

Open

Planning Committee

Agenda

6pm
Tuesday, 14th January 2020
Council Chamber
Wyre Forest House
Finepoint Way
Kidderminster



Planning Committee

Members of Committee:

Chairman: Councillor C 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.

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

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

*Unless there are no reports in the open session.

NOTES

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

Wyre Forest District Council

Planning Committee

Tuesday, 14th January 2020

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 10th December 2019.	7
5.	Applications to be Determined To consider the report of the Development Manager on planning and related applications to be determined.	17
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.	57
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.	71

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.	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

10TH DECEMBER 2019 (6PM)

Present:

Councillors: C Edginton-White (Chairman), G W Ballinger, C J Barnett, V Caulfield, S J Chambers, P Harrison, M J Hart, L J Jones, S Miah, F M Oborski MBE, C Rogers and L Whitehouse.

Observers:

Councillors: N Martin and M Rayner.

PL.49 Apologies for Absence

Apologies for absence were received from Councillors: J Aston (Vice-Chairman) and Cllr J W R Thomas.

PL.50 Appointment of Substitutes

Councillor G W Ballinger was a substitute for Councillor J W R Thomas and Councillor S Miah was a substitute for Councillor J Aston.

PL.51 Declarations of Interests by Members

Councillor F M Oborski MBE declared an Other Disclosable Interest (ODI) in agenda item 19/0565/FULL that as the Cabinet Member for Economic Regeneration, Planning and Capital Investments she was involved in the agreement to release the site for sale. She informed the Committee that she had not been involved in the planning application at all and would remain in the Chamber and vote on the application.

PL.52 Minutes

Decision: The minutes of the meeting held on 15th October 2019 be confirmed as a correct record and signed by the Chairman.

PL.53 Applications To Be Determined

The Committee considered those applications for determination (now incorporated in Development Management Schedule No. 579 attached).

Decision: The applications now submitted be determined, in accordance with the decisions set out in Development Management Schedule No 579 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.54 Planning and Related Appeals

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

Decision: The details be noted.

PL.55 Land at 44 Turton Street, Kidderminster

The Committee considered a report to determine whether the Tree Preservation Order No 444 (2019) relating to a Birch and Sycamore within the rear garden of 44 Turton Street, Kidderminster should be confirmed or not.

Decision:

That the tree Preservation Order (TPO) be confirmed:

TPO to include:

1 x Sycamore

1x Birch

as these trees contribute to the amenity of the locality and are considered worthy of protection.

PL.56 Exclusion of the Press and Public

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

PL.57 New Enforcement Case

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

Decision: If the planning application received is valid, to await the outcome of the application. If the application is established not to be valid, that the Solicitor to the Council receive delegated powers to serve or withhold an Enforcement Notice for the reasons detailed in the confidential report to the Planning Committee.

PL.58 Outstanding Enforcement Case Schedule

The Committee received a report from the Corporate Director: Economic Prosperity and Place which provided Members with a summary report on outstanding enforcement matters.

Decision: That the contents of the report be noted.

There being no further business the meeting ended at 7:39pm.

WYRE FOREST DISTRICT COUNCIL

PLANNING COMMITTEE

10th December 2019 Schedule 579 Development Management

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

Application Reference: 19/0308/FULL
Site Address: 14 LENCHVILLE, KIDDERMINSTER, DY10 2YU
The Committee received representation from Fiona Humpage – objector and John Shakeshift – Agent
<p>APPROVED subject to the following conditions:</p> <ol style="list-style-type: none"> 1. A6 (Full with no reserved matters) 2. A11 (Approved plans) 3. B1 (samples/details of materials) 4. Window details. 5. Site and Finished Floor Levels. 6. No raised patio/decking or balcony to the rear. 7. Boundary treatments to include access for hedgehogs. 8. Details of landscaping scheme to include wildlife friendly plant species. 9. Implementation of Landscaping Scheme. 10. Provision of a minimum of 2 bird and bat boxes. 11. External lighting details. 12. To require an ecological clerk of works to carry out a site inspection for the presence of wildlife before any site clearance works commence. 13. Removal of Permitted Development Rights for extensions, windows and enlargements of dwellinghouse. 14. Scheme of surface water drainage. 15. Access, turning area and parking facilities including cycle parking to be provided. 16. Construction Environmental Management Plan. <p>Notes</p> <p>A Severn Trent Water</p> <p>B Ringway Infrastructure Service to carry out all highway work.</p>

Councillor M Rayner left the meeting at this point.

Application Reference: 19/0565/FULL

Site Address: LAND ON THE CORNER OF HAROLD DAVIES DRIVE AND DUNLEY ROAD, STOURPORT-ON-SEVERN, DY13 0AA

The Committee received representation from Chris Robson – objector and Dr Tristan Brodie – on behalf of the Applicant

Delegated authority to **APPROVE** subject to the following:

- a) the signing of a **Section 106 Agreement** to secure financial contributions towards bus stop infrastructure and tree planting; and
- b) the following conditions:
 - 1. A11 (Approved Plans)
 - 2. B1 (Materials Submission)
 - 3. B9 (Boundary Treatment)
 - 4. C2 (Tree Retention)
 - 5. C3 (Tree Protection)
 - 6. C6 (Landscaping Scheme)
 - 7. C8 (Landscape Implementation)
 - 8. C9 (Hedge Protection)
 - 9. E2 (Foul Drainage)
 - 10. Surface Water Drainage
 - 11. Underfloor Void provision
 - 12. Flood Emergency Plan
 - 13. CEMP (Construction Environmental Management Plan)
 - 14. EVC Points provision
 - 15. Low NOx Boilers
 - 16. Lighting scheme to implemented and maintained
 - 17. Archaeology Written Scheme of Investigation
 - 18. Additional Bat Survey prior to works commencing
 - 19. Provision of bat and bird boxes to be provided and maintained
 - 20. Access Provision
 - 21. Visibility Splays
 - 22. Travel Plan
 - 23. Cycle Parking Spaces (26 Spaces)

Notes

- A. SN2 (S.106)
- B. SN5 (Adverts)
- C. Environmental Permit
- D. S.278
- E. CEMP
- F. Travel Plan

Councillor N Martin left the meeting at this point.

Application Reference: 19/0150/FULL

Site Address: FORMER MIDLAND INDUSTRIAL PLASTICS SITE, STEATITE WAY, STOURPORT-ON-SEVERN, DY13 8PQ

Delegated authority to **APPROVE** subject to the following:

a) the signing of a **Section 106 Agreement** as detailed within the report; and

b) 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
24. Noise Mitigation Management Plan
25. Removal of PD Rights to retain noise mitigation
26. Testing of Noise Mitigation prior to occupation

Notes

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

Application Reference: 19/0283/PIP

Site Address: LAND REAR OF CLOWS TOP GARAGE, TENBURY ROAD,
CLOWS TOP, KIDDERMINSTER, DY14 9HG

APPROVED subject to a note advising that the following items are required to be submitted as part of the Technical Details Consent application and the following conditions:

1. Location Plan (1:1250)
2. Block Plan/Site Plan (1:500)
3. Proposed Floor Plans (1:100)
4. Proposed Elevations (1:100)
5. Cross-Sections (at an appropriate scale)
6. Streetscene (1:200)
7. Access proposals (1:200 or 1:100)
8. Planning Statement, including Public Consultation
9. Affordable Housing Statement
10. Viability Assessment – should any market housing be proposed
11. Tree Survey
12. Arboricultural Impact Assessment
13. Landscape Scheme (1:200) and Planting Schedule
14. Construction and Environmental Management Plan
15. Sustainable Building Assessment
16. External Lighting Proposals
17. Foul Drainage Scheme, including non-mains assessment if required
18. Surface Water Scheme/Strategy including Sustainable Urban Drainage
19. Ecological Survey
20. Contaminated Land Assessment
21. Noise Assessment
22. Transport Statement
23. Sustainable Transport Statement including Welcome Pack
24. Landscape and Visual Impact Assessment

Application Reference: 19/0466/FULL

Site Address: LAND ADJOINING 16 THE SERPENTINE, KIDDERMINSTER DY11 6NX

APPROVED subject to 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
6. Access, turning and parking facilities to be provided
7. Details of walls, fences and other means of enclosure
8. Removal of Permitted Development Rights for extensions, roof alterations and outbuildings
9. Removal of Permitted Development Rights for any front boundaries or enclosures
10. Scheme for surface water drainage
11. Installation of Electric Vehicle Charging point

Notes

- A. Vehicle crossing information
- B. Surface water
- C. Review the modelled flood risk
- D. Provision of waste collection

Application Reference: 19/0516/FULL

Site Address: LAND ADJ.131 REDSTONE LANE, STOURPORT-ON-SEVERN,
DY13 0JN

APPROVED subject to 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
6. Access, turning and parking facilities to be provided
7. Details of walls, fences and other means of enclosure
8. Removal of Permitted Development Rights for extensions, roof alterations and outbuildings
9. Removal of Permitted Development Rights for any front boundaries or enclosures
10. Scheme for surface water drainage
11. Programme of archaeological work including a Written Scheme of Investigation
12. Site investigation and post investigation assessment
13. installation of Electric Vehicle Charging point

Notes

- A. Vehicle crossing information
- B. Surface water
- C. Review the modelled flood risk
- D. Provision of waste collection

Application Reference: 19/0521/FULL

Site Address: FORMER SCHOOL AT COMBERTON ROAD, KIDDERMINSTER, DY10 3DX

Delegated authority to **APPROVE** subject to the following:

- a) the signing of a **Section 106 Agreement**; and
- b) the following conditions:
 1. (A6) 3 year Time Limit
 2. (A11) Approved Plans
 3. To secure brick for external walls, roof tiles and materials for porches
 4. To require windows to be constructed in accordance with the plans and showing at least 60mm window reveal depth.
 5. To secure details of hardsurfacing
 6. To secure details of boundary treatment
 7. To secure site and finished floor levels
 8. To require implementation of landscaping scheme
 9. To secure Landscape Management Plan
 10. To secure implementation of Arboricultural Method Statement
 11. J1 (Removal of permitted development – residential)
 12. J9 (To require open plan frontages)
 13. Detailed surface water drainage strategy
 14. Method statement for the protection of the water environment from pollution during the course of construction
 15. To require details of external lighting scheme
 16. Within housing plots and public open space, a method statement for removal of invasive weeds shall be submitted and approved and then implemented.
 17. Within wet woodland, a method statement for removal of invasive weeds except for himylayan balsam, shall be submitted and approved and then implemented.
 18. To secure implementation of Construction Ecological Method Statement
 19. To secure implementation of mitigation measures for Badgers as set out in the submitted Ecological Report
 20. To require the installation of 7no. bat boxes and 10no. bird boxes
 21. To require implementation of ecological mitigation and enhancement measures
 22. To require details of the disposal of foul and surface water flows
 23. To secure affordable housing provision
 24. To secure the provision of electric vehicle charging points
 25. To require ultra-low NOx boilers to be installed
 26. To secure cycle parking provision
 27. To require access road, parking and turning areas to be provided
 28. To require developers to report any unexpected contamination
 29. Require amended car parking layout
 30. Require public open space maintenance scheme

Notes

- A. SN2 (Section 106 Agreement)
- B. SN1 (Removal of Permitted Development Rights)
- C. Highways
- D. Waste Provision
- E. SN12 (Neighbour's rights)
- F. Consideration should be given to the presence and removal of asbestos containing materials in the office buildings.
- G. Clearance works to take place outside bird nesting season
- H. To advise that a protected species license will be required from Natural England
- I. All doors and windows should comply with Approved Document Q of the Building Regulations.
- J. Provision of waste collection

Application Reference: 19/0566/FULL

Site Address: UNIT 12 RIVERSIDE BUSINESS CENTRE, WORCESTER ROAD, STOURPORT-ON-SEVERN, DY13 9BZ

APPROVED subject to the following conditions:

