

Open

Planning Committee

Agenda

To be held remotely
6pm
Tuesday, 18th August 2020



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:-

If you have any questions regarding the agenda or the attached papers please do not hesitate to contact the officer named below.

The meeting is open to the public except for any exempt/confidential items. These items are normally discussed at the end of the meeting. Where a meeting is held remotely, "open" means available for live or subsequent viewing.

Members of the public will be able to hear and see the meetings by a live stream on the Council's website: <https://www.wyreforestdc.gov.uk/streaming.aspx>

This meeting is being held remotely online and will be recorded for play back. You should be aware that the Council is a Data Controller under the Data Protection Act 2018. All streamed footage is the copyright of Wyre Forest District Council.

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 prior to 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.

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.

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

To be held remotely

Tuesday, 18th August 2020

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 21 st July 2020.	7
5.	Applications to be Determined To consider the report of the Development Manager on planning and related applications to be determined.	11
6.	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.	

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

Not open to the Press and Public

8.	<p>To consider any other business, details of which have been communicated to the Solicitor to the Council before the commencement of the meeting, which the Chairman by reason of special circumstances considers to be of so urgent a nature that it cannot wait until the next meeting.</p>	
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WYRE FOREST DISTRICT COUNCIL

PLANNING COMMITTEE

HELD REMOTELY

21ST JULY 2020 (6PM)

Present:

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

Observers:

Councillors: G W Ballinger, J F Byng, R H Coleman and I Hardiman.

PL.11 Apologies for Absence

There were no apologies for absence

PL.12 Appointment of Substitutes

No substitutes were appointed

PL.13 Declarations of Interests by Members

No declarations of interest were made.

PL.14 Minutes

Decision: The minutes of the meeting held on 16th June 2020 be confirmed as a correct record and signed by the Chairman.

PL.15 Applications To Be Determined

The Committee considered those applications for determination (now incorporated in Development Management Schedule No. 586 attached).

Decision: The applications now submitted be determined, in accordance with the decisions set out in Development Management Schedule No 586 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.

There being no further business, the meeting ended at 6:41pm.

WYRE FOREST DISTRICT COUNCIL

PLANNING COMMITTEE

21st July 2020 - Schedule 586 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: 20/0222/FUL
Site Address: Land At Blackstone Meadow, Stourport Road, Bewdley, Worcestershire, DY12 1PU
The Committee received representation from Councillor Rod Stanczyszyn (Bewdley Town Council) prior to a decision being made.
<p>APPROVED subject to the following conditions:</p> <ol style="list-style-type: none"> 1. 2 year temporary time limit the mobile home and all associated structures/infrastructure shall be dismantled and all materials removed from site, and the land restored to grass. 2. 3 year time limit for the erection of the barn 3. Require details of proposed tree planting and implementation within the first planting season. 4. All hedgerows around the site boundary to be retained. 5. Details of External Materials for Agricultural Barn 6. To secure use of barn for agriculture purposes only 7. To prevent outdoor storage above the height of the existing fence to the storage compound 8. Flood Evacuation Management Plan 9. Secure Finished Floor levels of the mobile home and site office building <p>NOTE All operators of a septic tank or sewage treatment plant must check with the Environment Agency that they meet the 'general binding rules' and apply for an Environmental Permit if they do not. As from 1 January 2020 discharge of treated effluent directly from a septic tank to a surface water (watercourse, ditch etc.) is no longer allowed.</p>

Application Reference: 20/0134/FUL

Site Address: 17 - 20 Vicar Street, Kidderminster, Worcestershire, DY10 1DA

APPROVED subject to the following conditions:

1. Three-year time limit
2. Noise mitigation measures to be implemented
3. Require external material details
4. Details including a plan showing elevation and cross section of the following:
 - Roof lights including glazing specifications
 - Soil / vent stacks and pipes (to be located to the rear elevation only)
 - Door and staircase
 - Window and brick repair work
 - Rainwater goods and to require existing guttering to be cleaned and fitted with bird protection netting
5. A scheme for building maintenance
6. Require satellite antennaes/aerials to be installed to the roof or rear elevation of the building only
7. Require all rooms within the east side of the fourth floor shall remain as study/shower/en-suite rooms at all times and shall not be used as bedrooms.
8. Programme of Historic Building Recording
9. Implementation of the Programme of Historic Building Recording
10. Require a Welcome Pack
11. Require Cycle storage details
12. Require refuse storage details

Application Reference: 20/0146/FUL

Site Address: 21 - 25 Vicar Street, Kidderminster, Worcestershire

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

- a) the signing of a **Section 106 Agreement**; and
- b) the following conditions:
 - 1. Three-year time limit
 - 2. Noise Impact Assessment to be submitted.
 - 3. External materials
 - 4. To require all satellite antennas/aerials to be installed to the roof or rear elevation of the building only
 - 5. Require a Welcome Pack
 - 6. Cycle storage details
 - 7. Refuse storage details

Application Reference: 20/0336/LBC

Site Address: 2-3 New Street, Stourport-on-Severn, Worcestershire, DY13 8UN

APPROVED, subject to the following conditions:

- 1. A7 (Listed Building/Conservation Area Consent)
- 2. B6 (Materials in accordance with the details provided)
- 3. The staircase hereby approved shall be painted black prior to its first use and maintained thereafter.
- 4. Approved Plans

EXECUTIVE SUMMARY TO REPORT OF DEVELOPMENT MANAGER

PLANNING COMMITTEE

18TH AUGUST 2020

Part A Applications

Ref:	Address of Site	Recommendation	Page No.
20/0385/FUL	Temporary Car Park, Bridge Street, Stourport-on-Severn, Worcestershire, DY13 8XD	Approval	12

Part B Applications

Ref:	Address of Site	Recommendation	Page No.
20/0029/FULL	Land at Wyre Mill Cottage Mill Lane Wolverley Kidderminster DY115TR	Approval	50

WYRE FOREST DISTRICT COUNCIL**PLANNING COMMITTEE****18TH AUGUST 2020****PART A**

Application Ref:	20/0385/FUL	Date Received:	26.05.2020
Ord Sheet:	380915 271184	Expiry Date:	21.07.2020
Case Officer	Helen Hawkes	Ward:	Areley Kings and Riverside
Proposal:	Erection of three storey building to provide 18 bed short-term accommodation facility with ancillary office space, car parking, landscaping and retention of 14 spaces for use as a public car park		
Site Address:	Temporary Car Park, Bridge Street, Stourport On Severn, Worcestershire, DY13 8XD		
Applicant:	PSP Wyre Forest LLP		

Summary of Policy	DS01 DS03 CP02 CP03 CP07 CP08 CP11 CP14 CP15 (WFCS) DPL1 CC1 CC2 CC7 CP01 GPB2 PFSD1 STC1 UP5 UP6 UP7 UP9 (SAAPLP) 6B 6E 9 10A 10B 10C 11A 11C 11D 11F 13 16A 21A 22A 23B 26 27A 27C (Emerging WFDLP) Bridge Street Basin Link Development Brief SPD Design Guidance SPD National Planning Policy Framework National Planning Practice Guidance National Design Guide
Reason for referral to Committee	The application relates to land owned by Wyre Forest District Council and the application is made by a company in which the Council is member.
Recommendation	Approval

It should be noted that as this application relates to development on land owned by the Council councillors will have seen and discussed information regarding the principles of the proposal and may have been contacted by members of the public in respect of the application; further in June 2020 all Members of the Council received a confidential note from the Corporate Leadership Team to remind them of the decision making processes (in respect of which there were commercially sensitive exempt details) that had already taken place and led to the submission of this planning application. This note was a factual summary of formal

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decisions taken quite properly by Council Members. Members are reminded that the note contained no mention of the planning merits of the application which should be considered based only on material planning considerations having heard fully the advice from professional planning officers and considering the information set out in this report.

If any Member feels that they cannot approach the application with an open mind, then they should not vote on the application and should make that intention clear by indicating that they are abstaining or they wish to withdraw themselves from the meeting for the consideration of this item.

1.0 Planning History

17/0792/REGS3	Retention of temporary car park at the former Lloyds Garage site for a further period of two years: Approved 21.02.2018
15/0719/REGS3	Retention of temporary car park at the former Lloyds Garage site for a further period of two years: Approved 19.02.2016
13/0667/FULL	Demolition of buildings comprising the former Lloyds Garage Site and replacement with Temporary Car Parking for a period of two years: Approved 20.02.2014
WF/0573/94	Demolition of Part of Showroom and Existing Mess-Room/Toilet/Store: Approved 8.11.1994
WF/0572/94	Demolition of part of Showroom and erection of new wall and fence with access alterations and car park extension: Approved 6.11.1994

2.0 Consultations and Representations

Introductory note about representations: This application has prompted a very large number of representations as a result of a campaign led by "Save Stourport's Heritage" (SSH). Many of the responses do not assist the Committee's consideration of the relevant planning issues in respect of this application. It is regrettable that some of the detailed comments are based on inappropriate prejudice against people who may be experiencing homelessness. In the Officer's view, it is unacceptable that such opinions about people experiencing homelessness are held or advanced by some opponents to this application. It could breach the code of conduct if a Councillor were to make such comments in the Committee's proceedings.

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Members of the Committee are reminded that there are many reasons why individuals and families experience homelessness, including break up of relationship, loss of job or income (something that is likely to become more prevalent as a result of COVID-19) and domestic

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abuse. Many of the comments received regrettably seek to assign undesirable attributes to people experiencing homelessness when such attributes may be found in people who live in all communities across Wyre Forest.

Accordingly, this report does not give weight to any comments which are or appear to be driven by prejudice against people experiencing homelessness. Nor does it include any comments that seek to ascribe to the application features that it does not have. For the benefit of the Committee, the application is not for a bail hostel, a treatment centre for addicts or a treatment centre for sex offenders; and any comments that Members may have read that state or imply such things should be disregarded.

Stourport-on-Severn Town Council – Recommend Refusal. Whilst Stourport Town Council acknowledge that temporary accommodation is required in the Wyre Forest area, the proposed site for this building is not what it was originally intended for. The site was purchased to enhance, promote and be opened up to create pedestrian access to the towns historic canal basin area which in turn would help in the regeneration of the town centre. The site is also in a Conservation area and this is not being respected. The proposed building would be in the main tourist area for the town which includes public houses, off licences, restaurant, fairground, play areas and amusement arcades. It could potentially discourage visitors and residents to this area of the town. The SAL.STC1 Bridge Street Basins Link states: Provide a mix of commercial, retail and residential uses and consider the tourism potential of the area through the addition of quality public space.

Preserve and enhance the character of Bridge Street and the Canal Basins and have full regard to the Stourport-on-Severn No.1 Conservation Area and the associated Character Appraisal. Have full regard to the policies contained within the Adopted Bridge Street Basins Link SPD. We strongly urge Wyre Forest District Council to reconsider the site for this application as there are plenty of other sites and buildings that would better suit this need.

Stourport Civic Society – Objects to the application and advises that the proposed single use is contrary to the planning brief for this prominent and important site in Stourport, which encourages mixed use development in conjunction with the basin area. It is further noted that this proposed scheme represents an underuse of this key site and recommends that the Council and its partners abandon this site for the proposed use and acquire another more suitable site for their laudable needs of a centre for homeless people. The writer of this letter recommends that a larger site which could accommodate a mix of house types around a shared open space with allotments and play areas, electric car share, bicycle store and workshop would be preferable. It is also advised that the appearance of this proposed scheme looks more like a place to imprison the homeless rather than a place for a new beginning, a place of hope, refuge and optimism and that the design idiom of a Victorian warehouse...is wholly inappropriate for this site. Also, that many homeless people have small children and pets, and that this proposed accommodation and garden area appear totally inadequate. A good example has been set by Charles Jenks of caring, stimulating design for the Maggie Centres sets a high standard for all of us to follow. The recent Stirling prize

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winner was a "Passivhaus standard" council housing scheme in Norwich. This proposal should be equally zero or low carbon and with low running costs. It is concluded that this is an important entry site to Stourport demands a mixed-use development of the highest quality of design and with a low or zero carbon footprint. This proposal is not good enough in terms of design or in making the best use of this key site and should be refused.

North Worcestershire Water Management Officer – No objection, to my knowledge this site is not at risk of flooding from any source. This is a previously developed site and the information submitted details that the site currently has a single combined connection to the foul sewer in Bridge Street. In line with good practice it is proposed to separate the foul and surface water systems on the redeveloped site and provide separate connections to the foul and surface water sewers in Bridge Street. This is subject to Severn Trent confirming that there is sufficient capacity in the surface water sewer to accommodate the additional flow.

It is the Council's policy that all developments fully consider the use of Sustainable Drainage Systems (SuDS) for the disposal of surface water and that runoff rates get reduced to pre-development (Greenfield) runoff rates as much as reasonably practicable.

The submitted drainage strategy sets out that the existing runoff rate is estimated as 33 l/s but that this can be reduced to Greenfield runoff levels of 2 l/s up to the 1 in 100-year event, including a 40% allowance for climate change. The Council requires that discharge is made via infiltration where ground conditions allow. It is accepted that ground investigation has revealed that this site is not suitable for infiltration drainage due to a high ground water table and potential contamination issues. The drainage strategy sets out that it is intended that SuDS will take the form of an attenuation tank and potentially some permeable paving which would be lined to facilitate the attenuation of runoff prior to discharge to the surface water sewer in Bridge Street but not allow infiltration into the ground. I would prefer the use of permeable paving as this constitutes an element of runoff treatment, whereas a tank won't.

No calculations have been submitted as part of the current application that give an indication of the size of the storage required. However, given the space available under the car parking I believe that sufficient space should be available for the incorporation of a storage tank and/or permeable pavement within the development site. I therefore believe that there would be no reason to withhold approval of this application on flood risk grounds, providing a detailed condition can be attached to ensure the submission of surface water drainage details:

The connection to the foul sewer in Bridge Street will need to be approved by Severn Trent Water and foul drainage arrangements will form also part of a future Building Control application. I therefore do not believe that a foul drainage condition will be required for this application.

Given the proximity to the Canal Basin I would request that an informative gets attached to a future approval to make the applicant aware that the applicant expected to fully assess the risks from all pollution sources and pathways and take sufficient precautionary measures to mitigate these risks for this development.

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Severn Trent Water – No objection, subject to the inclusion of the following condition:

- The development hereby permitted should not commence until drainage plans for the disposal of foul and surface water flows have been submitted to and approved by the Local Planning Authority, and
- The scheme shall be implemented in accordance with the approved details before the development is first brought into use. This is to ensure that the development is provided with a satisfactory means of drainage as well as to prevent or to avoid exacerbating any flooding issues and to minimise the risk of pollution.

