

Open

Planning Committee

Agenda

6pm
Tuesday, 13 December 2022
Council Chamber
Wyre Forest House
Finepoint Way
Kidderminster



Planning Committee

Members of Committee:

Chairman: Councillor A Coleman
Vice-Chairman: Councillor C J Barnett

Councillor B Brookes	Councillor V Caulfield
Councillor H E Dyke	Councillor C Edginton-White
Councillor P Harrison	Councillor M J Hart
Councillor F M Oborski MBE	Councillor C Rogers
Councillor D Ross	Councillor L Whitehouse

Information for Members of the Public:-

Part I of the Agenda includes items for discussion in public. You have the right to request to inspect copies of Minutes and reports on this Agenda as well as the background documents used in the preparation of these reports.

An update report is circulated at the meeting. Where members of the public have registered to speak on applications, the running order will be changed so that those applications can be considered first on their respective parts of the agenda. The revised order will be included in the update.

Part II of the Agenda (if applicable) deals with items of "Exempt Information" for which it is anticipated that the public may be excluded from the meeting and neither reports nor background papers are open to public inspection.

Delegation - All items are presumed to be matters which the Committee has delegated powers to determine. In those instances where delegation will not or is unlikely to apply an appropriate indication will be given at the meeting.

Public Speaking

Agenda items involving public speaking will have presentations made in the following order (subject to the discretion of the Chairman):

- Introduction of item by officers;
- Councillors' questions to officers to clarify detail;
- Representations by objector;
- Representations by supporter or applicant (or representative);
- Clarification of any points by officers, as necessary, after each speaker;
- Consideration of application by councillors, including questions to officers

All speakers will be called to the designated area by the Chairman and will have a maximum of 3 minutes to address the Committee.

If you have any queries about this Agenda or require any details of background papers, further documents or information you should contact Louisa Bright, Wyre Forest House, Finepoint Way, Kidderminster, DY11 7WF. Telephone: 01562 732763 or email louisa.bright@wyreforestdc.gov.uk

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

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

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

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

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

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

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

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

WEBCASTING NOTICE

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

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

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

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

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

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

*Unless there are no reports in the open session.

NOTES

- Councillors, who are not Members of the Planning Committee, but who wish to attend and to make comments on any application on this list or accompanying Agenda, are required to give notice by informing the Chairman, Solicitor to the Council, or Head of Strategic Growth 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 Head of Strategic Growth.
- Councillors and members of the public must be aware that in certain circumstances items may be taken out of order and, therefore, no certain advice can be provided about the time at which any item may be considered.
- Any members of the public wishing to make late additional representations should do so in writing or by contacting their Ward Councillor prior to the Meeting.
- For the purposes of the Local Government (Access to Information) Act 1985, unless otherwise stated against a particular report, “background papers” in accordance with Section 110D will always include the case Officer’s written report and any letters or memoranda of representation received (including correspondence from the Highway Authority, Statutory Undertakers and all internal District Council Departments).
- Letters of representation referred to in these reports, together with any other background papers, may be inspected at any time prior to the Meeting, and these papers will be available at the Meeting.
- **Members of the public** should note that any application can be determined in any manner notwithstanding any or no recommendation being made.

Wyre Forest District Council

Planning Committee

Tuesday, 13 December 2022

Council Chamber Wyre Forest House, Finepoint Way, Kidderminster

Part 1

Open to the press and public

Agenda item	Subject	Page Number
1.	Apologies for Absence	
2.	Appointment of Substitute Members To receive the name of any Councillor who is to act as a substitute, together with the name of the Councillor for whom he/she is acting.	
3.	Declarations of Interests by Members In accordance with the Code of Conduct, to invite Members to declare the existence and nature of any Disclosable Pecuniary Interests (DPI's) and / or Other Disclosable Interests (ODI's) in the following agenda items and indicate the action that they will be taking when the item is considered. Please see the Members' Code of Conduct as set out in Section 14 of the Council's Constitution for full details.	
4.	Minutes To confirm as a correct record the Minutes of the meeting held on the 18 October 2022.	7
5.	Applications to be Determined To consider the report of the Development Manager on planning and related applications to be determined.	10
6.	Planning Appeal Decisions Since April 2022 To receive a schedule showing the appeal decisions since the start of the 2022/23 financial year.	58
7.	To consider any other business, details of which have been communicated to the Solicitor to the Council before the commencement of the meeting, which the Chairman by reason of special circumstances considers to be of so urgent a nature that it cannot wait until the next meeting.	

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

Not open to the Press and Public

9.	<p>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

COUNCIL CHAMBER, WYRE FOREST HOUSE,
FINEPOINT WAY, KIDDERMINSTER

18 OCTOBER 2022 (6PM)

Present:

Councillors: A Coleman (Chairman), C J Barnett (Vice-Chairman), B Brookes, R H Coleman, H E Dyke, C Edginton-White, P Harrison, M J Hart, F M Oborski MBE, C Rogers, D Ross and L Whitehouse.

Observers:

Councillor: P Dyke.

PL.16 Apologies for Absence

Apologies for absence were received from Councillor: V Caulfield.

PL.17 Appointment of Substitutes

Councillor R H Coleman was a substitute for Councillor V Caulfield.

PL.18 Declarations of Interests by Members

No declarations of interest were made.

PL.19 Minutes

Decision: The minutes of the meeting held on 20 September 2022 be confirmed as a correct record and signed by the Chairman.

PL.20 Applications To Be Determined

The Committee considered those applications for determination (now incorporated in Development Control Schedule No. 605 attached).

Decision: The applications now submitted be determined, in accordance with the decisions set out in Development Control Schedule No. 605 attached, subject to incorporation of any further conditions or reasons (or variations) thought to be necessary to give full effect to the Authority's wishes about any particular application.

PL.21 Exclusion of the Press and Public

Decision: Under Section 100A(4) of the Local Government Act 1972, the press and public be excluded from the meeting during consideration of the following items of business, on the grounds that they involve the likely

disclosure of “exempt Information” as defined in paragraphs 8 and 9 of Part 1 of Schedule 12A of the Act.

PL.22 Consideration of an Exempt Report

The Committee received a confidential report from the Head of Strategic Growth to consider what actions need to be taken following a refusal of planning permission by the Planning Committee.

Councillor P Dyke joined the meeting at 6.48pm

The report set out the various options for Members to consider in relation to an appeal.

Decision: The Committee agreed to option 2 as set out in paragraph 4.8 of the confidential report.

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

WYRE FOREST DISTRICT COUNCIL

PLANNING COMMITTEE

18 October 2022 - Schedule 605 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 Planning 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: 22/0563/HOU & 22/0573/LBC

Site Address: Swallows Barn, The Holloway, Chaddesley Corbett, DY10 4QD

a) Application 22/0563/HOU APPROVAL subject to a delegation to officers to add conditions relating to:

1. Materials to be used
2. Ecology/Bat survey
3. No external lighting

b) Application 22/0573/LBC APPROVAL subject to a delegation to officers to add conditions relating to:

1. Materials to be used
2. Ecology/Bat survey
3. No external lighting

EXECUTIVE SUMMARY TO REPORT OF DEVELOPMENT MANAGER

Planning Committee

Part A Applications

Ref:	Address of Site	Recommendation	Page No.
21/0672/FUL	Land On The South Side Of Kidderminster Road Bewdley Worcestershire	Delegated Approval	11
22/0415/FUL	Land Adjacent 11 Stourport Road Bewdley Worcestershire	Delegated Approval	39

Part B Applications

Ref:	Address of Site	Recommendation	Page No.
22/0607/FUL	20 Roden Avenue Kidderminster Worcestershire DY10 2RF	Delegated Approval	49

WYRE FOREST DISTRICT COUNCIL**PLANNING COMMITTEE****13 December 2022****PART A**

Application	21/0672/FUL	Date	27.07.2021
Reference:		Received:	
Ord Sheet:	379793 275850	Expiry	28.02.2022
		Date:	
Case Officer	Helen Hawkes	Ward:	Wribbenhall And Arley

Proposal: Proposed residential development comprising 79 dwellings, new vehicular access off Kidderminster Road, public open space, SUDS, associated landscaping and engineering works

Site Address: Land On The South Side Of, Kidderminster Road, Bewdley, Worcestershire, ,

Applicant: Persimmon

Summary of Policy	SP.1, SP.2, SP.5, SP.9, SP.10, SP.12, SP.13, SP.16, SP.20, SP.21, SP.22, SP.23, SP.26, SP.27, SP.28, SP.29, SP.30, SP.31, SP.32, SP.33, SP.35, SP 36, SP.37, DM7, DM.8, DM.23, DM.24, DM.26, and SA.B3 of the Wyre Forest Local Plan (Adopted April 2022) Design Guidance SPD Planning Obligations SPD Affordable Housing SPD National Planning Policy Framework Planning Practice Guidance
Recommendation	DELEGATED APPROVAL SUBJECT TO S106 AGREEMENT
Reason for Referral to Committee	“Major” Planning Application Public speaker requested to speak

1.0 Planning History

1.1 There is no planning history for this site.

2.0 Consultations and Representations

2.1 Bewdley Civic Society – Broadly support the WFDC plan in terms of its allocated sites in Bewdley but is surprised that the developers have increased the numbers of houses proposed. The site is on one of the major access roads into Bewdley and will be the first view for visitors – every effort therefore should be made to make this view as

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attractive as possible. It is suggested that the brick wall with old capping stones could be renovated/repaired. It is in poor condition due to lack of maintenance. The coping stones are imprinted with the letters SKEY which shows that they were manufactured in Skey's Brickworks in Bewdley over 100 years ago and are therefore of historic importance. A condition on any approval is requested to ensure that this wall is restored and retained. No reference to greener forms of energy within the developers plans, which is disappointing.

[Officer comments – The site is allocated for housing under Policy SA.B3 of the Local Plan and the indicative capacity for the site allocation is 80 dwellings. The proposal has been amended during the course of the application from 88 to 79 dwellings. A structural report of the brick wall with old capping stones to Kidderminster Road frontage has been undertaken which has confirmed that the wall is generally in poor condition, leaning either towards the footpath or towards the site and that due to the trees along the boundary being planted very close to the wall they have exerted lateral pressure on the wall. It is advised that the wall is dangerous and should be removed and re-built immediately. The applicant has confirmed that the wall would be rebuilt with reclaimed bricks and the coping would be reinstated. A Sustainability Statement has been submitted which confirms that the proposed dwellings would be provided with electric vehicle charging points, photovoltaic (PV) panels to deliver a minimum 10% energy from renewables, high levels of insulation, energy efficient light fittings, high performance glazing and efficient gas condensing boilers with confirmed NOx emissions of 40mg/kWh and would accord with Policy SP.37 of the Local Plan]

2.2 Bewdley Town Council – Awaiting comments to the application.

2.3 WCC Sustainability, waste and minerals – Generally satisfied with Sustainability Statement but point out that statement is over 2 years old and Building Regulations changes in June 2022 to include more stringent energy efficient targets with the headline target requirement of new homes to produce around 30% less CO2 emissions. (Not applicable to building work provided it starts before 15 June 2023. No mention of EV charge points. To take in account the projected changes in climate, additional measures such as wide gutters with emergency overflow points, outdoor shading for buildings in summer, provision of flexible shading to windows to reduce internal temperatures expected for direct sunlight, water butts, consideration of green/sedum roofs to slow/decrease run off during heavy rain. Waste Core Strategy policy WCS 17 aims to ensure that the waste implications of development are considered. The provision of each property with storage for refuse bins within the curtilage of the property is welcomed. WCC satisfied that the development of the site would materially increase the risk to mineral safeguarding, as such no further evidence is required.

[Officer comment – A revised Sustainability Statement has been submitted which addresses the initial concerns raised by WCC Sustainability Team and concludes that the development would be designed to reduce waste and water consumption and that every dwelling would be provided with rainwater butts, electrical vehicle charging points, low emission boilers and would be constructed to robust standards of energy efficiency and PV arrays capable of generating 42,687.85kWh/year (i.e., 10% of the predictable energy requirement of the development) would be installed across the site]

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2.4 Highway Authority – No objection subject to conditions and obligations.

The justification for this can be summarised as follows:

Following review of the submitted Transport Assessment the Highway Authority identified some areas of concern. A Technical Note seeking to address the concerns raised was received on 22nd June. In addition to this a Road Safety Audit (RSA) was provided which identified one minor issue involving the uncontrolled pedestrian crossing on Kidderminster Road. The comment highlighted the fact that *“due to the curvature of the carriageway, approaching road users from the east appear to be increasing speed. This may result in late/harsh braking resulting in rear end shunt type collisions should a road user fail to see a pedestrian in the carriageway using the crossing.”* The recommendation was to relocate the uncontrolled crossing closer to the development access. The site access and on-site crossing provision has been amended and visibility in both directions is achievable without obstruction.

The Highway Authority are satisfied with the improvements proposed by the applicant. The Highway Authority is also satisfied that all vehicles can navigate safely within the site and that all tracking concerns have been dealt with.