- 1. A6 (Full with no reserved matters)
- 2. A11 (Approved plans)
- 3. Provision of cycle parking
- 4. To secure noise management plan, including hours of use

Note

Business specific Flood Emergency Plan

Application Reference: 19/0683/FULL

Site Address: 5-6 WESTBOURNE STREET, BEWDLEY, DY12 1BS

APPROVED subject to the following conditions:

- 1. A6 (Full with no reserved matters)
- 2. A11 (Approved Plans)

EXECUTIVE SUMMARY TO REPORT OF DEVELOPMENT MANAGER

Planning Committee

14/01/2020

PART A Reports

Ref.	Address of Site	Recommendation	Page No.
19/0618/FULL	BUTTON OAK HOLIDAY PARK HOMES BUTTON OAK TO ARLEY ROAD POUND GREEN BEWDLEY	APPROVAL	18

PART B Reports

Ref.	Address of Site	Recommendation	Page No.
19/0263/FULL	LAND ADJACENT TO 4 TELFORD DRIVE BEWDLEY	APPROVAL	28
19/0635/REGS3	CROWN HOUSE BULL RING KIDDERMINSTER	APPROVAL	36
19/0667/FULL	LAND ADJACENT TO 1 WESTHEAD ROAD COOKLEY KIDDERMINSTER	APPROVAL	40
19/0700/FULL	55 BEWDLEY ROAD NORTH STOURPORT-ON-SEVERN	APPROVAL	45
19/0751/FULL	LAND OFF GORST HILL ROAD ROCK KIDDERMINSTER	APPROVAL	48

WYRE FOREST DISTRICT COUNCIL

PLANNING COMMITTEE

14TH JANUARY 2020

PART A

Application Reference:	19/0618/FULL	Date Received:	04/10/2019
Ord Sheet:	375259 278056	Expiry Date:	03/01/2020
Case Officer:	Julia McKenzie-Watts	Ward:	Bewdley & Rock

Proposal: Change of Use of Land at Button Oak Holiday Park Homes for the siting of additional Static Caravans for Holiday Lets for 11 months usage

Site Address: BUTTON OAK HOLIDAY PARK HOMES, BUTTON OAK TO ARLEY ROAD, POUND GREEN, BEWDLEY, DY123LA

Applicant: A and I Loveridge

Summary of Policy	CP10, CP11, CP12 (CS) SAL.UP7 (SAAPLP)
Reason for Referral to Committee	Third party has registered to speak at Committee
Recommendation	APPROVAL

1.0 Site Location and Description

- 1.1 The site is located approximately 25m north of the Bewdley to Kinlet Road (B4194), and accessed off the C2134 that leads to Pound Green and Arley Station. The site has been utilised as a holiday caravan site for a number of years, with an extant planning permission in 1985 for 25 caravans being occupied between 1st February and 31st December each year.
- 1.2 The site falls partly within the District Boundary with a small portion falling within Bridgnorth District.
- 1.3 The application seeks consent for the siting of 5 additional units within the current site for 11 months occupancy.

19/0618/FULL

2.0 Planning History

- 2.1 KR.41/70 - Extension to Caravan Site : Refused
- 2.2 KR.417/72/A - Permanent establishment of existing caravan site : Approved
- 2.3 WF.417/72 - Removal of condition limiting number of caravans : Refused
- 2.4 WF.217/78 - Additional caravans (52 Units) : Refused
- 2.5 WF.528/85 - Two additional caravans (total 25) : Approved
- 2.6 WF.73/99 - Change of use of shop to sitting room : Approved
- 2.7 WF.820/03 - Extension of site providing 51 holiday caravans + permanent warden caravan : Withdrawn
- 2.8 07/0495/FULL - Alterations and improvements and change of use of part of land to stationing of caravans. Waste Treatment Plant : Withdrawn
- 2.9 06/0407/FULL - Use of land for siting of six mobile holiday homes at Wyre Cottage, Button Oak : Refused
- 2.10 07/0958/FULL - Alterations and improvements to existing caravan site and installation of new waste treatment plant : Approved

3.0 Consultations and Representations

- 3.1 Upper Arley Parish Council – No comments received
- 3.2 Highway Authority – No objection subject to condition.

The Highway Authority has undertaken a robust assessment of the planning application and concludes that the proposal would not be contrary to Paragraph 109 of the National Planning Policy Framework and therefore there are no justifiable grounds on which an objection could be maintained.

- 3.3 Countryside Manager - No objection subject to the inclusion of conditions.
- 3.4 Arboricultural Officer – Concerns raised over the depth of the concrete pads and the location of underground services as they may impact on the Root Protection Areas (RPA) of the trees. The Agent has confirmed that the services will be as shallow as possible to be the most economic solution and that they are well outside the RPAs of the retained trees - that adjacent no.28 by in excess of 1.5m, and that adjacent no.30 by in excess of 2.5m. Services will be routed along the northern edge of the existing driveway access and thence to the individual units under the permeable parking area, so will not encroach into the grassed area or be routed in proximity to the existing tree RPAs.

19/0618/FULL

(Officer Comment – Further information has now been received which the Arboricultural Officer advises has overcome some of his concerns. However, he has requested a plan to show where the services are to be located and also a Tree Protection Plan is to be submitted and approved in writing. Both of these conditions are to be added in any forthcoming approval).

3.5 Worcestershire Regulation Services (Noise) - No objection

3.6 Housing Services – No objection

3.7 Severn Trent – No objections to the proposals subject to conditions

3.8 Neighbour/Site Notice – Eleven letters of concern/objection have been received that raises the following issues:

DESIGN AND HOUSE TYPES:

- This is an unwelcome application for yet MORE static caravans to be sited in the rural parts of Worcestershire. This form of development is nothing more than "Residential Development by the Back Door", an attempt to secure consent for "dwellings" where people do indeed reside for the majority of the year, but not permanent structures as per the normal brick or stone built properties that are normally to be found in smaller rural settlements.
- There is always a need for genuine affordable housing to be provided, especially in the rural areas but as referred to above, this cannot be considered to fall within the description of affordable housing; it is residential development by the back door.
- It cannot be considered as "limited infill" either, as the proposal increases the capacity of the site by almost a third.
- It is here that limited infilling would be more appropriate due to the provision of existing local facilities in the town and therefore less commuting.
- I recommend that Members refuse this application on the grounds of an unacceptable increase on the number of park homes already permitted on this site
- The former makes it very clear that these additional caravans will make it a very dense development, inappropriate in the rural setting of scattered dwellings that is Button Oak.
- The Design and Access Statement justifies the additional caravans as being good for local tourism. This too is incorrect: they are not for tourists, but residents. Normal housing development is rightly restricted in the village.

19/0618/FULL

- Wyre forest plan for the coming years states that they will build more houses there has been very few permanent affordable houses built in Bewdley for the local population surely more housing both shared ownership and for purchase is far more preferable to the proliferation of these sites which have gone on unabated over recent years
- Having travelled through many other parts of Worcestershire I have noted that no other local councils have allowed their countryside to be marred by these developments, we live in a Beautiful area that attracts visitors they come to see and enjoy the countryside if we continue to sanction the growth of these sites we are in danger of loosing the one thing that attract the visitors our green spaces.
- When the original application was granted for Majuba it did it not state that it would be granted for no more caravans than were already Insitu, what has changed , why do the owners see a need to increase the number of caravans.
- I cannot see a "Change of use" description accompanying these applications. Presumably it is a change of use from "amenity land " to providing more chalets.
- I have had a look at the revised plans but I am still concerned the chalet that will be positioned by the bungalow is still too close to my mother's house, Yew Tree Cottage.
- The Design and Access statement refers to the Shropshire Adopted Core Strategy. Wyre Forest Adopted Core Strategy encourages sustainable tourism (Policy CP10) it specifically states that in rural area and development must not have a detrimental effect upon the character of the are. This is taken further in Policy CP12 : Landscape Character which states explicitly ‘ Applications of further mobile home, caravan and chalet developments within the district Rural areas will be restricted due to the collective impact which existing sites have on the landscape. Turning to the emerging local plan (201602036), draft Policy 23 C continues to resist new sites because of the impact on the landscape and Policy 28B, at A again repeats that further developments will be resisted because of the impact on the landscape . The current site at Button Oak is of medium density and it would benefit from screening. What is proposed will greatly increase both the physical density of the caravans and the visual impact of the site as a whole., The proposed density will be very urban whereas the setting os one of a linear village. The landscape type is ‘Forest Smallholdings and dwellings’ and the County Council analysis notes that this pattern is ‘vulnerableto...modification to an urban character@ especially by infilling. The current application is infill of that sort that is specifically damaging to this fragile landscape. Therefore the impact on the landscape, from both outside the site, and from within the site, will e very negative and clearly contrary to policy.

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HIGHWAYS

- A major concern is the additional traffic of residents and visitors. The Existing Site Plan clearly shows the proximity of the end of the site driveway to the junction of the B4194 and Arley Road. This is a very difficult junction particularly for those leaving Arley Road and turning onto the B4194 as there is limited vision in both directions. Speeding in the village is a major issue, and there is a particularly short view when leaving Arley Road and turning right.
- We object on the grounds that it would increase the already high volume of traffic using the B4190 particularly from the Bewdley direction.

AMENITIES

- The demographics these sites attract are predominantly elderly and therefore will not be contributing to the economic growth of the area, or supporting our local school they will be putting even more strain on Bewdley medical centre which is already struggling to attract enough doctors and in the coming years put even more strain on the social service budget.

NOISE AND RUBBISH POLLUTION

- The Design and Access Statement includes this observation:
The chalets are all located a sufficient distance from any neighbouring residential dwellings so as not to give rise to concerns of impact on residential amenity.

This is incorrect: these additional caravans will be much closer to residents, such as me and my husband, than almost all the others, and will definitely impact on our privacy via noise, lights etc.

- Some of the residents living there continually drop rubbish outside my house that I have to pick up, some their dogs (possibly also could be visitors to the site) foul the footpath outside my house, residents of the site are told car repairs need to take place offsite which forces them to repair cars and vans etc outside my house, don't really want to look at anymore large white unsightly caravans on a green field from my window and neither does my neighbour, I could well do without the additional traffic and the noise that is generated regularly from either residents or their visitors at silly o'clock in the morning.
- I am concerned that the park is getting too big for the location. The noise, especially as the one chalet is in close proximity to Yew Tree Cottage. The noise from extra traffic in the park. Also, the owners cannot maintain the boundary fence and dangerous dead trees now. So if they cannot maintain these now then how will they manage when the size of the park increases.

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4.0 Officer Comments

- 4.1 The application seeks for the addition of five further units at the site in addition to the 25 units that already exist on site. These would be two bedroom units measuring 12m in length and 6m in width on wheels.
- 4.2 There are three issues which are prominent in this case, firstly the impact on the landscape, secondly the impact on neighbours and thirdly highway safety.
- 4.3 Policy CP10 of the Adopted Core Strategy which supports sustainable tourism opportunities within the market towns of Stourport-on-Severn and Bewdley and within the rural settlements providing that the development:
- Does not have a detrimental effect on the character of the area;
 - Does not adversely affect the surrounding infrastructure;
 - Benefits the local community and is proportionate to the size of settlement in which it is located;
 - When feasible, involves the re-use of existing buildings or is part of farm diversification; and
 - Is consistent with other policies in the plan.
- 4.4 The proposed additional units would be considered to fulfil the criteria set out in the policy as the development is considered to be proportionate to the existing site, would not adversely affect the surrounding infrastructure and is consistent with other policies in the plan.
- 4.5 Policy CP12 goes on to discuss that new development must protect and where possible enhance the unique character of the landscape including the individual settlement or hamlet within which it is located. Opportunities for Landscape gain will be sought alongside all new development such that Landscape character is strengthened and enhanced. The park is located within an area of Forest Smallholdings and dwellings. The key characteristics of these are hedgerows to fields, scattered hedgerow and garden trees, intimate spatial character, intricate network of narrow interlocking lanes, densely settled pattern of wayside dwellings and distinctive building style – small cottages of brick or stone.
- 4.6 The provision of five additional units set within the existing site area with no removal of existing hedges and the planting of ten new trees would be considered to comply with this policy and would ensure that the development would not have an adverse impact on the character of the area as a whole.