It is advised that there may be a public sewer located within the application site. Although our statutory sewer records do not show any public sewers within the area you have specified, there may be sewers that have been recently adopted under the Transfer of Sewer Regulations 2011. Public sewers have statutory protection and may not be built close to, directly over or be diverted without consent and contact must be made with Severn Trent Water to discuss the proposals. Severn Trent will seek to assist in obtaining a solution which protects both the public sewer and the building.

Please note that there is no guarantee that you will be able to build over or close to any Severn Trent sewers, and where diversion is required there is no guarantee that you will be able to undertake those works on a self-lay basis. Every approach to build near to or divert our assets must be assessed on its own merit and the decision of what is or isn't permissible is taken based on the risk to the asset and the wider catchment it serves.

It is vital therefore that you contact us at the earliest opportunity to discuss the implications of our assets crossing your site. Failure to do so could significantly affect the costs and timescales of your project if it transpires diversionary works need to be carried out by Severn Trent.

[Officer comment – A Ground Penetrating Radar (GPR) Survey has been carried out at the site and found no evidence of a public sewer within the area of the proposed development. A Surface Water Drainage Strategy will also be secured by Condition 13 prior to the commencement of development)]

Worcestershire County Council (WCC) Highways Authority – No objection, the proposed development is located on a temporary car park on Bridge Street, the usage for which expired in February, nonetheless 'pay & display' parking is still available as a public facility. The proposed development will retain 14 parking spaces for public use on the same 'pay & display' basis and details of a Council study which took place between 01.04.18 and 31.03.19 have been provided which indicate that the temporary car park never reached full capacity and the shortfall which can be expected as a result of the proposed development is 9 spaces which can be absorbed into the other car parks sites in the town centre as listed however it is noted that some parking on the list is private. Importantly, there are parking restrictions in place on Bridge Street and in the vicinity to prevent displacement parking and the proposed site is in a highly sustainable town centre location, with public transport links nearby on High Street and York Street.

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Accordingly, the parking provision and layout is acceptable and the parking spaces including the accessible spaces should be marked out in accordance with the plan. The car parking area will function as a shared surface as is the case with most public parking areas and the provision of 1 electric vehicle charging point should be made plus 1 secure space for motorcycle parking. Sheltered, secure and accessible cycle parking for the residential unit is also provided.

There is an extent of dropped kerb across the frontage of the site and this should be re-instated to full height kerb as part of the site access works. The footway, apart from the access, should be re-constructed in block paving to match the existing. These works can be achieved via a S278 agreement as per the note below. Details of the access width will be required, and this should be a minimum of 4.8 metres to allow 2 vehicles to pass. The Travel Plan Officer has recommended the condition below requiring a Travel Pack to promote sustainable transport options to the staff and residents of the proposed Unit.

WCC Archaeologist – No objection subject to conditions. The town of Stourport developed out of the late medieval hamlets of Upper and Lower Mitton, with the construction of the Severn terminus of the Staffordshire and Worcestershire Canal in 1768. The development site lies on the east side of Bridge Street within the canal basin area, south of former Lower and Upper Mitton. Prior to 1768 this area was part of an agricultural field system, likely enclosed from a former open-field system associated with the medieval settlements nearby. Before this, little is known about the development area.

Prehistoric settlement can be found on the gravel terraces adjacent to the Severn throughout its course in Worcestershire and there is always some potential for this to have existed close to the river as it does on Dunley Road 275m to the south of the development site, on the other side of the river. The geotechnical data for the site indicates that made ground occurs to a depth of between c.1m and 2.5m across the site and that this made ground includes ash, clinker, brick and white ceramic. Given the depth of this made ground, its clear late date and its presence across the site, it is unlikely that archaeology of pre-18th century periods would survive.

There remains the question of whether the below ground remains have the potential to contribute to our understanding of the Stourport Basins and the 18th and 19th century development of the town. The site lies adjacent to the Clock Basin, built in 1782. The 2002 Conservation Management Plan (CMP) for the basins states *“The basins complex at Stourport is a unique historic environment encompassing the routes of the greatest of all canal-inspired towns. They display a style of architecture built complete for utilitarian and commercial purposes. The basins also have a wealth of archaeological potential, as well as offering exceptional opportunity for public enjoyment”*.

Archaeological evaluations and watching briefs in other parts of the basin area have uncovered archaeological remains that have contributed to our understanding of the development of the basins and the wider town, including a tunnel for transporting goods to/from the wharf, drainage channels and the remains of former buildings. One of the key aims of the CMP is to “understand the historical development of the site [canal basins] and assess the significance of both the site as a whole and its individual elements”. There is potential for the below-ground remains on this development site to contribute to this aim.

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Consequently, the application site is judged to have the potential to impact heritage assets of archaeological interest that would be significantly altered or lost through the development. On this basis, should you be minded to grant planning permission for this scheme it is recommended that a programme of archaeological works should be secured and implemented by means of suitably worded conditions attached to any grant of planning permission. The nature of the required archaeological works will depend on the foundation design.

The County and the District has a responsibility to protect, either by preservation or record, cultural remains within its jurisdiction, and this is emphasised by the National Planning Policy Framework section 16, paragraph 199; *"...Local planning authorities should require developers to record and advance understanding of the significance of any heritage assets to be lost (wholly or in part) in a manner proportionate to their importance and the impact, and to make this evidence (and any archive generated) publicly accessible. However, the ability to record evidence of our past should not be a factor in deciding whether such loss should be permitted."*

Wyre Forest District Council (WFDC) Principal Strategic Housing Officer - No objection. This scheme is essential in helping the Council reduce the continued use of Bed and Breakfast and Hotel style accommodation which provides a diminished quality of offer to homeless households, especially those with children. The long-term poor health, education and employment outcomes of those households accommodated in Bed and Breakfasts are well known. The use of Bed and Breakfasts incurs a reduced subsidy from Central Government, who seek to deter Local Authorities from using this type of accommodation. The Council spent £107,140 (net in 2019/20) on meeting its temporary accommodation needs and by implementing this proposal it would save approximately £75,000 per annum by providing accommodation that is fully covered by Housing Benefit subsidy unlike Bed and Breakfasts / Hotels. This equates to over £3 million for the lifetime of the project at today's costs. This makes the scheme financially viable for the Council to implement. This is funding that can contribute towards the Council's saving targets or contribute to spending on valuable Council services its taxpayers would want to see offered. The proposed scheme has been well designed, taking on board lessons learned from the Council's accommodation at New Street and other examples of good practise and will enhance an otherwise unsightly temporary car park. As part of the process in developing alternatives to Bed and Breakfast the Council has considered a number of other Council owned sites, as purchasing off the open market has not been financially viable, but none have been as suitable as Bridge Street.

Having schemes like Bridge Street close to the town centre has considerable advantages as it is close to services the residents will use including shops, parks, public transport, GP surgery etc and will be close to the family, friends and support networks they will already have in the area. The scheme will be well managed with staff on site during working hours and an out of hours service. Bringing New Street back into use was initially perceived by the community as having the potential to have a negative impact in the locality but in fact has been successful in helping over 140 households return to a life of self-sustaining independence including maintaining or obtaining employment, education and training, reconnecting with family, friends and the community and enabling children to thrive in a safe and secure home. This model of effective housing management and support has worked well

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at New Street with a low number of anti-social behaviour incidents over the last three years and certainly lower than other adjacent areas.

The property conversion (New Street was a Grade II listed building) also earned a commendation from the Civic Society who said the following about the project;

"This prominent historic property on New Street was empty on the upper floors and in need of major restoration. Originally built as a town house, it is now in full residential use once more. 11 self-contained flats have been provided including one which is wheelchair accessible. Timber sash windows were replaced on the upper floors. All work was of a high standard."

"Importantly it provides much needed accommodation for those most in need right in the centre of town. Since it opened last November some 100 people have been helped. Information and practical assistance is also available to help the residents."

We have also worked with the Architects to ensure the building is as carbon neutral as possible and we hope the building will meet its own electricity requirements through the inclusion of solar panels. We have deliberately not included gas heating in advance of the changes likely to come to building regulations in the future around no longer including this in new builds due to carbon emissions. The building also benefits from various passive features to reduce the energy use, energy efficient lighting with automatic presence detection and automatic lighting controls externally, cycle store to encourage sustainable transport use, various high-efficiency systems, plant, controls and equipment and overall achieves a 6.5% reduction to the carbon emissions in comparison with the notional building target emissions rate (TER).

This application has been supported by Nightstop, a local charity who assist young homeless people who said;

"We have seen time and again at first hand the profound effect that a combination of safe accommodation and holistic, non-judgmental support, can have on the life of a homeless young person and their families. It is an approach that is proven "to work" in relation to homelessness. It enables young people to access opportunities, strengthen relationships with their family members and build a brighter future in which they give back to their community. This development will make a hugely valuable contribution to the network of support for people experiencing homelessness in Wyre Forest."

And by St Pauls, a charity who support homeless people throughout the County who have stated;

"The COVID-19 emergency and the Governments call to "get everyone in" has demonstrated how, given a place off the streets rough sleepers can change and thrive. The harsh reality is that suitable accommodation is in short supply and is urgently needed....and we support the work WFDC is undertaking."

The Council will also, as part of the works, undertake repairs to the locally listed wall at Engine Lane to ensure its preservation and any damage to this wall during the construction phase of the development would be made good.

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WFDC Principal Environmental Health Officer (Housing & Water Management) - No objection, we have no fixed standards for room sizes and kitchen facilities in temporary accommodation. Room sizes will be managed in relation to number of occupiers by the manager of the building with some advice / input from standards regarding temporary accommodation etc. We have made some design suggestions re the layout of the kitchen and communal areas to maximise the space and utility for the potential numbers of residents.

Worcestershire Regulatory Services (WRS) (Contaminated Land Officer) – No objection, the history of the site suggests that contamination issues may potentially be a significant issue. As a result, in order to ensure that the site is suitable for its proposed use and accordance with The National Planning Policy Framework, Conditions are recommended below for inclusion on any permission granted.

The National Planning Policy Framework advises that Planning Decisions should ensure the site is suitable for its proposed use taking account of ground conditions, pollution arising from previous uses and any proposals for mitigation including land remediation. The Framework also requires adequate site investigation information be prepared by a competent person is presented. Little information is known or has been provided on this site and consequently a Phase I study is recommended.

WRS (Noise Nuisance Officer) – No objection, the submitted noise assessment appears satisfactory and predicts, that with the installation of suitable glazing and ventilation products / systems, internal noise levels should be acceptable.

When the design has been finalised the applicant should submit, via their acoustic consultant, sound reduction details for the proposed glazing and ventilation products / systems to be installed for approval. If mechanical ventilation is to be installed, internal noise levels from these systems should not exceed NR25 for bedroom and NR30 for other living spaces. Full details should be provided for approval. Noise in external areas is acceptable without any further noise mitigation measures. In terms of noise from any fixed plant, when the design has been finalised the applicant should submit information, via their acoustic consultant, to demonstrate that the cumulative impact of noise, at 1m from the nearest residential window, from any fixed plant shall not exceed the proposed noise limits detailed in section 10 of the noise assessment when assessed in line with BS4142:2014+A1:2019.

WFDC Conservation Officer - There are no known heritage assets within the application site itself, however, the site does form part of the designated heritage asset Stourport-on-Severn No. 1 Conservation Area. The applicant has comprehensively considered the impact of the proposed development on adjacent heritage assets including listed buildings, conservation areas and locally listed buildings. The submitted planning and heritage statement thus comply with the requirements of Policy SAL.UP6.

The proposed development sits directly opposite numbers 12-15 Bridge Street which are all Grade II listed buildings. No physical harm will be caused to these designated heritage assets as a result of development on the site, however any new building on the application site will impact on their setting. The upper floors of these listed buildings has, from the date of their construction been an open aspect looking east towards what is now Stourport-on-Severn Yacht Club House, (also a Grade II listed building) and the New Basin, (now referred

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to as “Clock Basin” on the ordnance survey), which is also a part of a Grade II listed structure. From the Yacht Club and Clock Basin the view towards Bridge Street has largely been impeded by low structures with pitched roofs, but which have nonetheless facilitated clear of the upper parts of the post-1802 terrace which forms 12-15 Bridge Street. This view is today rather compromised with weld-mesh fencing and the rear walls of several retail and commercial units comprising the boundary to the basin. The adoption of the Bridge Street Basins Design Link SPD and Policy SAL.STC1 clearly demonstrates that it is already considered acceptable “in principle” to develop to a height of more than a single storey on part of this site, even though this does compromise the setting and views to and from 14 and 15 Bridge Street. (The proposed car park maintains the views of the Clock Basin and Yacht Club clock tower from 12 and 13 Bridge Street thus satisfying at least in part Policy HD.1 of the SPD). Clearly any harm caused by the development to the setting of 14 and 15 Bridge Street will be less than substantial. Whilst their intrinsic architectural and historic qualities remain unaffected, their historic visual relationship to the basin and yacht house is severed.

The interruption of long-established views across the Stourport-on-Severn No.1 Conservation Area similarly results in an element of understanding of the significance of the relationship of the post-1802, 12-15 Bridge Street development, to the 1782 basin to be lost. To conclude, the interruption of established views across the Stourport-on-Severn No.1 Conservation Area and to and from 14 and 15 Bridge Street causes less than substantial harm to the setting of these designated heritage assets and is thus contrary to Policy SAL.UP6. This may be outweighed by the public benefits of the scheme as determined by the decision maker.

In terms of design, the architects have taken on board my comments and have added additional windows to the elevation facing the basins. The architects have also reviewed the elevation treatment to provide a consistency in approach to lintels above doors and windows and have added a dentil course at eaves level which adds a degree of interest to an otherwise plain elevation treatment. The gables now feature a more decorative form of brickwork and keystones which adds a degree of interest to the gable elevations. I welcome these revisions and have no objections to them. There remains the issue of the perceived lack of “connection” between the building and the street, and in turn the Stourport-on-Severn No.1 Conservation Area. The reasons for placing the main entrance round the side of the building are perfectly understandable given the proposed function of the building, therefore I cannot see how this can be resolved without jeopardising the function of the building and the privacy and dignity of those using it.

