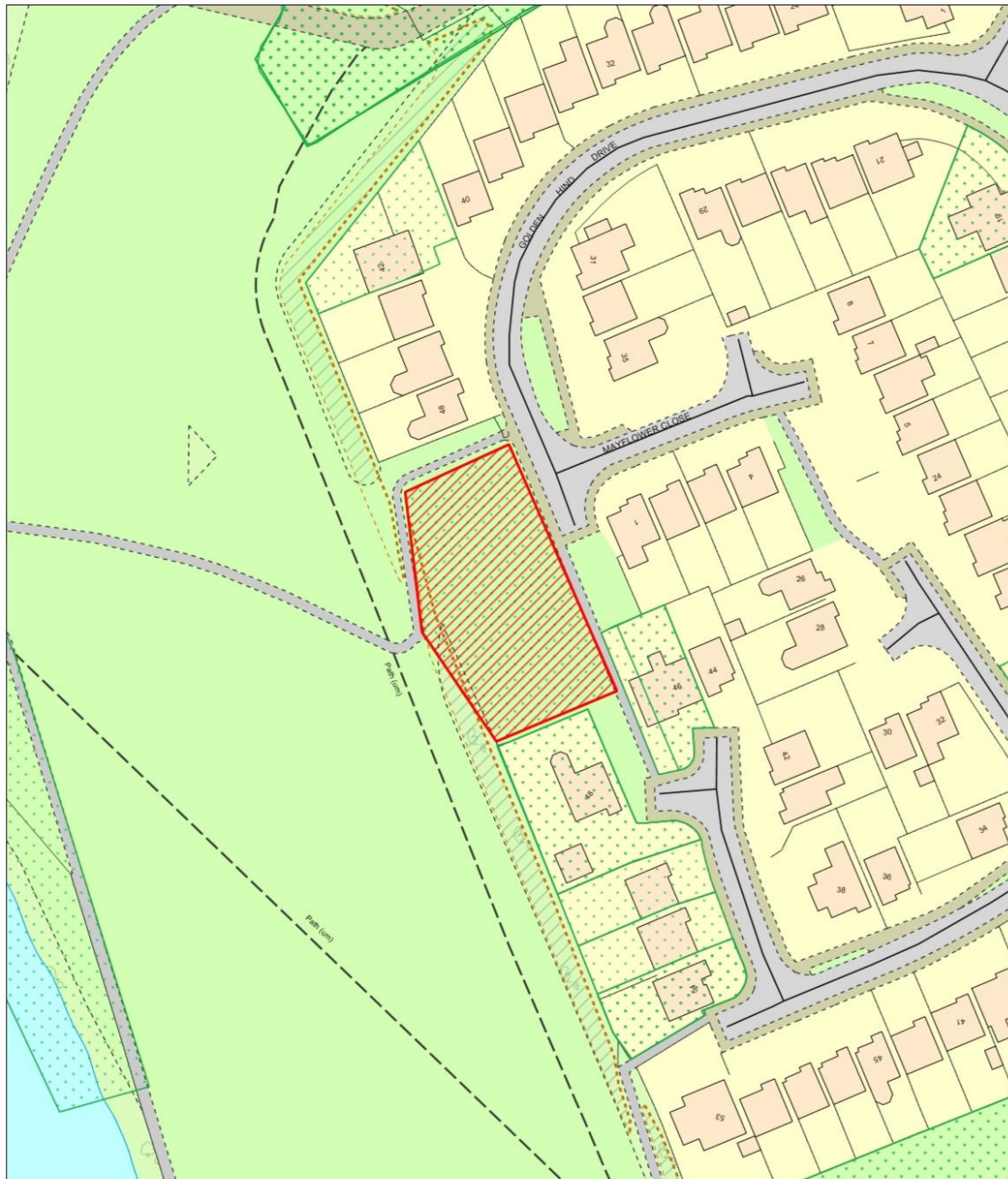
- 5.1 The proposed development for four dwellinghouses on an area of open space is considered to be acceptable, as the existing open space is considered to be surplus for requirements given that it is not accessible by the public and is too small in size to be used for sporting or recreational activities. Also, the area benefits from having an extensive network of public open space along the River Severn and the site lies within 650 metres of Riverside Play Area. The development would provide four homes for which there is a need to boost the housing land supply. No other harm has been identified on the character of the local area, on existing residential amenity, highway safety and on flood risk. I therefore consider that the tilted balance lies in favour of the development and that the proposals would represent sustainable development when considered against the Framework as a whole. On this basis it is considered that there are sufficient grounds to support a departure from Development Plan policy.
- 5.2 It is therefore recommended that **delegated** authority be given to **APPROVE** this application subject to:
- a) the signing of a **Section 106 Agreement** to secure £10,000 for Public Open Space provision or enhancement; and
 - b) the following conditions:
 - 1. A6 (Full with no reserved matters)
 - 2. A11 (Approved plans)
 - 3. B1 (samples/details of materials including hard surfacing)
 - 4. Site Levels and Finished Floor Levels
 - 5. Obscure glazing to all side facing windows
 - 5. Access, turning and parking facilities to be provided
 - 7. Details of walls, fences and other means of enclosure
 - 8. Details of soft landscaping scheme to include hedgerow planting
 - 9. Landscaping scheme to be implemented
 - 10. Removal of Permitted Development Rights for extensions, roof alterations and outbuildings
 - 11. Removal of Permitted Development Rights for any front boundaries or enclosures

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11. Scheme for surface water drainage
12. Contamination Land condition
13. Further works in the event of any further contamination being present
14. External Lighting Scheme
15. Retention of Hedgerow, located in the southwest part of site
16. Ecological Mitigation & Enhancement Strategy

Notes

- A. Vehicle crossing information
- B. Public sewer information
- C. WRS 'Code of Best Practice for Demolition and Construction'
- D. SN2 (Section 106 Agreement)



Economic Prosperity and Place Directorate

Land off Mayflower Close

Stourport on Severn

DY13 8RR



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WYRE FOREST DISTRICT COUNCIL

PLANNING COMMITTEE

15TH OCTOBER 2019

PART B

Application Reference:	19/0080/FULL	Date Received:	31/01/2019
Ord Sheet:	374710 272614	Expiry Date:	28/03/2019
Case Officer:	Julia McKenzie-Watts	Ward:	Bewdley & Rock

Proposal: Erection of 5No. dwellinghouses, with associated access, parking and works

Site Address: LAND ADJACENT TO WALNUT COTTAGE, BLISS GATE ROAD, ROCK, KIDDERMINSTER, DY149XU

Applicant: Matthews Construction (Mr Deeley)

Summary of Policy	DS01, DS04, CP01, CP02, CP03, CP11, CP12, CP14 (CS) SAL.PFS1, SAL.DPL1, SAL.DPL2, SAL.CC1, SAL.CC2, SAL.CC7, SAL.UP5, SAL.UP7, SAL.UP9 (SAAPLP) Design Guidance SPD National Planning Policy Framework Planning Practice Guidance
Reason for Referral to Committee	Planning application represents departure from the Development Plan Previously considered by Committee and deferred for a site visit/further information
Recommendation	APPROVAL

THIS APPLICATION WAS DEFERRED FROM THE 17 SEPTEMBER 2019 PLANNING COMMITTEE MEETING FOR A MEMBERS' SITE VISIT

1.0 Site Location and Description

1.1 The application site is a triangular shape piece of land which measures 0.48 ha. It is situated on the western edge of the village of Bliss Gate with Walnut Cottage located within the Southern point of the triangle. The majority of the site slopes from west to east with the gradient increasing along the site boundary with Bliss Gate Road. Gorst Hill Road runs along the south-western boundary of the site which links Bliss Gate to Pound Lane. The current access to Walnut Cottage is via a private driveway accessed off Gorst Hill, immediately adjacent to this driveway is a separate wooden gated access into the wider field.