LANDSCAPE CHARACTER AND OPEN COUNTRYSIDE

- 4.7 The current site layout has 25 units positioned within a horse-shoe shape to the north of the site away from properties in Button Oak, the site was improved in 2007. It is proposed to position four new units to the south of the existing units to infill an existing grass area with one further unit located immediately adjacent to the applicant's own bungalow Majuba.

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- 4.8 The site is discretely located and only limited views can be obtained from public vantage points as the site has an existing substantial tree screen to the south of the site. All existing trees (apart from two in the centre of the site) and hedgerows are to be retained as laid out in the As Arboricultural Report & impact Assessment by Marlow Consulting Ltd. The removal of the two trees in the centre of the site is to be mitigated with the planting of ten new trees, namely: 2 no. Field Maple (*Acer Campestre*), 3 no. silver birch (*Betula Pendula*), 3 no. Crab Apple (*Malus 'John Downie'*) and 2 no. English Hawthorn (*Crateagus 'Paul's Scarlet'*). The new trees will provide screening between the existing units 18-24 and the new units 26-29. To reduce any impact of the new unit 30 on the nearest neighbour at Yew Tree Cottage, a replacement 1800mm high fence will be reinstated on the boundary with the Neighbour at Yew Tree cottage. I feel that this degree of landscaping will help to further reduce the impact of the new units on the surrounding landscape / neighbouring properties. The development would not be pushed into the open countryside and therefore no significant harm will be caused.

IMPACT ON NEIGHBOURING PROPERTIES

- 4.9 The units are to be located 7 metres from each other in order to minimise fire spread risk and unit 30 would be located more than 3 metres from the nearest boundary in order to minimise disturbance on any neighbours. I consider that the position of the caravans are acceptable and will not result in any increased disturbance to neighbouring properties, over and above that of the existing layout. A neighbour has raised concern over the distance to the boundary with Yew Tree Cottage but the distance shown is acceptable, however to further reduce any perceived impact of the new unit 30 on this property, a close boarded 1800mm high fence will be reinstated on the boundary with the Neighbour at Yew Tree cottage.

HIGHWAY SAFETY

- 4.10 The Highway Authority has commented that these units are static caravans for 11 months holiday usage per year and as such are not to be classed as C3 residential use. The associated trip patterns will not coincide with C3 use peak patterns and the proposal is of a modest scale. 1 parking space per unit as proposed is acceptable in accordance with the submitted plan. Visibility at the existing site access onto Arley Road is acceptable and the access is sufficiently wide to accommodate the traffic movements associated with the transportation of the caravans which already take place in this location. Whilst visibility at the existing junction between Arley Road and B4194 is poor particularly to the right on exit, investigations into the personal injury accident data for the past 3 years which is available to the Highways Authority reveals that there have been no recorded incidents. It is noted that the B4194 in this location is subject to a 40 mph speed limit however traffic at the junction between Arley Road and the B4194 is required to 'Stop' rather than 'Give way'. Given the modest scale of the development within an existing holiday homes park there is no objection to raise from a Highways point of view.

OTHER MATTERS

- 4.11 The initial submission showed eight units but it was considered that this level of increase and the location of the proposed units would have been excessive

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and would not sit well with the pattern of the existing units on the site hence the reduction in units to five. The units have been positioned to infill an area that is large enough to accommodate four units and the other unit will be located adjacent to the bungalow that exists on site. As stated previously the site is a holiday caravan site, and is restricted by conditions attached in 1985 and in 2007 which will be attached to the current permission. Other conditions are felt to be appropriate in this case and are listed below.

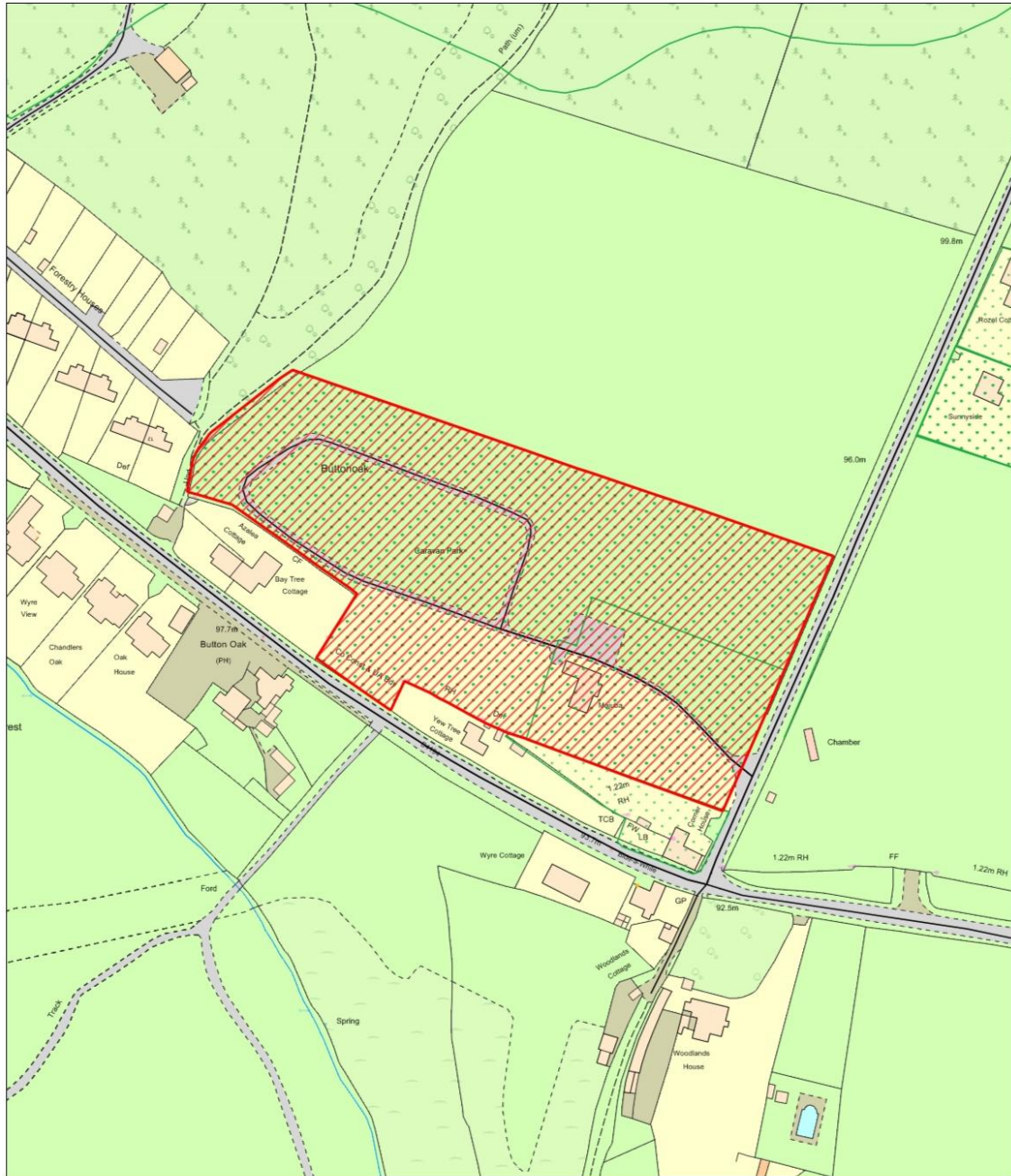
- 4.12 A neighbour has raised the fact that policies 23c and 28B of the emerging Local Plan (2016-2036) which relate to the resistance of new sites because of the impact on the landscape should be taken into account when determining the application. Paragraph 48 of the National Planning Policy Framework sets out that weight can given to the policy, but this weight is minimal due to the stage of preparation of the plan. As soon as it is submitted to Secretary of State we are able to give it material weight and refer to the policies in reports, therefore in this instance the policies have not been considered. In any event the proposal is for an improvement to the existing site and not a new site.
- 4.13 The Council's Arboricultural Officer has raised concern over the depth of the concrete pads and the location of the underground services as they may impact on the root protection areas of the trees. A condition will be added on nay forthcoming approval seeking an Arboricultural assessment and methodology to be submitted prior to the commencement of any works on site.

5.0 Conclusions and Recommendations

- 5.1 On balance I feel that the scheme is acceptable. Four of the additional units are to be sited within the existing park area with one further unit to be sited immediately adjacent to an existing bungalow on the site. The proposal will offer no detriment to the character of the surrounding area or the countryside and the planting of ten additional trees and the provision of three new bat boxes will be a welcome addition to the site. The Highway Authority has offered no objection to the scheme and the concerns raised by the neighbours have been addressed.
- 5.2 It is therefore recommended that the application is **APPROVED** subject to the following conditions:
1. A6 (Full with no reserved matters)
 2. A11 (Approved plans)
 3. Highways
 4. Submission of Lighting plan
 5. Works only during daylight hours
 6. Site licence
 7. Fire risk assessment information made available
 8. Location of the three woodcrete mounted bat boxes to be shown on a plan and photographic evidence of their installation to be provided.

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9. Replicate conditions 3-13 from Decision Notice 07/0958/FULL
10. Arboricultural assessment and methodology to be submitted
11. Fence to be erected as shown on drawing number within 3 months of the date of the permission
12. Works to be carried out in accordance with the details submitted in the Churton Ecology
13. Plan to be submitted showing the location of 3 woodcrete tree mounted bat boxes, and photographic evidence to show their installation
14. Disposal of foul and surface water drainage
15. Satisfactory means of drainage



Economic Prosperity and Place Directorate

Button Oak Holiday Park Homes
Button Oak to Arley Road
Pound Green, Bewdley, DY12 3LA



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

WYRE FOREST DISTRICT COUNCIL

PLANNING COMMITTEE

14TH JANUARY 2020

PART B

Application Reference:	19/0263/FULL	Date Received:	30/04/2019
Ord Sheet:	378417 275198	Expiry Date:	25/06/2019
Case Officer:	Julia McKenzie-Watts	Ward:	Bewdley & Rock

Proposal: Erection of detached dwellinghouse

Site Address: LAND ADJACENT TO 4 TELFORD DRIVE, BEWDLEY, DY122EP

Applicant: Mr P McCone

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
Recommendation	APPROVAL

1.0 Site Location and Description

1.1 The application site relates to a 485 square metre piece of land located adjacent to number 4 Telford Drive in a residential area of Bewdley. Telford drive rises off Park Lane from the south east to the north west with the site located midway up the road on the north east of the site in an elevated position. The land at the rear of the site slopes steeply down towards residential properties located in Orchard Rise (namely numbers 7, 9 and 11).

1.2 Telford Drive consists of a mixture of 1960's style properties on the south west side of the road and on the same side as the application site there are a mixture of more recently erected one and a half storey properties with first floor accommodation occupying the roof space.

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- 1.3 The current application seeks for the erection of a dormer bungalow consisting of living room, kitchen / dining snug area, utility, downstairs WC and entrance hall with master bedroom, en-suite, three further bedrooms and bathroom above. It is proposed to include three dormers on the front elevation to match the dormer bungalow at number 8 Telford Drive with velux and high level glazed panels to the rear. There are three parking spaces to the front and a 70 square metre amenity area to the side.