The Highway Authority no longer considers it necessary to implement parking restrictions (double yellow lines) within the vicinity of the proposed site access but as an alternative, some form of parking monitoring should take place 6 months after first occupation. If, after that survey it was decided that parking restrictions should be introduced, monies to process and sign and TRO's may be required.

The Highway Authority is satisfied with the internal layout of the site. In relation to the provision for cyclists, the applicant has confirmed that no specific cycle infrastructure is proposed, noting that Cycle Infrastructure Design Guidance LTN 1/20 states that roads with speed limits of 20mph and 24 hour traffic flow of less than 2,000 PCUs, cycling in mixed traffic will be suitable for most people. The applicant also highlights that all plots have cycle parking to meet standards set out within the WCC Streetscape Design Guide, in either the form of a garage or shed.

The development will not have a direct impact on the Public Right of Way. The revised masterplan shows the definitive line of Bewdley footpath BW-648 – the Highway Authority is satisfied. The Highway Authority has agreed to a lighting assessment being required by condition of the planning permission. It was also confirmed that this will also be dealt with via the S38/S278 applications.

The applicant has confirmed that a safe pedestrian crossing, suitable for disabled access will provide a direct route to bus stops on Kidderminster Road and Habberley Road. The design will be subject to RSA and once undertaken, the results along with a Designers Response will be submitted to the HA for review. The following financial contributions are requested:

£60,000 to fund extension of existing bus service from Kidderminster Bus Station to Bewdley on weekdays;

£4,500 to establish Community Transport service for residents with mobility impairments; and

£5,000 to improve bus stops on Habberley Road

The applicant has agreed to use the WCC Personalised Travel Planning Service, at a cost of £220 per dwelling.

The Highway Authority will require a CEMP to be prepared and submitted for approval, setting out the proposed hours of operation, routing, access proposals and site details via the imposition of a condition on the planning permission.

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2.5 Worcestershire Wildlife Trust – No objections to the principle of development as the site is allocated in the Local Plan. However, concern is expressed that the proposals will fail to deliver biodiversity net gain to a level commensurate with policy expectations. Further work is required to demonstrate appropriate gains across the site – noting that there is the potential for biodiversity enhancement on the undeveloped western parcel. If this is an option, further work is recommended to demonstrate that this is both achievable and securable in the long term. Accordingly, a holding objection was placed pending the receipt and consideration of further information. If however, the council is minded to grant permission the following aspects should be secured by use of condition:

1. CEMP – to include protection for retained ecological features and prevention of pollution during construction, especially in relation to any direct harm, runoff, noise, extraneous light or dust risks to the nearby ecological assets, including watercourses, mature trees and hedgerows. Timing of works to avoid nesting birds and method statement or protected species licences to minimise risk to bats and other species;
2. Lighting – to ensure that the development, both during construction and once operational, does not cause harm to nocturnal wildlife within, and commuting to and from, the adjacent habitats;
3. SUDS – to ensure that a long-term drainage of the site does not cause harm to receiving waterbodies or nearby habitats. The drainage strategy should include overland conveyance features to provide additional biodiversity and visual enhancements and to ensure that the attenuation basin is designed and implemented in a way that delivers a strong multi-functional role within the POS.
4. LEMP – to include measurable biodiversity net gain in line with planning policy, together with long term management of habitats and features.

Applicant response to the comments (Aspect Ecology) – The LPA officer has confirmed that there are no issues in regard to protected species and that the remaining concerns are limited to Biodiversity Net Gain (BNG) calculations / considerations associated with the proposals. The information submitted included a formal BNG assessment using DEFRA metric (2.0) which demonstrated a net gain in habitat units (0.08%) and hedgerow units (25.36%) within the red line boundary. No specific issues were raised with the calculations; however, the comments suggest that a greater level of BNG should be required/demonstrated. How the BNG is to be achieved is demonstrated within the DEFRA metric tool and the associated proposed habitats are shown on drawing 5809/BIA2 rev A.

Current national and local policy for BNG is referred to, particularly SP.23 which identifies that developments should deliver measurable gains in biodiversity, the level of which should be proportionate to the type, scale and impact of the development – but with no specific set minimum threshold. It is envisaged that the development would deliver biodiversity net gain on the field to the west of the application site which falls within the applicant's ownership and that that it is intended to establish a cherry orchard on this field with a new unadopted public footpath linking the application site with Wheatcroft Avenue that would follow the historic footpath route.

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- 2.6 Community Led Housing Co-ordinator – No objection to the provision of two self custom build plots to be secured through the Section 106 agreement.
- 2.7 Worcestershire Regulatory Services (Noise Nuisance) – No objection to the application following a redesign of the scheme to reduce noise levels to below 55dB for the plots affects and an updated Noise Assessment which concludes that a 2.5 metre acoustic barrier on top of retaining wall to the rear boundary of plots 45 – 50, which would be set in from the boundary with the A456, and painted green to blend into the greenery along this boundary. A condition is recommended to secure the proposed mitigation and to require a revised noise assessment/technical note to demonstrate that the selected glazing and ventilation products meet the recommended sound insulation specifications of the originally submitted noise assessment for approval.
- 2.8 Worcestershire Regulatory Services (Contaminated Land) – No contamination issues have been identified – no objection.
- 2.9 Worcestershire Regulatory Services (Air Quality) - No objection but recommend the incorporation of mitigation measures as part of the development to minimise impact on local areas of poor air quality and assist in alleviating pollution creep arising in the general area such as – secure cycle parking, electric vehicle charging points, low emission boilers – all of which can be required by condition.
- 2.10 WCC Archaeologist – No objection. A desk-based assessment and written scheme of investigation for the recommended programme of works has been submitted. A condition is recommended to ensure the programme of works as detailed in the WSI is carried out.
- 2.11 WCC Children first – During the course of the application updated sufficiency figures for 2022 have been received which show that there is currently insufficient space for early years children within the Bewdley area and therefore request a financial contribution to support early years provision. A contribution toward all relevant phases of education is sought in line with the Worcestershire County Council Policy on S106 Education Contributions to provide additional education facilities within a 2 mile radius as follows:
 £144,496 for early years;
 £415,462 for primary;
 £72,248 for SEND
- 2.12 Environment Agency – No comments to offer on this application. Whilst there is a small area of fluvial flood risk on the western portion of the site all built development is located in Flood Zone 1, the low risk Zone.
- 2.13 North Worcestershire Water Management Officer – No objection. Summary of comments as follows:
 I believe that based upon the information now provided there would be no reason to withhold approval of this application on water management or flood risk grounds and ask that the following conditions get attached:

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"No works in relation to site drainage shall take place until a scheme for a surface water drainage strategy for the proposed development has been submitted to and approved in writing by the Local Planning Authority. The scheme shall include details of all surface water drainage measures and shall conform with the non-statutory technical standards for SuDS (Defra 2015) and the drainage strategy submitted with the application (Travis Baker, May 2021) and addendum (Travis Baker, RevA, May 2022). The detailed design of the basins shall be informed by the requirements to ensure sufficient treatment will be provided by the surface water drainage in accordance with the SuDS manual (Ciria C753). Flows resulting from rainfall in excess of the design event shall be managed in exceedance routes that minimise the risk to people and property. The approved surface water drainage scheme shall be implemented prior to the first use of the development and thereafter maintained in accordance with the agreed scheme."

"Prior to the first use of the approved development a management plan detailing future maintenance responsibility for SuDS assets shall be submitted to and approved in writing by the Local Planning Authority. The plan shall include proposals for informing future home owners or occupiers of the arrangements for maintenance of communal assets. The approved management plan shall be implemented prior to the first use of the development and thereafter maintained."

"No works or development shall take place until a construction surface water management plan has been submitted to and approved in writing by the Local Planning Authority. The plan shall include how surface water will be managed during the construction phase, including site clearance and soil stripping. The plan shall include drawings of any temporary drainage systems, a timeline of construction and measures to mitigate the risk of pollution (including silt) of the water environment and offsite flood risk. The plan shall detail how the approved permanent surface water drainage system shall be remediated during the construction phase. The approved construction surface water management plan shall be implemented as soon as works start on site thereafter maintained during the full duration of the construction phase."

- 2.14 WFDC Arboricultural Officer – No objection, satisfied with the design and AIA and can now support the application. Concern was originally expressed in relation to the impact of the original layout on the tree belt (running parallel with Kidderminster Road). Requested that the proposed building line be amended to behind the existing plough line to retain the longevity of the trees, ensure there is not pressure to fell them in the future and would also maintain good green infrastructure to the frontage of the site, which has a visual connection with the green open space in the eastern corner of the site. Amended plans were received to take on board these comments. An AIA was produced to show the protection of all retained trees and an AMS to show works close to or within the protected trees.
- 2.15 WFDC Conservation Officer – No objection – following the receipt of a Landscape Visual Impact Assessment which concluded:
 "8.11. Overall, the Proposed Development would result in limited effects on landscape character and visual amenity, restricted to the Site and its immediate environs, and seen in the context of the existing settlement edge of Bewdley.

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8.12. A range of landscape and visual receptors have been assessed and impacts have been identified for both landscape character and for visual receptors. This is part of an iterative process whereby potential impacts have informed the landscape strategy for the Site and mitigation has become integral to the Proposed Development. The residual impacts identified through this process highlight that the greatest effects would relate to the Site and to a very localised area immediately adjacent to the Site. The effect on potential receptor groups in the wider landscape context, including users of the wider PRow network, would be generally very limited. The existing trees and hedgerows which surround much the Site would also help to soften the appearance of new built form where this is visible.

8.13. Overall, the context provided by the existing settlement edge of Bewdley and the combined screening effects of topography, and existing vegetation and built form means that effects on landscape character and local visual amenity would be very limited in scale. Therefore, on balance, the Proposed Development is considered acceptable in landscape and visual terms".

The development will certainly impinge on views towards Maypole Piece from the east but not to the extent that this causes tangible harm to the Conservation Area. Similarly, whilst it might be possible to glimpse views of All Saints Church Wribbenhall from the same direction in reality there is again no tangible impact. Views from both Maypole Piece and All Saint's Church will inevitably include the proposed new development but it is somewhat distant and due to the topography does not interfere with the wider ranging views to the east towards the Safari Park and the former parkland around Spring Grove.

- 2.16 Severn Trent Water – No objection subject to the inclusion of the following conditions: 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 LPA. 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.
- 2.17 WFDC Countryside and Technical Services Manager – In relation to protected species; there are two bat roosts on site, both likely to impacted upon by the development. The loss of these features is unlikely to have a strategic impact on bat populations and mitigation for the loss of these features can be covered by condition which should require a bat mitigation strategy to be prepared by an experienced and licenced ecologist pre-commencement. A separate condition requiring a lighting report that has been reviewed and commented upon by an ecologist is also suggested to ensure that proposed lighting does not impact upon newly created features to support light sensitive wildlife. The report should also detail dark corridors across the development to allow light sensitive wildlife to cross the development. As there is badger activity in close proximity to the site, a condition is also required to secure a survey takes place prior to commencement of development. If badger are found, a badger mitigation strategy should be produced. Otter are likely to be present off site, and although their presence on site is considered unlikely, a condition requiring a walkover survey is recommended prior to commencement. A condition is also required

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to ensure otter have not become involved in stored material and/or become trapped in the workings; Great Crested Newts are present in an offsite pool less than 250m from the site. An addendum survey was submitted in July 2022 which confirmed that no Great Crested News were identified during 2021 survey work, including within two waterbodies closest to the site. However, given the presence of GCN's within the more distant waterbody (P2), the report recommends that precautionary mitigation measures should be implemented to minimise the risk of harm; Reptiles – a population of three species of reptiles were found on site. Prior to approval details of reptile translocation off site or enhancement/landscaping plan for reptile population to remain on site. A reptile mitigation strategy (also appropriate for GCN) is then also required by condition detailing how the needs of the animals will be catered and mitigated for. All works on site should take place outside of the nesting season or in the presence of an experienced ecologist to ensure no harm to nesting birds.

With regard to habitats and biodiversity net gain, similar concerns to WWT raised. However, it is noted that an updated calculation brings the net gain to the desired 10%. A LEMP picking up on the measures identified by the applicant's ecologist is suggested.

The site is located 750m away from a statutory Devil's Spittleful SSSI whose principal habitat is highly susceptible to nutrient deposition. Principles should be agreed prior to approval that clearly demonstrate how the development can be realised without detrimentally impacting on the SSSI. Some concern also expressed in relation to the adjacent site which appears to be a wetland habitat/Priority Habitat. [Officer comment – A condition has been recommended to secure a scheme of ecological mitigation measures to minimise impacts from dust on the nearby Devil's Spittleful SSSI during the construction phase]

- 2.18 WCC Landscape Advisor– No objection providing the following matters are addressed and appropriate measures secured by condition.
Need to secure the future management of boundary trees (including those that will become rear plot boundaries as part of the site GI provision) (to reduce any risk that shading caused by proximity of trees will remove in removal of non TPO trees); root protection measures secured by condition or within a CEMP that should also include all measures to protect existing landscape and habitat features present on the site during groundworks and build out of the scheme.
- 2.19 WFDC Landscape Officer – The planting is typical of a landscape shrub planting on most developments but some replacement species required to better enhance the scheme and to add to the biodiversity by attracting more pollinating insects and bees. Scheme amended to include detailed landscaping amendments made to satisfy comments – changed the proposed ornamental hedging of *Elaeagnus x ebbingei* to *Carpinus betulus* (Hornbeam), increase number of tree species to 5 flowering trees such as *Prunus* sp, and Liquidamber for additional autumn colour, replace proposed amenity seed mix areas with a flowering meadow mix and include a 1.5m amenity mowing margin. A condition should be attached to secure a programme of monitoring, aftercare and replacement planting for all soft landscaping included in the public open space areas and GI networks. Condition required to secure a LEMP and accompanying method statement detailing the creation and establishment of semi-natural habitats, public open space, trees, hedgerow and scrub planting.