Canal and River Trust – The main issues relevant to the Trust as statutory consultee on this application are:

- a) The visual impact of the proposal on the canal basins
- b) The prevention of contamination of the canal basin

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Based on the information available our substantive response (as required by the Town & Country Planning (Development Management Procedure) (England) Order 2015 (as amended)) is to advise that suitably worded conditions and/or a legal agreement are necessary to address these matters. Our advice and comments follow:

The visual impact on the canal basins (Design and Layout) - To the East of the site lie Stourport Basins, which date from the 1700's and are the primary reason for the towns existence and success. The whole of the Stourport basins are listed, encompassing the basins, locks, wharves and bridges, which were built by the Staffordshire and Worcestershire Canal Company and designed by James Brindley. The area is also in the Stourport-on-Severn No.1 Conservation Area which shows their importance and the contribution they make to this landscape. The basins are an evocative site and a real gem on the national canal network. As a result, any development here needs to respect the sensitivity of the basins and seek to enhance or preserve their unique character. The National Planning Policy Framework (Framework) states that applicants should provide a level of detail appropriate to the importance of the asset, and in line with this a thorough heritage assessment has been submitted. This document provides evidence that Historic England's guidance on assessing significance and level of harm has been worked through and it fully appreciates the sites location in a town which has a very rich heritage.

The historical analysis makes it clear that the design is responding to the 'surrounding area, integrating into the historical landscape, respecting heritage assets.' Most buildings in the area are constructed from a rich red-orange brick and so the scheme identifies an appropriate material palette and acknowledges the importance in the choice of material in providing a sense of uniformity. This is important when considering views across the basin, as the Trust would not want a building to appear stark and jarring in the landscape. The proposed mass and scale of the building is appropriate to the area and does not overshadow neighbouring properties nor the basin. The pitched roof is in keeping with the nearby period properties.

Section 16, paragraph 192 of the Framework states that it is desirable that new developments are assessed in terms of their 'positive contribution to local character and distinctiveness' whilst the Trust question whether this has been fully met, the revisions do more positively enhance the Conservation Area and views from Bridge Street across the basin than the original submission.

The revision Design and Access statement suggests that the proposal should address certain challenges, as outlined in the SPD. These include the need for an active frontage to both the street and basin, and improved links and public realm. Whilst the site entrance and access road does allow glimpses through, the linkage is somewhat spoiled by the hard surfacing and public car parking spaces along the rear boundary. The scheme has been improved through a softer approach to the boundary that now includes low level planting to help screen the parking bays from the basin's outward views. The success of the scheme when viewed from the basins will in part be due to careful boundary treatment and landscaping.

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Boundary treatment and landscaping - The applicant has clarified details on the use of the triangle of land behind the car parking and the rear boundary. And has annotated it to show that low level soft landscaping will be provided to screen the parking spaces. The basin boundary should either be a brick wall that matches the local masonry or a low brick wall with painted railings fixed on. This would be more appropriate in this location and would comply with Policy SAL UP9 which requires boundary treatments to reflect the local character and appearance of the area.

[Officer comment – Access across the C&RT land is not currently possible as it forms part of the demise let to their tenant; it is considered by Officers that a low brick wall is not suitable in this instance, as the current mesh fencing allows visibility from Bridge Street to the canal basin and a brick wall would involve unnecessary costs if the land within the ownership of the C&RT became available and an access through to the canal basin could be achieved from the proposed public car park]

Design - The revised plans include positive amendments to the rear, Basin facing elevation, which includes more openings and views out to the water space as opposed to the filled in window reveals which were a result of bathrooms placement in the original layout. No details of the planting in the garden area or the triangle of land has been provided. A landscaping scheme, to include improved boundary treatment should be required by way of a suitably worded condition.

Lighting - The design and access statement mentions the provision of external lighting, but no details are included. Further details of the position and spill of any external lights should be provided to allow a proper understanding of their impact on users of the canal basin as well on protected species such as foraging bats which use the waterway corridor. These details can be provided prior to determination or by way of a suitable worded condition.

[Officer comment – Condition 5 has been attached to secure external lighting details]

The prevention of contamination of the Canal basins - The planning and heritage statement makes reference to a Phase I and Phase II ground investigation report. It states that ground contamination was found to be present on site and that decommissioned underground fuel storage tanks are present. It is not clear if the tanks will be removed nor is there any detail showing where they are located within the site. The Planning and Heritage statement say that this 'must be dealt with'. Depending on the position of the tanks their removal may have an impact on the Trust, both as a result of possible contamination during their removal or from residual contamination. We also need to understand if the site is hydraulically linked to the canal which would allow pollution to take place. The applicant should provide further details of the location of the tanks and the methodology for their removal or treatment as these matters could have an adverse impact on the canal basin or potentially cause structural implications for the basin. The Trust seek a condition requiring full risk assessments and method statements for their removal which should include specific assessments and measures to protect the water environment from pollution. It is suggested that prior to the submission of this information the applicant discusses this matter in detail with the Canal & River Trust to ensure that suitable information is provided.

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Waste - The waste storage is proposed to be located at the rear of the building. The bin stores must be secure to prevent any windblown waste from entering the adjacent basin. The stores should also be designed to prevent vermin accessing the bin store as rats are often found in waterside locations. Further details of the store should be required, agreed and implemented by way of a suitably worded condition. To protect the water environment from windblown pollution during the construction phase protective fencing should be installed along the rear boundary. This is required as a pre-commencement condition to ensure that the details are agreed, and the fencing installed before work commences (including any demolition and site clearance works).

[Officer comment – it should be noted that extensive discussions were undertaken with the Canal and Rivers Trust and their predecessor, British Waterways, to progress a mutually beneficial development of this site which included the C&RT land at the rear, including the use of their regeneration company, but unfortunately this has not been achieved within reasonable timescales]

Designing Out of Crime Officer - No objection to this application subject to a condition to secure internal and external security arrangements including appropriate access control both to the main entrance and individual rooms.

The West Mercia Police have a good relationship with management at New Street. Figures have been provided on the number of incidents involving WM Police call outs for the nearby accommodation at New Street since it opened in 2018 and some of these incidents have generated crimes which have generated a considerable amount of police time being used attending and investigating incidents as a result of those calls and that this proposed development could potentially be a drain on police services.

This development would be in a more prominent position and therefore could bring residents and public into closer contact which could result in an increase in anti-social behaviour, although the figures available for New Street it indicates that any problems at the new development only take place on the premises and do not result in issues to the wider Town Centre. Other comparable accommodation in Wyre Forest is St. Basils in Bromsgrove Street Kidderminster which caters specifically for young people and has not resulted in an excessive number of incidents.

Crime Prevention Through Environmental Design (CPTED) is a well-known method of reducing crime. Basically, if you improve the environment in which a person lives their motivation to commit crime is reduced. Academic research has verified this. Following this principle if you take a person of the street (out of a shop doorway for example) give them decent accommodation and access to the help they require the motivation and/or need to commit crime is reduced.

[Officer comment – An increase in police staffing resources is not a planning consideration. The applicant has confirmed that access to the building would be controlled by a key pad entry system and individual rooms will have biometric key pads. The office has been positioned to provide surveillance of the entrance and the cycle parking spaces. Condition 17 is attached to secure appropriate security measures]

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Neighbour/Site Notice Representations

1 letter of support received to this application where it was expressed that this planning application is a brilliant idea as they used to see homeless people sleeping under the bridge, getting pulled out and assaulted at all hours of the night by local residents, and that this development would provide the users a warm place to live, which is much better than having them sleeping out in the cold and in public places.

St Paul's Hostel - Support the proposed development and advise that suitable accommodation is in short supply and urgently needed.

Wyre Forest Nightstop and Mediation Scheme – Support the proposed development and note that they recognise the importance of providing a combination of safe accommodation and holistic, non-judgemental support, which can have a profound effect on the life of a homeless young person and their families. This development will make a hugely valuable contribution to the network of support for people experiencing homelessness in Wyre Forest. As we emerge from the worst of the COVID-19 pandemic, we know that increasing numbers of people in our community will become homeless or be at risk of homelessness. Homelessness can happen to anyone. Interventions such as the proposed temporary accommodation have never been more urgently needed

1325 letters of objection have been received to this application from local occupiers and residents, and the grounds of objection can be summarised as follows:

- Unsuitable, unpleasant and inappropriate location for housing development in the middle of the town and surrounded by commercial premises, as users would be adversely affected by noise, car emissions, overlooking/loss of privacy, light pollution. Access to the development is potentially hazardous due to the amount of traffic using the Bridge Street and commercial deliveries to shops.
- WFDC's Strategic Policy 16A states that "Development proposals must be designed in order to avoid any significant adverse impacts from pollution, including cumulative ones, on ... human health and wellbeing" (Local Plan, Page: 121). Bridge Street is frequently congested with high levels of traffic channelled through the historic centre of the town. "These high levels have resulted in borderline Air Quality Management Areas ", (Local Plan; Page: 103; paragraph: 14.4) and will surely increase further when the new Medical Centre, the Malvern Hills housing estate on Pearl Lane, and the proposed development on Dunley Road are completed. Therefore, it is questioned whether this is a safe or fair location for a residential building given that this is a polluted area.
- Insufficient rooms for families and lack of play areas for children and no provision for pets.
- It is questioned whether a shared 25 sq.m kitchen/dining room/lounge to serve 7no. bedrooms, and a potential of 11no. occupants on a single floor is reasonable and provides suitable accommodation for the occupants.
- This is a residential property so should be in a residential estate. The people who are to be catered for are often traumatised and deserve better care than this and should be housed in a quieter and more suitable environment.

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- Incompatible with the High Street.
- Inappropriate as it uses a valuable brownfield site in a prime location within the town and it is much cheaper to build on green land, which was obvious with the new location of the Medical Centre.
- There are many other unused buildings around the area that can be re-used and restored, rather than building from scratch.
- There are more suitable alternative sites in the District, and preferably this development should be located in Kidderminster where there is access to services such as hospitals, doctors surgery, mental health services, social services, dedicated police station and infrastructure, and much better access by public transport including by train, or otherwise this development should be in Bewdley.
- Statistically most of our homeless people are liable be found in Kidderminster, as such this building should be sited there, not in Stourport - as per Paragraphs 17. 47; 17.50; 17.52 of the Homelessness codes of guidance for local authorities.
- Inadequate public services for future residents to reach employment opportunities. There are more jobs available in Kidderminster or jobs that are reachable by trains, as such Kidderminster is more suited for this type of development.
- Lack of support/social services i.e. job centres, DWP offices etc, in Stourport and existing services are already stretched including Stourport's medical facilities.
- The bus service is inadequate, and the cost of fares would be prohibitive for future residents given their circumstances.
- It will create a transient community and result in increased crime, anti-social behaviour and fear of crime.
- Town is too small and already has 2 temporary accommodation (New Street and Raven Street), emergency accommodation/HMOs/Half-way houses/temporary accommodation in flats above shops. Stourport-on-Severn shouldn't be expected to have anymore and surely it would make more sense to spread these people around the whole of the Wyre Forest area rather than concentrating them all in one relatively small area of Stourport.
- Council would potentially be placing young families and vulnerable people in accommodation close to areas of anti-social behaviour - 765 reported incidents in the last 12 months, alongside 554 violence related offences, and 77 public order offences.
- Existing short-term accommodation facilities, such as the one on New Street, are already causing problems, with regular visits by the Police.
- The shared kitchen/dining areas will lead to disputes and arguments when the building is not staffed during the evenings.
- It would add cost to policing and in dealing with the social issues already apparent with this type of accommodation in other areas.
- The scheme would have the equivalent of 1 full time staff member on site between 9 – 5 each day and it is questioned how the site would be managed/monitored during the hours of 5pm – 9am Monday to Friday when the site is unstaffed.
- Development completely misses the opportunity to improve the area for locals and attract tourism.

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- Detrimental to the vitality and viability of the town centre (contrary to Emerging Local Plan policy 22A), especially as future occupiers are transient and unlikely to have the expenditure to support the local economy. Stourport needs economy boosts, not more houses, retirement homes or estates that will bring property prices down and increase traffic and population.
- Failure to meet the requirements of Policy SAL.GPB2 through the lack mix and an over dominance of non-retail frontage, resulting in a principal façade that is devoid of any life. It would also have a significant detriment impact on the vitality and viability of the town centre and the tourist offer of this part of the town.
- Fail to bring any prosperity to Stourport. Local businesses will suffer if this development goes ahead. Brings no benefit to the town, the town requires retail development not temporary housing.
- Detrimental impact on tourism, as it will push tourist away from visiting the town. Detract from attracting tourists/visitors into the town which is Stourport's backbone and consequently will cost local jobs and cause the town to go further into deprivation. Contrary to the Local Plan as it will not increase the variety and mix of the tourism offer in the town which focus on heritage tourism. The Local Plan requires new developments to improve and develop Stourport's Canal and River Tourism. It is also considered to be a short-sighted quick fix for a housing problem which will have a long-term effect on the tourism potential for Stourport.
- The site should be developed as an open square which could have multiple uses for the community at regular intervals throughout the year.
- Short term gain in rent revenue will be far outweighed by the loss of business rates and taxes. [Officer comment: The Council will receive no rent from the accommodation. It will cost the Council to money to run but at lower cost than current arrangements for temporary housing]
- Increase road access at a dangerous spot, inadequate parking, increase traffic congestion and road accidents.
- The removal of the only remaining short term parking on Bridge Street is likely to have an adverse impact on many of these businesses, further damaging an already struggling high street and will cause cars to double park on both sides of the street, thus impacting pedestrian safety. The existing car park is well used especially by elderly residents. [Officer comment: the application involves retention of 14 spaces of public car parking]
- There is already plenty of parking within Stourport therefore more is not needed.
- Increase litter, light and pollution.
- Affect local ecology, risk of contamination and flooding.
- The emerging Local Plan that was recently submitted for examination did not state that the temporary car park site in Bridge Street was to be used as short-term accommodation. Yet throughout the process of the new District Local Plan this Bridge Street site was referred to in the Heritage Statement as being an important site for the town. This site was originally acquired to improve and enhance the heritage of the town and I fail to see how the current application fits in with this.