2.0 Planning History

- 2.1 None

3.0 Consultations and Representations

- 3.1 Bewdley Town Council – No objection
- 3.2 Highway Authority – No objection subject to conditions. The proposed parking area meets with standards in terms of quantum and measures 8.8m x 6m which includes circulation space as required. The first 5m measured back from the edge of carriageway must be surfaced in a bound material. Pedestrian visibility to the left on exit crosses over third part land which cannot be conditioned however in this location on a small residential cul-de-sac and given the street scene, I would not wish to raise any further objection. The Highway Authority has undertaken a robust assessment of the planning application and concludes that the proposal is not contrary to Para. 109 NPPF and therefore there are no justifiable grounds on which an objection could be maintained.
- 3.3 North Worcestershire Water Management - It is my understanding that the site is not at risk of flooding from any source. The site is currently undeveloped which means that the proposed development will increase the amount of impermeable area and therefore the amount of surface water runoff. This extra volume should ideally be kept on site, in order to avoid increasing flood risk elsewhere. Surface water can be kept on site by using a soakaway or some other infiltration device, providing ground conditions allow. The applicant has set out in the Energy & Sustainability Statement that porous hardstandings will be provided. Discharge of roof runoff will be to the surface water sewer in the road, via water butts. Discharge via infiltration is normally preferred where ground conditions allow. The applicant has set out that ground conditions on this site are not favourable as the bedrock on the site is very close to the surface. I have checked the Building Control file for the neighbouring property (no 8) and note that this property too discharge surface water to the sewer.

The connection to the sewer will require Severn Trent's approval. They could require the applicant to attenuate discharge further on the site. Despite the presence of shallow bedrock it might be possible to attenuate water underneath the driveway for instance. As the drainage arrangements will be

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adequately covered by a future Building Control application and will require Severn Trent's approval, I don't deem it necessary for this application to recommend attaching a drainage condition.

3.4 Severn Trent Water - No objection subject to conditions

3.5 Worcestershire Regulatory Services (Contaminated Land) – No objection

3.6 Abricultural Officer - The trees at the rear of the site look to be self-sown specimens that could do with being managed, so I wouldn't object to works being undertaken to create some garden space. I'm happy to leave that to the new owners of the property. The new dwelling will have no impact on any trees on the site. No objections.

3.7 Neighbour/Site Notice – Two letters of objection received to the revised scheme, raising the following concerns:

- I think the house should be built to the right of the site. This lowers the building within the plot and reduces its impact. Moving to the bottom of the site also puts the "recreation" area at the top of the site slope which enables the new residents to take better advantage of any sunshine as the sun moves round.
- I remain concerned that with the proposed house (correctly) having to be at the back of the plot in order to accommodate its size and preserve the frontage building line of the other houses, that this will be a risk to the stability of the hill & Telford Drive.
- My biggest concern is that the building does not end up higher than drawn. As currently proposed, the drawings appear to show the building cut into the site. What assurances does the system provide that this will actually be done?
- We have noted with gratuity that the proposed dwelling has been downsized somewhat and adjusted to sit slightly further up slope on Telford Drive. With the current bushes and trees that are naturally placed on the overgrown bank, this is giving us a small degree of privacy so I would propose that the developer could agree to **not** fell/cut down these trees/large bushes and shrubs at all during the building process of any agreed building. We would also wanted it stipulated in any future sale agreements that these trees are left alone, never felled and maintained minimally for privacy reasons. Following on from the privacy aspect, could the developer clarify if a fence will be erected to run the length of the boundary in between the proposed dwelling site and the steep overgrown bank that has limited access? And if so, what height it would be? Again, this would give us below some degree of privacy.

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4.0 Officer Comments

- 4.1 The main considerations in this application are whether the development would be acceptable in principle and the likely impacts on highway safety, existing residential amenity and local character.

POLICY CONTEXT AND STATUS OF THE DEVELOPMENT PLAN

- 4.2 The National Planning Policy Framework (the Framework) advises that the purpose of the planning system is to contribute to the achievement of sustainable development. Achieving sustainable development means that the planning system has three overarching objectives (economic, social and environmental) which are interdependent and need to be pursued in mutually supportive ways. Also, to ensure sustainable development is pursued in a positive way, the decision taking should apply a presumption in favour of sustainable development which means approving development proposals that accord with an up-to-date development plan without delay. As such, the starting point for all decision making is the Development Plan when the most important policies applicable to the proposed development are considered to be up-to-date.
- 4.3 In respect of the Development Plan, Policy DS01 'Development Locations' of the Adopted Core Strategy identified the assessed needs for the District when the current Development Plan was adopted in 2013 and at that time housing numbers were set based on data derived from the Regional Spatial Strategy, which has subsequently been withdrawn. This policy is therefore out of date.
- 4.4 Having taken account of recent case law, in particular *Wavendon Properties Ltd v SSHCLG* [2019] and *Peel Investments (North) Ltd v SSHCLG* [2019], it is clear that the out datedness of one policy does not cause the whole Plan to become out-of-date. It is considered that given the Council's position of housing delivery, the most 'important' policies is that of location, in this case Policy SAL.DPL1. This policy is considered to be consistent with the Framework.
- 4.5 In addition, the Council have now undertaken a comprehensive assessment of housing need for its Local Plan Review which has taken in account the Government's Standardised Methodology and includes additional growth. Furthermore, the Council is able to demonstrate in excess of a 5 year housing land supply against its identified housing needs target. Therefore, when taken as a whole it is considered that the Council's Development Plan is not out-of-date. It is appreciated that this stance differs from that which has previously been reported. Officers are satisfied that this position represents the most current legal position when considered under current Development Plan policies.

PRINCIPLE OF DEVELOPMENT

- 4.6 The application is for the erection of one dwelling on a land adjacent to number 4 Telford Drive, Bewdley. As the site comprises non-previously developed land (PDL), the proposed development would be contrary to Policy DS01 of the Adopted Core Strategy and Policy SAL.DPL1 of the Adopted Site

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Allocations and Policies Local Plan, which seek to concentrate new residential development on PDL and therefore the application represents a departure of the Development Plan.

- 4.7 Notwithstanding this conflict, Members should note that Policies DS01 and DS02 of the Adopted Core Strategy and SAL.DPL1 of the Adopted Site Allocations and Policies Local Plan also seek to concentrate new housing development on sites within the urban areas of Kidderminster, Stourport-on-Severn and Bewdley first before applying a sequential approach in the assessment of other preferable locations within the District.
- 4.8 This later approach to location is consistent with paragraph 68 of the Framework, which states that ‘small and medium sized sites can make an important contribution to meeting the housing requirement in an area, and are often built-out relatively quickly. To promote the development of a good mix of sites local planning authorities should (amongst other things): support the development of windfall sites through their policies and decisions – giving great weight to the benefits of using suitable sites within existing settlements for homes. Policy SAL.DPL2 also supports development of less than 5 units. in Bewdley.
- 4.9 The application site lies within an area allocated for residential on the Adopted Policies Map and is accessible to local shops, schools and services. I am not aware of any physical site constraints that would prevent development on this site, in terms of flood risk or contamination. Concerns have been raised over potential land stability issues, however this can be covered by condition relating to the need for the submission of a slope stability investigation prior to the commencement of works on site. The plot is of a sufficient size to accommodate one dwellinghouse without resulting in an over development of the site.
- 4.10 I therefore consider that the principle of residential development, in terms of location, use and amount, is acceptable subject to the following assessment of site specific issues.

DESIGN AND IMPACT ON LOCAL CHARACTER

- 4.11 The proposed detached dwelling would be positioned to follow the established street scene. It has been hugely reduced in height and size from the original submission in order to take into account potential overlooking of the properties which sit at a much lower level in Orchard Rise to the north east of the site and complement the existing properties in the road. The initial proposal showed two large dormers and a door with Juliette balcony to the rear. However due to concerns regarding overlooking raised by neighbours and concerns of the Case Officer, the scheme has been revised to have four velux rooflights and two high level glazing panels to provide light into a bedroom whilst the front elevation will have two dormers and a pitched roof with window to match in the style of number 8. A condition will be added to ensure that materials are submitted and approved in writing in order that the dwelling is constructed in similar materials to the nearest property at number 8. Overall, I

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am now satisfied that the development has an acceptable design that would reflect the scale, appearance and layout of existing housing development adjoining the site in Telford Drive .

- 4.12 I note that concerns have been raised about the stability of the land to the rear of the site where it drops sharply into the rear gardens of the properties in Orchard Rise. The agent has stated that he is not aware of any subsidence issues on the site or with the adjoining properties but has agreed to the addition of a condition which will see the submission of a slope stability investigation prior to the commencement of works on site. I am satisfied that this will alleviate the concerns of the residents who live at the lower level in Orchard Rise.
- 4.13 Due to the revised design, I consider that the proposed dwelling would reflect the scale and architectural form of number 8 and would complement numbers 2 and 4 being an acceptable addition to the streetscene. I therefore consider that the development would be in accordance with Policy CP11 of the adopted Core Strategy, Policy SAL.UP7 of the adopted Site Allocations and Policies Local Plan and paragraph 127 of the Framework.

RESIDENTIAL AMENITY

- 4.14 The amended proposal has been designed to ensure that no overlooking of the properties to the rear would occur, this is to be achieved by the use of velux window and high level glazing to bedroom 1. The front line of the dwelling would be in line with the front of numbers 4 and 8 with no windows on the either side and therefore no overlooking of the gardens of these properties would occur. Due to the change in ground level at the rear of the site, the main amenity space is to be provided to the side of the property with the main inaccessible overgrown steep bank to the rear left as it currently exists in order to provide a landscape buffer zone. A condition is recommended to prevent any raised patio/decking or balcony being constructed to the rear of the proposed dwelling to ensure no overlooking into the rear gardens of the properties located in Orchard Rise occurs at any future time.
- 4.15 The proposed scheme would provide a high quality development with good amenity for future occupiers. All bedrooms and the proposed 70 square metre side garden would be sufficient in size for a four bedroom family dwellinghouse. The removal of the large rear dormers and replacement with velux and high level glazed windows and the retention of the steep overgrown bank as a landscape boundary buffer zone will help to reduce the impact and remove and overlooking of the neighbour below.

PARKING AND HIGHWAY SAFETY

- 4.16 Three parking spaces are to be provided to the front of the site, the initial scheme included a garage but with the reduction in size of the dwelling this element has been removed to make way for more living accommodation. There is no doubt that the proposed development would add to traffic movement on Telford Drive, however, developments can only be prevented or

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refused on highway grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe (paragraph 109 of the Framework).

- 4.17 The Highway Authority has undertaken a robust assessment of the planning application and has concluded that the proposal is not contrary to Paragraph 109 of the Framework and that there are no justifiable grounds on which an objection could be maintained. I concur with this view and do not consider that a refusal could be defended at an appeal, given that the site can provide adequate off-street car parking, circulation space and turning facilities, which complies with County Council's Adopted Streetscape Design Guide. The Highway Authority has recommended the inclusion of three conditions and a note added to any approval.

FLOODING RISK AND DRAINAGE

- 4.18 Severn Trent Water have raised no objection to the application, however have stated that there may be a public sewer that crosses the site and that contact should be made in order that a solution can be found if this is indeed the case, a note will be added to ensure that the applicant does this. North Worcestershire Water Management has commented that the applicant has set out in the Energy & Sustainability Statement that porous hardstandings will be provided. Discharge of roof runoff will be to the surface water sewer in the road, via water butts. Discharge via infiltration is normally preferred where ground conditions allow but the applicant has set out that ground conditions on this site are not favourable as the bedrock on the site is very close to the surface. The neighbouring property (no 8) discharges surface water to the sewer and the connection of the new dwelling to the sewer will require Severn Trent's approval and they could require the applicant to attenuate discharge further on the site. Despite the presence of shallow bedrock it might be possible to attenuate water underneath the driveway for instance. However, as the drainage arrangements will be adequately covered by a future Building Control application and will require Severn Trent's approval, a condition is not required in this instance. The development would therefore accord with Policy CP07 of the adopted Core Strategy, Policy SAL.CC7 of the adopted Site Allocations and Policies Local Plan and paragraph 108 of the Framework.