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The scheme was amended to include a LEAP to include the following:

- 1 swing bay with 2 cradles has been shown however there also needs to be 1 bay with 2 flat seat swings for Juniors.
- The scheme is lacking in more dynamic play elements older children will require more risk, include a Basket swing for the older children
- The scheme is limited on inclusive items please change Item 2 for a floor mounted inclusive roundabout to accommodate a wheelchair as well as outer seating for able bodied children (DDA Inclusive Play))
- The scheme needs a slide to be included ideally a raised bank area with an embankment slide and steps up to it
- Combo 1 (4) Is very limited and offers limited play value it needs to include more elements (Stepping Stones, Wobble Bridge etc) and be twice as long

2.20 Natural England – No objection. The proposed development will not have a significant adverse impact on statutorily protected nature conservation sites or landscapes.

2.21 NHS Primary Care Trust - (Hereford and Worcestershire CCG). The development is likely to have an impact on the NHS funding programme for the delivery of primary healthcare provision within the area. The development could generate approximately 192 residents and subsequently increase demand upon existing services. It would have an impact on primary healthcare provision in the area and the proposed development must therefore, in order to be considered under the presumption in favour of development, provide appropriate levels of mitigation. The housing development falls within the boundary of a practice which is a member of Wyre Forest Health Partnership Primary Care Network (PCN), and as such, a number of services for these patients may be provided elsewhere within the PCN. The Capital Cost Calculation of additional primary healthcare services is £30,291. A financial contribution from the developer for that amount is therefore requested to mitigate the impacts arising from the development.

2.22 WFDC Cycle Forum - Motor vehicle congestion is above all the most frequent comment opposing the development. If this development was to progress further, it is yet another reason for facilitating a safe direct Active Travel Corridor from Bewdley, through Wribbenhall to Kidderminster: a virtually straight continuous travel corridor being the best option, and after all, we have the evidence already that the Catchems End to Kidderminster is already the most used Active Travel route for cyclists.

2.23 Neighbourhood/Site Notice Representations

234 objections received from nearby residents. They have all been taken into account in the consideration of this application and can be summarised as follows:

- The entrance/exit to the site is far too close to the traffic island where queues form a peak times and during summer months (with tourists); traffic can be in gridlock; resultant impact on highway safety (for cars, cyclists and pedestrians) – traffic survey supporting the proposals was undertaken during Covid lockdown and therefore not representative of the situation;
- Danger to children crossing the road, despite pedestrian crossing

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- Local doctor's surgeries cannot cope with additional people
- Increased parking pressure as a result of the development
- Location between 2 main roads will create noise environment for occupiers
- Change the character of Bewdley (for the worse) by visual impact on entering Bewdley, site forms an important backdrop to the church;
- Increase in pollution and dust
- Bus service inadequate
- Development of 100 dwellings within the Stourport Triangle for 100 dwellings has already been approved – no additional houses in Bewdley are needed
- Not enough school places in the area
- Site contains protected trees, Skylark nesting, Great Crested Newts and Slowworms
- Impact on hedgehogs and badger
- Loss of field for agriculture
- Density of proposed development is too high and no bungalows for the elderly included in the mix, there should be more larger house types to cater for housing market in Bewdley – not to just attract new people in;
- Impact of water drainage and sewage facilities; sewage pumping station in the vicinity of the site is already at capacity since new houses in Threfall Drive development;
- Council should be using brownfield land first – plenty to use in the area
- Adverse impact on ecology - bats nest in the area
- No jobs for new residents
- Climate change and flood risk around the Riddings brook
- Contamination to the river;
- Site should remain within the Green Belt
- What will the Town Council “do” with the western parcel
- Loss of privacy, open aspect on entering town;
- Loss of important green space – would adversely impact on people's mental wellbeing;
- Houses proposed not affordable – young people cannot afford to buy them;
- Proposals will result in Bewdley and Kidderminster being one town;
- Use as bridle path from the site will encourage new residents to take a short cut past existing houses;
- No site notices erected around the site to correctly advertise the planning application; queries/concerns that correct consultation periods are being followed;
- Loss of historic wall along Kidderminster Road;
- Conflict with NPPF, the Health Impact Assessment is just a wish list with no real evidence that the development will be beneficial for the town;
- House design poor, not sustainable or energy/water efficient, large areas of hard paving adding to water run off issues;
- Applicant has a reputation for building poor quality houses.

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7 comments of support acknowledging that new houses are needed to meet the needs of the growing population; that the government requires LPAs to set their own housing targets to deal with their own need; and that there is little incentive for developers to develop brownfield land. More houses will result in more people living in the town which will be good for local business; general economic benefits for retail and hospitality; the Parish and District Council will benefit in terms of revenue and affordable housing for the next generation. Ideal location near to commuter roads.

3.0 Site Location and Description

- 3.1 The application site is located in between the Kidderminster Road (B4190) and the main A456 to the southeast of the built- up edge of Bewdley, known as Catchem's End. The site comprises of two separate land parcels; referred to as the eastern and western parcels. The western parcel will remain undeveloped and be transferred to an appropriate body to be managed as public open space/community land. The western parcel is designated Green Belt. Both sites extend to approximately 5.61 hectares, while the developable parcel (the Site) extends to 3.53 hectares.
- 3.2 It is irregular in shape and comprises of one agriculturally managed field with trees and hedgerow along much of its perimeter. A brick wall forms the boundary to the site along Kidderminster Road along the northern boundary. The site is immediately adjacent and opposite to existing residential development (a mixture of 2 and 2 and half storey houses) along Kidderminster Road, along the site's northern boundary. A access lane (public footpath BW-648) leading to a house off Kidderminster Road runs along the western boundary of the site, beyond which lies residential development comprising 1970s bungalows and lodge style 2 storey houses. To the south, on the opposite side of the A456 is an area of public open space with the West Midlands Safari Park beyond.
- 3.3 The topography of the site varies, but generally rises from the north-eastern part of the site, southward to a localised highpoint in the southern corner. There are no water features on the site, however the lower ground on the western and southern boundaries include wet woodland areas and drainage ditches.
- 3.4 The site is located to the east of the central conservation area of Bewdley, which contains the majority of the town's heritage assets. There are two Grade II listed buildings within 250m of the Site, both of which are screened from the site by existing housing on Kidderminster Road.
- 3.5 The Site is allocated for residential development under Policy SA. B3 of the Wyre Forest District Local Plan, which was released from the West Midlands Green Belt and which confirms that the site has an indicative capacity of 80 dwellings subject to several principles being met.
- 3.6 The application seeks full planning permission for the erection of residential development for 79 dwellings, (originally 80) new vehicular access off Kidderminster Road, public open space, SUDS, associated landscaping and engineering works.

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- 3.7 Proposed housetypes will comprise of a range of sizes from one to four bedrooms predominantly in conventional two-storey houses in detached, semi-detached and terraced layouts. Two of the open market homes will be custom build (2x 3 beds). 25% of homes will be affordable providing 6 shared ownership dwellings and 16 for social rent local people.
- 3.8 The dwellings would be traditional in appearance utilising a mixture of render and brickwork to add to character. Each dwelling will have in plot parking, in a combination of garage with parking spaces to the side of the house or along the frontage. Garden sheds and space to store bins are provided for each dwelling. This would accord with the adopted Streetscape Design Guide.
- 3.9 The main access (serving vehicles and pedestrians) to the site will be from Kidderminster Road. The eastern most tip of the site will be laid out to public open space with housing development contained within 4 areas within the site on either side of the main access road through the site. Generally, houses are arranged to front on to the main road or off secondary roads to form perimeter blocks where dwellings front onto the road or areas of public open space with rear gardens enclosed. The area of public open space within the south-easter corner of the site will contain a children's play area which will be accessible via a path from the spine road. A pathway will also be provided through the public open space to the west of the site through to the public right of way which connects back up to Kidderminster Road.
- 3.10 The development density based upon a developable site area of 3.53 hectares equates to 23 dwellings per hectare.
- 3.11 The application has been accompanied by a Design and Access Statement; Planning Statement; Acoustic Report; Affordable Housing Delivery Statement; Sustainability Statement; LVIA; Archaeology DBA; Arboricultural Assessment with AIA; Transport Assessment; Travel Plan, FRA, Drainage Strategy; Biodiversity Metric 2.0 Calculation Tool and Ecology Assessment.

4.0 Officer Comments

- 4.1 The main considerations for this application are:
- Principle of development
 - Impact on Landscape Character and Heritage Assets
 - Density, Design and Proposed Residential Environment
 - Biodiversity and Trees
 - Highway Safety and Access
 - Flood Risk and drainage
 - Other Matters
 - Planning Balance
 - Planning Obligations

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POLICY CONTEXT AND PRINCIPLE OF DEVELOPMENT

- 4.2 The National Planning Policy Framework (the ‘Framework’) 2021 sets out the Government’s planning policies for England and how these should be applied (para. 1) and is a material consideration in planning decisions (para. 2). It states that the purpose of the planning system is to contribute to the achievement of sustainable development (para. 7). So that sustainable development is pursued in a positive way at the heart of the Framework is a presumption in favour of sustainable development (paras. 10-11). It states that decision makers at every level should seek to approve applications for sustainable development where possible (para. 38). It also states that the planning system should be genuinely plan-led (para. 15). The Framework seeks to significantly boost the supply of housing (para. 60) and also requires the housing needs of different groups in the community including those seeking affordable housing to be addressed and people wishing to commission or build their own homes (para. 62).
- 4.3 The Framework sets national Policy policies on the following issues which are relevant to this planning application:
- Achieving sustainable development (paras. 7, 8, 10, 11, 12)
 - Decision making (paras. 38, 39, 40, 41, 43, 47, 48, 54, 55, 56, 57, 58)
 - Delivering a sufficient supply of homes (paras. 60, 65)
 - Promoting healthy and safe communities (paras. 92, 93, 95, 96)
 - Promoting sustainable transport (paras. 110, 111, 112)
 - Achieving appropriate densities (paras.124, 125)
 - Achieving well designed places (paras. 126-132)
 - Meeting the challenge of climate change (paras. 152, 154-157)
 - Planning and flood risk (paras. 159-169)
 - Conserving and enhancing the natural environment (including landscape character paras.174b, biodiversity paras. 174d and 179-181, ground conditions and noise paras. 183-185)
 - Conserving and enhancing the historic environment (paras. 194-208)
 - Facilitating the sustainable use of minerals (paras. 209, 213-214)
- 4.4 The Development Plan for Wyre Forest comprises the Wyre Forest District Local Plan (the ‘Local Plan’), which was adopted in April 2022 and is supplemented by supplementary planning documents, these include the Planning Obligations SPD, Affordable Housing SPD and Design Guidance SPD.
- 4.5 The Wyre Forest District Local Plan sets out the vision and strategic context for managing and accommodating growth within the District up until 2036 and seeks to achieve sustainable development. The objectives of the Local Plan which are relevant to this application, include: addressing housing need to ensure the requirements of existing and future residents are met; maximising the opportunities for the inclusion of green infrastructure; safeguard and enhance biodiversity; conserve the significance of heritage assets; encourage healthier lifestyles; achieve more sustainable travel patterns and reduce the need to use the private car which will contribute to an improvement in air quality; and to protect the District’s water supply and quality, and reduce the risk of flooding and climate change.