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- 1.2 There is an existing hedgerow boundary to the site boundary which is intermittent in its coverage, there are also a series of trees within this hedgerow which are mainly located along the eastern boundary of the site. There are further trees within the site including two walnut trees in the north-west corner and a sycamore and ash along the northern boundary, there are also a small number of former orchard trees. To the east of the site there are predominantly two storey semi detached residential properties with off road parking. Immediately to the north and the south of the site there are large detached properties.
- 1.3 The application seeks for full planning permission for the erection of a two three-bedroom dwellinghouses, two four bedroom dwellinghouses and one two bedroom bungalow and detached double garage. The properties would be constructed using comparable materials to those already seen in village such as red brick and dark roof tiles with contemporary finishes such as timber cladding and render included to add an improved aesthetic appearance. The existing site access and driveway to Walnut Cottage will be closed with a new singular access point provided to serve the entire application site. This is to be situated further north-west along the site's south-western boundary and allows for a visibility splay of 2.4m by 43m. The proposal would provide an internal private estate road from which all properties will be accessed.
- 1.4 The proposal seeks to deliver new and enhanced soft landscaping features within the site which included infilling gaps in the hedgerow with new native planting, retention of the walnut trees and category A trees on the northern boundary, whilst category B and C trees are to be removed. Replacement planting will take place and will comprise of local varieties of fruit trees.
- 1.5 With regards to drainage, it is not appropriate for surface water drainage to be discharged into the sewer network and therefore surface water will be channelled to individual surface water soakaways within each plot. Foul water will be connected to the existing sewer system.

2.0 Planning History

- 2.1 No planning history for this site.

3.0 Consultations and Representations

- 3.1 Rock Parish Council – No objection and Recommend Approval. The Parish Council is supportive of the Applicant's approach to the site and understand the reasons for the reduction in numbers. It is hoped that the applicant will consider the addition of an additional bungalow at a future stage.

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- 3.2 Highway Authority – Recommend Refusal. The site on land adjacent to Walnut Cottage is in an unsustainable location and as such, future occupants will be solely reliant on private car use. Whilst there is a bus stop within 100m of the site, as above, there is no footway provision to the junction with Heightington Road and Bliss Gate Road and there is no street lighting in the area which will deter journeys on foot. The 291 bus service is a limited service which does not support commuter trips to and from employment or education, for example.

Other staple services and facilities are beyond acceptable distances for sustainable modes. For example the nearest primary school in Far Forest is 3.4km; Bewdley Medical Centre in the town centre is 5.6km (6.3km by car); the nearest Tesco Superstore is in Stourport which is 11km; town centre facilities in Kidderminster are 12.7km and the railway station in Kidderminster is 13.4km by car. The failure to provide opportunities for sustainable transport, failure to provide safe and suitable access for all users and the failure to give priority first to pedestrian and cycle movements are contrary to national policy in Paragraphs 108, 109 and 110 National Planning Policy Framework (NPPF).

The revised plans to show a reduction to 5 new dwellings (6 in total served off the proposed access), the proposed site could be designed as a private shared drive in accordance with the Streetscape Design Guide and different criteria apply (see attached). If the road remains private the refuse vehicle would not enter the site so tracking details would not be required and refuse collection points must be provided within 25m of the highway.

The plan as submitted (Rev F) is acceptable however the site would be unlikely to be adopted by the Highway Authority. The applicant should be requested to clarify whether they want to make any further amendments in the light of the above (*Officer Comment – The Applicant has stated that the owners will not be looking to have the road adopted*)

- 3.3 Countryside Manager – I feel this is a good improvement from the initial submission and from a biodiversity perspective feel we have been shown sufficient mitigation. It would be good see all these measures translated onto a plan for us to approve. However should this not be received suitable conditions can be imposed to require submission of details prior to commencement on site.
- 3.4 North Worcestershire Water Management [NWWM] – I have reviewed the information and it is my understanding that no further information has been submitted in relation to drainage. The most recent drainage strategy that I have seen is from WSP, 6 June 2019, and is obviously for the original proposal, so 6 dwellings. Information regarding the future maintenance responsibility, which was the topic of my email on 11th June 2019, was to my knowledge never imbedded. Although I assume the principles underlying the drainage strategy (WSP, 6 June 2019) will not alter (method of discharge, return period etc), I do believe that we now have to condition the submission of a surface water drainage strategy.

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- 3.5 Arboricultural Officer – Although I am a little concerned by the long term sustainability of T3 due to its proximity to plot 2 and the real possibility of post development pressure, I am largely satisfied with the mitigation and compromise on the site. A detailed landscaping plan will be required.

I am happy with the new layout for the above application and the measures agreed with the agent to mitigate for the felling of some of the fruit trees, subject to the following:

1. Revised Tree Protection Plan to reflect the change in the layout.
2. The landscaping plan should include details of the agreed actions which were as follows:
 - Only four of the protected trees, on the site, now need to be removed to facilitate the proposed development. These include a Pyrus, Damson and two Cherry. Damson (T3) can now be retained as the dwelling on that plot is to be moved forward. Plus the Malus in G1 has always been included for retention.
 - The trunks of the removed Damson and Pyrus trees would be attached to trees in the 'nature areas' to act as standing deadwood and allow any Noble Chafer within the trees to continue their life cycle. The trunks of the two Cherry trees could be left on-site to act as laying deadwood in as larger sections as possible.
 - Additional fruit trees are to be planted within the existing hedge line. These will need to be 20-22cm girth trees, at time of planting, and will need suitable irrigation installed to assist establishment. The species of these trees could be decided later, but a mixture of Damson, Cheurry and Malus would be ideal.
 - Smaller growing fruit trees with the correct rootstocks would be planted within the gardens of the dwellings to increase the size and age range of the tree population.
 - The TPO would be modified to include all the new trees planted and the retained trees on the site.
 - Two 'nature areas' are to be installed outside of the garden spaces in the north east and north west corners of the site. I feel these could be fenced off with post and rail or post and wire fencing and then plant a native mix hedge, of 1m plus sized whips, along the boundaries of those areas. Small interpretation signs would be good to allow the future owners to understand why they are not within their gardens and to prevent them from being used for garden waste.
 - Green roofs to be installed on two of the garages and where possible, shed/bike stores could also have green roofs on too.

Although the plans highlight some of these measures, more detail is required in a landscaping plan to ensure all the measures are adhered to

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- 3.6 Worcestershire Regulatory Services [WRS] (Contaminated Land) – No objection subject to a condition to safeguard against potential risk of contamination land.
- 3.7 Worcestershire Regulatory Services [WRS] (Noise) – No objection to the application in terms of road traffic noise adversely impacting future residents. In order to minimise any nuisance during the construction phase from noise, vibration and dust the applicant should refer to the WRS Demolition & Construction Guidance (see attached) and ensure that its recommendations are complied with.
- 3.8 Natural England – No comments to make on this application.
- 3.9 Severn Trent Water – No objection subject to the inclusion of a drainage condition.
- 3.10 Neighbour/Site Notice – Three letters of objection have been received from nearby occupiers which raise the following points:
- The site is outside the settlement boundary
 - It fails to address housing needs – the site is too small to have a significant impact on the need for rural housing or affordable housing, none of the houses are likely to be in an economy price range.
 - Nature of the site – site was previously used to graze sheep and before that it was a small orchard. Council's long standing practice not to develop such land but to use brownfield sites first. What makes the site attractive is that it is a virgin green field more or less flat or slightly sloping where everything can go in new with no demolition or old services to sort out.
 - Minimal impact on increased local expenditure and direct employment – proposals claim this development will help float the local economy but no examples were given except the comment that it will be good for the building trade. Very few retail opportunities exist nearby. The development is more likely to create an increase in delivery traffic and the movement of additional traffic on a small rural road.
 - Lack of amenities – there is no shop, no pub, no school, no village hall, no church. Every other part of the district has at least one of these. Whatever a household needs its a four mile round trip to Far Forest. There is no defibrillator and no telephone box to put one in. There is no bus stop
 - Traffic dangers – all traffic for the new houses and the existing Walnut Cottage will use the 'estate road' access onto Gorst Hill which is scarcely wide enough for two modern cars. The proposal includes places for 14 cars, apart form 3 at Walnut Cottage. The junction with Bliss Gate Road at the crossroads is blind for anyone attempting to turn left and traffic coming away from Bliss Gate crossroads intending to turn right into the 'estate' will be close to the brow of the hill in the face of on-coming traffic.