5.0 Conclusions and Recommendations

- 5.1 The application site lies within a residential area of Bewdley, close to local shops and services and is therefore a sustainable location for new housing development. The proposed development has been subject to a number of amendments and it is considered that one dwellinghouse can be accommodated on this land without resulting in an adverse impact on the local character or the amenities of occupiers of existing dwellings. The parking layout has been amended to ensure adequate parking provision can be provided within the site

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5.2 On balance, the proposed scheme is considered to represent an acceptable development of the site and the benefits in terms of developing this windfall site and boosting the supply of housing land within the District. I therefore conclude that the proposal would represent sustainable development, as defined in the Framework and that a departure of the Development Plan can be justified.

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. Highways
5. Highways
6. Highways
7. Land stability report
8. Details of walls, fences and other means of enclosure to be submitted
9. Details of hard and soft landscaping to be submitted
10. Removal of permitted development rights
11. No balcony / decking area to the rear
12. Details of electric charging point

Notes

- A Highways
- B Severn Trent
- C Waste and recycling collection

Application Reference:	19/0635/REGS3	Date Received:	16/10/2019
Ord Sheet:	383083 276714	Expiry Date:	11/12/2019
Case Officer:	Sarah Mellor	Ward:	Blakebrook & Habberley South

Proposal: Use of land as a temporary District Council operated car park for five years, including associated lighting, barrier and re-surfacing works

Site Address: CROWN HOUSE, BULL RING, KIDDERMINSTER, DY102AA

Applicant: Wyre Forest District Council

Summary of Policy	DS01, DS02, CP02, CP09, CP11 (CS) SAL.GPB2, SAL.CC1, SAL.CC2, SAL.CC7, SAL.UP6, SAL.UP7, SAL.UP9 (SAAPLP) Kidderminster Area Action Plan Sections 7, 12 (NPPF)
Reason for Referral to Committee	The applicant is Wyre Forest District Council or is made on land owned by Wyre Forest District Council. Statutory or non-statutory Consultee has objected and the application is recommended for approval
Recommendation	APPROVAL

1.0 Site Location and Description

- 1.1 The application site is owned by Wyre Forest District Council and is located within Kidderminster Town Centre and is bound by Crown Lane to the south, Pitts Lane to the west and Bull Ring to the north and east. The middle section of the site is on top of the culverted River Stour. The site measures approximately 0.12 hectares.
- 1.2 The vacant and former Government Office building currently on the site, referred to as Crown House, is being demolished. The surrounding area is a typical town centre environment comprising fairly high density buildings, to the north, west, south west and south east. Crown Lane to the south provides vehicular access to Weavers Wharf car park and also rear service access to commercial property at Vicar Street and Weavers Wharf Retail Park.
- 1.3 The proposed development is that of a temporary car park accommodating 25 car parking spaces and 3 no. disabled parking spaces.

2.0 Planning History

- 2.1 18/3006/DEM - Demolition of existing structure to floor slab, Crown House, Bull Ring, Kidderminster : Approved 6.03.18

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- 2.2 13/0670/FULL - Full planning permission for the redevelopment of land within and adjacent to Weavers Wharf comprising; the demolition of Crown House and buildings between Lower Mill Street and Weavers Wharf (excluding McDonalds); the erection of a retail store (Use Class A1), canal side restaurants and cafes (Use Class A3), retail/restaurants (flexible use within class E for A1/A3/A4) and altered vehicular and pedestrian accesses, landscaping, construction of infrastructure and public realm works, car parking and associated works, including bridges over the Staffordshire and Worcestershire Canal and River Stour : Approved 25.04.14

3.0 Consultations and Representations

3.1 Kidderminster Town Council– No objections

3.2 Highway Authority – Recommends refusal. The application is contrary to the National Planning Policy Framework (NPPF) and also conflicts with CP03 of the adopted Core Strategy both of which seek to promote walking, cycling and bus access. This application will create additional car parking capacity within Kidderminster Town Centre which will encourage car movements into an area which already suffers from congestion this represents unsustainable development which will have a cumulative detrimental impact on capacity. Routes to access this proposal could be through the nearby Horsefair AQMA which is a key corridor to the northern half of the town. The application fails to address the road user hierarchy which is a well-established approach to addressing transport impacts and is by definition car dominated. Due to the nature of the application it can only encourage car trips and cannot mitigate for the additional movements it will create.

The application also fails to accord with the Streetscape Design Guide as no electric vehicle charging spaces are provided or motorcycle spaces. The opportunity also exists to provide sheltered cycle parking and whilst an area is labelled for Bikes it is unclear what is actually proposed. It is therefore also contrary to the Highway Authority's published requirements.

The application proposes lighting, yet no details are provided. The Highway Authority has not been given any comfort that the lighting scheme will not detract the visibility of existing road signs or result in glare as a result of the increased level of luminance. This may have an impact on highway safety and details of the light scheme should be provided before this application is determined.

Reference is also made to a barrier, but not details are provided. The positioning of an access barrier near the back of the footway would result in an obstruction of the Highway, Details of the barrier design and location should be provided before this application is determined

The application will encourage people to drive into Kidderminster and when this travel pattern is established it is difficult to reverse so the fact this that this is a temporary application is not considered to be mitigation. The application is

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does not promote sustainable travel and is by definition a car dominated site and considered to conflict with paragraphs 108,109 and 110 of the NPPF and CP03 of the Wyre Forest Core Strategy.

The Highway Authority has undertaken a robust assessment of the planning application. Based on the analysis of the information the Highway Authority concludes that the application represents unsustainable development and there would be a severe impact and therefore recommends that this application is refused.

- 3.3 North Worcestershire Water Management – I understand that according to the flood map for planning this application site is outside flood zones 2 and 3 which means that the risk of fluvial flooding is less than 1 in 1000 year, or 0.1 % annual probability. I understand that given the nature of the development (retaining the entire concrete slab) there is no scope to include SuDS on this site, as per the Council's policy.

I understand from the application form that it is proposed that discharge from the new car park will be made directly to the watercourse. I don't know what surface water drainage infrastructure served the building before it was demolished. Given its location on top of the river Stour I can only assume that the discharge was made either directly into the watercourse or into a piped system that falls out into the watercourse in the direct vicinity of the site. It is my understanding that the development will not result in an increase in discharge so it is in my opinion unlikely that the proposed development will have a quantitative impact upon the river.

What might change is the quality of the runoff that discharges into the river as this will change from clean roof water to car park runoff. I understand that the surfacing will remain concrete so that there is no risk of gravel, hardcore etc being discharged into the river from the site. Larger car parks are required to treat their runoff prior to discharge, but it is my understanding that the car park falls below the threshold. This topic falls outside my remit though and it would be the responsibility of the owner/operator to ensure the site is operated in accordance with relevant environmental regulations. The Stour is a main river which means that certain works including any new outfall / discharge might require an Environmental Permit.

I believe there is no reason to withhold approval of this application on flood risk grounds but given the location of the site over the river Stour I do request that the following informative gets attached to a future approval:

“The applicant is advised to contact the Environment Agency to discuss the need for an Environmental Permit (which has replaced the Flood Defence Consent from April 2016 onwards). An Environmental Permit may be required for works in, under, over or near a main river (including where the river is in a culvert), works on or near a flood defence or for works in the flood plain of a main river.”

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3.4 Neighbour/Site Notice – No representations received

4.0 Officer Comments

4.1 The Council's aspiration is to redevelop the site of Crown House as part of the Western Gateway into Kidderminster, in accordance with established policy and part of the Town Centre regeneration.

4.2 Due to issues relating to viability and the demolition of Crown House, this redevelopment has not come forward in the timescales initially envisaged. Despite this, there is now certainty relating to the demolition and the Council is in the process of developing plans for the future redevelopment of the site.

4.3 Given the length of time that is often involved in such planning, and, in the meantime, the site has been put forward to be considered for temporary use as a car park. This is to provide an active use, rather than a vacant site. This is important for the vitality of the Town Centre.

4.4 The proposed temporary use will allow for the site to be actively used whilst the more permanent designs are produced and delivered through the Future High Streets Fund process. Town centre businesses can continue to be supported through the provision of more car parking. It will also ensure that the site is in use and that the Gateway into this part of the town is not characterised by a hoarded site, which would give rise to a detrimental first impression

4.5 Whilst I appreciate the comments of the Highway Authority, I do not agree that this site should just be left vacant. The proposed car park is a suitable temporary use. I do not agree that this would result in a conflict with the Framework and Development Plan.

5.0 Conclusions and Recommendations

5.1 The grant of temporary planning permission for use of the site Crown House, following demolition, for a period of 5no. years is considered to be acceptable, not prejudicing the long term re-development of the area or creating any identified harm to the area. The objection from the Highway Authority has been considered however it is not considered that a refusal can be justified in these circumstances.

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

1. A9 (Temporary permission – uses of land)
2. A11 (Approved plans)
3. Permission to ensure for the benefit of Wyre Forest District Council only
4. Details of any barrier prior to installation.

Application Reference:	19/0667/FULL	Date Received:	29/10/2019
Ord Sheet:	384461 279760	Expiry Date:	24/12/2019
Case Officer:	Julia McKenzie-Watts	Ward:	Wyre Forest Rural

Proposal: Erection of detached dwellinghouse, including associated works

Site Address: LAND ADJACENT TO 1 WESTHEAD ROAD, COOKLEY,
KIDDERMINSTER, DY103TG

Applicant: Mr N Jones

Summary of Policy	DS01, CP01, CP02, CP03, 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
Recommendation	APPROVAL

1.0 Site Location and Description

- 1.1 The application site relates to a fenced off rectangular shaped plot of land within a residential area of Kidderminster. The site formed part of the rear gardens of numbers 41, 43 and 45 Castle Road Cookley all of which have large long gardens. The plot has been fenced off from these rear gardens with a larger piece taken from number 43 in order to allow for the creation of an additional side amenity area.

- 1.2 Westhead Road consists of a mixture of residential properties mostly terraced, semi detached and a few detached in the immediate vicinity. The proposed detached dwellinghouse would be positioned adjacent to No. 1 Westhead road with three parking spaces provided to the front.

- 1.3 The application is supported by a Design and Access Statement and a Preliminary Ecological Appraisal.

2.0 Planning History

- 2.1 None relevant to the site.

3.0 Consultations and Representations

- 3.1 Wolverley and Cookley Parish Council – Recommend approval

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- 3.2 Highway Authority – No objection subject to conditions.
- 3.3 North Worcestershire Water Management – No objection subject to conditions. It is my understanding that this site is not at risk of flooding from any source. As the development site is currently part of back gardens, the proposed development will increase the amount of impermeable area and therefore the amount of surface water runoff. This extra volume should be kept on site, in order to avoid increasing flood risk elsewhere. I understand from the application form that the intention is to discharge additional surface water to a soakaway. No further information has been submitted. Discharge via infiltration is preferred where ground conditions allow. I have no reason to believe that the ground conditions here would not be suitable for soakaway drainage. I believe that the design and installation of a soakaway will be adequately covered by a future Building Control application as Buildings Regulations require that discharge to a soakaway should be ruled out first before discharge to a watercourse or an existing storm drain will be considered.
- 3.4 Neighbour/Site Notice – no comments received to revised plans.
- 3.5 Worcestershire Regulatory Services (Noise) -No objections
- 3.6 Worcestershire Regulatory Services (Land & Air Quality) - Have reviewed available records to determine any potential contaminated land issues, based on this and a review of the supporting information for the application, we have no concerns regarding the proposed development.
- 3.7 Countryside Manager - No objections
- 3.8 Severn Trent - As the proposal has minimal impact on the public sewerage system I can advise we have no objections to the proposals and do not require a drainage condition to be applied.

4.0 Officer Comments

- 4.1 The main considerations in this application are whether the development would be acceptable in principle and the likely impacts on highway safety, existing residential amenity and local character.