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- Development fails to enhance or better reveal the significance of the Conservation Area as a Heritage Asset and the design is not sympathetic with the Conservation Area ethos, contrary to Section 72(1), Policy SAL.UP6. The Canal Basin is a unique feature within the WFDC region and should be enhanced and preserved.
- Conflict with the Adopted Site Allocations and Policies Local Plan (including Policy SAL.UP6) and the Adopted Core Strategy, given that it fails to enhance the tourism potential of the area; preserve and enhance the character of the Stourport no. 1 Conservation Area and the associated character appraisal; fails to maintain and enhance the separate role and identity of the town; fails to provide new opportunities for tourism and leisure as a growing element of the local economy.
- Loss of open light to Bridge Street.
- Over-development of the site.
- Adverse visual impact on the area and out of character in terms of appearance with existing properties in the vicinity, fails to integrate with surrounding buildings and is not in keeping with a Georgian tourist town.
- Poor design (contrary to Policies CP11 and SAL.UP7 and Paragraphs 125, 127 and 130 of the National Planning Policy Framework), visually unattractive, 'dead' and 'massive featureless' frontage, with a lack of connection to Bridge Street and has all the appearance of an "institution". It is also considered that the development would completely fail to incorporate any form of connectivity and would create a wholly unsuccessful place devoid of any activity and dead frontage onto Bridge Street.
- It would fail to enhance the public realm - this is particularly important to a core area of a tourist centre.
- Development too high, over-bearing and would dwarf the adjacent buildings presenting an uneven and incongruous skyline and block out views of the canal basins from pedestrians traversing Bridge Street. Building a 3-storey building will also completely obliterate the view from and to the yacht club/basins. The tower clock is of historical interest, it's older than Big Ben. It will be completely blocked from sight from Bridge Street.
- This site was meant to be the new gateway to Stourport and its basins and will now just become another eyesore.
- The original plans promised to regenerate the area encouraging more visitors/tourists to the town to discover the unique history of the canals and basins. The new plan would destroy any further canal basin regeneration by blocking access & visibility to the area, contrary to Policy SAL.STC1. It is also contrary to Policy SAL.STC1 and the associated Bridge Street Basins Link Development Brief SPD, as it provides no mix of development.
- Lack of a green pedestrian route through to the basin and does not address the issue of the "uninviting character" of Engine Lane (Local Plan Policy STC.4), which is the only direct access to the basins from Bridge Street. Also, contrary to Policy CP15 and emerging Local Plan Policy 11F which encourages developments to promote the waterways as a tourist attraction.
- Fails to serve the Stourport community in providing a landmark building that could take the first step in the regeneration of the basin promised by Wyre Forest after the "purchase" of the application site.
- The application is at extreme odds with public opinion and the welfare of proposed residents.

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- Breach of the compulsory purchase order that was made. The Council gained public support for the original plans and are now changing them. The site should not have been CPO without firm interest from developers. A perfectly viable respected family business and valuable asset to the people of Stourport was removed by the council on the pretence that we wanted more access to the basin area and would include a retail development including leisure & tourism opportunities (shopping/ cafe and restaurants etc) to enhance the area and attract more visitors to Stourport. [Officer comment: it is a matter of public record that the site was not acquired under a compulsory purchase order, as set out in paragraph 4.3]
- Does not provide any public toilets.
- The proposal does not address the other aims of STC.4 namely small-scale retail or food and drink uses and is contradictory to the original plan which was to have above or to the rear: office or C3 residential uses, the latter being people living together as a family.
- This application does not redevelop the Starline site immediately next to the basin which should be redeveloped at the same time.
- A walk through to the basin and a museum would have provided a tourism attraction and local historical site, for tourists and school children to enjoy and learn about the history of Stourport.
- Contrary to Policy CP08 which seeks to safeguard employment land.
- The previous application for a further temporary retention of the car park, reference 17/0792/REG3, was objected to by the Highways Authority on grounds that it does promote sustainable travel and would increase the reliance on private cars to travel. This application would be in direct conflict with the Highway Authority's comments and policies contained within the adopted Local Transport Plan.
- Development fails to address the issues that led to homelessness and prevents the revolving door back into a loss of accommodation which is the purpose of the Homelessness Reduction Act.
- Lack of public consultation especially during COVID-19 pandemic where people could not discuss the plans and no leaflets or information provided on the development prior to the application. The Localism Act 2011 indicates that there is a requirement to consult communities before submitting certain planning applications. [Officer comment: this application does not fall within a category where prior consultation is required]
- No demonstrated need for this type of accommodation.
- Construction works will cause vibration and lead to the retaining wall on Engine Lane collapsing, which will block the lane and only access to the Yacht club and access to the locks for maintenance.
- The proposed PV panels would not be effective facing each other, on the south east and north west elevations.
- General dislike to the proposed scheme.
- WFDC has a lack of consideration for the town. Kidderminster gets regeneration after regeneration, while Stourport has been left with half-baked proposals that rarely come to fruition.
- This is only for profit making for the Council. [Officer comment: the development will not make a "profit" for the Council but would reduce its costs in responding to homelessness.]

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- Insufficient Heritage Statement and lack of Archaeological Assessment, contrary to the National Planning Policy Framework. Information missing from plans and not enough information given on application.

Stourport Forward Amenity Group – Objects to the application on the grounds of impact on heritage; poor design; lack of evidence to support an unmet homelessness need in Stourport-on-Severn and therefore it is unclear if such a need would support the scale of the development proposed and whether the need can be supported elsewhere; unsuitable location due to a lack of support services; potential for conflicting social issues arising from such a use given that the town is heavily visited on a season basis; and lack of up to date market testing of the site for alternative uses; fails to preserve existing and local amenity; lack of public consultation; and that the economic benefits to the Council should not be sufficient to override other key considerations, in particular the special heritage considerations of a national scale and potential impact on local amenity. It is also expressed that Stourport will be severely impacted by the Coronavirus pandemic and as such it is now a time to try and incentivise more socially and commercially viable options for the site.

3.0 Site Location and Description

- 3.1 The application site covers an area of approximately 0.12 hectares and forms part of a wider site allocation for mixed use development as identified under Policy SAL.STC1 of the Adopted Site Allocations and Policies Local Plan. It comprises previously developed land having been previously occupied by a car garage/workshop (known as Lloyds garage). The site is owned by Wyre Forest District Council and is currently being used as a temporary 'pay and display' public car park and is laid out in gravel with a height barrier at its entrance. It is located on the east side of Bridge Street (the A451) and abuts the canal basin boundary to the rear of the site, which is controlled by the Canal & River Trust and the land immediately adjacent to the site within the canal basins is currently occupied and leased to Cruise Co.
- 3.2 The surrounding area is characterised by a mixture of commercial, leisure and residential development. Immediately adjoining the site to the north is a single storey flat roof brick building operating as a retail shop ('The original factory shop') and to the south is a two-storey detached brick building (8a Bridge Street – also owned by Wyre Forest District Council) operating as a retail shop on the ground floor ('Age UK') with a residential flat above and beyond this building is Engine Lane, The Ye Olde Crown Inn and Riverside Amusement Park. To the west, on the opposite side of Bridge Street are two and three storey Grade II listed buildings, which are occupied by shops, restaurants and hot food takeaways on the ground floor with residential flats above. The Bridge Inn and Riverside Meadows and Park are also located in proximity of the site, on the opposite side of the road. To the rear of the site is the canal basin which is fed by the River Stour and the River Severn.

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- 3.3 The site being in a town centre location has excellent accessibility to local shops, services and facilities by sustainable modes of travel including walking, cycling and by frequent bus services (the nearest bus stops are located at York Street 0.1 miles from the site, at High Street 0.1 miles from the site and on Dunley Road, at the junction with Harold Davies Drive 0.2 miles from the site). The site falls within the designated Secondary Shopping Frontage of Stourport-on-Severn Town Centre as defined by the Adopted Policies Map and lies within the Stourport-on-Severn Conservation Area No. 1. The site will be in close proximity to the new medical centre just across the bridge on Dunley Road when it is constructed.
- 3.4 The application seeks full planning permission for the erection of a three-storey building for use as short-term accommodation for households in housing need (Sui Generis), together with 4No. car parking spaces and private outdoor amenity space. The development also includes the provision of a 'pay and display' public car park with a total of 14 spaces including 3 spaces for people with disabilities, 1 space with an electric vehicle charging point and motorcycle parking area.
- 3.5 The proposed short-term accommodation would be operated and managed by Wyre Forest District Council. It would comprise 18 bedrooms in total, the majority being one or two beds with en-suites. On each floor, flexibility has been built into the design and there would be an option to create family accommodation with up to two bedrooms by closing one of the doors within the main corridors. Part of the ground floor would be set aside to provide an interview room, a staff office and an accessible WC and on each floor level there would be a communal kitchen/ dining/ lounge area, store and cupboard rooms.
- 3.6 A site manager and a support worker would be on-site during the day. It is intended that other services including financial inclusion, employment advice and counselling would visit the site when required. These officers already support the same type of accommodation at New Street and the proximity between the two sites makes administration easier.
- 3.7 Amended plans were received on 23.07.2020 and again on 24.07.2020 following advice received from the Conservation Officer, the Canal & River Trust and the Highways Authority about improving the external appearance of the building and parking provision, and includes the following changes: inclusion of arched window headers to all three floors; darker brick plinth at base of building; dentil detail at eaves level; brick gable detail; upper floor windows repositioned from car park elevation to rear elevation facing the canal basin; dimensions of site access, car parking spaces and manoeuvring space shown on plans; provision of an electric vehicle charging point; and provision for motorcycle parking. The scheme was not re-advertised as the amendments are non-material changes.
- 3.8 The application has been submitted with a Planning and Heritage Statement, Drainage Strategy, Phase I Contaminated Land Report, Noise Impact Assessment.

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4.0 Officer Comments

4.1 The main issues to be considered are:

- Wyre Forest District Council's role in this Application
- Site Ownership and Marketing
- Need for the Development and Site Location
- Whether the Principle of Development is acceptable
- Layout, Scale and Design
- Impact on Heritage Assets
- Residential Amenity
- Highway Safety
- Ecology, Potential for Contaminated Land and Flood Risk

WYRE FOREST DISTRICT COUNCIL'S ROLE IN THIS APPLICATION

4.2 Wyre Forest District Council has effectively three distinct roles with respect to this application. Firstly, the Council will be owner of the site and operator of the proposed short-term accommodation and the public car park. Secondly, the Council has a statutory responsibility as the Local Housing Authority to provide housing assistance and relieve homelessness within the District under the Housing (Homeless Persons) Act 1977, Part 7 of the Housing Act 1996 (as amended) and the Homelessness Reduction Act 2017. Finally, the Council as the Local Planning Authority is responsible for this application's determination under Section 70 of the Town and Country Planning Act 1990.

SITE OWNERSHIP AND MARKETING

4.3 Historically, the site was previously occupied by Lloyds Garage with a workshop at the rear of the site and a shop towards the front and adjacent the factory shop. Having adopted the Bridge Street Basins Link Development Brief in 2005, working with the then Regional Development Agency (Advantage West Midlands (AWM)) and the then British Waterways, the partners sought to stimulate the redevelopment of the area by intervening in the market to purchase the Lloyds Garage part of the brief area. It should be noted that the Brief area extends as far up Bridge Street as 2 Bridge Street, with the former Lloyds Garage being at the southernmost end of the Brief area. Negotiations with the former owner of the site were undertaken and in parallel the Council was also preparing to purchase the site compulsorily if necessary. It is common practice to run the two forms of acquisition in parallel and in the end the site was acquired through the private sale rather than compulsorily. The site was acquired by the Council with joint funding from AWM.

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- 4.4 After the Council acquired the site in 2009 the partners began considering ways to bring forward redevelopment proposals but at the time there was a national economic recession which reduced the attractiveness of the site to the wider market to support a commercial redevelopment. The Council commissioned agents (Chase & Partners) to scour the national market for a variety of users including retail, food and beverage and hospitality but there was no interest shown in the site. The Council tried an alternative route: in 2011 it undertook a procurement exercise to appoint a development partner who could bring forward a development. Although a partner was successfully appointed, after a considerable period of opportunity for the development partner to bring forward a scheme, it became clear that no real progress was being made, so the Council ended that relationship in 2014. In 2014, the Council demolished the previous buildings on the site in an effort to assist potential developers to buy into the vision for the site as a way of re-connecting with the basins. The Council then pursued the potential for partnering with the Canal and River Trust (charitable body replacing British Waterways) through their Waterside Regeneration arm, as adjoining landowner, in order to bring a suitable development forward. However, after protracted discussions over a number of years it became apparent that this route too was not going to produce a financially viable redevelopment solution. During the course of all of these different routes to develop the site, the Council considered a multiplicity of different end uses including commercial, residential, health, hospitality and mixed uses of all combinations, but none was capable of being delivered by any private sector or public sector partner or combination of the two.
- 4.5 In 2017 the Council entered into a Limited Liability Partnership (LLP) with Public Sector plc (PSP) as a means to help bring forward the development of its land and property assets. This was part of the Council's developing strategy to use its land and property assets for initiatives that drove revenue generation, or saved revenue expenditure, rather than disposal for a capital receipt. Entering into the LLP was part of this strategy. PSP had already formed similar LLPs with a number of local authorities up and down the country and offered expertise and commercial knowledge which the Council was able to access through the partnership. PSP also began looking at potential development options for this site which would generate revenue for the Council and considered a number of alternative uses. With the exception of the scheme that is the subject of this application, none proved to be financially viable for the Council to bring forward (i.e. none generated enough of a return to cover the Council's borrowing costs to undertake the construction).
- 4.6 However, the one scheme which is financially viable is the proposal which comprises this application and that is only because it works as a 'spend to save' project i.e. by undertaking the development the Council would save money on its current costs of providing temporary accommodation through bed and breakfasts. Section 70(2) of the Town and Country Planning Act 1990 (as amended) provides that authorities must have regard to local finance considerations as far as material. Section 70(4) of the 1990 Act (as amended) defines a local finance consideration as a grant or other financial assistance that has been, that will or that could be provided to a relevant authority by a Minister of the Crown, or sums that a relevant authority has received, or

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will or could receive, in payment of the CIL. Whether or not a 'local finance consideration' is material to a particular decision will depend on whether it could help to make the development acceptable in planning terms. The scheme would allow the full housing benefit to be provided to the Council and will generate over £22k per annum in Council Tax, of which 16% will come to the District and Stourport Town Council. Along with the potential for the scheme to also generate New Homes Bonus which is seen as a benefit insofar as it could provide funding for projects of importance to the local community. This is a material consideration that carries weight. In July 2019 the Council's Cabinet, supported by its Overview and Scrutiny Committee, agreed to fund the development using its Capital Portfolio Fund (part of the Council's adopted Capital Strategy). The business case that was approved by the Cabinet, with the support of the Overview and Scrutiny Committee, was specific to this site: in other words, it is not the case that the financial assessment of the viability of the scheme at this site would hold true for any alternative site.