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- It will not protect existing assets – the proposals make this claim on the grounds that bird boxes, bat boxes and fruit trees will be introduced and some trees saved. It does not require the building of an estate to achieve this. Existing assets are better protect by not building six houses, it appears entirely cynical to me to claim that the estate will be a ‘net gain’ for the development of flora and fauna.
- Visual impact – the position of one of the proposed properties close to Bliss Villa is particularly unpleasant, directly impinging on the only neighbour involved. Another large building is directly along the roadside hedge making it intrusive.
- Rubbish – arrangements for rubbish collection are not clear. At present bins are put out onto the boundaries as there are no footpaths. It is proposed hat refuse collection vehicles drive down this ‘estate road’ and turn? On recycling days there will be potentials 14 green and brown bins on the roadside

4.0 Officer Comments

- 4.1 The main issues to be determined in this application are whether the proposal would be acceptable in principle, the sustainability of the location, impact of the development on ecology and trees, potential impact on landscape and visual character and drainage.

POLICY CONTEXT AND PRINCIPLE OF DEVELOPMENT

- 4.2 The National Planning Policy Framework (NPPF) sets out the Government’s planning policies for England and it advises that there is a golden thread running through the NPPF, which is the Government’s presumption in favour of sustainable development (Paragraph 11), which broadly means that developments which correctly balance the requirements of economic, social and environmental issues should be granted planning permission unless there are strong reasons that permission should not be granted.
- 4.3 The presumption in favour of sustainable development does not change the statutory status of the Development Plan as the starting point for decision making.
- 4.4 The strategic objectives of the District Council seek to guide new development to brownfield sites in accordance with the settlement hierarchy as set out under Policy DS01 of the Adopted Core Strategy. The site falls outside the settlement boundary of Bliss Gate. Policy DS04 of the Adopted Core Strategy and Policy SAL.UP2 of the Adopted Site Allocations and Policies Local Plan provide guidance for Rural Regeneration and Rural Housing, these policies state that within rural areas the only acceptable new residential properties will be to meet local housing needs as demonstrated through local housing need surveys or for essential agricultural workers accommodation. The development would not provide for any of these needs and as such, the proposal would represent a departure from the Development Plan.

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- 4.5 Notwithstanding this, the housing numbers within the Adopted 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; however the Council have failed for the last 3 years to meet its assessed need. The NPPF advises that based on these circumstances relevant policies for the supply of housing are to be considered 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 NPPF being engaged, which provides a tilted balance in favour of granting planning permission unless any identified harm significantly and demonstrably outweighs the benefits.
- 4.6 Therefore, the principle of residential development on this site is supported by national planning policy subject to any harm being identified that would significantly and demonstrably outweigh the benefits of granting planning permission for this development.

SUSTAINABILITY OF LOCATION

- 4.7 The application site lies within a rural location. The nearest primary school in Far Forest is 2.1 miles or St Annes in Bewdley 3.4 miles. The agent has submitted a School Census data for Worcestershire County Council for 2010 and 2019. In 2010 168 pupils attended Far Forest School; by 2019 this number had dropped to 107pupils, a decrease in over 36%. The agent has stated that this substantial decrease could be due to the lack of new families being able to move to the area and the current application will provide much needed smaller family homes in Bliss Gate. The development may help to maintain the pupil numbers who would benefit from the school bus pick-up and drop-off that operates within the village. Bewdley Medical Centre in the town centre is 3.47 miles away and the nearest petrol station in Bewdley is 4.4 miles. The nearest Tesco Superstore is in Stourport which is 6.83 miles, town centre facilities in Kidderminster are 7.89 miles and the railway station in Kidderminster is 8.32 miles by car.
- 4.8 The Highway Authority has commented that whilst there is a bus service it only operates a limited service. However, further research has been done into this and the number 291 bus leaves the bus stop which is located within 100m of the site six days a week with the latest bus from Kidderminster Bus Station leaving at 17.20pm arrives in Bliss Gate at 17:47pm, there is also a school bus service which operates from the bus stop. There is an uninterrupted pedestrian footpath to Callow Hill and within Callow Hill there are further bus stops which provide access to a broader range of bus services to larger settlements such as Tenbury Wells, Bewdley and Kidderminster. The agent has stated that the distance between Bliss Gate and Callow Hill is 1200m and that the Chartered Institute of Highways and Transportation publication 'Providing for Journeys on Foot' (2000) identifies that an acceptable walking distance for commuting purposes is 1000m with a maximum being 2000m.

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- 4.9 Additionally for non- commuting purposes, the same report identifies that the general preferred maximum walking distance is 1200m. The distance between the application site and Callow Hill bus stop is significantly shorter than the maximum commuter walking distances and does not exceed general maximum walking distances.
- 4.10 With further reference to footpaths, the agent has stated that whilst some may argue that there is an uninterrupted footpath between the site and Callow Hill and that such a distance is within acceptable limits some may also argue that it is not a desirable route to use and therefore they have undertaken a review of residential planning permissions granted within Rock Parish Council within the last two years analysing the proximity of new build residential properties to both transport connections as well as current settlement boundaries. The application site is nearer to the bus stop and defined settlement than any of the other approved sites and therefore they argue that these sites are less sustainable than the Walnut Grove application.
- 4.11 The Highway Authority have recommended refusal on the grounds that the site is not within a sustainable location and as such would not take up the opportunities to promote sustainable transport modes in order to minimise the reliance on the car to get to local shops and services. The proposed site plan shows the provision of a new footpath between plot 5 and Walnut Cottage which will provide access onto the Blissgate Road in order to access the existing bus services. I do agree with the Highways authority that the nature of the roads and distance from services and facilities means that future residents are likely to travel by their private vehicle as a preferred choice of travel and I recognise that this represents a conflict with the general policy intention of the Development Plan to direct new development in more sustainable locations within the District but the new footpath provides an alternative option to utilise the bus service.
- 4.12 In order to support a move towards a low carbon future as outlined in the NPPF, the agent has suggested that in addition to the provision of electric charging points, they would be happy to accept the inclusion of a pre-commencement planning condition which would require the submission and approval of sustainable welcome packs which would incorporate plans of all local services and facilities (public houses, restaurants, shops, bus stops etc..) As part of the sustainable welcome pack, each property would be provided with an electric bike (up to the value of £1500) or the same contribution towards an electric car.

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- 4.13 Paragraph 108 of the NPPF recognises that each type of development will have different opportunities to promote sustainable transport modes and that these will also vary between urban and rural areas. It further highlights that significant developments should be focused on locations which are or can be made sustainable, through limiting the need to travel and offering a genuine choice of transport modes (paragraph 103). There is a bus service that operates from a bus stop within 100 metres of the new development which will offer pick up / drop off for the local school and provide links to Bewdley Town Centre with a range of shops and services including bus services to other towns and cities.
- 4.14 Paragraph 78 of the NPPF advises that in order to promote sustainable development in rural areas, housing should be located where it will enhance or maintain the vitality of rural communities and that where there are a group of smaller settlements, development in one village may support services in a village nearby. Paragraph 79 seeks to avoid the development of isolated homes in the countryside unless there are special circumstances. The application site is close to existing dwellings, in particular Walnut Cottage, and is not considered to be an isolated location and due to the proximity with other nearby smaller settlements would be considered to be in accordance with the NPPF.
- 4.15 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.
- 4.16 Overall, it is noted that there would be some conflict with Development Plan policies which seek to promote sustainable modes of travel. In addition, the relevant housing policies within the Development Plan also seek to locate new housing in sustainable locations within urban areas where there is good accessibility to local shops, services, employment and public transport. However, any harm arising from this conflict would be limited given that the development is for a small development of 5 dwellings and is not within a remote or isolated location within the countryside. I therefore consider that the development would help to enhance and maintain the vitality of the rural community of Bliss Gate which would add to the benefits of the scheme.