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- 4.6 The application site is situated adjacent to the urban edge of Bewdley. The Wyre Forest District Local Plan, in Table 3.0.1 and Policy SP.5, seeks to retain Bewdley as a thriving market town which meets the needs of the local community whilst preserving the town's historic character. To preserve the character of the historic townscape and settlement of Bewdley town, the Local Plan resists further windfall developments in Bewdley and only permits new housing growth on three site allocations, with one being the subject of this application. It is therefore anticipated that the housing growth for Bewdley during this plan period would be around 227 additional homes.
- 4.7 The site is allocated for housing under site allocation policy SA.B3 of the Local Plan and therefore the principle of development in terms of land use and location has already been accepted by the Council through the plan-making stage and cannot be questioned in this application.
- 4.8 The site allocation indicated approximately 80 dwellings could be accommodated on this site and advised that the area nearest to the roundabout should be kept free of development to protect the openness of the landscape at this location; any development on this site should meet the following criteria:
- (i) Access will be taken from Kidderminster Road. This access should not obstruct or cause loss of the existing layby as this provides residential parking and a pull-in for bus services. Part of the existing boundary wall should only be removed in order to provide the required visibility splay and access into the site. Any trees that are removed to facilitate site access should be replaced by new tree planting on site.
 - (ii) The area nearest the roundabout should be left undeveloped with appropriate green and blue infrastructure to retain an open aspect and help soften the visual impact of the development from wider views within the Green Belt.
 - (iii) An appropriate play area should be provided as part of the open space provision.
 - (iv) The site boundaries should be buffered and enhanced to benefit Green Infrastructure connectivity. The mature broad-leaved trees along the site boundaries should be retained where possible to help screen the development.
 - (v) Building heights should be limited to 2-2.5 storeys to minimise any detrimental impact on the setting of All Saints Wribbenhall and Churchyard (Grade II Listed).
 - (vi) A noise survey should be undertaken to establish existing background noise levels across the site and to mitigate noise impact from road traffic. Should the findings of the survey indicate that these may adversely impact upon the amenity of new residents, then measures should be incorporated within the development to mitigate against this.
 - (vii) The possibility of providing a footpath/cycle link to rear of Lodge Close through the wet woodland should be explored and facilitated through this development, if feasible. This would connect the new housing with the wider footpath network.

IMPACT ON LANDSCAPE CHARACTER AND HERITAGE ASSETS

- 4.9 Paragraph 172 of the Framework advises that planning decisions should contribute to and enhance the local environment by amongst other things, recognising the intrinsic character and beauty of the countryside. Policy SP.22 'Landscape Character' of the

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Wyre Forest District Local Plan states that new development must protect and where possible enhance the unique character of the landscape.

- 4.10 The site comprises two fields (only the eastern parcel however, is to be developed for housing), which is currently agricultural land and the is well enclosed by existing vegetation/trees and hedgerows around the perimeter of the site. The site is bounded by the B190 (Kidderminster Road) to the north, the A456 to the south and residential development to the west. As such, there is little appreciation of the surrounding countryside from within the site. The Inspector in her final report on the Local Plan also advised that *“... built development of the eastern parcel will limit openness at this edge of the town, but the surrounding road network, trees and hedgerows strongly bound the site, and will contain urban sprawl or encroachment into the countryside. Sensitive layout and design of the development will mitigate the visual impact.”*
- 4.11 The County’s Landscape Character Type assessment advises that the application site falls within the ‘Sandstone Estatelands’ Character Type, which includes the following key characteristics: arable land use; hedgerow boundaries to fields; planned enclosure pattern with straight roads and field boundaries; and rolling topography. The submitted landscape strategy shows that the existing boundary hedgerows would be retained, and your Officers consider that there would be opportunities to include hedgerows within the application site as part of the reserved matters application for landscaping.
- 4.12 The submitted Landscape and Visual Impact Assessment (LVIA) has taken account of Heritage Assets such as Listed Buildings (those within the West Midlands Safari Park and along Kidderminster Road) and the nearby Conservation Areas in that they contribute to the overall present-day landscape character, context and setting of an area.
- 4.13 Having considered the surrounding landscape the layout of the site incorporates a strategy for green infrastructure and open space that responds to the landscape context. The approach provides a robust interface between the settlement edge and the wider countryside to the east which includes the retention of the existing hedgerow and trees along the south-eastern boundary (adjacent to the A456); retention of a set back to the Kidderminster Road, provision of a substantial area of public open space in the northern tip of the site to maintain a sense of openness with the inclusion of additional landscape and an attenuation basin, retaining a stand-off of built from to the route of the public footpath to the west, incorporating open space and landscape proposals in this area to create an interface with this route and providing a connection into the public footpath to the west to create local access and enhance connectivity.
- 4.14 The LVIA concludes that overall, the context provided by the existing settlement edge and the combined screening effects of topography, and existing vegetation and built form means that the effect on landscape character and local visual amenity would be very limited in scale and therefore, the proposed development is acceptable in landscape and visual terms.
- 4.15 The proposed development of 79 dwellings on this existing open field will no doubt result in change in the landscape due to the urbanising effect of the proposed development. The WCC Landscape Advisor raised no objection to the proposals providing the future management of the boundary trees is safeguarded (to reduce any

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risk that shading caused by the proximity of trees will removal of these trees in the future by new occupants). Discussions took place with the applicant following initial comments from the WFDC Landscape Officer which secured amendments to the proposed species (of hedgerows and trees) proposed on site. No objection was raised subject to a condition requiring a LEMP with accompanying method statement to detail the creation and establishment of semi-natural habitats, public open space, trees, hedgerow and scrub planting.

- 4.16 Your Conservation Officer raised no objection to the proposals, and generally agreed with the conclusions of the LVIA. The development will certainly impinge on views towards Maypole Piece from the east but not to the extent that this causes tangible harm to the Conservation Area. Similarly, whilst it might be possible to glimpse views of All Saints Church Wribbenhall from the same direction in reality there is again no tangible impact. Views from both Maypole Piece and All Saint's Church will inevitably include the proposed new development but it is somewhat distant and due to the topography does not interfere with the wider ranging views to the east towards the Safari Park and the former parkland around Spring Grove.
- 4.17 Your officers concur with the Conservation Officer views and are satisfied that the proposals, together with the imposition of conditions recommended above will ensure limited harm to the landscape character and setting of heritage assets, in accordance with Policies SP.22, DM 23 and SA.B3 of the Local Plan and the Framework.

DENSITY, DESIGN AND PROPOSED RESIDENTIAL AMENITY

- 4.18 The development density based upon a developable site area of 3.53 hectares equates to 23 dwellings per hectare. Policy SP.9 'Housing Density and Mix' anticipates new greenfield developments to have a minimum density of 35 dwellings per hectare and Policy SP.28 requires 40% green infrastructure on greenfield sites over 1 hectare. The number of dwellings proposed on the site has been reduced to take account of the tree belt along the Kidderminster Road, and to provide an open aspect into the entrance into the town along the eastern most edge, close to the roundabout, as required by the allocation policy SA.B3, as well as being able to provide full amount of Green Infrastructure on site. Although the net density falls below the minimum set out in the Policy SP.9, your officers consider the proposals to be acceptable, with a well designed layout specifically taking account of its location at the entrance to the town and in order to respond to local character.
- 4.19 Policy DM.24 of the Local Plan states that all development will be expected to be of a high design quality. It will need to integrate effectively with its surroundings, in terms of form and function, reinforce local distinctiveness and conserve, and where appropriate, enhance cultural and heritage assets, landmarks and their settings. The design objectives of the Local Plan are reflected in the Framework, which also requires high quality, beautiful and sustainable buildings and places and developments that are sympathetic to local character and history (paragraphs 126 and 130).
- 4.20 Discussions have taken place with the applicant since September 2020, prior to the adoption of the Local Plan. A scheme for 88 dwellings was submitted as a pre-application enquiry for 88 dwellings. The applicants have taken on board comments made by officers during this process which has essentially resulted in a softer, more

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organic layout to better reflect the urban grain of the local area. The proposals have evolved to also take into account the specific requirements of the policy of the since, allocated site.

- 4.21 The design and external appearance of the houses proposed would provide variety, visual interest and well designed houses. The proposed building and hard-surfacing materials, boundary treatment and layout of roads would ensure that the development creates a distinctive place that people can navigate around easily and through the site.
- 4.22 The site layout provides acceptable perimeter development blocks, with all dwellings having a direct road frontage to ensure a high level of natural surveillance of the public realm, including the children’s play area and the recreational footpaths and all rear gardens would be fully enclosed and secure. A mix of car parking layouts is proposed to ensure the street scene is not overly dominated by frontage parking. I note that there are several cul-de-sac roads provided and that Building for Healthy Life Design Toolkit (published by Urban Design Group) seeks to move away from developments that have entirely cul-de-sac arrangements. However, it is not considered that this choice of road layout would fail to provide a permeable development given that there are two recreational footpaths running through the site which allow pedestrian movement and which connect the site to the public footpath to the west. It is therefore considered that the proposals would provide a well-designed development, in accordance with Policies SP.13, SP.29, SP.37, DM.24 of the Local Plan and Paragraphs 126 – 132 of the Framework.
- 4.23 Members should be aware that the brick wall along Kidderminster Road is unstable, and the applicant has advised that it has become a health and safety hazard. Whilst parts of the wall will be retained where possible, some parts may have to be removed prior to the determination of the proposals. The applicants will endeavour to save as much of the original wall as possible and will re-use the bricks to reinstate if this is practicable. It is recognised that the Bewdley Civic Society considers that this brick wall has historic value, however, it should be noted that this wall is not locally or statutory listed and could be removed at anytime. Notwithstanding this, the applicant agrees that the brick wall should be preserved and have agreed to a planning condition to require the brick wall to Kidderminster Road boundary to be reinstated in either reclaimed bricks or bricks of a close match in appearance and texture in order to preserve the visual amenity along this part of Kidderminster Road.
- 4.24 The proposed development incorporates a mix of dwelling sizes and affordable housing provision that accords with Policy SP.10 of the Local Plan to ensure a well-balanced and inclusive community is created. It would result in the provision of 22 affordable dwellings (6, shared ownership and 16 social rent), 2 custom build plots and 55 open market homes providing a mixture of 1,2,3 and 4 bedroom homes which will meet the need of the local population. The applicant has advised that 82% of the proposed dwellings would accord with Policy SP.13 of the Local Plan which requires at least 20% of the total housing provision to be designed as accessible and adaptable dwellings (in accordance with Building Regulations Part M, Category 2 M4(2)). The applicant has confirmed that electrical vehicle charging points, rainwater butts and efficient gas condensing boiler with confirmed NOx emissions of 40mg/kWh will be provided for every dwelling within the application site and that all dwellings without a garage would be provided with a garden shed for cycle storage. In addition, the

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proposed scheme includes the provision of PV panels capable of generating 10% of the predicted energy requirements, in line with Policy SP.37 requirements. Planning conditions are attached to secure this provision as well as conditions to ensure the development is designed to be water efficient in accordance with Policies SP.29 of the Local Plan and that all dwellings are provided with electric vehicle charging points and low emission boilers in accordance with Policy SP.37 of the Local Plan.

- 4.25 Amendments have been made to ensure all residential dwellings would have a minimum garden depth of 10 metres to ensure adequate outdoor garden space is provided for all family size dwellings, and to protect the amenity of occupiers of existing dwellings along Kidderminster Road. I note that the proposed dwelling on plot 32 is positioned immediately adjacent to neighbouring gardens and to protect the privacy of these gardens, a planning condition is attached to prevent side facing windows being installed. Internally, all dwellings would have acceptable room sizes and internal layout and all habitable rooms would have a window for natural daylight. It is considered that the development would provide an acceptable living environment for future occupiers.
- 4.26 A noise assessment was undertaken to support the planning proposals and it predicts that external noise levels in parts of the garden areas of plots 45-50, adjacent to the A456, would be above 55dB during the daytime which is considered to be a significant adverse impact. Further noise modelling was undertaken which has resulted in a redesign of the scheme and an updated noise assessment which now proposes to mitigate the noise levels to these 6 plots by installing a 2.5 metre acoustic barrier on top of retaining wall to the rear boundaries, which would be set back behind greenery and would be painted green to help minimise its visual impact on the A456. Worcestershire Regulatory Services raise no objection subject to conditions to secure the recommended mitigation. Your officers consider this mitigation to be acceptable to ensure an acceptable outdoor amenity space can be provided to plots 45-50 and subject to a requirement for the acoustic barrier to be painted green would not harm the wider landscape character. A condition to secure this mitigation measure is attached.

CUSTOM BUILD PLOTS

- 4.27 Under section 1 of the Self Build and Custom Housebuilding Act 2015, local authorities must keep a register of those seeking to acquire serviced plots in the area for their own self-build and custom house building. Local Planning Authorities are also subject to duties under sections 2 and 2A of the Act to have regard to this and to give enough suitable development permissions to meet the identified demand. Local Plan Policy SP.12 advises that all major developments of fifty or more units should take into consideration the demand shown in the Self-Build and Custom-Build Register and where possible provide suitable plots. Following discussions with the applicant, they have agreed to provide two custom-build plots within the site and this level of provision has been agreed with the Community Led Housing Co-ordinator and would be secured through the Section 106 Agreement.

BIODIVERSITY

- 4.28 Local Planning Authorities have a duty to have regard to conserving biodiversity as part of decision making of planning applications. Policy SP.23 'Protecting and Enhancing Biodiversity' and Paragraphs 174(d) and 180 of the Framework all require

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new developments to deliver measurable net gains in biodiversity through the promotion and re-creation of priority habitats, ecological networks and the protection and recovery of legally protected and priority species populations and to minimise, avoid or at the last resort compensate for the loss of biodiversity.