NEED FOR THE DEVELOPMENT

- 4.7 Wyre Forest District Council acting as the Local Housing Authority has a duty to secure accommodation for unintentionally homeless households in "priority need" in line with the Housing (Homeless Persons) Act 1977, Part 7 of the Housing Act 1996 (as amended) and the Homelessness Reduction Act 2017. In addition, the Government's "Everyone In" approach to tackle homelessness during the Covid19 pandemic has considerably expanded the number of homeless households the Council now needs to accommodate. The Local Government Association responded to the December 2019 homelessness statistical release with the following comments: Homelessness is a tragedy for every individual who experiences it and one of the most pressing issues facing Councils and the Government. Some reference has been made by consultees regarding the need to rehouse homeless households where they become homeless from, but the Code of Guidance only requires councils to try and keep households in their district, not their local town or parish. Therefore, this short-term accommodation will meet the needs of all residents in Wyre Forest District rather than for just a specific town or village especially as it isn't always appropriate to rehouse people into the area they become homeless from e.g. victims of domestic abuse.
- 4.8 The Council has explored various opportunities for meeting these duties over the last few years, including working in partnership with organisations like St Basils to reduce youth homelessness through developing accommodation in Bromsgrove Street, Kidderminster with a Registered Provider and through the provision of directly managed accommodation at New Street. However, it has not been possible to identify other appropriate sites currently in the Council's control that can meet the needs of homeless households or in the timescale required in the way that Bridge Street does.

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- 4.9 It is recognised that homelessness and those falling in “priority need” categories are on the increase. In the exempt July 2019 Overview and Scrutiny Report it was confirmed that the Council requires a range of between 8 and 22 residential units in addition to the 11 units provided at New Street in order to meet the demands. Since then the number of people in temporary accommodation has risen substantially and the number of households in temporary accommodation in Wyre Forest has been around 38, and therefore 27 extra units is required. This would meet the combined requirements of both the Homelessness Reduction Act 2017 and the Covid19 “everyone in” expectations.
- 4.10 In the previous 12 months over 180 households have approached Wyre Forest District Council as homeless or potentially homeless from Stourport postcodes – this demonstrates sufficient need arising from homeless households just from Stourport residents alone for the proposed short term accommodation and that those households will already have GPs, schools, employment etc in their home town so no additional pressure on resources. In addition, there are a further 388 households in housing need on the housing register waiting for accommodation in Stourport.
- 4.11 If an applicant has become homeless unintentionally the Council must assess whether they, or a member of their household, falls into a ‘priority need’ category and if they do, the Council has a duty to provide short term accommodation whilst it further assesses their case. People are in “priority need” for a wide range of factors but most commonly it is due to people having dependent children or being pregnant or having a medical problem such as a physical disability and these people do not tend to need any assistance from a support worker or specialist service. These households will be capable of living independently and managing their lives in a location like Bridge Street. If there are risk factors that mean the person or household wouldn’t be suitable for living in the shared accommodation, then they won’t be accommodated at this proposed scheme – the Council would find them self-contained accommodation elsewhere. Where they can be accommodated in shared accommodation but require specialist support in addition to the support worker then this would be provided from the appropriate partner organisation.
- 4.12 The proposed scheme would provide purpose built, good quality, well managed accommodation for households in housing need and would make a positive contribution to the supply of temporary accommodation in the District. Furthermore, it will relieve the financial pressure on the Council when demand outstrips supply as the need to use more expensive commercial options which at times are unsuitable such as placing a family in bed and breakfast accommodation or in out of district placements, will be greatly reduced. The advantage of developing a purpose-built scheme is that the accommodation can be configured in a way that will meet the requirements of the Council and the residents that have been difficult to achieve through conversions of existing properties.

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POLICY CONTEXT AND PRINCIPLE OF DEVELOPMENT

- 4.13 The National Planning Policy Framework (2019) (the 'Framework') sets out the Government's planning policies for England and advises that the purpose of the planning system is to contribute to the achievement of sustainable development. Paragraph 38 of the Framework advises that Local Planning Authorities should approach decisions on proposed development in a positive way, working with applicants to secure developments that will improve the economic, social and environmental conditions of the area.
- 4.14 Additionally, Paragraph 92 states that planning decisions should take into account and support the delivery of local strategies to improve health, social and cultural well-being for all sections of the community. This is echoed in Policy CP07 'Delivering community wellbeing' of the Adopted Core Strategy (CS) which states that new development proposals should contribute towards the retention and formation of sustainable communities within the District.
- 4.15 In respect of housing developments, Paragraph 59 of the Framework highlights that one of the Government's objectives is to significantly boost the supply of homes and that the needs of groups with specific housing requirements are addressed. It also seeks to promote an effective use of land in meeting the need for homes and seeks to make as much use as possible of previously-development land. Policy DS01 of the Adopted CS and Policy SAL.DPL1 of the Adopted Site Allocations and Policies Local Plan (SAAPLP) also seek to concentrate housing developments on previously developed sites in urban areas of Kidderminster and Stourport-on-Severn first before applying a sequential approach to other preferable sites.
- 4.16 Policy DS01 is out of date as it identified the assessed housing needs for the District at the start of the current Plan Period in 2013, and at a time when housing numbers were based on data derived from the Regional Spatial Strategy (RSS) for the West Midlands, which has subsequently been withdrawn. However, Paragraph 213 of the Framework and the recent case law of *Wavendon Properties Ltd v SSHCLG* [2019] and *Peel Investments (North) Ltd v SSHCLG* [2019] both allow weight to be given to policies that were adopted prior to the publication of the Framework and are consistent with the Framework and are not constraining housing development. As such, it is considered that Policy SAL.DPL1 is an important 'locational' policy to be applied to this application and that the 'tilted balance' set out in Paragraph 11d of the Framework is not engaged.
- 4.17 Within the list of preferable sites under Policy SAL.DPL1, it includes areas allocated for mixed uses subject to site specific policy requirements. The application site is subject to a site-specific policy referred to as the 'Bridge Street Basin Link' site under Policy SAL.STC1 of the Adopted SAAPLP. This policy envisages mixed use development, including residential. It must be remembered that the Basins Link site is larger than the application site and the mix of uses is envisaged is across the whole Link site, not just the application site. Thus, the redevelopment of the application site primarily for residential use would accord with Policy SAL.STC1 and Policy contained

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in the SPD given that residential use is supported and it would still allow the remaining Bridge Street Basin Link site to be developed for retail and commercial uses, thereby providing a mixed use development on the overall Basin Link site allocation. Further, by developing part of the application site as a car park it retains the potential in the future, if circumstances change, to achieve the originally envisaged access through the site to the basins beyond.

- 4.18 Other policies in the Adopted SAAPLP, including SAL.GPB2 'Town Centre Retail' permits housing above businesses on sites that fall within the Secondary Shopping Frontages of Town Centres. Also, Policy V.3 'Housing' of the 'Bridge Street Basins Link' Development Brief, Supplementary Planning Document (SPD) states that housing proposals will be permissible on the upper floors throughout the area and that housing will not be allowed at the ground floor within Bridge Street. Whilst the proposed development would be in conflict with Policy SAL.GPB2 and the Adopted SPD, I consider that this conflict carries limited weight given that there is an overarching site specific policy (SAL.STC1) that accepts residential development on this site as part of the wider mixed use allocation for the Bridge Street Basin Link site. This is further supported by current circumstances in which town centres are in decline (this was already the case pre-Coronavirus but is even more acute now) and local authorities are being encouraged to consider diversification of town centre uses and re-introducing town centre living. The buildings on Bridge Street opposite the site are already used for housing above ground floor level. This site is on the periphery of the main part of Stourport town centre and is considered an acceptable site for the reintroduction of residential land uses. An objector has contested that the development would be contrary to Policy CP08 ('Employment') of the Adopted CS however this is incorrect given that the development would accord with the overarching policy which supported a mixed use development including residential and this site was not allocated as employment land in the Development Plan.
- 4.19 I note that weight can be applied to the policies contained within the emerging Wyre Forest District Local Plan (2016 – 2036) given that it has been submitted to the Secretary of State for Examination. Whilst it has not carried the current site specific policy for Bridge Street Basins Link site forward into the emerging plan, it does contain a policy (6E 'Role of Stourport-on-Severn and Bewdley as Market Towns'), which is similar to Policy DS03 of the Adopted CS, where it states that Stourport-on-Severn will be expected to make an important contribution to meeting the District's requirements for new homes and that the focus will be on existing brownfield sites within the town. The proposed development accords with both Policy DS03 of the Adopted CS and Policy 6E of the emerging Plan.
- 4.20 The application site is a suitable location for new housing development and accords entirely with the overarching policy for the Bridge Street Basins Link site, subject to the following site-specific considerations.

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IMPACT ON THE TOWN CENTRE AND THE WATERWAYS

- 4.21 The site is located on the periphery of the town centre within the Secondary Shopping Frontage; high streets and town centre retailing was generally facing a challenging time and was in decline before the Coronavirus (COVID-19) pandemic which has undoubtedly accelerated the decline. The future of town centre retailing is very uncertain but it seems that diversification from traditional retail uses and a contraction of the retail core is an inevitable consequence of the accelerated decline under the current pandemic; and Stourport like other market towns will have to undergo a degree of land use restructure to remain viable going forward. Notwithstanding that, it is not considered that the development would undermine the vitality and viability of this part of the town centre, in accordance with Policy SAL.GPB2 of the Adopted SAAPLP and Policy 22A of the emerging Plan. The proposed public car park would complement the retail function and tourism attraction of the town by providing parking provision for visitors. It has also been expressed by objectors to this application that the development would be contrary to Policy CP15 'Regenerating the Waterways' of the Adopted CS and Policy 11F 'Regenerating the Waterways' of the emerging Local Plan. However, both policies only encourage new developments to promote the waterways as a tourist attraction where possible. The Canal & River Trust raise no objection to the application and consider that the additional soft planting along the rear boundary of the site would enhance the Waterways. As such, the development does comply with Policies CP15 and 11F.
- 4.22 I also note the aspirations of the Adopted 'Bridge Street Basin Link' Development Brief SPD which seeks to create a new link to the canal basin through this application site. However, the land to the rear of the site is currently subject to a leasehold by the Canal & River Trust to a company known as 'Cruise Co' and, as such, no public access can be provided as part of this application. Notwithstanding this, the position of the proposed building within the site and the car park layout retains an option to provide a link if an opportunity came about in the future.

SITING, LAYOUT AND DESIGN

- 4.23 The Framework places great importance on development being of good design and being designed to function well, being visually attractive and ensuring that development adds to the overall quality of the area and provides a high standard of amenity for future occupiers (paragraph 127). Policy CP11 'Quality design and local distinctiveness' (CS) advises that developments should sensitively connect to the surrounding streets, spaces and communities and that designs should combine active frontages and secure private areas. Furthermore, that it is essential that new buildings and spaces are fit for purpose and capable of future adaptation. Policy SAL.UP7 'Quality Design and Local Distinctiveness' (SAAPLP) also advises that new developments should be of the highest design quality that draw on the contribution of the historic environment to local character and distinctiveness. Policy 11A 'high Quality Design' of the emerging Local Plan reinforces the need for high quality design in all developments.

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- 4.24 Policy SAL.STC1 'Bridge Street Basins Link' (SAAPLP) requires proposals to incorporate designs that open up views of the adjacent canal basin from Bridge Street ensuring that the siting, configuration and orientation of the buildings optimise the views of water.
- 4.25 The Adopted 'Bridge Street Basins Link' Development Brief (SPD) sets clear design parameters including; consideration of multiple complementary architectural styles; predominant building height of three storeys; consideration of key views and vistas, particularly through to the basin and use of a limited range of materials and treatments.
- 4.26 The proposed site layout complies with the requirement set out in Policy SAL.STC1 in that the "designs open up a view of the adjacent canal basin from Bridge Street", and the configuration and orientation of the building permits views of the canal basins both from it and from the proposed public car park. Also, by allocating part of the site as a car park the option remains open to link the site to others in the future and to create a quality public open space as required by the policy.
- 4.27 The building would be three-storeys in height and visible above the adjoining one and two-storey buildings on this side of Bridge Street. However, the building would not appear overly prominent or incongruous in Bridge Street and when viewed from nearby roads including Engine Lane and the canal basins. The Adopted 'Bridge Street Basins Link' Development Brief SPD advises that 'as a general rule the predominant building height should be three storeys falling to two storeys at 8a'. As such, the Adopted SPD and Policy SAL.STC1 clearly demonstrates that it is already considered acceptable "in principle" to develop the site with a building three-storeys in height.
- 4.28 The roofscape of the building includes a flat roof full height glazed stairwell corridor and a series of pitched roof with deep gullies to help reduce the scale, massing and bulk of the building and provide visual interest. The main entrance into the building has been emphasised with glazing and would be obvious to visitors. The fenestration to Bridge Street, the public car park and to the canal basins provides an acceptable solid to void (i.e. window/glazing) ratio and the vertical arrangement and style of windows, dentil course, gable detail, solid plinth and the proposed building materials all respond appropriately to the local distinctiveness of the townscape. It is considered that the building would be an acceptable built form, scale and design quality, and that it would add to the overall quality of the town centre.
- 4.29 It is also expressed by several objectors that the development would lack connection with Bridge Street primarily because the main entrance into the building would be on the side elevation which would create a 'dead frontage' to Bridge Street due to its internal layout where the ground floor windows facing Bridge Street serve non-habitable rooms such as a W/C, cupboard and an interview room.

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It is intentional that there are no windows and doors fronting onto Bridge Street as this is to retain privacy for the residents. Officers and the applicant have explored alternative layouts. However, there are no amendments (which retain the desired building line at back of pavement) that could be made without undermining the site management and privacy of future occupiers.

- 4.30 The site was previously occupied by a garage with no shop front to Bridge Street (the car parts shop associated with the garage was set back in the site), in comparison, the proposed development would provide activity from the coming and going of pedestrians visiting and living on site as well as people walking to and from their vehicles when using the public car park. The orientation of the building with its entrance facing the public car park would provide an acceptable frontage if a link was to be provided in the future to access the canal basins. The Bridge Street elevation includes a 'mock' front door, but it would not be appropriate to incorporate a 'mock' shopfront as it would appear disingenuous as confirmed by the Conservation Officer's comments.
- 4.31 The proposed building would provide a strong built frontage to Bridge Street, consistent with other buildings, and the canal basin in terms of its siting, built form and design. The architectural style of the building is appropriate and true to its function as a residential building. I have carefully considered the comments expressed by public representatives about design and taken into account the no objection views of the Conservation Officer and the Canal & River Trust and consider that the development would achieve a well-designed building that would enhance the character and appearance of the Conservation Area and the townscape. It would sit comfortably within the street scene and would provide activity to an otherwise non active street frontage in this part of Bridge Street. In addition, the proposed building would incorporate elements of the existing buildings without being a pastiche.
- 4.32 The National Design Guide (2020) states in paragraph 16 that 'well-designed places and buildings come about when there is a clearly expressed 'story' for the design concept and how it has evolved into a design proposal'. The submitted Planning and Heritage Statement does exactly this, and shows that the proposed development is well-designed and would accord with the ten characteristics set out in the National Design Guide, which includes: to ensure new developments are designed to enhance the surroundings; be attractive and distinctive; accessible and easy to move around; and that they create functional, healthy and sustainable homes and buildings. It is therefore considered that the development accords with relevant design policy contained within the Development Plan and the Framework.