IMPACT ON ECOLOGY AND TREES

- 4.17 There are no ecological or landscape designations associated with this site. The site relates to a field which was once an orchard and more recently used for sheep grazing. Various amendments were made to the location of the plots due to concerns raised by the Council's Arboricultural Officer and Countryside Manager. The changes to each plot are set out below:

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Plot 1: The proposed property has been moved further south-east within the plot which maximises the separation distance from the proposed property to the retained walnut tree in the site's north west corner and in addition there is a new biodiversity area within the plot's north west corner which will be fenced off from the garden. Within the fenced area, a hibernacula area will be created using the trees that are to be removed from the centre of the site and further tree planting is now proposed along the northern boundary of this plot. A final amendment has been to include low level lighting to the property's elevations.

Plot 2: The proposed property has been moved south so that the existing fruit tree in the rear garden can be retained. Additional tree planting is also contained along the northern boundary and the detached garage roof will have a green roof. A final amendment has been to include low level lighting to the property's elevations.

Plot 3: A second biodiversity area is proposed in the north east corner of the plot which will be fenced off from the rest of the garden. Within this area, the trunks of two fruit trees that are moved from another part of the site will be placed here. The trunks will provide potential habitat. A further tree is also proposed along the plot's northern boundary (adjacent to the existing tree to be retained) and the single garage will have a green roof. A final amendment has been to include low level lighting to the property's elevations.

Plot 4: The existing tree on this plot close to the east boundary will be retained in the rear garden of the plot. A final amendment has been to include low level lighting to the property's elevations.

Plot 5: No changes to the plot except for the inclusion of low level lighting to the property elevations.

- 4.18 Concern was raised over the impact that tree T4 will have on the rear of the garden of plot two. It is situated along the northern boundary and the garden will be north facing. The rear elevation of plot two has been designed to contain a high level of glazing to maximise natural light and includes two Juliette balconies on the first floor as balconies allow far greater natural light than standard windows with two sets of large bi-fold doors at ground floor level to again maximise light. Alongside this, the garden is north facing; therefore, there will be little shadowing as result of T4.
- 4.19 The Council's Arboricultural Officer has requested the submission of a revised Tree Protection Plan to reflect the change in the layout. and a revised landscaping plan to include details of the agreed actions as whilst it is acknowledged that a plan has been received, further details i required to ensure that all of the measures are adhered to.

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- 4.20 The Countryside Manager is satisfied with the findings of the submitted Biodiversity Enhancement and Landscape Management Scheme which shows the retained trees as well as the proposed biodiversity areas, the position of new replacement trees and the wider document details the various biodiversity enhancements that will be delivered as part of the proposal. However, he has requested that the recommended mitigation and enhancement measures are secured by condition as these have not been shown on a detailed landscaping plan and he has also requested five further conditions to be attached to any approval. Subject to the conditions suggested by the Arboricultural Officer and the Countryside Manager, I do not consider that the development would result in any harm to biodiversity and would accord with Policy CP14 of the Adopted Core Strategy and Policy SAL.UP5 of the Adopted Site Allocations and Policies Local Plan.

LANDSCAPE AND VISUAL CHARACTER

- 4.21 Paragraph 170 of the NPPF advises that planning decisions should contribute to and enhance the natural and local environment by recognising the intrinsic character and beauty of the countryside. The application site relates to a field which was a historic orchard but is currently being used to graze sheep with Walnut cottage located in the south corner.
- 4.22 The siting of the proposed dwellings are shown in a disperse form with additional planting to soften the impact. The number of dwellings has been reduced from what was initially proposed at the pre-application stage in order to provide a more spacious development with greater levels of soft landscaping to be included. The smaller development will also allow the retention of the existing hedgerows and mature trees that exist along the northern boundary.
- 4.23 Within Bliss Gate there is no overarching singular house type, design style or material. Properties on the edge of Bliss Gate are traditionally detached in nature with prominent materials consisting of dark colour roof tiles, red brick and UPVC windows and doors. These features have been taken into account when designing the development whilst also proposing a light coloured render which mirrors the streetscene along Heightington Road. The proposed dwellings have been simplified in terms of design and reduced in scale and massing to ensure they utilise the contours of the site, reducing the amount of excavation works required for the development. As such, I consider that the proposed development would not have any adverse impact on the landscape and visual amenity of the surrounding countryside.
- 4.24 Full details of building materials, including hard surfacing, boundary treatment and landscaping can be controlled by suitably worded conditions.

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DRAINAGE, FLOOD RISK AND CONTAMINATED LAND

- 4.25 An indicative surface water drainage strategy has been submitted which sets out that surface water from the development will discharge to individual soakaways plus a soakaway to take road runoff. Infiltration drainage is the preferred method of discharge where ground conditions are suitable. A permeability test has already been undertaken which confirms the suitability of this site for infiltration drainage.
- 4.26 Calculations have been made to provide an indicative sizing of the proposed soakaways, using a design return period of 1:100 years, a 40% allowance for climate change and an urban creep factor of 10%. North Worcestershire Water Management has confirmed that the proposed drainage method and design criteria are acceptable, although the use of green SuDS that provide amenity and biodiversity benefits is always encouraged. A revised location plan was requested in order to show that the proposed soakaways will sit comfortably within the proposed landscaping plan but this was not received. Therefore whilst the method of drainage is considered to be acceptable, NWWM has suggested that a condition be attached to any approval which requires the submission of a surface water drainage strategy which to be approved in writing by the Local Planning Authority, implemented prior to the first use of the development and thereafter maintained.
- 4.27 No concerns regarding contaminated land matters have been highlighted on WRS mapping system, however, they have recommended a condition to require reporting and appropriate remedial measures to be undertaken if any unexpected contamination land is found during the development works.

PLANNING BALANCE

- 4.28 The purpose of the planning system is to contribute to the achievement of sustainable development. Due to the relevant housing policies contained within the Development Plan being out of date, the application must be considered under paragraph 11d of the NPPF which advises that planning permission should be granted unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole.
- 4.29 I have considered the proposed development against the economic, social and environmental roles of sustainable development set out in Paragraph 8 of the National Planning Policy Framework. The development would provide some economic benefits during the construction work and economic activity of those occupying the dwellings, which would help to enhance and maintain the viability of shops, services and facilities within the rural community of Bliss Gate and other local areas. All construction materials for the project are from local sources which ensure the vitality and employment opportunities within the wider supply chain.

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- 4.30 The development would add to the housing land supply which would provide some planning benefits. In terms of the environment, all plots will be provided with vehicle electric charging points, a welcome pack which would incorporate plans of all local services and facilities (public houses, restaurants, shops, bus stops etc.) and the provision of an electric bike (up to the value of £1500) or the same contribution towards an electric car in order to support a move towards low carbon future as outlined in the NPPF. As part of the development the construction company will deliver new habitat areas to enhance the biodiversity and ecology present on the site and within the wider locality. There would be no significant harm to the character and appearance of the surrounding area, or landscape and there would be no detrimental impact on protected species or biodiversity.
- 4.31 The provision of a new footpath will allow residents to use the local bus service if required although it is acknowledge that in reality there may be more reliance on the private car to travel to shops, services and facilities. The development would not result in isolated homes and instead would support the rural community of Bliss Gate.
- 4.32 Notwithstanding the harm that has been indentified through conflict with eth development plan and the degree of the lack of sustainable access, it is concluded that such harm would not significantly and demonstrably outweigh the benefits of the proposal. I therefore consider that the proposed development would represent sustainable development and that the planning balance would weigh in favour of the proposed scheme.