- 4.29 In terms of biodiversity net gains, following concerns raised by both the Wildlife Trust and your Countryside and Technical Services Manager that the original BNG was negligible a revised DEFRA biodiversity metric was submitted which demonstrates that the proposals would achieve Biodiversity Net Gain on the land to the west of the application site which falls within the applicant ownership and is intended to be landscaped with new tree planting. Your officers concur with the Countryside and Technical Services Manager that the proposed development has demonstrated that measurable net gain in biodiversity can be achieved and that agree that a LEMP can be required by condition as the most appropriate mechanism to secure the measures identified are realised on site. The proposals therefore comply with Policy SP.23.
- 4 30 With regards to potential harm to protected species, the application is supported by an Ecological Appraisal which assesses the likely impact of development of the site on Bats, Badger, Dormouse, Water Vole and Otter. Impacts on hedgehog, Wood Mouse and Fox were also considered.
- 4.31 In relation to bats, the assessment confirms that there are two bat roosts on site which will likely be impacted upon by the proposed development. The ecology report advises that a detailed mitigation strategy/method statement will be required prepared as part of the Natural England licence. Your Countryside and Services Technical Manager considers that the loss of these features is unlikely to have a strategic impact on bat populations and that mitigation for the loss of these features should require a bat mitigation strategy to be prepared pre-commencement. The report also identifies that light spill onto retained and newly created habitat will be minimised to reduce potential impacts on light sensitive bats and other nocturnal fauna (such as the badger). A condition is therefore considered appropriate to secure a lighting report to ensure light sensitive wildlife can cross the development.
- 4.32 Due to the fact that Badger are dynamic animals and levels of Badger activity can rapidly change it is recommended that an update survey is carried out prior to commencement of site works. The ecology report revealed no records of Water Vole or Otter within or adjacent to the site and it concludes that these species are likely to be absent from the site.
- 4.33 In relation to Great Crested Newts (GCN), original survey work undertaken in 2020 recorded the presence of GCNs in a single waterbody (P2) located approximately 205m south-east from the site. Further survey work was undertaken in 2021 for ponds P2, P5 and P6 In Summary the survey returned negative result within P2, P5 and P6 but a positive result for GCN from the offsite pond P2. However, as waterbody P2 is approximately 205 metres from the site at its closest point and is separated by substantial tracts of land within the safari park, the main Kidderminster Road is located along the entirety of the site boundary in this direction and likely to act as a significant barrier to newts accessing the site.

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- 4.34 Slow Worm, Grass Snake and Common Lizard were also recorded within the wider survey area under the applicant's ownership. As such, the report recommends that mitigation measures will be implemented, to include a translocation of any reptiles utilising the site prior to works commencing. This precautionary mitigation strategy will also be appropriate for GCNs, should any be encountered during site works. The Countryside and Services Technical Manager is satisfied with this approach and conditions and your officers concur with this view.

TREES

- 4.35 The application has been submitted with an Arboricultural Impact Assessment (AIA) which advises that some of the trees on site are protected by an area TPO (TPO17). Sixteen trees, out of the 118 trees on site, will have to be removed to provide a suitable drainage and attenuation pond, appropriate road access into the site from Kidderminster Road and to reconcile the gradient of distribution roads within the proposed development. Other tree removals are necessary due to Ash Dieback (not to benefit the development). T1294 Sycamore was significantly damaged by Storm Arwen in early 2022 necessitating removal of the remnant parts. In recognition of the desire and requirement to retain trees, some works will take place close to or within root protection areas and so tree protection is considered crucial. New planting is proposed to mitigate tree loss and enhance the design in keeping with the existing landscape. Your Arboriculture officer raises no objection to the proposals and is satisfied with the AIA. Your officers concur with this view and have attached relevant conditions in relation to tree protection measures required.

HIGHWAY SAFETY

- 4.36 Local residents have raised significant concern about the impact of this development on traffic congestion and free flow of traffic along Kidderminster Road and around the traffic island to the east of the site. Residents are concerned that the traffic generated by the proposals, in addition to existing traffic levels and recently approved development with the Triangle, would exacerbate the existing traffic and parking issues in the locality and potentially increase road accidents. Local residents believe the supporting information submitted with the application was undertaken at sub-optimal times of the year – some stating that surveys were conducted during recent Covid-19 lockdowns and so the information on traffic flows is incorrect.
- 4.37 The application is accompanied by a comprehensive Transport Assessment which provides details on accident data and a summary of the detailed junction capacity assessments which have been undertaken to understand the impact of the development proposals on the operation of the local highway network. Surveys of the A456/B4190 Kidderminster Road roundabout and B4190 Kidderminster Road/Habberley Road priority junction were carried out on 31st March 2021 during the network AM peak and PM peak. It is fully recognised that the results may have been affected by Covid-19 restrictions in place at the time of the survey and so it was agreed with the Highways Authority that historical traffic surveys on the approach to each junction in the survey area; growth historical traffic surveys to 2021 could be used to compare with the gathered surveys from 2021. Analysis showed that on some arms there had been a decline in traffic levels in 2021, however, on other arms there had been an increase. Traffic flows from all committed developments in the local area as well as any other allocated sites in the Local Plan were included in the assessment. The TA demonstrates that the proposed development will not have a severe impact on

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the operation of any of the junctions within the vicinity of the site. No mitigation is deemed necessary to make the development acceptable from a highways' standpoint.

- 4.38 The Highways Authority raise no objection to the proposals. A full review of the TA was undertaken where some concern was raised. This resulted in a Technical Note being provided by the applicant together with an RSA which identified one minor issue involving the uncontrolled pedestrian crossing on Kidderminster Road – this resulted in a recommendation to relocate the crossing closer to the development access. The site access and on-site crossing provision has been amended and visibility in both directions is achievable without obstruction. The Highway Authority is satisfied with the improvements made by the applicant and that all vehicles can navigate safely within the site and that all tracking concerns have been dealt with.
- 4.39 All plots have cycle parking to meet standards set out within the WCC Streetscape Design Guide, in either the form of a garage or shed.
- 4.40 The applicant has confirmed that a safe pedestrian crossing, suitable for disabled access will provide a direct route to bus stops on Kidderminster Road and Habberley Road. The design will be subject to RSA and once undertaken, the results along with the Designer's Response will be submitted to the Highway Authority for review. Your officers concur with the views of the Highways Authority that there would be no cumulative residual severe impact on the impact of the local network.
- 4.41 In terms of accessibility, the Planning Inspector in her final report on the Local Plan stated at paragraph 175 that the site is "*in a sustainable location with reasonable access to services and facilities.*" The Transport Assessment demonstrates that the site is well connected to the existing pedestrian network; well located for travel by bus; that there is a variety of key amenities within preferred maximum walking and cycling distance.
- 4.42 In order to maximise the use of the public bus services the applicant has agreed to the financial contributions to fund an extension of the existing bus service from Kidderminster Bus Station to Bewdley on weekdays; to establish Community Transport service for residents with mobility impairments and towards improvements to bus stops on Habberley Road. In addition to the above, a condition is also recommended requiring a CEMP to be prepared and submitted for approval, setting out the proposed hours of operation, routing, access proposals and site details. The development accords with Paragraphs 110(a) and 112(a) of the Framework which advise that developments should ensure that appropriate opportunities to promote sustainable transport modes are taken up given the type of development and its location and to give priority first to pedestrians and cyclist and to ensure appropriate facilities are provided that encourages public transport use.

FLOOD RISK AND DRAINAGE

- 4.43 Some concern has been raised by local residents in relation to flooding, and that the proposals will exacerbate flood risk around the Riddings Brook and that the additional dwellings proposed will impact upon water drainage and sewage facilities at the pumping station, which is already at capacity since new houses in the Threfall Drive development.

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- 4.44 A Flood Risk Assessment, Drainage Strategy and Flood Risk Addendum were submitted with the planning application, the latter to address comments made from North Worcestershire Water Management. This document makes it clear that the Riddings Brook and its floodplain are located within the western parcel, which will remain undeveloped under these proposals. No flooding to new or existing properties within the area will occur as a result of the proposals. It confirms that the infiltration basin and cellular soakaway have been designed to technical standards for SuDS.
- 4.45 The North Worcestershire Water Management Officer raises no objections to the proposals based upon the new information received and there would be no reason to withhold approval of the application on water management or flood risk grounds, subject to the imposition of safeguarding conditions requiring the submission of a surface water drainage strategy, future maintenance plan, construction surface water management plan.
- 4.46 Severn Trent Water also raise no objection to the proposals but suggest a condition be imposed on any approval requiring the submission and approval of plans for the disposal of foul and surface water. The Environment Agency were consulted and did not wish to make any comment.
- 4.47 The development would accord with Policy SP.32 of the Local Plan and Paragraphs 152, 167 and 169 of the Framework, which require major developments to incorporate sustainable drainage systems and to ensure that vulnerable development is located in areas of lowest flood risk and that developments do not increase flood risk elsewhere.

OTHER MATTERS

- 4.48 The applicant has agreed to provide and maintain a defibrillator in perpetuity on site and this would ensure the health of future occupiers and benefit the local community.

PLANNING BALANCE

- 4.49 Section 38(6) of the Planning and Compulsory Purchase Act 2004 and section 70(2) of the Town and Country Planning Act 1990 require planning applications to be determined in accordance with the development plan, unless material considerations indicate otherwise.
- 4.50 The site is allocated for housing and is situated in a sustainable location with access to a range of facilities by walking, cycling and by regular local buses. The benefits arising from the development would be significant including the provision of housing on an allocated site, together with 20 affordable dwellings and 2 custom build plots. The development would deliver public open space as well as a children's natural play area which would not only benefit future occupiers of the development but also the wider community. The development would also support the local economy during both the construction and operational phase and would deliver measurable gains to biodiversity and include energy saving measures.
- 4.51 There would be limited net harm to the landscape character in the short-to-medium term however this impact would reduce over time as the planting matures, but some harm would still occur in the long-term arising from the permanent loss of countryside and the visual impact of the two-story buildings located in the site. Given the retained tree belt and proposed public open space along the eastern boundary, closest to the

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traffic roundabout, it is considered that the overall harm to the landscape character to be limited.

4.52 It is therefore considered that the proposed development would accord with the development plan as a whole.

PLANNING OBLIGATIONS

4.53 The legal tests for when a s106 obligation can be used are set out in regulation 122 and 123 of the Community Infrastructure Levy Regulations 2010 as amended and Paragraph 57 of the Framework. The tests are that an obligation must be:

- necessary to make the development acceptable in planning terms
- directly related to the development; and
- fairly and reasonably related in scale and kind to the development

4.54 The Council's Cabinet report, dated 16th September 2020, sets out the priorities for Section 106 planning obligations for sites where there is a shortfall in meeting the costs of all obligations following a viability assessment. It was agreed that the Council will prioritise in the following order:

1. On and/or off site infrastructure necessary to make the development acceptable
2. Affordable housing
3. Open space and recreation
4. Education
5. Other stakeholder contribution requests such as infrastructure costs associated with health provision or the police

4.55 The applicant has agreed to enter into a Section 106 agreement to secure the following planning obligations to make the development acceptable in planning terms which also meet the tests as set out in Paragraph 55 of the Framework and Regulation 122(2), these are:

- Highways infrastructure

£60,000 to fund extension of existing bus service from Kidderminster Bus Station to Bewdley on weekdays;

£4,500 to establish Community Transport service for residents with mobility impairments; and

£5,000 to improve bus stops on Habberley Road

The applicant has agreed to use the WCC Personalised Travel Planning Service, at a cost of £220 per dwelling.

WCC Monitoring fees that are applicable at the time of the signing of the S.106 agreement.

This planning obligation accords entirely with Policy SP.27 of the Local Plan.

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- Affordable Housing Provision

20 dwellings would be provided as affordable with a tenure split of 14 social rent and 6 shared ownership

This provision accords entirely with Policy SP.10 of the Local Plan.

- Education

£144,496 for early years;
£415,462 for primary;
£72,248 for SEND

WCC Monitoring fees that are applicable at the time of the signing of the S.106 agreement.

This planning obligation accords entirely with Policy DM.6 of the Local Plan.

- Worcestershire Clinical Commissioning Group (CCG)

£30,291 towards additional primary healthcare services

This planning obligation accords entirely with Policy DM.6 of the Local Plan.

- Green Infrastructure and Biodiversity Management

A management company to maintain all landscaping areas outside of private residential plots, including the following:

- a. SuDS subject to SuDS management plan
- b. Defibrillator
- c. LEAP (local equipped area of play) subject to management plan
- d. Non-domestic boundary treatment including brick wall to Kidderminster Road and all other non-domestic boundary treatments and enclosures
- e. All landscaping areas outside of private residential plots including unadopted public footpaths and on-site habitat areas subject to on-site LEMP
- f. Land to be delivered as off-site biodiversity net gain and proposed unadopted public footpath located within the western parcel of land (which falls within the same ownership as the applicant and demarked by a blue line boundary) for the lifetime of the development subject to the off-site LEMP

This provision accords entirely with Policies SP.21, SP.23, SP.27, SP.28, SP.31, SP.32, DM.7 and DM.8 of the Local Plan.