POLICY CONTEXT AND STATUS OF THE DEVELOPMENT PLAN

- 4.2 The National Planning Policy Framework (the Framework) advises that the purpose of the planning system is to contribute to the achievement of sustainable development. Achieving sustainable development means that the planning system has three overarching objectives (economic, social and environmental) which are interdependent and need to be pursued in mutually supportive ways. Also, to ensure sustainable development is pursued in a positive way, the decision taking should apply a presumption in favour of sustainable development which means approving development proposals that accord with an up-to-date development plan without delay. As such, the

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starting point for all decision making is the Development Plan when the most important policies applicable to the proposed development are considered to be up-to-date.

- 4.3 In respect of the Development Plan, Policy DS01 'Development Locations' of the Adopted Core Strategy identified the assessed needs for the District when the current Development Plan was adopted in 2013 and at that time housing numbers were set based on data derived from the Regional Spatial Strategy, which has subsequently been withdrawn. This policy is therefore out of date.
- 4.4 Having taken account of recent case law, in particular *Wavendon Properties Ltd v SSHCLG* [2019] and *Peel Investments (North) Ltd v SSHCLG* [2019], it is clear that the out datedness of one policy does not cause the whole Plan to become out-of-date. It is considered that given the Council's position of housing delivery, the most 'important' policies is that of location, in this case Policy SAL.DPL1. This policy is considered to be consistent with the Framework.
- 4.5 In addition, the Council have now undertaken a comprehensive assessment of housing need for its Local Plan Review which has taken in account the Government's Standardised Methodology and includes additional growth. Furthermore, the Council is able to demonstrate in excess of a 5 year housing land supply against its identified housing needs target. Therefore, when taken as a whole it is considered that the Council's Development Plan is not out-of-date. It is appreciated that this stance differs from that which has previously been reported. Officers are satisfied that this position represents the most current legal position when considered under current Development Plan policies.

PRINCIPLE OF DEVELOPMENT

- 4.6 The application is for the erection of one dwelling on a site that currently forms part of the rear gardens of numbers 41, 43 and 45 Castle Road, Cookley. As the site comprises non-previously developed land (PDL), the proposed development would be contrary to 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 residential development on PDL and therefore the application represents a departure of the Development Plan.
- 4.7 Paragraph 68 of the Framework states that 'small and medium sized sites can make an important contribution to meeting the housing requirement in an area, and are often built-out relatively quickly. To promote the development of a good mix of sites local planning authorities should (amongst other things): support the development of windfall sites through their policies and decisions – giving great weight to the benefits of using suitable sites within existing settlements for homes'. This adds weight to the consideration of development.
- 4.8 The application site lies within the village inset and is accessible to local shops, schools and services. I am not aware of any physical site constraints

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that would prevent development on this site, in terms of flood risk, contamination and land stability. The plot is of a sufficient size to accommodate one dwellinghouse without resulting in an over development of the site.

DESIGN AND IMPACT ON LOCAL CHARACTER

4.9 The proposed detached dwelling would be immediately adjacent to number 1 Westhead Road. The accommodation would consist of an entrance hall, lounge, dining kitchen, utility, wc and garage with four bedrooms, en-suite and bathroom above. The garage of the dwelling would be in line with the garage of number 1 with the house coming forward from the front of number 1 by approximately 900mm and extending behind the rear wall of number 1 by approximately 600mm. The new dwelling would include architectural features and similar building materials to respond well with the appearance of number 1 Westhead Road. Overall, I am satisfied that the development has an acceptable design that would reflect the scale, appearance and layout of existing housing development adjoining the site in Westhead Road and no 45 degree rule issues would be created as a result of the erection of a dwelling.

4.10 The side of the dwelling would be separated from the rear wall of the properties located in Castle Road by at least 23 metres and 1.7m to number 1. The erection of a dwelling on this site is unlikely to have an adverse impact on neighbouring properties in terms of privacy and light given the proposed plot size and degree of separation from the neighbouring properties to the side and rear. The rear windows and doors would face into the rear garden of the new property and would have no adverse effect on the surrounding neighbours.

HIGHWAYS AND ACCESS

4.11 The Highway Authority has raised no objection to the scheme as the plans show that the development would be capable of providing adequate parking provision for the proposed dwellinghouse. One condition and a note are to be added to the approval. I therefore consider that the proposed development would not have any detrimental impact on highway safety in the area.

4.12 OTHER MATTERS

North Worcestershire Water Management has no objection subject to a condition seeking confirmation that the surface water drainage system for the site will be sized so it can cope with the 1 in 100 year rainfall event + 30% allowance for climate change. On this basis the site can be suitably drained.

5.0 Conclusions and Recommendations

5.1 The application site lies within a residential area of Cookley, close to local shops and services and is therefore a sustainable location for new housing development. The proposed development has been subject to a number of amendments and it is considered that one dwellinghouse can be accommodated on this land without resulting in an adverse impact on the local

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character or the amenities of occupiers of existing dwellings. The parking layout has been amended to ensure adequate parking provision can be provided within the site. There are no matters of detailed harm that have been identified and taking account of the benefits, it is considered that the dwelling can be supported notwithstanding any conflict with the Development Plan.

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 material)
4. Site and Finished Floor Levels.
5. Boundary treatments
6. Details of landscaping scheme to include wildlife friendly plant species.
7. Implementation of Landscaping Scheme.
8. Scheme of surface water drainage.
9. Access, turning area and parking facilities including cycle parking to be provided.
10. Removal of permitted development rights

Notes

- A Severn Trent Water
- B Ringway Infrastructure Service to carry out all highway work
- C Waste and recycling collection

Application Reference: 19/0700/FULL **Date Received:** 11/11/2019
Ord Sheet: 380174 272779 **Expiry Date:** 06/01/2020
Case Officer: Richard Jennings **Ward:** Lickhill

Proposal: Single storey front and rear extensions, two storey side extension and raising roof to create additional accommodation including provision of dormer windows

Site Address: 55 BEWDLEY ROAD NORTH, STOURPORT-ON-SEVERN, DY138PT

Applicant: Mr and Mrs P Grosvenor

Summary of Policy	CP11 (CS) SAL.UP7, SAL.UP8 (SAAPLP) Design Guidance SPD National Planning Policy Framework Planning Practice Guidance
Reason for Referral to Committee	Planning application represents Departure from the Development Plan
Recommendation	APPROVAL

1.0 Site Location and Description

- 1.1 The application site relates to a small bungalow on Bewdley Road in Stourport on Severn. The property is set in a large plot and front driveway, and is currently obscured from the main road by tall trees which form the side and front boundary.
- 1.2 The neighbouring properties on either side are two storey dwellings both of which are detached from the application property.
- 1.3 The application seeks permission to extend the property to the rear and front with single storey extensions, and to the side with a 2 storey extension. The proposal also seeks consent to raise the roof of the property to provide additional, useable space at first floor.

2.0 Planning History

- 2.1 There is no planning history.

3.0 Consultations and Representations

- 3.1 Stourport-on-Severn Town Council – No objection

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3.2 Highway Authority – No objection

3.3 Neighbour/Site Notice – One objection received raising the following concerns:

- Visual Amenity – The proposal results in incongruous additions which impact on the amenity currently enjoyed by neighbouring properties.
- Loss of Privacy – The increase in roof height and introduction of rear dormers results in overlooking of neighbouring properties
- Highway Impact of the Development – The delivery of materials and building equipment will disrupt the safe flow of traffic.

4.0 Officer Comments

POLICY CONTEXT AND PRINCIPLE OF DEVELOPMENT

4.1 Policy SAL.UP8 of Wyre Forest’s Site Allocations and Policies Local Plan sets out the Council’s expectations for the design of extensions. It is required that extensions are subservient to and do not overwhelm the original dwelling which should retain its visual dominance. In this instance, the proposed extensions result in the total enlargement of the building with an increase in ridge height to form a dormer bungalow with accommodation at first floor in the roof space, with the policy requirement being that extension works do not overwhelm the original building.

4.2 Policy SAL.UP8 of Wyre Forest’s Site Allocations and Policies Local Plan also states that extensions should “*Be in scale and keeping with the form, materials, architectural characteristics and detailing of the original building*” . This proposal is not compliant with this policy.

DESIGN AND AMENITY CONSIDERATIONS

4.3 The level and scale of the proposed works will by nature overwhelm and dominate what was originally a small, architecturally plain 1960’s bungalow, and cannot be considered subservient and in scale with the original host dwelling or in compliance with policy. However, it is considered that to enable a complete modernisation and upgrade of the building, the works would be beneficial in terms of the building itself and the street scene as a whole. The existing bungalow bears no significance in terms of the design characteristics of the neighbouring properties and is already an alien feature which is sandwiched between Victorian villa style properties.

4.4 A revised drawing has removed the proposed single storey extension to the rear on the boundary with 57 Bewdley Road, and there are now no resulting 45 degree issues. The development results in minimal overlooking on that basis, and in terms of overlooking to the rear, long rear gardens give a substantial separation distance.

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5.0 Conclusions and Recommendations

- 5.1 The proposed works to develop the property into a larger, modernised dwelling with accommodation over 2 floors, goes above and beyond that which can reasonably be considered to be subservient extension works. It is considered however that the resulting building results in visual improvement both in isolation and in the broader context of its position within the streetscene. Accordingly, there is no harm resulting from the extension works.
- 5.2 It is therefore recommended that the application be **APPROVED** subject to the following conditions:
1. A6 (Full with no reserved matters)
 2. A11 (Approved plans)
 3. B3 (Finishing materials to match)
 4. Windows non opening and obscure glazed to side elevations.
 5. Highway access.

Application Reference:	19/0751/FULL	Date Received:	22/11/2019
Ord Sheet:	374662 272628	Expiry Date:	17/01/2020
Case Officer:	Julia McKenzie-Watts	Ward:	Bewdley & Rock

Proposal: Construction of 2 bed bungalow and relocation of garage approved under Planning Approval 19/0080/FULL

Site Address: LAND OFF GORST HILL ROAD, ROCK, KIDDERMINSTER,

Applicant: Matthews Construction

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. Statutory or non-statutory Consultee has objected and the application is recommended for approval
Recommendation	APPROVAL

1.0 Site Location and Description

1.1 The application site is a piece of land which measures 0.13 ha located in Bliss Gate. The piece of land forms part of a larger 0.48ha site that was given permission earlier in the year for the erection of four detached houses and one bungalow. The current application seeks for the approved garage for plot 1 to be moved nearer to the approved bungalow and the erection of a new two bedroom bungalow where the approved garage would have stood. The bungalow will have 2 parking spaces to the side and a five metre rear amenity space.

1.2 The site 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. The current site (0.13 ha) is at the front of the site immediately adjacent to the road.

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- 1.3 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.
- 1.4 Approval was given earlier in the year for the erection of a two three-bedroom dwellinghouses, two four bedroom dwellinghouses and one two bedroom bungalow and detached double garage. These properties are to 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.
- 1.5 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 the plot. Foul water will be connected to the existing sewer system.

2.0 Planning History

- 2.1 19/0080/FULL – Erection of 5 no dwellinghouses, with associated access, parking and works : Approved 14/11/19

3.0 Consultations and Representations

- 3.1 Rock Parish Council – No comments received
- 3.2 Highway Authority – Recommend refusal. It is noted that the proposed 2no. bedroom dwelling is located within an adjoining wider parcel of land which was recently granted planning permission for 5 dwellings and the highway design specification of the site is appropriate to accommodate 6 dwellings.

Nonetheless this is an additional dwelling which will generate new trips on the network which cannot be easily mitigated for. From the point of view of the Highways Authority, the location of the dwelling is unsustainable and future occupants will be reliant on private care use.

The Highway Authority maintains that the proposed dwelling is in an unsustainable location which fails to offer a genuine choice of transport

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modes and fails to reduce the need to travel. The lack of the full range of services and facilities means that even short, local trips are likely to be reliant on private car use.