5.0 Conclusions and Recommendations

- 5.1 It is clear that the proposal is in conflict with the development plan and that the Highway Authority have indentified the development would not be in a sustainable location. However, any adverse impacts arising from this harm would not significantly or demonstrably outweigh the benefits of the scheme, including the need to boost the housing land supply. In addition, I do not consider that the site is so intrinsically unsustainable to justify a refusal of the application given that it is not in a remote or isolated location given that there are services and facilities within Far Forest and Bewdley and the site is in close proximity to other dwellings.
- 5.2 I therefore consider that the overall planning balance is clearly in favour of the development and can be supported as a departure of the Development Plan.

19/0080/FULL

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

1. A6 (Full with no reserved matters)
2. A11 (Approved plans)
3. B1 (samples/details of materials)
4. Site and Finished Floor Levels
5. Boundary treatments
6. Details of hard and soft landscaping to be submitted
7. Landscaping establishment and management plan
8. Highway conditions
9. Surface water and foul water drainage
10. Reporting of Unexpected Contamination
11. Tree Protection Plan
12. Electric vehicle charging points
13. Removal of Permitted Development Rights for outbuildings and new boundary treatment.
14. Implementation of Ecological Mitigation and Enhancement Measures
15. Details of external lighting to be submitted
16. Submission and approval in writing of a welcome pack

Notes

- A. Highways
- B. Details of refuse provision

Application Reference:	19/0448/OUTL	Date Received:	10/07/2019
Ord Sheet:	378023 270129	Expiry Date:	04/09/2019
Case Officer:	Helen Hawkes	Ward:	Bewdley & Rock

Proposal: Erection of replacement dwelling house and change of use of an agricultural building into a single dwelling house, including associated works

Site Address: SHAWHILL, HEIGHTINGTON, BEWDLEY, DY122YH

Applicant: Mrs Lynda Bateman

Summary of Policy	DS01, CP01, CP02, CP03, CP11, CP12 (CS) SAL.PFS1, SAL.DPL1, SAL.DPL2, SAL.CC1, SAL.CC2, SAL.CC7, SAL.UP5, SAL.UP6, SAL.UP7, SAL.UP9, SAL.UP11 (SAAPLP) Design Guidance SPD National Planning Policy Framework Planning Practice Guidance
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 site relates to Shall Hill Farm, which is situated on the eastern side of Dunley Road in Heightington and between the villages of Callow Hill and Dunley. The present farmhouse and garage were constructed in the early part of the twentieth century and replaced an earlier cottage which was demolished. Within the site, there are a number of other farm buildings, including a breeze block and corrugated building, a stone barn and a large double height, modern corrugated barn. The farmhouse and farm buildings are set back some distance from the road, behind a hedgerow and trees, and are not visible from the road. The farmstead is recorded as an undesignated heritage asset on the Historic Environment Record (reference WSM62061).

- 1.2 This is an outline application for the demolition of the existing farmhouse and garage and its replacement with a new dwelling and garage in the same location and the conversion of the stone barn (identified as Barn 3). The breeze block and corrugated iron barn (identified as Barn 2) which was used as a piggery and lies next to Barn 3 will be demolished.

19/0448/OUTL

- 1.3 The remaining barn on site (identified as Barn 1) would be unsuitable for conversion due to its construction and the need to carry out substantial alterations (contrary to the limitations set out by Policy SAL.UP11). Amended plans have been submitted that show this barn to be retained as existing.
- 1.4 While all details have been reserved for subsequent approval an illustrative layout plan, elevations and floor layout plans have been submitted with the outline application.

2.0 Planning History

- 2.1 No planning history for this site.

3.0 Consultations and Representations

- 3.1 Rock Parish Council – No objection and recommend approval.

- 3.2 Highway Authority (*Initial response*) – Recommend refusal.

It is noted that this is an outline application with all matters reserved however the principle of access must be established and in addition Paragraph 108 NPPF requires that 'safe and suitable access to the site can be achieved for all users'. Whilst no objection can be raised with regard to the proposed replacement dwelling, the change of use from agricultural buildings to residential is unacceptable from a Highways point of view on the grounds of lack of accessibility by sustainable modes.

The site is located on Dunley Road which is a classified route (C2012) which serves as a link between the A451 and the A456 and is subject to the national speed limit. Nonetheless, the road is narrow in parts without road markings and has high hedges in parts which reduces visibility. There are no footways or street lighting provision in either direction from the site and the quality of the route for pedestrians and other vulnerable road users is poor. This is particularly so in adverse weather conditions and hours of darkness. Furthermore whilst Stourport-on-Severn which is the nearest settlement with an acceptable level of services and amenities, is within the industry accepted 5km cycling distance, the route is not considered to be acceptable as a regular cycling commuter route and the 12% gradient of the road in parts which is significant will deter all but the very keen cyclist.

The nearest bus stops are at Bliss Gate to the north west and in Astley Cross to the east which are much further than the accepted distance of 400m to access bus services and again the route is not walkable in terms of distance and quality. Future residents will therefore be reliant on private car use to access the facilities and services associated with modern living such as education, employment, health care, leisure and retail.

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The lack of access by sustainable modes is contrary to Paragraph 108 NPPF and the highway safety implications of the poor quality route are contrary to Paragraph 109 of the National Planning Policy Framework.

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 be a severe impact and therefore recommends that this application is refused.

- 3.3 Conservation Officer – No objection subject to a condition to secure the details of all external materials.
- 3.4 Worcestershire County Council's Archaeologist – No objection subject to a historic building recording and further details about the SuDs around the replacement dwelling.
- 3.5 Countryside Manager – No objection subject to the recommended mitigation and enhancement measures being secured by condition.
- 3.6 Natural England – No comments to make on this application and recommend that the Local Planning Authority refers to their standing advice when making an assessment on this application.
- 3.7 North Worcestershire Water Management Officer - No objection subject to a condition to ensure suitable drainage of the site. It is noted that the site is not at any risk of flooding. It is my understanding that the proposed development would result in a decrease in impermeable area, and therefore the amount of runoff generated on the site.
- 3.8 Worcestershire Regulatory Services - No objection and do not require any conditions to be applied.
- 3.9 Arboricultural Officer – No objection to this outline application. It is noted that the Landscape Character is Timbered Plateau Farmlands. The removal of the cypress hedging will improve the landscape appearance. I would therefore base my decision on a reserve matters application on the quality of the landscape design.
- 3.10 Severn Trent Water – No objection and do not require a drainage condition to be applied.
- 3.11 Neighbour/Site Notice – No representations received.

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4.0 Officer Comments

- 4.1 The main considerations are whether the proposed development would be acceptable in principle given its location and accessibility, and the impact on the character of the countryside, on historic environment and biodiversity.

PRINCIPLE OF DEVELOPMENT

- 4.2 Policy DS01 of the adopted Core Strategy seeks to focus new development on brownfield sites in urban areas and states that development in the open countryside will be closely controlled. Policy SAL.DPL2 of the adopted Site Allocations and Policies Local Plan states that new housing in rural areas will not be permitted unless one of the exceptional circumstances applies. In this instance, the site falls within the countryside and would meet one of the exceptional circumstances listed in Policy SAL.DPL2, as it would involve the replacement of a permanent existing lawful dwellinghouse.

- 4.3 The application also involves the conversion of a rural building, which is permitted under Policy SAL.UP11 providing the building is a permanent structure and is of a size which makes it suitable for conversion without the need for additional extensions, substantial alterations or the addition of new buildings. The application has been submitted with a Structural Report which confirms that the stone barn which is to be converted is of a sound condition and would be suitable for conversion without the need for substantial alterations or extensions.

- 4.4 The principle of development is therefore considered to be acceptable when applying policies concerned with new housing and barn conversions in rural areas, subject to the following considerations.

LOCATION OF DEVELOPMENT AND ACCESSIBILITY

- 4.5 Policy CP03 of the adopted Core Strategy and Policy SAL.CC1 of the adopted Site Allocations and Policies Local Plan which seek to ensure that all land uses are located where they can reduce the need to travel by private car.

- 4.6 The Highway Authority raises no objection to the replacement dwelling but considers that the proposed barn conversion to a dwelling would not be acceptable on sustainable grounds.