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- 2no. Custom-build plots (Plots 43 and 44 of the Proposed Site Plan)
 - a. As defined by the Self-Build and Custom Housebuilding Act 2015 (as amended by the Housing and Planning Act 2016)
 - b. Subject to: Marketing Strategy giving priority to those on the Council's register for custom-build plots in the local area; Design Code with plot passports; Fully serviced plots to be provided; and requirement for the purchaser to occupy the plot for at least 3 years

This provision accords entirely with Policy SP.12 of the Local Plan.

- Off-site Public Open Space
 - a. £33,500 contribution towards improvements, enhancements and provision at Riverside Meadows (relating to the following three council owned areas: Hacketts Meadow and Gasworks Meadow on the town side of the river and Maggs Meadow), Bewdley

This provision accords entirely with Policies DM.7 and DM.8 of the Local Plan.

- Monitoring Fees

WFDC monitoring fees in accordance with the s.106 Monitoring Fees Schedule (adopted October 2022) that are applicable at the time of the signing of the S.106 agreement.

5.0 Conclusion and Recommendations

- 5.1 The site is allocated for housing and the proposed layout has been informed by local character and context. It will provide a varied mix of open market, affordable and custom build homes to meet the housing needs of this and the future generation.
- 5.2 The Highway Authority have undertaken a robust assessment of the application and have raised no objection in terms of highway safety and do not consider that the residual cumulative impact on the road network would be severe. The internal road layout complies fully conform with the WCC Streetscape Design Guide and will be adopted by the County. It would provide a safe environment for all road users and the vehicular access is off Kidderminster Road in accordance with the site allocation requirement (Policy SA.B3). The new public open space including a new children's play area would not only benefit future occupiers but also the wider community. The development would connect into the adjoining public right of way and promote active lifestyles and sustainable modes of travel.
- 5.3 The overwhelming public benefits of the development would outweigh the minor impact on landscape character. The loss of the open agricultural fields to housing development would result in minimal harm to landscape character, however, the degree of harm would be reduced in the long term when the new tree planting matures. It has also been accepted by consultees that suitable mitigation can be provided to ensure residential amenity to future occupiers can be safeguarded by the

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provision of an acoustic fence, and that measurable biodiversity net gains can be achieved. The planning system should be genuinely plan-led and as the application relates to a site allocation for housing and would not result in any identified harm, it is considered that the proposals would represent sustainable development and would accord with the Wyre Forest District Local Plan as a whole.

5.4 It is therefore recommended delegated **APPROVAL** subject to;

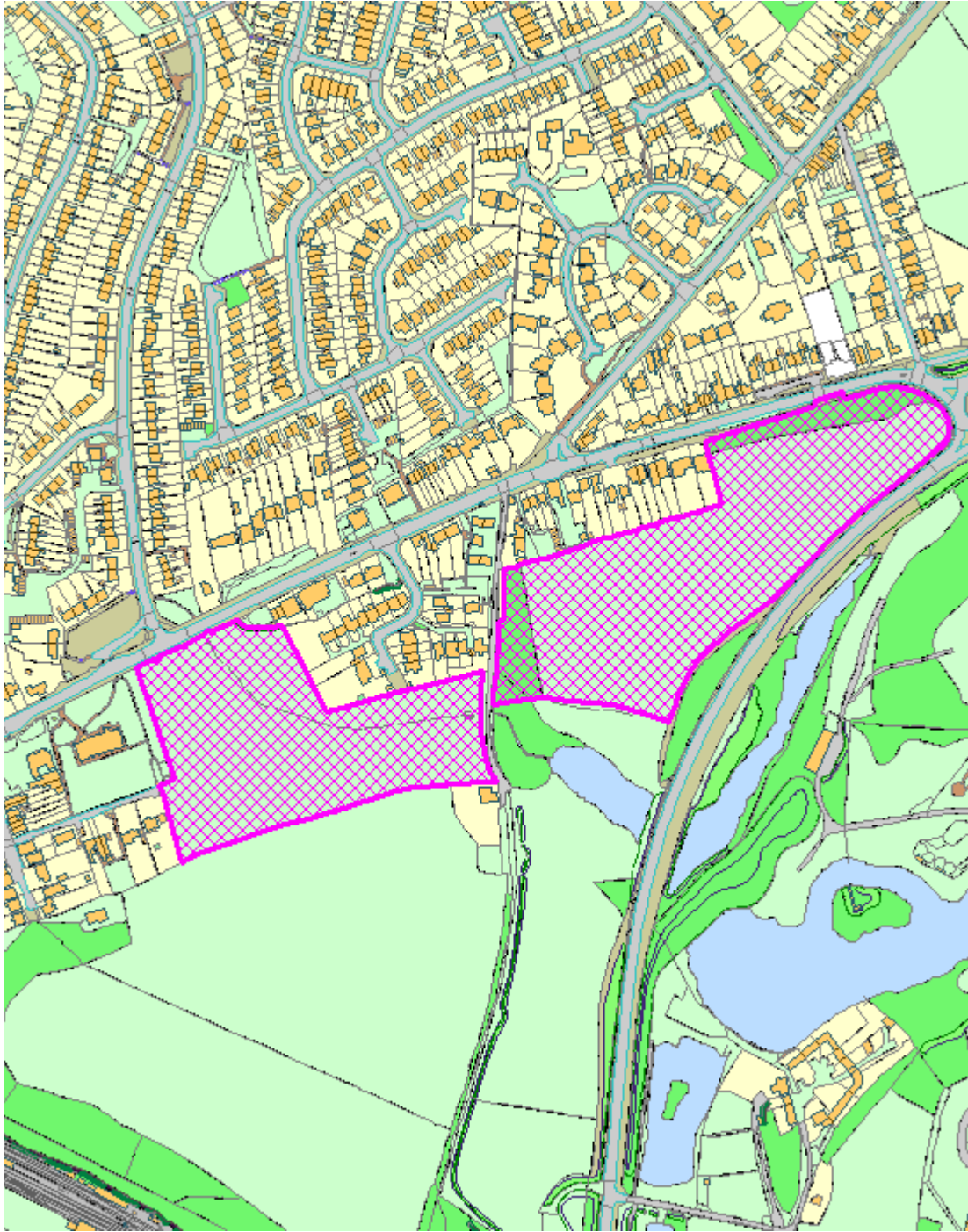
- a) The signing of a S.106 agreement as set out at paragraph 4.55; and
- b) The following conditions;
 1. 3-year Time Limit
 2. Require external materials and hardsurfacing details
 3. Require boundary treatment details including acoustic fence for the plots closest to the A456 in accordance with the recommendations set out in the submitted Noise Assessment and replacement brick boundary wall to Kidderminster Road
 4. Require site and finished floor levels, including details of any retaining walls
 5. Implementation of Landscaping Scheme
 6. Play Provision (LEAP)(minimum costs £40,000) Implementation and Management/Maintenance Plan
 7. Require details of Defibrillator
 8. Retention of all identified retained trees and hedgerows
 9. Construction Environmental Management Plan (Noise)
 10. Electric Vehicle Charging Provision
 11. Secure Cycle Storage
 12. Low Emission Boilers
 13. Rainwater butts
 14. Details of provision of PV Panels that accords with the recommendations set out in the submitted Sustainability Statement
 15. Require water efficient measures
 16. Provision of M4(2) dwellings
 17. Construction Environmental Management Plan (CEMP - Biodiversity) to include:
 - a. Implementation of Tree Protection Fencing and Pre-start meeting with Council's Arboricultural Officer
 - b. Amphibians survey prior to vegetation and ground clearance and relocation by hand if any are found during construction
 - c. Vegetation clearance to be undertaken outside of bird nesting season
 - d. Mitigation measures to avoid harm to nearby SSSI
 18. A walkover badger survey and scheme of mitigation if required
 19. Scheme of ecological mitigation and enhancement measures (Bat, Otters, Reptiles, Great Crested Newts) including a revised BNG calculation and landscaping plan for land to west of application site
 20. To require external lighting scheme

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21. Landscape Environmental Management Plan (LEMP) including management/maintenance/monitoring of soft landscaping and on-site habitats and enhancement measures and biodiversity monitoring strategy for dormouse
22. Off-site Landscape Environmental Management Plan (LEMP) to cover land to the west of the application site, demarked by a blue boundary, and to include extent of land required to offset the biodiversity net gain from the development parcel and monitoring/management for a minimum period of 30 years and provision of a footpath through the site, connecting Wheatcroft Avenue to the existing PRow.
23. Scheme for Surface Water Drainage Strategy
24. SuDS Management Plan
25. Construction Surface Water Management Plan
26. Details of disposal of foul and surface water
27. Written Scheme of Investigation for Archaeology implementation
28. To require highway lighting details
29. Construction Environmental Management Plan (Highways)
30. Access and Parking arrangements
31. Visibility Splays
32. Removal of Permitted Development Rights for future boundary treatment forward of the principle elevation of any dwellinghouse
33. To require details of screening for any substation or pumping station to be installed
34. A revised noise assessment / technical note to demonstrate that the glazing/ventilation products will meet the recommended sound insulation specifications of the originally submitted noise assessment for approval.
35. List of approved plans

NOTES

- Section 106 Agreement
- Inform developer that battery storage is necessary for dwellings with PV solar panels
- Severn Trent Water – Aqueduct
- Public Right of Way obligations
- No construction work outside the hours of 0800 and 1800 Mondays to Fridays and 0800 and 1300 hours on Saturdays
- No burning of any material during construction and site preparation works
- WFDC Waste and recycling collection
- Alteration of highway
- Section 278 Agreement
- Section 38 Agreement
- Drainage Details for Section 38
- Protection of Visibility Splays
- Works adjoining highway
- Temporary Direction Signs to housing developments
- Construction Environment Management Plan



Economic Prosperity and Place Directorate

Land On The South Side Of Kidderminster Road Bewdley Worcestershire

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PART A

Application Reference:	22/0415/FUL	Date Received:	19.05.2022
Ord Sheet:	378927 275354	Expiry Date:	14.07.2022
Case Officer	Julia Mckenzie-Watts	Ward:	Wribbenhall And Arley

Proposal: Reinstatement of existing kiosk to serve refreshments with outdoor seating area

Site Address: Land Adjacent, 11 Stourport Road, Bewdley, Worcestershire, ,

Applicant: Mr K Millman

Summary of Policy	DM23 DM24 SP20 SP27 SP31 Design Guidance SPD National Planning Policy Framework Planning Practice Guidance
Recommendation	Delegated Approval
Reason for referral to committee	Objector has registered to speak

1.0 Planning History

No relevant planning history.

2.0 Consultations Responses

2.1 Bewdley Town Council – Awaiting comments.

2.2 Bewdley Civic Society- No objection and support any enterprise that enhances the facilities available to residents and visitors. The applicant clearly feels that this application has the potential to fulfil this aim and we welcome such an initiative. However, we also agree with many of the comments made by the objector on behalf of the Millside Residents Ltd. We see potential problems with noise, litter and unauthorised parking. These issues should be addressed before the application is approved. In conclusion, the society is adopting a neutral stance.

2.3 Highway Authority – No objection.

2.4 Crime Risk Manager - No objection.

2.5 WCC Archaeologist - No objection.

2.6 North Worcestershire Water Management Officer – No objection and recommends that two informatives are attached.

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It is advised that this site is located within an area believed to be at risk of flooding from the River Severn. The kiosk has not been in use for a number of years and therefore no records are held, however, the North Worcestershire Water Management team are aware that nearby properties have flooded internally in recent years. The proposed use would be classed as 'less vulnerable', which is acceptable in flood zones 2 and 3a. In line with the National Planning Policy Framework, it is considered that the sequential or exception test will not need to be passed. A site-specific flood risk assessment (FRA) was submitted with this application (Geosmart, April 2022). This FRA details the risk of flooding and includes suggested flood mitigation measures. To quantify the risk of flooding for the site modelled flood data were obtained from the Environment Agency. These levels were adjusted for climate change using the nominal allowance detailed in the latest Environment Agency guidance. This way it has been determined that the design flood level for a 1 in 100 year event would be 22.84 m AOD (22.24 m AOD + 600mm nominal climate change allowance). The FRA details that during this event, flood depths in the area proposed for development could be up to 1.40 m. This is a worse case estimate based upon lidar ground levels for the site varying between 21.44 to 22.43 m AOD. It is regretful that the finished floor level of the kiosk, which is to remain unchanged, have not been determined. It is noted that the STW sewer map lists the cover level of a manhole adjacent to the site as 21.22 m AOD.

The FRA lists a series of flood mitigation measures and that drawing 4204-02A has listed the following measures:

- Floor to be quarry tiled with tiled skirting
- Counter to be set 900mm above finished floor level
- All electrical sockets and light switches to set 1050mm above finished floor level.
- Any fridges to be above countertop.
- All walls to be tiled.

As we do not know the actual finished floor level it is not clear whether the raised counter, fridge and electrics will be elevated above the design flood level of 22.84 m AOD. Given the site's location in a flood zone, an Environmental Permit may be required from the Environment Agency for certain works. It is noted that the Environment Agency have been consulted upon this application directly, so they may comment upon this.