- 3.3 Arboricultural Officer – no objections to the development
- 3.4 Countryside Manager - Looking at the 2 plans I can't see any great change that would effect biodiversity, just need to make sure the measures we agreed with the 19/0080 application are followed into this approval.
- 3.5 North Worcestershire Water Management – No objection subject to condition regarding surface water and foul water drainage.
- 3.5 Neighbour/Site Notice – One comment has been received relating to previous application reference 19/0080/FULL.

4.0 Officer Comments

POLICY CONTEXT AND STATUS OF THE DEVELOPMENT PLAN

- 4.1 The National Planning Policy Framework advises that the purpose of the planning system is to contribute to the achievement of sustainable development. Achieving sustainable development means that the planning system has three overarching objectives (economic, social and environmental) which are interdependent and need to be pursued in mutually supportive ways. Also, to ensure sustainable development is pursued in a positive way, the decision taking should apply a presumption in favour of sustainable development which means approving development proposals that accord with an up-to-date development plan without delay. As such, the starting point for all decision making is the Development Plan when the most important policies applicable to the proposed development are considered to be up-to-date.
- 4.2 In respect of the Development Plan, Policy DS01 'Development Locations' of the Adopted Core Strategy identified the assessed needs for the District when the current Development Plan was adopted in 2013 and at that time housing numbers were set based on data derived from the Regional Spatial Strategy, which has subsequently been withdrawn. This policy is therefore out of date.
- 4.3 Having taken account of recent case law, in particular *Wavendon Properties Ltd v SSHCLG [2019]* and *Peel Investments (North) Ltd v SSHCLG [2019]*, it is clear that the out datedness of one policy does not cause the whole Plan to become out-of-date. It is considered that given the Council's position of housing delivery, the most 'important' policies is that of location, in this case Policy SAL.DPL1. This policy is considered to be consistent with the Framework.
- 4.4 In addition, the Council have now undertaken a comprehensive assessment of housing need for its Local Plan Review which has taken in account the

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Government's Standardised Methodology and includes additional growth. Furthermore, the Council is able to demonstrate in excess of a 5 year housing land supply against its identified housing needs target. Therefore, when taken as a whole it is considered that the Council's Development Plan is not out-of-date. It is appreciated that this stance differs from that which has previously been reported. Officers are satisfied that this position represents the most current legal position when considered under current Development Plan policies.

PRINCIPLE OF DEVELOPMENT

- 4.5 The application is for the erection of one bungalow on a piece of land where a garage has been previously approved (19/0080/FULL). However, as the site comprises non-previously developed land (PDL), the proposed development would be contrary to 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 residential development on PDL and therefore the application represents a departure of the Development Plan.
- 4.6 Notwithstanding this conflict, Members should note that Policies DS01 and DS02 of the Adopted Core Strategy and SAL.DPL1 of the Adopted Site Allocations and Policies Local Plan also seek to concentrate new housing development on sites within the urban areas of Kidderminster and Stourport-on-Severn first before applying a sequential approach in the assessment of other preferable locations within the District.
- 4.7 This later approach to location is consistent with paragraph 68 of the Framework, which states that 'small and medium sized sites can make an important contribution to meeting the housing requirement in an area, and are often built-out relatively quickly. To promote the development of a good mix of sites local planning authorities should (amongst other things): support the development of windfall sites through their policies and decisions – giving great weight to the benefits of using suitable sites within or adjacent to existing settlements for homes.

SUSTAINABILITY OF LOCATION

- 4.8 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.

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- 4.9 The Highway Authority has commented that whilst there is a bus service it only operates a limited service and that the school bus service is not free as stated but rather comes at a cost to the County Council which the applicant will not be contributing towards. They have also stated that contrary to the submitted Planning Statement, it cannot be said that 'all residents of Bliss Gate would not be reliant on private motorised transport for employment and education purposes. The agent has provided information which was submitted as part of the original application to show that the number 291 bus leaves the bus stop which is located within 100m of the site six days a week starting at 08.02am with the latest bus from Kidderminster Bus Station leaving at 17.20pm arriving 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.
- 4.10 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.
- 4.11 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.
- 4.12 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.

19/0751/FULL

- 4.13 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 a sustainable welcome pack which would incorporate plans of all local services and facilities (public houses, restaurants, shops, bus stops etc..) As part of the sustainable welcome pack, the new bungalow would be provided with an electric bike (up to the value of £1500) or the same contribution towards an electric car as per the previous approval at the remainder of the site.
- 4.14 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.
- 4.15 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 the more recently approved 5 dwellings at land adjacent to Walnut Grove 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.
- 4.16 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.
- 4.17 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 one additional bungalow to the front of a previously approved 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.

19/0751/FULL

IMPACT ON ECOLOGY AND TREES

- 4.18 The Council's Arboricultural Officer has commented that there are no trees issues associated with the parcel of land and therefore offers no objection to the scheme.
- 4.19 The Countryside Manager is satisfied with proposal and can't see any major changes that would affect biodiversity but has asked for the mitigation and enhancement measures agreed for the previous approval (19/0080/FULL) are carried through to this approval. Subject to the conditions suggested by 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

- 4.20 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 parcel of land at the front of the previously approved application site which was a historic orchard but is currently being used to graze sheep with Walnut cottage located in the south corner.
- 4.21 The siting of the proposed bungalow and the re-location of the garage for plot 1 will not impact on the previously approved scheme. The approved development and the additional garage and bungalow will allow the retention of the existing hedgerows and mature trees that exist along the northern boundary.
- 4.22 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 and the materials proposed are a combination of red / orange brick, dark grey roof tiles, grey uPVC with limited aspects of timber cladding. As such, I consider that the proposed development would not have any adverse impact on the landscape and visual amenity of the surrounding countryside.
- 4.23 Full details of building materials, including hard surfacing, boundary treatment and landscaping can be controlled by suitably worded conditions.

DRAINAGE, FLOOD RISK AND CONTAMINATED LAND

- 4.24 An indicative surface water drainage strategy was submitted with the previously approved scheme which set 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.

19/0751/FULL

4.25 As the drainage arrangements for the current application site will form part of the drainage arrangements for the wider previously approved site, North Worcestershire Water Management has requested that an identical drainage condition is attached to any forthcoming planning permission. This condition requires the submission of details of the surface water drainage and foul water drainage /flows for the proposed development to be approved in writing by the Local Planning Authority and implemented prior to the first use of the development and thereafter maintained.

4.26 No concerns regarding contaminated land and noise matters have been highlighted and therefore there are no objections to the scheme.

PLANNING BALANCE

4.27 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.

4.28 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 additional bungalow in conjunction with the previously approved 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.

4.29 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. 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.

4.30 Notwithstanding the harm that has been identified through conflict with the 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.

19/0751/FULL

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 has identified 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.
- 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. Electric vehicle charging points
 11. Removal of Permitted Development Rights for outbuildings and new boundary treatment.
 12. Implementation of Ecological Mitigation and Enhancement Measures
 13. Details of external lighting to be submitted
 14. Submission and approval in writing of a welcome pack

Note

Waste and recycling collection

WYRE FOREST DISTRICT COUNCIL

Planning Committee

14 January 2020

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
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)	LI 12/04/2019		07/06/2019	07/01/2020	

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
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			
WFA1528 19/0056/CERT	APP/R1845/X/19 3227384	RLS (MR & MRS R SMITH)	HODGE HILL FARM ASSOCIATES BARN (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			

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
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	16/10/2019		
WFA1531 19/3017/PNRE	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			Allowed 02/12/2019

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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
WFA1533 19/0372/FULL	APP/R1845/W/1 9/3237792	MR D BILLINGSLEY	2 OLDNALL ROAD KIDDERMINSTER DY103HW Proposed new three bedroom dwellinghouse with associated parking and gardens	WR 07/10/2019	11/11/2019			
WFA1534 19/0414/FULL	APP/R1845/D/19 /3237030	MR AND MRS CHRISTOPHE R PAGE	THE RETREAT LOWE CHRISTOPHE LANE KIDDERMINSTER DY115QP Detached Garage/Store	WR 15/10/2019	19/11/2019			
WFA1535 19/0313/FULL	APP/R1845/D/19 /3236002	TIM PARTRIDGE	WYRE MILL COTTAGE MILL LANE WOLVERLEY KIDDERMINSTER Erection of garage	WR 18/10/2019	22/11/2019			Allowed 03/12/2019

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
WFA1536 19/0224/CERT	APP/R1845/X/19 3230753	MRS GAYNOR GILLESPIE	CAPTAINS STONE HILL STONE KIDDERMINSTER DY104AJ Proposed storage of a maximum of thirty-nine (39) caravans on land within the red line shown on the site	WR 11/11/2019	16/12/2019			
WFA1537 19/0049/FULL	APP/R1845/W/1 9/3239423	MR & MRS F D'ANIELLO	UPPER NORCHARD FARM NETHERTON LANE DUNLEY STOURPORT-ON- Erection of dwellinghouse and garages, together with new access and parking	WR 20/11/2019	08/01/2020			

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
WFA1538 19/0268/FULL	APP/R1845/W/1 9/3240865	L Bridges	55 HIGH CLERE BEWDLEY DY122EX	WR 12/12/2019	16/01/2020			
			Erection of one detached split level house with integral garage					
WFA1539 19/0291/PIP	APP/R1845/W/1 9/3241012	Mr J McConnell	LAND AT CHURCH VIEW BEWDLEY DY122BZ	WR 12/12/2019	16/01/2020			
			Erection of 4no. Bungalows					

Appeal Decision

Site visit made on 31 October 2019

by Graham Wraight BA(Hons) MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 2 December 2019

Appeal Ref: APP/R1845/W/3233276
27 Perrin Avenue, Kidderminster DY11 6LL

- 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 P Perry against the decision of Wyre Forest District Council.
 - The application Ref 19/0265/FULL, dated 3 May 2019, was refused by notice dated 2 July 2019.
 - The development proposed is a three bedroom bungalow.
-

Decision

1. The appeal is allowed and planning permission is granted for a three bedroom bungalow at 27 Perrin Avenue, Kidderminster DY11 6LL in accordance with the terms of the application, Ref 19/0265/FULL, dated 3 May 2019, subject to the conditions set out in the schedule at the end of this decision.

Procedural Matter

2. The planning application form refers to the bungalow as having two bedrooms, however the plans submitted clearly show that it would have three. I have therefore used the description of the development given on the decision notice and on the appellant's appeal form in the banner header above, as it more accurately describes the development proposed.

Main Issues

3. The main issues are (i) the effect of the proposed development on the character and appearance of the area and (ii) whether the location of the development on garden land complies with relevant planning policies.

Reasons

Character and appearance

4. The appeal site currently forms part of the garden of 27 Perrin Avenue, a bungalow which is positioned on a large plot on the corner of Perrin Avenue and Sutton Park Road. The position and layout of No 27 is mirrored by 2 Perrin Avenue which is located on the opposite side of the road. Together, these properties form the transition between dwellings on Sutton Park Road, which are generally set back from the respective public highway and the dwellings on Perrin Avenue, which are set closer to it. The existing bungalows which run along both sides of Perrin Avenue adjacent to the site are closely positioned to one another, giving the street scene a relatively densely developed feel.

5. The proposed development would be consistent with the prevailing arrangement of existing bungalows on Perrin Avenue. Although it would result in the loss of the current gap between No 27 and 26 Perrin Avenue, the resultant development would read well in the context of the street scene, both in terms of its scale and its positioning in relation to the existing dwellings and their boundaries. As a result, the proposed development would not appear cramped in its context and would not cause harm to the character and appearance of the area in terms of its scale or positioning.
6. Variation in the design of dwellings is noted along Perrin Avenue and the proposed bungalow has been designed to reflect the general height, roof design, materials and the gable features of these existing dwellings. In this respect therefore, the development would also integrate well within the street scene and not cause harm to its character and appearance. Whilst the rear garden area of the proposed dwelling would be shorter in length than adjacent dwellings, this would not be particularly perceptible from the public domain. This factor alone would not cause harm to the character and appearance of the area.
7. For these reasons, I conclude that the development would not cause harm to the character and appearance of the area. Accordingly, there would be no conflict with the design aims of Policy CP11 of the Wyre Forest Core Strategy 2010 (CS) or Policy SAL.UP7 of the Wyre Forest District Council Site Allocations and Policies Development Plan Document 2012 (DPD), both of which seek to safeguard the character and appearance of the area.