- 4.7 The site lies approximately 1 mile from Dunley and 3.6 miles from Callow Hill where there are local shops including a petrol filling station and a Church.

- 4.8 In terms of access to more sustainable settlements, Stourport on Severn is only 3 miles from the site (10 minute drive) where there is a large supermarket, a secondary school, healthcare facilities and employment opportunities. There is also a local bus service in Dunley, running approximately every hour which provides access to Stourport-on-Severn.

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- 4.9 I agree with the Highway Authority that the site is not well placed for the provision of an additional dwellinghouse, as future residents would be reliant on their private car to access everyday services and facilities. I also agree that future residents are unlikely to want to walk or cycle to nearby villages and Stourport-on-Severn given the nature and steep gradient (12%) on this part of Heightington Road.
- 4.10 However, the proposals only relates to one additional dwellinghouse which will involve the re-use of a redundant farm building and would lie adjacent to a replacement farmhouse. The National Planning Policy Framework does not seek to resist new rural housing but to ensure these are located in suitable locations where they can support the vitality of local services and facilities within rural settlements and would not result in isolated homes (paragraphs 78 and .
- 4.11 There is also a possible fallback position where the barn could be converted into a dwellinghouse under Class Q, Part 3 of The Town and Country Planning (General Permitted Development) (England) Order 2015, which weakens the reason for refusal given by the Highways Authority.
- 4.12 Taking all factors into consideration including that this element of the proposal relates to a barn conversion within an existing farmstead and relatively close to local services and facilities, I am of the opinion that any harm arising from the reliance on using private car to travel would not be significant.

IMPACT ON CHARACTER OF THE COUNTRYSIDE

- 4.13 I note that all matters of details are reserved for subsequent approval but an illustrative site layout plan, elevations and floor layout have been submitted with this application. The indicative site layout plan shows that the proposed replacement dwelling and garage would be sited over the footprint of the existing dwelling and garage. It also shows that the dwellinghouse would be orientated slightly to the southwest to maximise views over the wider countryside.
- 4.14 The indicative design of the proposed dwelling shows a traditional house design and the scale and massing does not appear to be significantly larger than the existing house it is to replace. Policy SAL.DPL2 advises that replacement houses in the rural areas should not exceed the size of the existing dwelling by 20%. I am therefore satisfied that the siting and massing of the replacement dwelling would not be significantly different than that of the existing dwelling.

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- 4.15 The proposed barn conversion would utilise all of the existing floor area including the mezzanine in order to create a 4 bedroom dwellinghouse and only limited alterations to the building would be required to make it habitable. The existing window openings would be reused and the proposed external doors would be provided within existing openings of the building. Only one new window opening on the ground floor and four window openings on the upper floor would be required. Overall, I consider that the proposed residential conversion of this building would be acceptable as it would retain the rural appearance of the building without excessive domestic features that would harm the fabric and character of the building.
- 4.16 I therefore consider that the proposed replacement dwelling and barn conversion would be an acceptable development that would make a positive contribution to the built environment and would have no adverse impacts on the character of the countryside, in accordance with Policy CP11 of the adopted Core Strategy and Policies SAL.DPL2, SAL.UP7 and SAL.UP11 which seek to protect the environment from poor building designs. The development would also accord with Paragraph 170 of the National Planning Policy Framework which seeks to ensure new developments protect and enhance the intrinsic character and beauty of the countryside.

IMPACT ON THE HISTORIC ENVIRONMENT

- 4.17 The farmstead is recorded as an undesignated heritage asset on the Historic Environment Record and it is considered by Worcestershire County Council's Archaeologist that only the 18th century stone barn is considered to have heritage value which may also include feature timber components salvaged from the original farmhouse demolished around the 18th century.
- 4.18 The Conservation Officer also shares this view and has carefully considered the proposed conversion works. It is noted by the Conservation Officer that *'The proposals are sympathetic to the design of the original barn in that there are few new openings proposed and those that are proposed are small enough to facilitate the retention of most of the rubble stone walling. The intrinsic significance and character of the existing building will, in my opinion be little affected by a conversion of this nature and ensure the building can survive in beneficial use into the future. I consider that the proposal for barn 3 complies with Policies SAL.UP6 and SAL.UP11 and thus I have no objection'*.
- 4.19 I concur with this view and consider that the proposals would conserve the significance of this undesignated heritage asset, in accordance with local and national planning policy.

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IMPACT ON BIODIVERSITY

- 4.20 A Bat Survey has accompanied the application which concluded that small roosts of two species (Brown long eared bat and Common pipistrelle) were found to be present in the main farmhouse and the stone barn (Barn 3). All bat roosts are protected through the Conservation of Habitats and Species Regulations 2010 (amended 2017) and the Wildlife and Countryside Act 1981 (as amended) and therefore a European protected species license will be required before any works take place on the site. However, the Local Planning Authority also have a duty to take a precautionary approach to ensure any harm to protected species is appropriately mitigated or compensated for.
- 4.21 The bat survey has recommended appropriate mitigation and enhancement measures which includes the following:
- To require a licensed ecologist to give briefings to the site managers and main contractors on working with bats, nesting birds and avoidance/low impact working techniques;
 - For all demolition works to take place between October to March;
 - To provide temporary mitigation in the form of boxes during demolition and construction works and permanent mitigation in the replacement dwellinghouse once constructed, in the form of a suitable 'bat loft' design;
 - To protect and recreate crevice roost features during any reroofing works for the proposed barn conversion;
 - To provide new wall crevices within integral bat boxes and bricks;
 - To use appropriate timber treatment and roof lining as to conform with the requirements set out by Natural England; and
 - To ensure any external lighting and terrestrial landscaping is designed to be suitable for bats.
- 4.22 The Survey also identified that the stone barn contained at least five birds nest and that appropriate mitigation will be required for the loss of bird nesting and additional enhancements have been recommended for species such as house sparrows and insects within the development.
- 4.23 The Council's Countryside Manager has carefully considered the application and has asked for a number of conditions in line with the recommendations included in the submitted Bat Survey. Subject to these conditions, which are considered to be necessary and reasonable, the development would be in accordance with Policy SAL.UP5 of the adopted Site Allocations and Policies Local Plan and Paragraph 175 of the National Planning Policy Framework, which require developments to ensure a net gain in biodiversity.

PLANNING BALANCE

- 4.24 It is evident that the proposed development would bring with it benefits including an additional dwelling in the rural area, a contribution to the vitality of Dunley by providing additional support to the shops, services and facilities within the village, employment during construction, additional household expenditure in the area, additional Council Tax revenue and biodiversity enhancement through new bat box features.

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- 4.25 The out of date status of the Development Plan already puts the decision of this application into the tilted balance in favour of the development. The harm arising from the poor accessibility of the site to local services and facilities and the reliance on private car to travel would not be significant given the relatively short travel distance to Dunley and Stourport on-Severn and that there is a realistic possibility that the barn conversion to residential could be achieved under Class Q of the GPDO 2015. I therefore consider that there is no harm that would significantly or demonstrably outweigh the benefits of the development, including the need to provide additional housing and the support to the rural economy. The development therefore would represent sustainable development, when assessed against the Framework as a whole.

5.0 Conclusions and Recommendations

- 5.1 While this is an outline application, it has been demonstrated by the illustrated plans that the proposed replacement house and barn conversion would not have a detrimental impact on the character of the countryside, or upon biodiversity, the historic environment or highway safety. I do not consider that any harm caused by the increase in car usage and reliance on private car to travel would be significant given the proximity of the site to Dunley and Stourport-on-Severn where the development would help to maintain the vitality of these areas, in particular the rural community. I therefore consider that the planning balance lies in favour of this development and that the development would accord with the relevant up to date policies within the Development Plan and the National Planning Policy Framework, when assessed against the policies as a whole.