If not, then it is recommended that the following informative is attached:

"The applicant is advised to contact the Environment Agency to discuss the need for an Environmental Permit. An Environmental Permit may be required for works in, under, over or near a main river (including where the river is in a culvert), works on or near a flood defence or for works in the flood plain of a main river"

In addition, it is also recommended that the following informative is attached:

"The application site is at risk of flooding from the Severn. Future users are therefore strongly advised to sign up to the free Floodline Warning Direct service via www.gov.uk/sign-up-for-flood-warnings or by calling the Environment Agency's Floodline on 0345 988 1188 and to construct a business Flood Emergency Plan covering place of refuge, flood evacuation and safe access and escape routes for the property."

I believe that there would be no reason to withhold approval of this application on flood risk grounds.

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- 2.7 Environment Agency – No comments received.
- 2.8 WFDC Arboricultural Officer – No objection.
- 2.9 WFDC Conservation Officer – No objection. It is advised that the repair and reinstatement of the kiosk building will enhance the appearance of the Bewdley Conservation Area at this location. The provision of external seating to a grassed area as described in the application documentation does not in itself cause harm to the character and appearance of the Bewdley Conservation Area.
- 2.10 Countryside and Technical Service Manager – No objection subject to the inclusion of conditions. The proposal would use the front part of the site and the grassed area would be retained for seating with no change to the surface of the land and therefore no impact on the trees or vegetation on the site. As no works are proposed to the existing kiosk there will be no impact on any ecology. However, as a precautionary measure, a condition is recommended to require a bat survey to be undertaken should any vegetation be removed to facilitate the development.
- 2.11 Worcestershire Regulatory Services (Noise Nuisance Officer) – No objection. The application does not appear to be proposing any external plant / equipment and therefore I have no objection to the application in terms of noise.
- 2.12 Neighbour/Site Notice Representations – 1 letter of objection received from a nearby occupier and their objection is summarised as follows-
- Not in keeping with a residential area and if granted would generate serious issues with noise and litter pollution
 - Numerous trees have been felled on the land increasing noise pollution to adjacent properties
 - Conservation Area
 - Historically this site was the burial ground for the church nearby.
 - Ecological issues regarding bats
 - Highway safety issues as drivers of vehicles would be tempted to pull in and use the kiosk. Stourport Road is a very busy road and is double yellow lined outside the proposed kiosk, however we have numerous instances of parking on the road
 - No information about opening hours
 - No toilet facilities
 - No alcohol or licence should be permitted

[Officer comments – The applicant has confirmed that the opening hours of the kiosk would be between 10am and 3.30pm seven days a week and that refuse and litter bins would be provided to ensure no litter issues]

3.0 Site Location and Description

- 3.1 The application site measures 0.0152 hectares in total site area and comprises a derelict and vacant single storey building and open land. It is located on the northern side of Stourport Road, within close proximity to the Stourport Road/Kidderminster Road junction (also known as Beales Corner), within Bewdley. The site is adjoined to

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the west by a public footpath (No. 32) and beyond is a vacant shop (which obtained planning permission in 2007 to be converted into a one-bed dwelling, under application 07/1038/FUL, however the planning consent was never implemented). Beyond the vacant shop (11 Stourport Road) and to the northwest and opposite the site are residential properties. To the north the site is adjoined by open space, with the public footpath and adjoining residential gardens beyond and to the east, the site is adjoined by a public car parking area in Westbourne Street.

- 3.2 The site is allocated for residential purposes and sited within the Bewdley Conservation Area and Flood Zones 2 and 3. The land is situated on a busy foot fall route between the Severn Valley Railway and the centre of Bewdley Town.
- 3.3 The existing kiosk building was once used for serving refreshments but has not been utilised in a number of years and the application seeks to bring the kiosk back into use with the provision of a small seating area to the side. Tables and chairs would be collected up and stored overnight in a secure timber garden secure shed to be erected to the rear of the grassed area. The outdoor seating area will be separated from the adjoining footpath by a 1-metre-high black hooped topped railing fence.
- 3.4 The kiosk would be staffed by one person and would serve refreshments by way of tea, coffee, soft drinks, ice cream, cakes etc with anticipated opening times to be between 10am and 3.30pm daily.

4.0 Officer Comments

4.1 The main considerations in the assessment of this application are:

- Policy Context and Principle of Development
- Design and Impact on Local Character
- Residential Amenity
- Historic Environment
- Biodiversity
- Trees
- Highway Safety
- Flood Risk

POLICY CONTEXT AND PRINCIPLE OF DEVELOPMENT

4.2 The proposal is to re-establish a former kiosk that would offer refreshments by way of tea, coffee, soft drinks, ice cream and cakes and would be open during the daytime only between the hours of 10:00 and 3:30. The site is situated in close proximity to the town centre of Bewdley and along a main pedestrian route between Bewdley Railway Station (Severn Valley) and the town centre. The National Planning Policy Framework (the 'Framework') states in paragraph 88 that when considering edge of centre and out of centre proposals, preference should be given to accessible sites which are well connected to the town centre. Applicants and local planning authorities should demonstrate flexibility on issues

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- 4.3 Policy DM.14 of the Wyre Forest District Local Plan goes onto state that before out of centre sites are considered the sequential approach must demonstrate why there are no suitable or available sites within the Primary Shopping Area in the first instance and then edge of centre sites. When edge of centre and out of centre locations are considered, sites which are accessible and well connected to the town centre will be preferable.
- 4.4 Policy DM.17 refers specifically to new Food and Drink Retailing and advises that development proposals involving the sale of food and drink must not have an adverse impact in terms of:
- Residential amenity;
 - Pollution by virtue of litter, noise or odour;
 - Crime and Disorder;
- 4.5 The proposed development seeks to reuse a vacant building that once operated as a kiosk selling refreshments. Whilst the site falls outside of the town centre of Bewdley, it is considered that due to the nature, scale and limited opening hours of the development that it would not result in significant trade and would not cause a detriment to the vitality and viability of the town centre. The site is well connected to the town centre and situated on a route that is heavily utilised by pedestrians travelling between the Bewdley Railway Station and the town centre. Officers are of the view that the proposed use is acceptable in principle and would accord with Policies DM.14 and DM.17 of the Wyre Forest District Local Plan subject to the following site-specific considerations.

DESIGN AND IMPACT ON LOCAL CHARACTER

- 4.6 Policies SP.20 and DM.24 of the Wyre Forest District Local Plan set out that it is important that all development within the district is expected to exhibit high quality design and to integrate effectively with its surroundings in terms of form and function, reinforce local distinctiveness and conserve where appropriate enhance cultural and heritage assets and their settings. New development should represent a positive addition to the streetscape. Policy SP.35 requires new development to incorporate adequate facilities into the design to allow occupiers to separate and store waste for recycling and recovery unless existing provision is adequate.
- 4.7 The kiosk is already in situ and is being brought back into use, the only new elements to the scheme are the provision of a grassed seating area to the side which will be demarked against the footpath by a new 1m high black hooped topped railings, a new litter bin and the erection of a timber shed which will house the tables and chairs at the end of each day. Officers consider that the development would have an acceptable design and would make a positive contribution to the character and appearance of the local area, in accordance with Policies SP.20, SP.35 and DM.24 of the Wyre Forest District Local Plan.

RESIDENTIAL AMENITY

- 4.8 The site falls close to the town centre and on a busy A classified road where ambient noise levels are generally higher compared to a residential suburb. Also, due to the nature of the proposed use customers are unlikely to be visiting the site for long periods of time to cause significant noise disturbance. Officers therefore consider that any seating and daytime use of the area for customers is unlikely to result in noise and disturbance to the detriment of neighbouring residential properties. The objections

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received in relation to noise, litter and parking and the concerns raised by Bewdley Civic Society have been taken into consideration, however, Officers do not consider that the proposed use of this scale and nature would result in significant harm to the amenity of neighbouring residents to warrant a refusal of the application. Conditions are recommended to restrict opening hours and to prevent external lighting and music being played at any time during opening times. The issue of litter has been addressed by the agent and a litter bin will be provided on site with all rubbish being removed from site at the end of each day.

- 4.9 Worcestershire Regulatory Services raise no objections in terms of noise nuisance and disturbance. A condition has been recommended to ensure no plant or equipment is installed in the future.
- 4.10 The proposal is therefore considered to have addressed all of the concerns raised by the Bewdley Civic Society and the neighbour and as such the proposal is considered to comply with the Wyre Forest District Local Plan in terms of impact on residential amenity.

HISTORIC ENVIRONMENT

- 4.11 The application site falls within Bewdley Conservation Area and the setting of listed buildings. Policies SP.21 and DM.23 of the Wyre Forest District Local Plan relate to safeguarding the historic environment and state that proposals likely to affect the significance of a heritage asset should be accompanied by a description of its significance in sufficient details to allow the potential impacts to be adequately assessed by a qualified and / or experienced heritage professional usually in the form of a heritage statement.
- 4.12 The repair and reinstatement of the kiosk building and erection of low level black hooped railing boundary treatment adjacent to the footpath will enhance the appearance of the Bewdley Conservation Area at this location and the provision of external seating and the erection of a small garden shed to store the seating would not in itself cause harm to the character and appearance of the Bewdley Conservation Area. Revised information has been received which shows that the tables and chairs are foldable and are to be put away at the end of each day in the adjacent shed to further reduce the impact on the Conservation Area.
- 4.13 The Council's Conservation Officer has raised no concern to the proposals and Officers concur with this view in that the degree of harm caused to the surrounding area resulting from the proposal would be minimal, but this is mitigated by the reuse of a vacant and derelict building and the design. Officers therefore consider that the proposal would comply with Policies SP.20 and DM.23 of the Wyre Forest District Local Plan and the National Planning Policy Framework. A condition is recommended to ensure that all tables and seating are to be removed when the kiosk is not in use.

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BIODIVERSITY

- 4.14 Policy SP.23 of the Wyre Forest District Local Plan requires all developments to deliver measurable net gains in biodiversity through the promotion and re-creation of priority habitats, ecological networks and the protection and recovery of legally protected and priority species populations. Paragraphs 174 and 185 of the Framework also seek to ensure that new developments minimise harm to biodiversity and achieve net gains.
- 4.15 The proposal would use the front part of the site and the grassed area would be retained for seating with no change to the surface of the land and therefore no impact on the trees or vegetation on the site and as no works are proposed to the existing kiosk there is unlikely to be any impact on ecology. The Council's Countryside and Technical Service Manager has offered a no objection subject to a bat survey being undertaken prior to any vegetation clearance of the site and a condition is attached accordingly. Officers consider that the proposals would not result in any harm to biodiversity and a condition is recommended to ensure biodiversity enhancements are delivered as part of the development, in accordance with Policy SP.23 of the Wyre Forest District Local Plan and the Framework.

TREES

- 4.16 The Council's Arboricultural Officer has visited the site and has noted that there are mature horse Chestnuts adjacent to the site, however as no ground disturbance is proposed there are no objections to the proposal. Officers are of the view that the development would not result in any harm to existing trees.

HIGHWAY SAFETY

- 4.17 Policy SP.27 of the Wyre Forest District Local Plan relates to Transport and Accessibility in the district and that to manage travel demand, proposals must demonstrate that:
- a. the location and layout of development will minimise the demand for travel;
 - b. they offer viable sustainable transport choices, with a particular focus on active travel modes with attractive and well-designed walking and cycling networks;
 - c. they address road safety issues; and in particular,
 - d. they are consistent with the delivery of the Worcestershire Local Transport Plan objectives.
- 4.18 It is envisaged that all potential customers would be passing on foot and therefore there would be no requirement for any parking. Due to the constraints of the site and the fact that it is a short walk from two public car parks located within the town and the proximity of the site to the railway station, no on-site parking is to be provided. It is proposed that 2 No. Sheffield cycle stands for 4 No. cycles are to be provided on a slabbed area to the side of the seating area. The one member of staff would be employed locally and therefore they would park in nearby Load Street or Westbourne Street public car park or be dropped off at the site.
- 4.19 The concerns raised by the neighbour regarding parking are noted however the site is in a sustainable location near to town centre facilities and public parking and there will be a good level of pedestrian footfall to and from Bewdley Station. In addition, there are parking restrictions on Stourport Road (B4195) to prevent parking on the

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carriageway. Similarly, Millside Court located opposite the site, is a private property and enforcement action would be possible if any unauthorised parking occurred at this property because of the proposed development.

- 4.20 No objection has been provided by the Highway Authority and Officers are of the view that the proposal would comply with Policy SP.27 of the Wyre Forest District Local Plan.