IMPACT ON HERITAGE ASSETS

- 4.33 Sections 162(2) and 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 require special regard to be given to "the desirability of preserving a listed building or its setting or any features of special architectural or historic interest which it possesses". The Framework and Policy SAL.UP6 of the SAAPLP both require new

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developments to preserve and enhance heritage assets in a manner that is proportionate to their significance and to protect key views and vistas of heritage assets.

- 4.34 I recognise that Stourport-on-Severn is one of a limited number of towns in England that owes its existence almost entirely to the presence of a canal, namely the Staffordshire and Worcestershire Canal which was built from the 1760s onwards. This gives the town its “immense historic value”, which is reflected in there being two conservation areas and numerous listed buildings. The application site falls within the Stourport-on-Severn Conservation Area No. 1 and lies directly opposite to numbers 12-15 Bridge Street, which are all Grade II listed buildings. These buildings have been temporarily opened up to have a greater view through the demolition of the previous garage buildings and workshop. This demolition work was done to create a development site to fulfil the aspirations of a redevelopment scheme on the site. Also, this view is today rather compromised with weld-mesh fencing and the rear walls of several retail and commercial units comprising the boundary to the basin and would previously have included the incompatible former garage workshop.
- 4.35 The Stourport on Severn No.1 Conservation Area Character Appraisal was adopted in 2015 and sets out the character and ambitions for the Conservation Area. The central area of the Town is characterised by built development of the eighteenth, nineteenth and twentieth centuries; albeit harmoniously linked. Bridge Street is described as not having a uniformity of roofline as buildings climb the gradient, still in predominantly three storey heights, but with a roofline stepping plot by plot to accommodate the rise. This feature produces considerable visual interest and reveals other architectural and historic information, making this compatible and comfortable to the human scale. The application site itself is identified as a ‘neutral’ site within the Appraisal, where it encourages replacing them with structures of appropriate scale, design and appearance consistent with the character of the Conservation Area. The design of the development provides the characteristic elements identified within the Character Appraisal as appropriate to the ‘Georgian Phase’ of the town and the design of the building is supported by the Conservation Officer. It is appreciated the connectivity of the building is not as strong as it may well be but this has been fully justified and is supported due to the functionality of the building. The design of the building does provide a visual frontage to Bridge Street and will provide an enhancement to the streetscene along Bridge Street. This is fully in accordance with the Character Appraisal and the Bridge Street Basin Link Development Brief SPD.
- 4.36 Importantly, the Council’s Conservation Officer has advised that the limited harm caused by the development to the setting of 14 and 15 Bridge Street and the Conservation Area would amount to “less than substantial harm”, which is the lowest level of harm that can be identified within the Framework. I agree that there is less than substantial harm, but this is at very low level. It is a matter of fact that some harm will be created, but this is wholly anticipated within the Bridge Street Basin Link Development Brief SPD and the Character Appraisal, which are material considerations as part of the Development Plan. Paragraph 196 of the Framework

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states that where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use. Policy SAL.UP6 of the Adopted SAAPLP carries a similar approach to assessing the impacts on designated heritage assets.

- 4.37 The proposed scheme would demonstrably help to support the Council's obligation to serve households in housing need and relieve the pressure on the Council to find suitable short-term temporary accommodation within or outside the District both in terms of meeting demand and in reducing the cost of providing such accommodation. The development would provide safe and secure living environments for those in need and would support social cohesion and the sustainability of the community. In addition, the redevelopment of this derelict and underused site would improve the visual amenity of the townscape and make a positive contribution to the character and appearance of the Conservation Area. The retention of the public car park which is highly valued by local people as expressed in letters to this application would benefit the local economy, by providing visitors an accessible location to park their vehicles while shopping and visiting the town.
- 4.38 The limited harm that has been defined as 'less than substantial harm' to the significance of these heritage assets is clearly offset by the public benefits that this scheme would deliver. It is therefore considered that the development would accord with Policy SAL.UP6 of the Adopted SAAPLP and Paragraph 196 of the Framework. Conditions 17 and 18 are attached to require appropriate archaeological investigation and recording of the site, given that it is on the historic environment record.

RESIDENTIAL AMENITY

- 4.39 The internal layout provides acceptable living accommodation in terms of bedroom sizes and room layouts and all habitable rooms would have natural daylight and ventilation. The building has been designed to be able to partition sections of the living accommodation in order to create larger family accommodation. The scheme is not intended to provide a permanent residence and internal consultees including the Principal Environmental Health Officer are supportive in terms of the internal layout. It is also generally not expected that households would have pets that would need to be accommodated.
- 4.40 A small and private garden area would be provided, and the site lies near Riverside Meadow and Park which provides extensive open space and children's play area. The garden area would also provide an outside smoking area to ensure residents and staff/visitors would not need to go off site. Refuse storage would be provided adjacent to the garden area and in a location that would not detract from the appearance of the building or the street scene. Worcestershire Regulatory Services do not consider that the proposed living accommodation would be adversely affected by air pollution from car emissions or noise nuisance from nearby mechanical plants, evening uses such as public houses, other premises/uses within the town centre or by traffic noise. Condition

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14 is attached to require a noise insulation scheme to be agreed and implemented. It is therefore considered that the development would provide a suitable, pleasant and appropriate location for future residents, in accordance with Paragraph 127 of the Framework, as well as Policy 16A of the emerging Local Plan which seeks to ensure development proposals are designed to avoid any significant adverse impacts from pollution including cumulative ones on human health and wellbeing.

IMPACT ON COMMUNITY SAFETY

- 4.41 Section 17 of the Crime and Disorder Act 1998 requires all Local Authorities to exercise their functions with due regard to their likely effect on crime and disorder, and to do all they reasonably can to prevent crime and disorder. The prevention of crime and the enhancement of community safety are matters to be considered in the determination of this planning application. Paragraph 91 of the Framework advise that planning decisions should aim to achieve healthy, inclusive and safe places which are safe and accessible, so that crime and disorder, and the fear of crime, does not undermine the quality of life or community cohesion. Such decisions are focused on the physical design aspects of the scheme and not public perception of the use, paragraph 127 seeks to ensure that developments create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users; and where crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion and resilience.
- 4.42 Whilst resulting crime and disorder can be a material planning consideration such concerns must be clearly evidenced in relation to the development proposed to carry any weight, such matters cannot be speculated or based on ignorance or prejudice. There are numerous appeal examples where arguments in respect of crime and disorder, that have not been wholly evidenced, have been found to be unfounded and unreasonable.
- 4.43 One of the major issues raised by objectors has been the location of the proposed short-term accommodation. Comments relating to the proximity to public house premises, off-licence premises and the amusement arcade/park should be given no weight by the Committee as they are based on prejudice about the supposed characteristics of people experiencing homelessness.
- 4.44 People are in “priority need” for a wide range of factors but most commonly it is due to people having dependent children or being pregnant, being aged over 55 or having a medical problem such as a physical disability and these people do not tend to have life circumstances in which they would immediately seek to offend or pose a risk to the local community. Moreover, future residents would be subject to a risk assessment and required to sign a license agreement before occupation prior to being rehoused in the premises. This includes an agreement to abide to behaviour and disciplinary protocols set by the Council.

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- 4.45 In addition, staff are given training to cover a wide range of issues including drug and alcohol awareness and housing needs as those requiring the accommodation come with differing needs. Those with drug and alcohol issues are generally in the minority and would be referred to Cranstoun who provide professional help. The Council’s Housing Officer has also advised that existing staff at New Street and other similar premises work hard to create a harmonious and supportive community amongst residents and the terms and conditions of occupation are explained in detail when a family first moves in. Also, one of the advantages of locating the proposed short-term accommodation in this location is its proximity to other short-term accommodation managed by the Council, which allows the Council to increase staff levels accordingly.
- 4.46 Other concerns have been raised about the existing short-term accommodation on New Street and Raven Street, which are said to already experience anti-social problems and are perceived as often visited by the Police. The number of anti-social behaviour incidents or criminal behaviours in relation to the temporary accommodation provided at New Street is considered to be relatively low, (see below) and this has to be balanced against the very positive relationship the local police have with management at the New Street temporary accommodation to ensure that any problems are addressed at an early stage. Some visible presence at times by the police at the site involves positive support visits and should not always be deemed to be related to it being problematic.
- 4.47 As part of the consultation responses figures have been provided of reported incidents, violence related offences and public order offences within the last 12 months. However, it appears that these figures represent the whole of Stourport-on-Severn and do not reflect the actual figures on New Street or within the town centre, as advised by the Designing Out of Crime Officer. The West Mercia Police website includes a page for the Stourport Safer Neighbourhood Team (SNT) where the geographic location of crime incidents can be explored. In June 2020 of the 177 crimes reported in the Stourport SNT area, 38 occurred within the main town centre area, compared to 47 on the Areley Kings side of the river. Of those 38 in and around the town only 4 were recorded in New Street as a whole, dispelling any myth that either the existing New Street accommodation is a major cause of incidents or that the “police are always there”. This pattern is repeated month by month as is evidenced sample data shown in the table below. (August 2017 has been selected as the first available data for the New Street area of the Town Centre and precedes the opening of the New Street accommodation in 2018).

Month	Crime Numbers on or near New Street
August 2017	3
January 2018	2
June 2018	5
January 2019	5
June 2019	2
January 2020	1
June 2020	4

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- 4.48 The Designing Out of Crime Officer has provided actual figures on incidents that have occurred at the New Street property since it opened in 2018. Only 26 incidents involved a matter classed as criminal offence by a resident at New Street, and all of these took place within the premises, thereby not causing any risk to public safety in the adjoining roads. Also, over this two-year period there have been 8 recorded domestic or child related incidents which have required police attendance but are not considered to be a criminal offence. Overall, this information has demonstrated that all incidents involving Police call-outs to New Street have taken place on the premises and have not given rise to any increased crime related activity in the town and specifically does not give rise to crimes committed against members of the public in the town.
- 4.49 Importantly, the Designing Out of Crime Officer has raised no objection to the application, specifically from a design perspective the critical consideration within the Framework. The figures available for the existing New Street facility indicate that any crime related problems at the proposed development would be most likely to take place on the premises and this is supported by the information outlined above.
- 4.50 I recognise that the proposed accommodation could be used by people that may have a range of issues affecting their lives and behaviour. This is true of all communities across Wyre Forest. However, there is no evidence to demonstrate that residents of the proposed temporary accommodation will immediately offend and generate increased crime and disorder in the area and outside of the premises; or present any additional risk to children at the nearby day nursery (4 New Street), the nearby children's play role theme café and Riverside Meadow open space, park and play area as has been inferred in some responses to the public consultation. It is unreasonable to allege that the development would pose an unacceptable safety risk to children due to complete absence of evidence. As such, there no evidential basis to conclude that the design of the development will lead to crime, disorder or anti-social behaviour. Condition 17 is attached to secure details of CCTV and access control systems and to ensure these are implemented and maintained. The effective management controls implemented by the Council provide further reassurance that the facility can operate within the Town Centre in an acceptable way without impacting on the amenity of existing and future residents. On the basis of the evidence presented, it is not considered that the introduction of short-term accommodation in this town centre location would undermine community safety or promote criminal activity.
- 4.51 With appropriate support, management and supervision, it is considered that the proposed temporary accommodation would not, as a matter of course, lead to an increase in anti-social behaviour or crime to the detriment of the character of the area, the safety of the community or necessarily place additional pressure on police resources. It is unfortunate that this application has caused a multiplicity of objections based on people's misunderstanding and in some areas prejudice of homeless people and general misperception of temporary accommodation. I can find no evidence to support these claims to conclude anything other than scheme is acceptable in design

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in supporting safety and community cohesion. In fact, such accommodation provides a positive role by provide safe and secure housing for those who need it.

HIGHWAY SAFETY

- 4.52 Future residents of the short-term accommodation are not expected to use vehicles and they will generally arrive on foot, by bus or by taxi. It is not intended to provide a transport service for residents as it is anticipated that they would be from the locality and would not need to travel far to access their existing services, including GP surgeries. The development would provide adequate on-site parking provision for the intended levels of staff and visitors to the proposed temporary accommodation.
- 4.53 The application site is currently used as a 'pay and display' public car park on an unmarked gravel surface. The car park has been granted consecutive two-year temporary approvals since 2013, with the last consent lapsing in February 2020. From public consultation it is recognised that this car park is well used due to its proximity to the shops and services within the town centre and many people support its retention.
- 4.54 The Highways Authority raise no objection to the proposed scheme, including the retention of 14 parking spaces for public use on the same 'pay & display' basis. They advise that there are parking restrictions in place on Bridge Street and in the vicinity to prevent displacement parking and the proposed site is in a highly sustainable town centre location. I concur with these views and consider that the development would provide adequate parking provision and is unlikely to lead to an unacceptable increase in traffic congestion or severely impact vehicular and pedestrian safety. The development would therefore accord with Policy CP03 of the Adopted CS, Policies SAL.CC1 and SAL.CC2 of the Adopted SAAPLP and Paragraphs 108 – 110 of the National Framework.

FLOOD RISK, ECOLOGY AND POTENTIAL CONTAMINATED LAND

- 4.55 The North Worcestershire Water Management Officer has advised that the site is not at risk of flooding from any source and raise no objection to the proposed drainage strategy, subject to a condition to agree the final details. I have attached a condition accordingly.
- 4.56 The site currently comprises a gravel surface and has self-seeded shrubs/trees growing around its boundaries and is unlikely to have a suitable habitat for biodiversity. The proposals include new planting which will significantly enhance the biodiversity value of the site.
- 4.57 In terms of potential contaminated land (PCL), it is known that the site was previously used as a garage and therefore may have PCL issues. Worcestershire Regulatory Services are satisfied that any contaminated land risk found on site can be appropriately remediated with a scheme to be agreed and implemented prior to any construction works. I agree and have attached a condition accordingly.

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OTHER MATTERS

- 4.58 It has been suggested that a sequential assessment of other alternative sites should have been carried out by the applicant in order to justify the selection of this site, however this is not necessary given that the proposed development accords entirely with the overarching site-specific Policy SAL.STC1, which envisages mixed uses, including residential. Also, the site is not located within an area at risk to flooding where a sequential test would have also been required.
- 4.59 A number of objectors have contacted the Local Planning Authority and expressed in their letters that they are concerned that public consultation on this application has been hindered by the Covid-19 pandemic which has prevented some people leaving their homes and discussing this application. There has been more than sufficient time and opportunity to participate in the consultation on this application. The public consultation on this application ran from 26 May to 20 July, which was after lockdown began to be eased and was for a much longer period than the statutory 21 days for public consultation on a planning application. The very large number of comments received from members of the public demonstrates that there has been no difficulty in participating in the consultation. Moreover, the Government legislated to allow Council meetings to be held remotely and has encouraged that there should be no suspension of consideration of planning applications during the lockdown period. The Planning Committee has met remotely since April, with no hindrance to its business, and committee meetings continue to include opportunity for participation by other speakers. The proceedings are streamed live on the internet and are available for subsequent viewing as well, thus allowing the public to see and hear the Committee's debate on any application.