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

1. A1 (Standard outline)
2. A11 (Approved Plans)
3. A2 (Standard outline – reserved matters)
4. A3 (Submission of reserved matters)
5. B1 (Samples/details of materials)
6. B11 (Details of enclosure)
7. Parking Provision to be provided
8. Visibility Splays to be provided and maintained
9. Landscaping scheme (including retention of hedgerows)
10. Landscaping scheme to be implemented
11. Scheme for Foul and Surface Water Drainage
12. Scheme for external lighting
13. Scheme of Temporary and Permanent Bat Roost
14. Ecological Mitigation and Enhancement Measures

WYRE FOREST DISTRICT COUNCIL

Planning Committee

15 October 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			

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			

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
WFA1525 19/0135/FULL	APP/R1845/D/19 /3229190	Mr G Randhawa	27 STANKLYN LANE TORTON KIDDERMINSTER DY104HR Two storey extensions to side and	WR 05/07/2019	09/08/2019			Dismissed 29/08/2019
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			Allowed 02/09/2019
WFA1527 19/0207/CERT	APP/R1845/X/19 /3230693	MR FINNEGAN	HARBOROUGH FARM BARN BIRMINGHAM ROAD BLAKEDOWN KIDDERMINSTER Proposed side extension, porch, detached garage and changes to external fenestrations	WR 24/07/2019	28/08/2019			

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
WFA1528 19/0056/CERT	APP/R1845/X/19 3227384	RLS ASSOCIATES (MR & MRS R SMITH)	HODGE HILL FARM BARN 3) BIRMINGHAM ROAD KIDDERMINSTER Certificate of Lawfulness Development for existing use: Domestic use of caravan	WR 26/07/2019	30/08/2019			
WFA1529 19/3030/AG	APP/R1845/W/1 9/3235133	MR R COLE	OLD HOUSE FARM HEIGHTINGTON BEWDLEY DY122XT Hay and storage building	WR 21/08/2019	25/09/2019			
WFA1530 19/0380/FULL	APP/R1845/W/1 9/3234813	Chloe Butler	CHAMPSON RISE 1 ROXALL CLOSE BLAKEDOWN KIDDERMINSTER DY10 Change of use of existing dwelling to a mixed use of residential dwelling and aesthetic clinic	WR 21/08/2019	25/09/2019			

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
WFA1531 19/3017/PNRES	APP/R1845/W/1 9/3234909	Miss and Mr Elizabeth and Nicholas Willetts	FRUIT FARM BARN BOURNES GREEN KIDDERMINSTER DY104PA Change of use of agricultural building to a dwellinghouse (Class C3)	WR 21/08/2019	25/09/2019			
WFA1532 19/0265/FULL	APP/R1845/W/1 9/3233276	Mr P Perry	27 PERRIN AVENUE KIDDERMINSTER DY116LL Proposed three bedroom bungalow	WR 23/08/2019	27/09/2019			



Appeal Decision

Site visit made on 6 August 2019

by **E Griffin LLB Hons**

an Inspector appointed by the Secretary of State

Decision date: 29 August 2019

Appeal Ref: APP/R1845/D/19/3229190

27 Stanklyn Lane, Stone, Kidderminster DY10 4HR

- 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 Grindri Randhawa against the decision of Wyre Forest District Council.
 - The application Ref 19/0135/FULL dated 25 February 2019 was refused by notice dated 29 April 2019.
 - The development proposed is two storey side extensions to either side of ground floor. Left side forward extension.
-

Decision

1. The appeal is dismissed.

Main Issues

2. The main issues are:
 - Whether the proposal would be inappropriate development within the Green Belt;
 - The effect of the development on openness of the Green Belt and the purposes of including land within it;
 - The effect of the development on the character and appearance of the area and
 - If it is inappropriate development, 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 in the Green Belt

3. The National Planning Policy Framework (the Framework) identifies that the fundamental aim of the Green Belt policy is to prevent urban sprawl by keeping land permanently open. It states that inappropriate development is harmful and should not be approved except in very special circumstances. The construction of new buildings, which would include extensions, should be regarded as inappropriate in the Green Belt subject to a number of exceptions set out in Paragraph 145 of the Framework. One of the exceptions cited is the extension or alteration of a building provided that it does not result in

- disproportionate additions over and above the size of the original building. In accordance with the glossary to the Framework, the reference to "original building" means the building as existing on 1 July 1948 or if it was constructed after that date as it was built originally. Any later extensions would therefore need to be considered as part of the increase in assessing proportionality.
4. The Framework advises that due weight should be attached to relevant policies according to their consistency with the Framework. As Policy SAL.UP1 of the Wyre Forest Core Strategy (2006-2026) Adopted December 2010 (the Core Strategy) adopts much the same wording as the Framework in applying the test of proportionality, it can be attached substantial weight.
 5. The appeal dwelling is a detached two storey house located at the end of a row of four dwellings on Stanklyn Lane with open countryside to the rear and east with No 25 Stanklyn Lane to the west. The existing dwelling has a conservatory on what is described as the left side and a single lean to extension and porch to the rear. It is set in a large plot and the setting is enhanced by the proximity to open countryside. An appeal decision¹ with regard to the same dwelling but for a different larger proposal was issued on the 6 February 2019 and was dismissed.
 6. The appeal proposal would consist of a side two storey extension along the left side of the dwelling but with a set back from the front of the dwelling. A smaller rear two storey extension is also proposed at the other side of the dwelling. The rear of the existing dwelling would be considerably wider with extensions on both sides.
 7. The Council states that the appeal proposal would result in a percentage increase in volume of around 94%. In the Design and Access Statement, the appellant refers to an increase of around 80% in terms of volume. He also refers to an increase in footprint of around 60%. However, it is not clear if either of the appellant's figures take into account previously permitted extensions. His footprint calculations refer to the existing dwelling as the starting point rather than the "original building" as per the Framework and the Design and Access statement refers to the existing original house.
 8. The appellant states that the previous Inspector referred to the Framework and the Council's policies as not quantifying what constitutes inappropriate additions. However, the previous Inspector went on to say "but it is clear that it is the accumulation of additions to the original building which is important rather than individual ones".
 9. Even if I were to accept the appellant's figure of around an 80% increase in volume, considered together with the overall increase in bulk, the proposal would still be significant and disproportionate. For these reasons, therefore the appeal proposal would be inappropriate development in the Green Belt.

Openness

10. The Framework makes clear that inappropriate development is by definition harmful to the Green Belt and should not be approved except in very special circumstances. The openness of the Green Belt is clearly evident both within the spacious plot itself and around the appeal site particularly with open fields to the rear and to the east. The appellant considers that the right hand side of

¹ APP/R1845/D/18/3217339

the dwelling will remain as existing and therefore retain openness. However, the proposed plans clearly show that due to its position, the rear extension will add volume at the right side of the existing dwelling as well as extending the rear. The combination of both extensions would add bulk and width to the dwelling and result in harm to the openness in the Green Belt and would not assist in safeguarding the countryside from encroachment.

Character and appearance

11. Policy SAL.UP8 of the Core Strategy states that extensions should be in scale and keeping with the form, architectural characteristics and details of the original building and extensions should also be subservient to the original building. The Council accepts that the roof height of the appeal proposal would be appropriate to the existing dwelling. However, the proposed side extension would have an elongated roof pitch on one side. The proposed rear elevation roof would also not harmonise with the existing dwelling for similar reasons. The angles of the existing roof pitches are largely symmetrical. The elongated effect which impacts upon the massing and form of the appeal proposal would also not be in keeping with the detailing of the original building.
12. I therefore do find that the appeal proposal would harm the character and appearance of the area. It would therefore be contrary to Policy SAL.UP8 of the Core Strategy which, amongst other things, refer to extensions being in scale and in keeping with the form and architectural characteristics of the original building. It would also be contrary to Policy SAL.UP7 of the Core Strategy which, amongst other things, states that development should be of the highest design quality.

Other Considerations

13. The appellant maintains that the Parish Council did not fully consider the appeal proposal and has questioned the lack of official records of meetings. Whilst the procedural workings of the Parish Council are matters that are outside my remit, its views are not in themselves conclusive in determining this appeal.
14. The appellant has referred to a development of new dwellings at Weavers Close of being an example of planning permission granted in the Green Belt. Whilst, I have limited information about the circumstances, each application has to be assessed on its own merits.