Location of the development

8. Annex 2 of the National Planning Policy Framework (The Framework) excludes land in built-up areas such as residential gardens from the definition of previously developed land. Paragraph 70 of The Framework advises that plans should consider the case for setting out policies to resist inappropriate development of residential gardens, for example where development would cause harm to the local area. The Council does not have a specific policy precluding the development of garden land for new housing, although both Policy DS01 of the CS and Policy SAL.DPL1 of the DPD seek to direct new development towards previously developed land.
9. The Council states in its Delegated Report that the presumption in favour of sustainable development set out in paragraph 11 of The Framework is engaged in this instance and I find no reason to disagree with this position. This being the case, the development should be approved unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the Framework as a whole. The benefits of the development include the provision of a new dwelling in a sustainable urban location. Against this, the Council has raised concern with regard to only the impact upon the character and appearance of the area, but I have found that no harm would arise in this respect. Therefore, there are no adverse impacts that significantly outweigh the benefits of the development.
10. I conclude that whilst the development would not be undertaken on previously developed land and therefore would not meet with the primary objectives of Policy DS01 of the CS and Policy SAL.DPL1 of the DPD, the presumption in favour of sustainable development set out by The Framework is engaged. As I have identified that no adverse impacts would result from the development, the

proposal meets with the objectives set out by The Framework with respect to the presumption in favour of sustainable development.

Other matters

11. Representations have been received which raise concern with regard to highways matters (including parking), drainage and water pressure. However, based upon the representations from the relevant consultees and upon the information available to me, there is no evidence that harm would arise with respect to these matters. Whilst the construction of the dwelling is likely to cause a degree of noise and disturbance, this would only be a temporary occurrence, and does not justify the withholding of planning permission. Reference has been made to a previous refusal of planning permission at the dwelling opposite the site, however I have not been provided with any details of the circumstances of this. In any event, I am required to assess the appeal primarily upon its own merits and accordingly I have done so.
12. Concern has also been raised that the development would have an adverse impact upon living conditions through overlooking, loss of light and a loss of outlook. However, due to the scale of the development, in particular its single storey nature, and its positioning in relation to the nearest dwellings, the proposal would not in my judgement cause harm to living conditions. Reference has been made to inaccuracies on the plans with regard to No 27, however this existing dwelling does not fall within the appeal site. Covenants are private legal matters and therefore cannot carry any weight in the determination of this appeal.

Conditions

13. The Council has requested conditions relating to the time period for the implementation of the planning permission and with respect to the approved plans. I consider that both of these conditions are required to define the terms of the permission. Conditions relating to external facing materials and hard and soft landscaping are required in the interests of the visual amenity of the area. Details of boundary treatments are necessary in the interests of both visual amenity and the living conditions of the occupiers of adjacent dwellings. A condition relating to the provision of the new site access and parking areas is necessary in the interests of highway safety. I have reworded the Council's proposed conditions where appropriate, in the interests of precision.
14. A condition requiring the removal of all permitted development rights usually associated with a dwelling would not in my view be necessary or reasonable. However, permitted development rights would allow the future construction of a dormer with a clear glazed window to the rear roof plane and such a window would be in close proximity to the rear garden of the adjacent dwelling. Permitted development rights would also allow for a substantial part of the curtilage to be covered with extensions or outbuildings, and due to size of the amenity space available, it is necessary to prevent this from occurring. Conditions partially removing permitted development rights in the interests of protecting the living conditions of the future occupiers of the dwelling and of adjacent dwellings are therefore both reasonable and necessary.
15. The plans show a shed to the rear garden, however details of its full dimensions and appearance have not been provided. It is therefore necessary

to impose a condition requiring such details to be submitted to and approved in writing by the Council.

Conclusion

16. For the reasons given above, I conclude that the appeal, subject to conditions, should be allowed.

Graham Wraight

INSPECTOR

Schedule of Conditions

- 1) The development hereby permitted shall begin not later than 3 years from the date of this decision.
- 2) The development hereby permitted shall be carried out in accordance with the following approved plans: site location plan, 3782-01B and 3782-02A.
- 3) No construction works above ground level shall be undertaken until details of the materials to be used in the construction of the external surfaces of the development hereby permitted have been submitted to and approved in writing by the local planning authority. Development shall be carried out in accordance with the approved details.
- 4) Prior to the first occupation of the dwelling hereby permitted the access, pedestrian visibility splays and parking facilities, including cycle parking, shown on approved plan 3782-01B shall be provided. These areas shall thereafter be retained and kept available for their respective approved uses at all times.
- 5) Prior to the first occupation of the dwelling hereby permitted details of hard and soft landscaping works shall be submitted to and approved in writing by the local planning authority. These details shall include:
 - i) boundary treatments;
 - ii) hard surfacing materials;
 - iii) planting plans; written specifications (including cultivation and other operations associated with plant and grass establishment); schedules of plants noting species, plant supply sizes and proposed numbers/densities.
 - iv) an implementation programme.

The approved landscaping works shall be carried out in accordance with the agreed implementation programme. Any trees or plants which within a period of 5 years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species.

- 6) Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any order revoking and re-enacting that Order with or without modification), no dormer windows shall be constructed on the rear elevation of the dwelling hereby permitted.

- 7) Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any order revoking and re-enacting that Order with or without modification), the footprint of the dwelling hereby permitted shall not be enlarged or extended (with the exception of porches), nor shall any building, enclosure, swimming or other pool be constructed within its curtilage, other than the garden shed expressly authorised by this permission.
- 8) Prior to the erection of the garden shed, precise details of its appearance and dimensions shall be submitted to and approved in writing by the local planning authority. Development shall be carried out in accordance with the approved details.



Appeal Decision

Site visit made on 12 November 2019

by Paul Cooper MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 3 December 2019

Appeal Ref: APP/R1845/D/19/3236002

Wyre Mill Cottage, Mill Lane, Wolverley, Kidderminster DY11 5TR

- 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 Tim Partridge against the decision of Wyre Forest District Council.
- The application Ref 19/0313/FULL, dated 21 May 2019, was refused by notice dated 7 Aug 2019.
- The development proposed is erection of garage.

Decision

1. The appeal is allowed, and planning permission is granted for the erection of a garage at Wyre Mill Cottage, Mill Lane, Wolverley, Kidderminster DY11 5TR in accordance with the terms of the application, Ref 19/0313/FULL, dated 21 May 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 materials to be used in the construction of the external surfaces of the development hereby permitted shall match those used in the existing building.
 - 3) The development hereby permitted shall be carried out in accordance with the following approved plans:
Proposed Layout; Drawing 1486-200 Proposed Plans & Elevations; Red Line Site Plan; Site Location Plan
 - 4) The garage shall not be used for any purpose other than that ancillary or incidental to the enjoyment of the dwelling house and shall not be used as living accommodation.
 - 5) Within three months of the first use of the garage building hereby permitted, the wooden outbuildings/sheds located on site shall be demolished and permanently removed from site.

Main Issue

2. The main issue in this case is whether the proposal would be inappropriate development in the Green Belt for the purposes of development plan policy and the National Planning Policy Framework (the Framework).

Reasons

3. The proposal is for the erection of a garage at the appeal site, which would measure approximately 11m by 8.2m, to a height of 4m. Following a previous approval for an extension to the main dwelling and a double garage, the permission to erect the double garage remains extant, and represents a fall-back position. I understand from the Statement of Case of the appellant that the garage subject to this appeal would also be used for the storage of domestic paraphernalia and contain a gym area and a workshop. Existing outbuildings on the appeal site that are used to store equipment would be removed from site if the building were to be approved.
4. The Council have refused consent on the basis that the proposal represents inappropriate development in the Green Belt.
5. From the evidence in front of me, the appellant considers the site of the garage to be previously developed land (PDL). Paragraph 145 of the Framework states that the construction of new buildings is inappropriate in the Green Belt, with some exceptions. This includes section g) of that Paragraph, which includes:
"limited infilling or the partial or complete redevelopment of previously developed land, whether redundant or in continuing use (excluding temporary buildings), which would: – not have a greater impact on the openness of the Green Belt than the existing development."
6. The evidence of the appellant appears to demonstrate that the original mill covered around 900sqm of the site, but was largely demolished, although some walls and floors remain. Additional buildings were demolished in 2007 as part of the scheme to allow the extension to the main dwelling and the site of garage that has extant consent (and the site of the current appeal) contained the former washhouse.
7. Based on the evidence, I am satisfied that the appeal site meets the definition of PDL as set out in the glossary to the Framework. As such, in order to meet criteria g) set out in Paragraph 145 of the Framework, it is necessary for me to assess the effect on openness.
8. Therefore, it is necessary to consider the fall-back position of the extant permission. The calculations set out by the appellant, which have not been queried by the Council, demonstrate that the size of the garage subject to the extant permission and the existing outbuildings cover the same floor area as the proposed garage, but the extant consent would be a taller structure. I have little reason to doubt that the extant garage would be built if this appeal were to fail.
9. The site is surrounded by heavy vegetation, and views of the proposed garage would be limited, and the reduction in height of the proposal when compared against the extant consent would further reduce the visual aspect. In addition, the appellant has clearly stated that the existing outbuildings would be removed if the new garage was allowed. The removal of the existing outbuildings would further mitigate against the larger proportions of the garage subject to this appeal. In addition to this, I note the comment of the Council which considers that if the proposal were to be built, the reduction in height would reduce the impact of the building on the Green Belt.

10. As a result, I am satisfied that the appeal proposals would not have a greater impact on the openness of the Green Belt when considered in the context of the fallback position. As a result, I do not consider the appeal proposals to be inappropriate development and are therefore not in conflict with the Green Belt aims of the Framework, and Policy SAL.UP1 of the Wyre Forest District Council Site Allocations and Policies Local Plan (2013) which sets out local guidance on development within the Green Belt.

Conditions

11. The Council have requested conditions in relation to commencement, construction materials and that development should be in accordance with approved plans, which I am satisfied are all in the interests of proper planning.
12. In addition to the above, the Council have also stated that a condition should be added to ensure that the proposal is ancillary to the enjoyment of the dwelling house, and not used as living accommodation. I consider that this is a reasonable condition, in the interests of the character and appearance of the area.
13. Given that the fallback position is a significant issue in the allowing of this appeal, and that the removal of the wooden outbuildings forms a key part of this, I will also impose a condition to ensure their removal within three months of the first use of the new garage building, again in the interests of the character and appearance of the area.

Conclusion

14. For the above reasons, I conclude that the appeal should be allowed.

Paul Cooper

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
19/0565/FULL	Land on the corner of Harold Davies Drive and Dunley Road Stourport on Severn	<ul style="list-style-type: none"> Financial contribution towards bus stop infrastructure and tree planting 		
19/0521/FULL	Former school at Comberton Road Kidderminster	<ul style="list-style-type: none"> Affordable Housing – 9 units based on affordable rent tenure; 6 x two bed units and 3 x three bed units Public Open Space contribution of £58,104.00 Contribution of £21,850 towards Healthcare provision Contribution of £164,708.00 towards Education provision Contribution of £21,950.00 for management of wet woodland 		Draft in the course of preparation

Agenda Item No. 7

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 		Engrossments out for signature
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 	<p>Various triggers for % affordable housing based on % General market occupied</p> <p>Prior to first occupation</p>	Completed 12.12.19
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. 	<p>Occupation of 50% of general market dwellings</p> <p>Prior to first occupation</p>	Completed 28.11.19

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 	

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