5.0 Conclusion and Recommendations

- 5.1 The proposed development would provide demonstrably needed short term accommodation for local homeless persons and would contribute positively to well-being, inclusion and community cohesion. The development is suitably located within the town centre, with good accessibility to local shops and services by foot, cycle and by frequent bus services, and would be fully compliant with the overarching site-specific policy for the Bridge Street Basin Link site (SAL.STC1), which envisages mixed uses, including residential. The position of the building and the use of part of the site as a public car park provides an opportunity in the future to create a new link to the canal basin and public realm improvements.
- 5.2 The development has been designed to retain a well-used and valuable public car park and would achieve a well-designed building that responds positively to both Bridge Street road frontage and the canal basin, as well as providing an active frontage to the proposed public car park. The building has also been designed carefully to ensure that management and supervision responsibilities can be achieved and that the building is fit for purpose. The harm to the significance of designated heritage assets would amount to less than substantial and would be clearly

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outweighed by public benefits of the scheme. No objection has been raised by the Designing Out of Crime Officer in terms of generating increased crime, disorder and anti-social behaviour in the area and no empirical evidence has been identified to substantiate that the development would lead to an increase in crime and disorder, in fact the statistics indicate the opposite. No other harm has been identified. The development is therefore acceptable in principle, would represent sustainable development and would accord with the Development Plan and the National Planning Policy Framework.

5.3 I have considered very carefully the objections that have been made against this application, but I find it wholly compliant with the District Council's adopted and emerging policies and with the Framework. I can see no other material planning matters that would prevent this proposal being granted planning permission and accordingly I recommend it be approved.

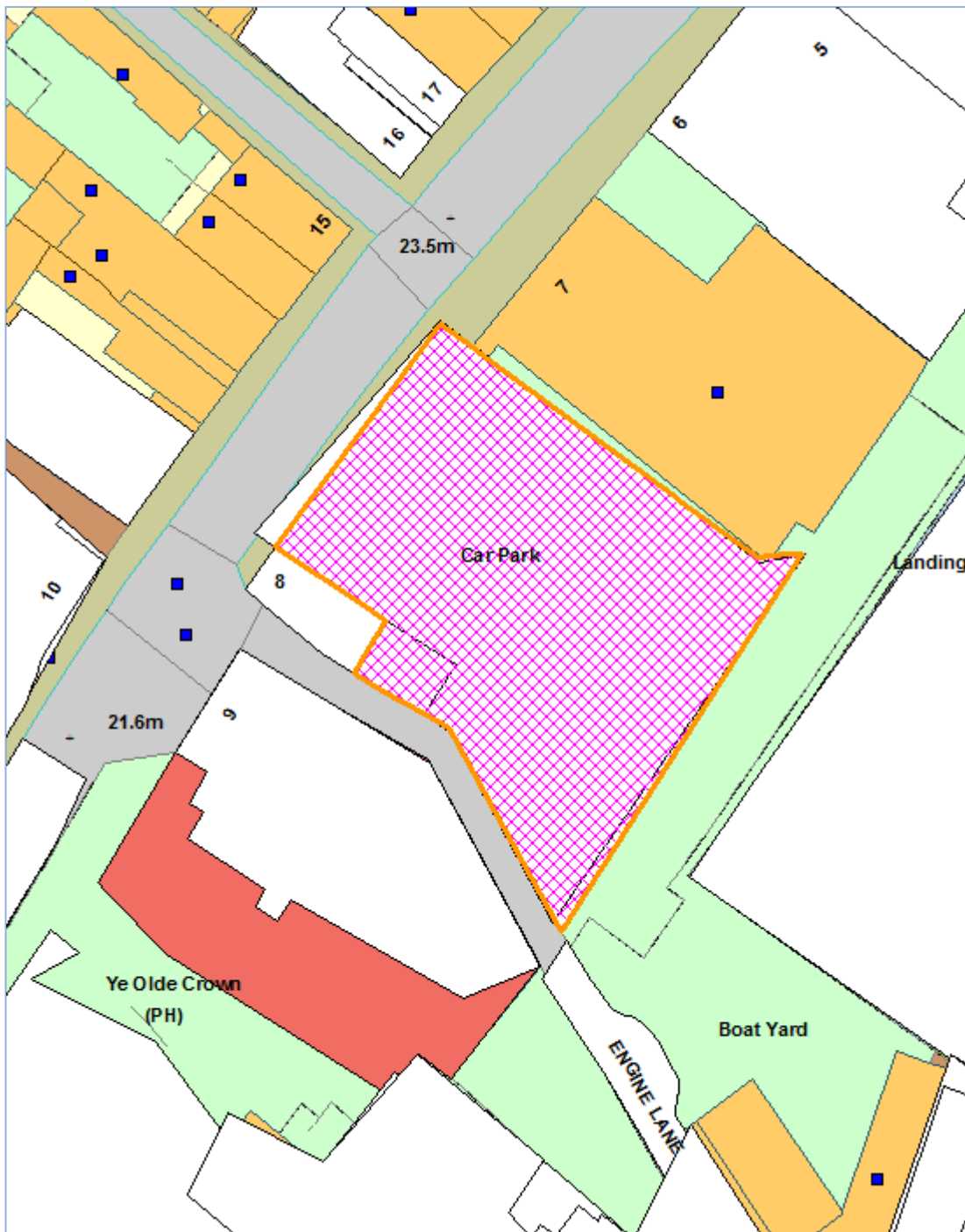
5.4 It is therefore recommended that the application be **APPROVED** subject to the following conditions:

1. Three-year time limit
2. Site Levels and Finished Floor Levels
3. External materials of building including hard surfacing and window details
4. Boundary Treatment
5. External Lighting Details
6. Landscaping scheme and implementation
7. Alterations/Improvement to Vehicle Access Point
8. Parking Layout to be provided
9. 1 x Electric Vehicle Charging Point and 1 x Motorcycle parking space
10. Travel Pack for staff and residents to promote sustainable travel
11. Construction Environmental Management Plan
12. Potential Contaminated Land risk assessment and remediation scheme
13. Surface Water Drainage Strategy
14. Noise Insulation Scheme
15. Programme for Written Site Investigations for Archaeology
16. Archaeological Recording
17. CCTV and Access Control Systems
18. Refuse storage details including method of screening the bin store
19. Details of protective fencing to safeguard the waterway infrastructure during construction

NOTES

- A. Section 278 Agreement
- B. Severn Trent Water
- C. Canal & River Trust/North Worcestershire Water Management Officer's note to ensure no risk of pollution to the canal basin

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Economic Prosperity and Place Directorate
Temporary Car Park Bridge Street Stourport On Severn Worcestershire DY13 8XD



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WYRE FOREST DISTRICT COUNCIL

PLANNING COMMITTEE

18TH AUGUST 2020

PART B

Application Reference: 20/0029/FULL **Date Received:** 15/01/2020
Ord Sheet: 382817 278804 **Expiry Date:** 11/03/2020
Case Officer: Julia McKenzie-Watts **Ward:** Wyre Forest Rural

Proposal: Replacement of Permitted garage with life time home (Bungalow)

Site Address: LAND AT WYRE MILL COTTAGE, MILL LANE, WOLVERLEY, KIDDERMINSTER, DY115TR

Applicant: TIM PARTRIDGE

Summary of Policy	DS04, CP02, CP03, CP11, CP12 (AWFCS) SAL.UP1, SAL.UP5, SAL.UP7, SAL.UP9, SAL.PDS1 (ASAPLP) Design Guide, National Planning Policy Framework Planning Practice Guidance
Reason for Referral to Committee	Councillor Request for Committee Consideration
Recommendation	APPROVAL

1.0 Planning History

- 1.1 05/1041/FULL - Proposed two storey side extension and rear conservatory & double garage with workshop/store – Withdrawn 11.11.2005
- 1.2 06/0007/FULL - Two storey extensions to side and rear; detached double garage with workshop/store – Approved 01.03.2006
- 1.3 19/0313/FULL - Erection of a garage – Refused : Allowed on Appeal 07.08.2019

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2.0 Consultations and Representations

- 2.1 Wolverley and Cookley Parish/Town Council – Recommend Refusal. The Appeal Decision dated 3rd December 2019, Decision 1. 4) states "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". This is in the interests of the character and appearance of the area.
- 2.2 Highway Authority – On the basis that the existing level of parking is retained for the existing dwelling and in line with standards, 2 parking spaces are provided for the proposed bungalow, there is no objection. Cycle parking should be provided.

It is noted that the site is on a private road accessed via Mill Lane which has no footways or street lighting up to the junction with Beehcote Avenue which will not encourage access by sustainable modes. However, this is for a comparatively short distance (approximately 300m) and the distances to the bus stop, the local primary school and the local shop are nonetheless within an acceptable range for walking therefore on balance I wouldn't want to raise an objection on sustainable grounds.

- 2.3 Environment Agency – I refer to further information received in support of the above application, and in response to concerns raised regarding the impact of flooding on the proposed development. We would, again, question the sustainability of providing a new dwelling in an area of high flood risk. However, on the basis that a higher finished floor level (36.02mAOD) is adopted and conditioned, we would not maintain our objection. You should, however, be satisfied that the proposed access/egress measures and flood evacuation proposals are satisfactory in discussion with your Emergency Planning Team

Flood Risk: As previously stated the proposed development is located within Flood Zone 3 of the River Stour, which is classified as a Main River. The site benefits from some protection from fluvial flooding by the existing flood defences located near to the site. However it should be noted that the defences at this location were constructed before the most recent climate change allowances and therefore may not offer the required standard of protection for new development i.e. the 1 in 100 year plus climate change (35%) **Design Flood Level.**

Sequential Test: The NPPF details the requirement for a risk-based ST in determining planning applications. See paragraphs 157-158 of the NPPF and the advice within the Flood Risk and Coastal Change Section of the government's NPPG.

The NPPF requires decision-makers to steer new development to areas at the lowest probability of flooding by applying a ST. It states that '*Development should not be allocated or permitted if there are reasonably available sites appropriate for the proposed development in areas with a lower probability of flooding*'. Further detail is provided in the NPPG; 'Only where there are no reasonably available sites in Flood Zones 1 or 2 should the suitability of sites in Flood Zone 3 be considered, taking into account the flood risk vulnerability of land uses and applying the Exception Test (ET) if required. We would not encourage more vulnerable development in Flood Zone 3 (1% plus climate change floodplain) and your Council should be satisfied, sequentially, with

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this location and that the above considerations would make it an acceptable location for a more vulnerable development in an area of high flood risk in this instance.

Based on the scale and nature of the proposal, which is considered non-major development in accordance with the Development Management Procedure Order (2010), we would not make any bespoke comments on the ST, in this instance at the planning application stage. The fact that we are not providing comments does not mean that there are no ST issues, but we would leave this for the LPA to consider. Providing the LPA are satisfied that the ST has been passed, then we can provide the following comments on the ET and FRA.

Flood Risk Assessment (FRA): The applicant has submitted a revised FRA, dated 10 June 2020, and a subsequent email clarifying matters relating to floor levels and the modelled flood levels which have now been incorporated. The design flood (1% flood level fluvial, plus climate change allowance) should be used to inform the consideration of flood risk impacts, mitigation/enhancement and ensure 'safe' development. For 'more vulnerable' development (as defined within Table 2 - Flood Risk Vulnerability Classification, Paragraph: 066 Reference ID: 7-066-20140306 of the NPPG) e.g. housing, the FRA should use the 'higher central' climate change allowance (35%) as a minimum to inform built in resilience; but aim to incorporate managed adaptive approaches/measures for the 'upper end' allowance (70%) where feasible.

Climate Change interpolation: In line with our area climate change guidance, we would advise that a hydraulic flood model is produced or existing model is re-run, similar to the approach for major development. This would give a greater degree of certainty on the design flood extent to inform a safe development. However, for 'non major' development only, in the absence of modelled climate change information, it may be reasonable to utilise an alternative approach. To assist applicants and Local Planning Authorities we have provided some 'nominal' climate change allowances within the 'Table of nominal allowances'. To inform a 1% plus climate change flood level the applicant could interpolate such using modelled flood data (as available in this instance) or where the 1% level is available from an existing model add on the relevant 'nominal climate change allowances provided in our 'Table of nominal allowances'.

Design flood level: Having reviewed the modelled data there would appear some uncertainty around the figures, with the undefended level being lower than the defended. After discussions with my flood risk colleagues, and in consideration of a precautionary approach, we would utilise the 1 in 100 year defended level of 35.72mAOD. Adding the 'nominal' 300mm for climate change would mean a 1 in 100 year plus climate change Design Flood Level of **36.02mAOD** which should be used to inform the design. The development should demonstrate safe development in relation to access and finished floor level considerations. This is especially important at the proposals are for a single story building without safe refuge at a higher level within the property. The email of the 12 June confirms that ground levels are 35.27mAOD and that finished floor levels are currently 35.42mAOD. Whilst it is stated that the proposed floor levels are to be set at 35.77mAOD the email does confirm that a higher level can be provided if necessary. On this basis we would be satisfied with a proposed finished

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floor level of 36.02mAOD (the design flood level) and would be satisfied with a condition to that effect. As previously stated we normally require a further 600mm above the design flood level which would mean a finished floor level of 36.62mAOD. Where this is not achievable, and in recognition that the site is afforded a level of protection from the adjacent flood defences, we would except flood proofing measures incorporated into the design. We would therefore expect flood proofing of the property up to a level of 36.62mAOD, 600mm above the design flood level.

Safe Access: Paragraph 054 of the NPPG advises on how a development might be made safe from flood risk. Paragraph 039 provides detail on access and egress. As detailed above, which design flood level at this location is 36.02mAOD. When considering the ground levels around the property (35.27mAOD) this may mean flood depths of approximately 750mm in a design flood event should the flood defences breach or overtop. Using the design level, the access route would appear to have a flood hazard (in terms of depth and velocity) that would create a danger for all. Reference should be made to DEFRA Hazard risk guidance (FD2320) – ‘Danger to People for combinations of Depth and Velocity’ Table 13.1. As previously stated by the applicant, the occupants are elderly, and have underlying health and mobility issues. Therefore matters of safe access and evacuation are paramount. Given our role and responsibilities we would not make comment on the safety of the access, or object on this basis. This does not mean we consider that the access is safe, or the proposals acceptable in this regard. We recommend you consult with your Emergency Planners and the Emergency Services to determine whether they consider this to be safe in accordance with the guiding principles of the National Planning Practice Guidance (NPPG). Furthermore access and egress by vehicular means is also a matter for your Emergency Planners and the Emergency Services.