Conclusion

15. The Framework indicates that inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances. There would be loss of openness and substantial weight should be given to any harm to the Green Belt. I have also found harm to the character and appearance of the area. There are no other considerations to outweigh the totality of the harm. Consequently, very special circumstances do not exist and as such the proposal would also conflict with Policy SAL.UP1 of the Core Strategy. For the reasons given, the appeal is dismissed.

E Griffin

INSPECTOR

Appeal Decision

Site visit made on 20 August 2019

by Sarah Colebourne MA, MRTPI

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

Decision date: 2nd September 2019

Appeal Ref: APP/R1845/D/19/3232055

8 Swallow Drive, Kidderminster, Worcestershire, DY10 4DG

- 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 Mark Dearlove against the decision of Wyre Forest District Council.
 - The application Ref 19/0222/FULL, dated 15 April 2019, was refused by notice dated 21 June 2019.
 - The development proposed is a first floor side extension.
-

Decision

1. The appeal is allowed and planning permission is granted for a first floor side extension at 8 Swallow Drive, Kidderminster, Worcestershire, DY10 4DG in accordance with the terms of the application, Ref 19/0222/FULL, dated 15 April 2019, subject to the following conditions:-
 - 1) The development hereby permitted shall begin not later than three years from the date of this decision.
 - 2) The development hereby permitted shall be carried out in accordance with the following approved plan: 3759-02.
 - 3) The materials to be used in the construction of the external surfaces of the development hereby permitted shall match those used in the existing building.

Reasons

2. The appeal dwelling is a modern, detached, two storey house on a residential estate. Swallow Drive is a short, winding cul-de-sac of similar properties on an irregular building line and with generous spaces between dwellings. The neighbouring dwelling is orientated at an angle away from the appeal dwelling.
3. The property has already been extended at the side with a single storey extension. It has a simple, rectangular plan form with a pitched roof and a lower pitched roof over the side extension. This proposal would extend directly above that to provide two enlarged bedrooms.
4. By following the footprint of the existing extension, the proposal would not have a set back from the building line and would therefore not comply strictly with the Council's Design Guidance Supplementary Planning Document (2015). However, given the irregular building line of the street and the spaces between dwellings it would not create a terracing effect and the spacious character of

the street would be maintained. Furthermore, due to the slightly lower ridge and eaves height of the proposal in relation to the main part of the dwelling it would have a subservient appearance, whilst the continuation of the existing canopy would provide unity with the existing. It would thus meet the objectives of the design guidance.

5. I conclude therefore that the proposal represents a subservient, well-designed, high quality extension that would not harm the character and appearance of the building or the area. It would accord with the Council's development plan policies CP11 in its Core Strategy and SAL.UP7 and SAL.UP8 in its Site Allocations and Policies Local Plan which seek to ensure that proposals are of a high quality design. There are no material considerations that indicate otherwise and the appeal should be allowed subject to conditions.
6. In addition to the standard commencement condition, a condition is necessary requiring that the development is carried out in accordance with the approved plan, in order to provide certainty. A condition requiring matching external materials is necessary in the interests of the character and appearance of the dwelling and the area.

Sarah Colebourne

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
19/0484/FULL	Land off Mayflower Close Stourport on Severn	<ul style="list-style-type: none"> Public Open Space contribution of £10,000 		
19/0150/FULL	Former Midland Industrial Plastics Site, Steatite Way Stourport on Severn	<ul style="list-style-type: none"> Affordable Housing – 14 units based on affordable rent tenure; 8 x two bed units and 6 x three bed units Highway contribution – A contribution of £10,000 is required to improve the 2 nearest bus stops to provide Kassell kerbs 		
18/0529/FULL	Former Sion Hill Middle School Sion Hill Kidderminster	<ul style="list-style-type: none"> Highway contribution of £22,000 towards improvement of 3 bus stops 	Prior to commencement of development	Completed 4.6.19

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Application Number	Site	Provisions	Triggers for Compliance	Performance
18/0446/FULL	Site Parcel P Former British Sugar Site Land off Stourport Road Kidderminster	<ul style="list-style-type: none"> • Public Open Space contribution of £56,651.40 • Affordable Housing (7 units) 	Prior to first occupation	Completed 30.4.19
18/0306/FULL	The Old Grammar School The Village Chaddesley Corbett	<ul style="list-style-type: none"> • Affordable Housing 		Draft agreement in circulation
18/0285/OUTL	Churchfields Business Park Unit 38 Churchfields Kidderminster	<ul style="list-style-type: none"> • Affordable Housing (18 units) 	From commencement of development	Completed 5.6.19
18/0163/FULL	Land off Stourbridge Road (adj. Hurcott Lane) Kidderminster	<ul style="list-style-type: none"> • Education contribution of £373,356 • Public Open Space contribution of £101,714 • Highway contributions of <ul style="list-style-type: none"> - £20,000 for Bus Stop Provision - £4,905 for Promotion of Speed Limit Extension - £18,200 for Personal Travel Planning • Affordable Housing 	<ul style="list-style-type: none"> • Occupation of 1/3 of dwellings • Prior to 1st occupation • Prior to commencement 	Agreement completed 9 th August 2018

Application Number	Site	Provisions	Triggers for Compliance	Performance
18/0160/FULL	Land North of Baldwin Road Stourport on Severn	<ul style="list-style-type: none"> • A total of 5 units to be affordable, comprising 3 social rent units and 2 as intermediate units. • A off-site public open space financial contribution of £19,174.32 towards the project defined as the Circular route at Stourport Riverside, which would create a new 1.5m wide footpath around the northern and western perimeter of the meadows off Severn Way including a link to Moorhall Nature reserve. 		Agreements being executed

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Application Number	Site	Provisions	Triggers for Compliance	Performance
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	Prior to commencement	Agreement completed 18 th July 2018
17/0780/FULL	Blakebrook School Bewdley Road Kidderminster	<ul style="list-style-type: none"> • Public Open Space of £19,174.32 • Biodiversity contribution of £5,000 	First occupation	Completed 26 th March 2018
17/0511/OUTL	Land off Spennells Valley Road Kidderminster	<ul style="list-style-type: none"> • Public Open Space contribution based on bedspaces • Contribution of £20,000 towards creation of bus stops • £1500 towards pedestrian crossing • Affordable Housing 29.8% 	<p>First occupation</p> <p>Prior to commencement</p> <p>Prior to commencement</p>	Completed 1 st May 2018

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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		Agreement completed 10.7.18
17/0269/FULL	Kidderminster Market Auction Site Market Place Kidderminster	Public Open Space contribution of £6,682		Agreement completed 23.10.17

Application Number	Site	Provisions	Triggers for Compliance	Performance
17/0205/OUTL	Former Lea Castle Hospital Park Gate Road Kidderminster	<p>Up to £194,237 contribution towards existing GP surgeries -final amount determined by reference to number of dwellings</p> <p>Education</p> <p><i>Primary Level</i> £2,476 per open market 2 or 3 bed dwelling; £3,714 per open market 4 or more bed dwelling; £990 per open market 2 or more bed flat.</p> <p><i>Secondary Level</i> £3,230 per open market 2 or 3 bed dwelling; £4,845 per open market 4 or more bed dwelling; £1,292 per open market 2 or more bed flat.</p> <p>Calculated by reference to the number of dwellings in each phase</p> <p>Refurbishment of sports changing facilities</p> <p>Affordable housing 15% minimum, 20% maximum</p>	Various stages of phased development-see agreement for further details	Agreement completed 27.6.19

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Application Number	Site	Provisions	Triggers for Compliance	Performance
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

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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"> • Public Open Space contribution of £23,242 • Education contribution of £48,282 • Affordable Housing 		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"> • Public Open Space contribution of £3,384 • Affordable Housing – to be secured by condition 		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

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

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

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

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

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

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

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

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

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

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

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

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

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