Flood Evacuation Management Plan: The NPPG (paragraph 056) states that one of the considerations for safe occupation is whether adequate flood warning would be available to people using the development. We do not normally comment on or approve the adequacy of flood emergency response and flood evacuation procedures accompanying development proposals, as we do not carry out these roles during a flood. We would advise that the Flood Evacuation Management Plan (FEMP) should identify a flood level that will initiate evacuation of people and vehicles, and any subsequent closure of the building/car park. This trigger level should be when the access/egress is still ‘dry’ i.e. flood-free, to avoid any question of what is an acceptable level of flood risk to occupants.

The FRA confirms that residents in the area receive flood warnings and flood alerts when water levels approach the tops of the banks of the adjacent water course. It is noted, anecdotally, that during the February 2020 floods water levels rose at a steady rate and didn’t exceed 100mm in 24hours allowing warning time to evacuate the premises.

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- 2.4 North Worcestershire Water Management - Thank you for forwarding the EA's consultation response. I note they question the sustainability of providing a new dwelling in an area of high flood risk. They advise to use the 1 in 100 year defended level of 35.72mAOD, adding the 'nominal' 300mm for climate change, given a design flood level of 36.02 m AOD. They are not insisting on the normal requirement to have finished floor levels set another 600 mm higher, which would mean a finished floor level of 36.62mAOD , as this is deemed not achievable and the site is afforded a level of protection from the adjacent flood defences anyway. They do ask for a condition that requires Finished Floor Levels to be set no lower than 36.02mAOD and flood proofing to be incorporated to 36.62mAOD level.

They state that you should be satisfied that the proposed access/egress measures and flood evacuation proposals are satisfactory in discussion with your Emergency Planning Team. As you know, there is not such a team and as there is no one to comment upon the details of any conditioned plan, I suggest that the following informative gets attached instead of the recommended condition included in the EA response: "The application site is at risk of flooding from the river Stour. Future occupants are therefore strongly advised to sign up to the free Floodline Warning Direct service by calling the Environment Agency's Floodline on 0345 988 1188 and to construct their personal household Flood Emergency Plan covering as a minimum deployment of any flood proofing measures, place of refuge, flood evacuation and safe access and escape routes for the property"

- 2.5 Severn Trent – no objection
- 2.6 Neighbour/Site Notice – none received

3.0 Site Location and Description

- 3.1 The application relates to land associated with semi detached residential dwelling located in Wolverley in the countryside to the north of Kidderminster. The property lies within the West Midlands Green Belt and is located within Flood Zone 3 of the River Stour, which is classified as a Main River. The site benefits from some protection from fluvial flooding by the existing flood defences located near to the site. A public footpath splits the location of the house and the application site.
- 3.2 The property is made up of two title deeds combining the historic title for the cottage, gardens and parking area and site of the proposed bungalow and a second title arising from the realignment of the mill chase. Additional land is within the curtilage to the east of the site through prescriptive rights as a result of the boundary changes which occurred when the flood defence bund was erected. The last record of ironworking at Wolverley Lower Mill was from 1785 and it closed in 1798. By 1883 the mill was disused and between 1902 and 1938 most of the mill had been demolished. What remained was a two up / two down cottage which was extended between 1951 and the most recent extension was carried out in 2007.

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- 3.3 Opposite Wyre Mill Cottage on the site of the proposed bungalow built in around 1850 was a wash house, later used as a workshop associated with the house and demolished in 2007. The water pump at the front of the old mill sitting on an old well was to serve the Victorian wash house.
- 3.4 Planning permission was given in 2006 for the erection of a two storey extension to the side and rear of the dwellinghouse and a detached double garage with workshop and store over. The extensions were built but the garage was not, however as the permission was implemented, the garage element of the scheme is still able to be constructed at any time in the future.
- 3.5 In 2019 planning permission was refused for a freestanding detached three bay garage with entrance door measuring 11m in width, 8.2m in depth to a height of 4 metres to the south of the main dwelling within the residential curtilage, this was allowed on appeal. The Inspector concluding that the site was previously developed and that the garage building was appropriate development in the Green Belt.
- 3.6 The current application seeks to replace the permitted garage with a life time bungalow of the same dimensions as the permitted garage. The floor level of the property has been raised by 600mm to overcome concerns raised by the Environment Agency, however the overall height of 4m remains unaltered.

4.0 Officer Comments

- 4.1 The application seeks permission for the erection of a lifetime home bungalow. This would measure 11m x 8m to a height of 4m and would be erected in the place of a previously approved freestanding garage which measured 11m in width, 8.2m in depth to a height of 4metres. The accommodation would consist of entrance hall with store, 2 bedrooms, en suite, bathroom lounge / dining / kitchen area. It would have an entrance door, windows on the front and side and a set of French doors to the main bedroom and a set of bi-fold doors to the lounge / kitchen / dining are.
- 4.2 In 2006 permission was granted for the erection of an extension to the house and the erection of a double garage in a similar position to the one which was refused. The measurements of the approved garage were 8.4m in width, 7m in depth to a height of 5.8m with workshop / store above constructed in painted smooth sand cement render with roof tiles to match the existing. The extension was completed but not the garage, however this element of the proposal could still be implemented at any point in the future.
- 4.3 The most recent application for a detached garage was re-orientated by 90 degrees from the original approval with a reduced height down to 4 metres but an increase in width and depth to a triple garage with entrance door and WC after removal of a number of existing outbuildings. The Local Planning Authority refused the garage as it was considered to be inappropriate development within the Green Belt and would be harmful to its rural character, appearance and openness and no very special circumstances had been put forward to outweigh the harm. However, the garage was subsequently allowed on appeal as the Inspector considered the site to be previously

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developed land and that the size of the garage subject of the extant permission and the existing building would cover a similar same floor area albeit the extant permission would be a taller structure. The Inspector commented that the site is surrounded by heavy vegetation and views of the proposed garage would be limited, the reduction in height of the proposal when compared against the extant consent would further reduce the visual aspect. In addition, the removal of the existing outbuildings would further mitigate against the larger proportions of the garage. The Inspector was satisfied that the garage would not have a greater impact on the openness of the Green Belt when considered in the context of the fallback position and as a result did not consider the appeal proposal was inappropriate development and therefore not in conflict with the Green Belt aims of the Planning Policy Framework or Policy SAL.UP1 of the Local Plan.

- 4.4 The Planning Inspector stated in the appeal decision that he considered that the site met the definition of previously developed land as set out in the Framework as the site contained the former washhouse which was part of the original mill which covered around 900 square metres of the site.
- 4.5 Policy SAL.UP1 mirrors Green Belt policy within the Framework and does not allow the construction of new buildings within the Green Belt, however there are some exceptions. One of which is '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.' This is detailed and replicated within Policy SAL.PDS1.
- 4.6 In this case the proposed bungalow would measure 8m x 11 to a height of 4 m which is almost the exact size of the garage allowed on appeal and therefore as the Inspector has already stated that he considers the land to be previously developed it would be difficult to argue this point. The finished floor level of the bungalow has been raised by 600mm to overcome concerns raised by the Environment Agency, however the roof pitch has been lowered in order to ensure that the ridge height is the same as the previously allowed garage.
- 4.7 The Inspector also stated in the appeal decision that the development on this site was not inappropriate, due to previously developed status of the land. The built form of the lifetime bungalow is of the exact same dimensions as the garage and as such there is no greater impact than that of the approved development. This is entirely in accordance with Policy SAL.PDS1 and SAL.UP1, and is therefore appropriate development in the Green Belt.
- 4.8 The proposed bungalow is a lifetime home of a standard design and will be constructed from brick and tile. In itself there are no design aspects of the proposal which would be deemed contrary to policy SAL.UP7 of the Site Allocations and Policies Local Plan, which states that development, should integrate and harmonise with the existing landscape. There are also no neighbouring properties within close proximity which would be affected by the proposal. The property is well designed to have limited impact on its surroundings and mirrors the design of a domestic

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outbuilding which would be expected in this location, and indeed has been allowed on appeal. In this respect the design and siting of the property is acceptable.

- 4.9 The comments of the Parish Council are noted and are understandable. However, when compared with the allowed scheme on appeal, there will no greater impact on the character of the area than the extant scheme. The condition imposed by the Inspector related to the garage development and does not inhibit any other decisions made. The principle of development is acceptable as set out above, and it would be unreasonable to conclude that the proposal which is exactly the same massing and form as that approved creates an adverse impact on the character and appearance of the surrounding area.
- 4.10 Two parking spaces are to be provided for the proposed bungalow and therefore there is no objection. Cycle parking should be provided which can be conditioned. The distances to the bus stop, the local primary school and the local shop are within an acceptable range for walking therefore on balance no objection has been offered on sustainable grounds. The access to the property is directly from the main highway. The proposal will not result in an adverse impact on highway safety.
- 4.11 The applicant has submitted extensive information in relation to the issues raised over the flood risk issues and this is detailed in the paragraphs below. The NPPF requires that when determining planning applications, local planning authorities should ensure that the flood risk is not increased elsewhere. The site is not considered to be within a flood storage area and it is separated from the reservoir and flood plain by the flood defence bund. The NPPF also requires that where appropriate, applications should be supported by a site-specific flood-risk assessment.
- 4.12 A sequential, risk-based approach to the location of development needs to be applied, this test takes into account the current and future impacts of climate change so as to avoid, where possible, flood risk to people and property.
- 4.13 The applicant has stated that the site is protected by a flood defence barrier designed to protect against a 1:100-year flood, the barrier has a freeboard of 630mm above the 1:100-year flood event and in his opinion this would represent at worst a Medium Probability risk of flooding being comprised of land assessed as having between a 1 in 100 and 1 in 1,000 annual probability of river flooding (1% – 0.1%). Areas of low risk (Low Probability) comprises land assessed as having a less than 1 in 1,000 annual probability of river or sea flooding (<0.1%). NPPF does not refer to Flood Zones but this would equate to at least Zone 2.
- 4.14 Development should not be allocated or permitted if there are reasonably available sites appropriate for the proposed development in areas with a lower risk of flooding. The applicant has stated that in his opinion there are no reasonably available local sites appropriate for the proposed development. The site has been chosen as it gives the applicant the opportunity to provide personal care to his elderly in laws who are aged 82 and 81 years old. He has also confirmed that he is happy for the property to be tied to the main house or a personal permission given. The couple currently live in a two storey semi detached property 8 miles away but with their gradually decreasing physical health and long term care needs it is becoming essential to have them living

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as close to the applicant and his wife as possible. In addition, due to the continuing Covid-19 situation they would like to have the couple in their family “bubble” and for this close proximity is required in order to assist with general day to day requirements such as essential shopping, medical needs and appointments.

- 4.15 The applicant has stated that the bungalow would allow independent living for these two older people whilst allowing them to live safely in their own home for as long as possible. The applicant is not aware of any reasonably available sites appropriate for the proposed development that provide the type of accommodation required with attendant family care, in areas with a lower risk of flooding.
- 4.16 The Flood Risk Assessment confirms that the building is proposed to be above the 1:100 and 1:1000 year flood level and will be built incorporating flood barriers to all entrances. The development will not increase surface water run-off and surface drainage will be to soak-aways in common with other properties nearby. Any residual risk is managed by residents who receive flood warnings and flood alerts when water levels approach the tops of the banks of the adjacent water course. He has stated that even in the heaviest flood events in February 2020 water levels rose at a steady rate and didn't exceed 100mm in 24hours, this level rise would allow significant warning time to evacuate the premises either to higher ground or to neighbouring family property and a flood evacuation plan has been prepared. The vehicle access is within the flood defence barrier leading to higher ground. The Flood Evacuation Plan addresses access. The building is located in the area of lowest risk, finished floor levels and flood measures will lower this risk further.
- 4.17 The bund height is 36.35AOD. The bund has 600mm freeboard above the modelled defended 1:100 year flood level; around twice the allowance for climate change. The original floor level was 35.77 but after consultation with the Environment Agency this has been raised up to 36.02m which has been accepted as being appropriate. The Council's Water Management Officer has confirmed the acceptance of the floor level as being appropriate and has not objections subject to a Flood Emergency Plan covering as a minimum deployment of any flood proofing measures, place of refuge, flood evacuation and safe access and escape routes for the property.
- 4.18 It is accepted that policies within the Development Plan and Framework, steer development away from areas of high flood risk. On this occasion the design of the property meets the criteria in order to keep resident's safe and able to leave the property within a suitable amount of time in the case of a significant flood event.
- 4.19 The applicant has advance a set of personal circumstances that are compelling and hit at the heart of the Governments policy for supporting the elderly population in their own homes. It would be appropriate in these circumstances to require a personal permission to imposed and tying the building to the main property Wyre Mill Cottage. In the event that the property is no longer required by the applicant's parents, it could revert to an ancillary outbuilding. This provides an immediate solution without compromising the aims and objectives of resisting properties within areas at risk of flooding.

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4.20 With the extensive information that the applicant has put forward and the proposed conditions it is considered that the sequential and exception tests as required by the Framework have been met

5.0 Conclusion and Recommendations

5.1 The proposal is appropriate development within the Green Belt due to the previously developed status of the land and the physical form not having any greater impact than the extant scheme and therefore accords with paragraph 145 of the NPPF and Policies SAL.UP1 and SAL.PDS1 of the Site Allocations and Policies Local Plan in respect of development within the Green Belt. The property is well designed and has suitable access arrangements not impacting on highway safety or the character and appearance of the area. The circumstances are compelling and Officers will support this development as sequentially preferable and as an exception for the duration of the specific need identified. On this basis the proposal is acceptable and conforms to development plan policies.

5.2 I therefore recommend **APPROVAL** subject to the following conditions;

1. A6 (standard time)
2. Personal Permission
3. Ties directly to Wyre Mill Cottage
4. B1a (materials)
5. Cycle parking to be provided
6. Removal of permitted development rights.
7. Details of fences / walls to be submitted
8. Finished floor levels shall be a minimum of 35.77m AOD
9. Flood defence barriers will be fitted to all external openings of the building to a minimum of 600mm above finished floor level.
10. Flood defence barriers will be fitted to all external openings of the building to a minimum of 600mm above finished floor level

NOTE

Future occupants are strongly advised to sign up to the free floodline Warning Direct service by calling the Environment Agency's floodline