FLOOD RISK

- 4.21 Policy SP.31 of the Wyre Forest District Local Plan relates to Flood Risk Management. In line with the Framework and the National Planning Practice Guidance the Council will steer new development to areas with the lowest probability of flooding in order to minimise the impacts of and from all forms of flooding.
- 4.22 The application site falls within Flood Zones 2 and 3a, which is an area of high risk to flooding. The North Worcestershire Water Management Officer have commented that the proposed use would be classed as 'less vulnerable', which is acceptable in Flood Zones 2 and 3a and therefore in line with the NPPF it is not necessary for the sequential or exception test to be passed. A site-specific flood risk assessment (FRA) was submitted with the application (Geosmart, April 2022) which details the risk of flooding and includes appropriate flood mitigation measures to ensure the risk of flooding is not increased elsewhere.
- 4.23 The submitted revised drawings show a minimal spacing of 100mm between the fence bars and therefore based upon this there are no further objections from North Worcestershire Water Management Officer subject to the inclusion of two informatives in relation to the need for the applicant to sign up for the free Floodline Warning Direct Service and the need to contact the Environment Agency in order to discuss the need for an Environmental Permit.
- 4.24 Due to the receipt of the revised plans to address the initial flooding concerns there are no longer any outstanding issues in terms of flooding and the proposal would comply with Policy SP.31 of the Wyre Forest District Local Plan and the Framework.

OTHER MATTERS

- 4.25 A neighbour has raised the fact that the rear of the site was at one time a graveyard. Worcestershire County Council's Archaeologist has been consulted who have looked into this but have raised no concerns regarding the proposal.
- 4.26 Concern has also been raised regarding alcohol being sold at the kiosk, this is not a planning issue as a licence would need to be applied for from the Council's licencing authority and there are certain criteria to be adhered to. The agent has confirmed that there are no plans now or at any time in the future to sell alcohol from the kiosk.

5.0 Conclusion and Recommendations

- 5.1 The proposed re-use of the refreshment kiosk and the seating area, shed and railing fencing would not have an adverse impact on the amenity of neighbouring residential properties in terms of noise, litter and unauthorised parking. The development will

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enhance the area providing public benefits and thus making a positive contribution to the Bewdley Conservation Area. Due to the low-key nature, scale and location of the development it is considered that the proposals would maintain the sustainability of the town centre and would not result in any harm to its vitality and viability. Suitable conditions have been recommended to ensure the development does not increase the risk of flooding elsewhere and to minimise the impact on biodiversity. The proposed kiosk and seating area complies with all relevant policies contained within the Wyre Forest District Local Plan.

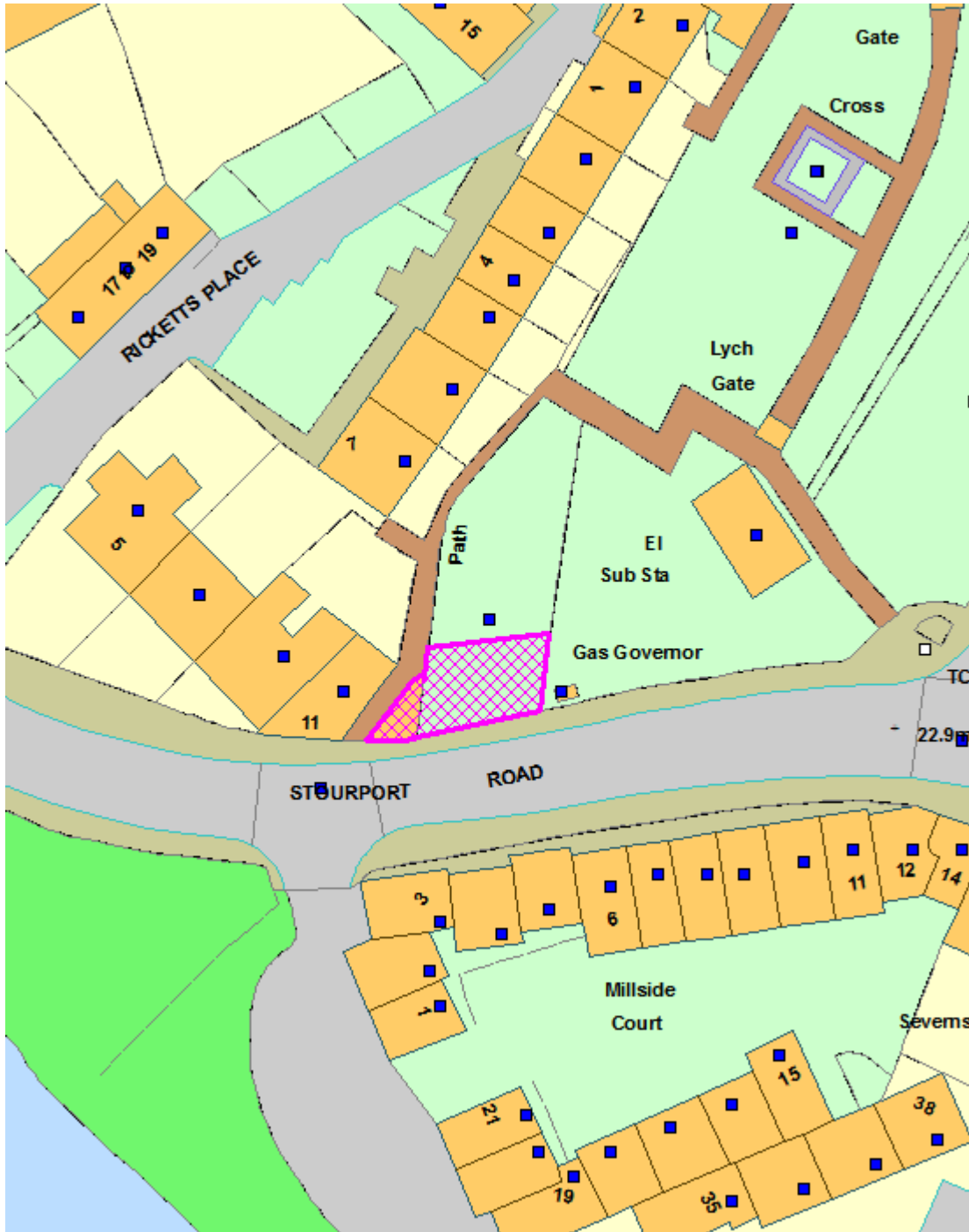
5.2 Officers therefore recommend delegated APPROVAL subject to;

a) The following conditions;

1. Time Limit
2. Approved Plans
3. Restrict Use of Building to Use Class E(b)(sale of food and drink)
4. Restrict Opening Hours (as proposed)
5. No change in site levels
6. No external lighting
7. No outside music at anytime
8. Provision of litter waste bins
9. Provision of cycle storage facilities
10. Removal of chairs and tables when the kiosk is not in operation
11. No external plant/equipment to be installed
12. Flood Mitigation Measures to be implemented, retained and maintained
13. Bat survey to be submitted prior to any vegetation removal
14. Biodiversity Enhancement Measures to be submitted and agreed

Notes

- a- The applicant is advised to contact the Environment Agency to discuss the need for an Environmental Permit. An Environmental Permit may be required for works in, under, over or near a main river (including where the river is in a culvert), works on or near a flood defence or for works in the flood plain of a main river
- b- The application site is at risk of flooding from the Severn. Future users are therefore strongly advised to sign up to the free Floodline Warning Direct service via www.gov.uk/sign-up-for-flood-warnings or by calling the Environment Agency's Floodline on 0345 988 1188 and to construct a business Flood Emergency Plan covering place of refuge, flood evacuation and safe access and escape routes for the property.



Economic Prosperity and Place Directorate

Land Adjacent 11 Stourport Road Bewdley Worcestershire

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PART B

Application Reference:	22/0607/FUL	Date Received:	25.07.2022
Ord Sheet:	384041 277253	Expiry Date:	19.09.2022
Case Officer:	Julia Mckenzie-Watts	Ward:	Broadwaters

Proposal: Proposed erection of 1 no. new dormer bungalow dwelling with detached double garage to the rear land of 20 Roden Avenue (resubmission of withdrawn application)

Site Address: 20 Roden Avenue, Kidderminster, Worcestershire, DY10 2RF

Applicant: Mr David Parrock

Summary of Policy	Design Guidance SPD National Planning Policy Framework Planning Practice Guidance
Recommendation	Approved
Reason for referral to committee	Councillor has recommended that the application is heard at committee

1.0 Planning History

1.1 22/0220/FUL - Proposed erection of 3 no. new bungalow dwellings to the rear land of 20 Road Avenue. Application withdrawn.

2.0 Consultations and Representations

2.1 Kidderminster Town Council – The Town Council objects to the proposal as it would be:

- Close to adjoining properties
- Loss of privacy
- Over development

We are minded to agree with many of the comments of local residents

2.2 Highway Authority – No objection. It is noted that the application is a re-submission and the proposed development has been revised to the erection of 1 x 3no. bedroom dwelling with detached garage to the rear of 20 Roden Avenue. The site will be served by the existing points of access and for 1 additional dwelling only, this is considered to be acceptable. The electronic gates are noted however the driveway width of 4.8m will allow for manoeuvring and the number of vehicle movements will be low for a total of 2 dwellings.

2.3 WCC Archaeology – No objection.

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- 2.4 WFDC Arboricultural Officer – No objection.
- 2.5 WFDC Countryside and Technical Services Manager – No objection subject to conditions as the Ecological report has not identified any significant ecological constraints that cannot be mitigated through the implementation of the mitigation measures identified in the report. Need to condition the submission of a tree protection plan as trees will need to be protected from the effects of the development and these areas to be safeguarded from the effects of the development through fencing, a scheme for ecological enhancements including the provision of built-in bird nesting, bat roosting boxes and hedgehog domes, protection for hedgehogs and other small mammals during construction and a suitably worded condition to ensure that all works are to be timed so as not to impact on nesting birds or the services of a qualified and experienced ecologist engaged to ensure that no harm comes to nesting birds. In addition to the above and in order to demonstrate a Biodiversity net gain the recommendations made in the PEA section 6.2 will need to be implemented which will involve the production of a landscape plan prior to commencement of works on site, the landscape plans should show planting, maintenance and also the locations and nature of the variety of artificial boxes that are recommended to be provided.
- 2.6 Severn Trent Water - No objection to the proposals and do not require a drainage condition to be applied. An informative should be attached to make the developer aware 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 the developer 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 has to 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.

Also, Severn Trent Water would not permit a surface water discharge into the public combined sewer, and recommend the applicant seeks alternative arrangements.

[Officer comment – This is not a planning material consideration and would not warrant a refusal of the application]

2.7 Neighbour/Site Notice Representations

20 objections received from nearby occupiers and the concerns raised can be summarised as follows:

- The ridge height is approx. 6.5m, a "dormer bungalow" ought to be far more modest in scale and far less dominant

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- No roof plan and the location plan still doesn't feature a north arrow
- The existing block plan is clearly still simplified and a falsification of the site at present. There are many features that are not declared/depicted on plans.
- No indication of the location of bin storage or provision of cycle storage and no details of provision of external lighting and no discussion of heritage impacts of the scheme.
- If a dwelling is approved on this site, it is demanded that all permitted development rights be removed from both no. 20 and the proposed dwelling.
- Unacceptable compromise to the amenity of neighbours
- The detached, double garage would continue to add clutter to the site
- The barn hips to the roof are not complementary to the area and represent an alien feature, they fail to reduce the overall excessive bulk sufficiently.
- Brownfield sites, combined with proposals for green belt urban expansion, suitably address the local needs. The proposal is not for affordable housing to meet local needs, for which an exception may be made. This would be a privately developed property for private benefit. There are not public benefits whatsoever.
- The local authority have already exceeded their government target for new build, so why even consider a back garden over development
- Biodiversity - the statement still contains sweeping generalisations and assumptions that are not supported by professional assessment, biodiversity evidently remains an afterthought.
- Trees are vital to the character of the area, at least one mature, significant tree has already been removed and no further details regarding trees are present.
- Access and parking - the number of bedrooms (and thus likely occupants and cars) should be reduced to alleviate parking concerns in the area.
- There is still an unreasonable amount of additional hard standing proposed that increases local flood risk
- The properties at 18A, 22A and 24 do not have space or gardens that are large enough to allow adequate screening without creating an overbearing shading to their gardens.
- It is suggested on the proposed block plan that the existing brick pillars be "reduced" and the access "altered" (presumably widened) to generate easier access to the drive. The alteration of the pillars would be of detriment to the area, where pillars and boundary walls are prominent, noticeable and positively contribute to the feel of the area.
- A driveway mirror is still proposed - this in itself highlights the unsuitability of the site for the proposed access
- A "new sliding gate" is still shown. No further details or amendments of this element have been provided.
- Limited and blind access and exit to the bungalow with a protected tree obscuring access and exit together with restricting the available width of the drive.
- Removal of more mature trees to accommodate the house and garage. The location of the garage will destroy an existing badger run and large mature trees and bushes will need to be removed.
- There has been no explanation as to how or why this proposal benefits the residents or the area. 25 plus objections would indicate strongly that there are no advantages other than profit for the developer.
- Increase in traffic and danger to pedestrians and road users on an already busy cut through.

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10 Objections received following re-consultation on the revised plans:

- The revised proposals now represent an increase in footprint , the scale remains excessive and is inconsistent with the scale and grandeur of number 20
- The flat roof is excessive, unsympathetic to the area
- overdevelopment of the site, the dwelling would remain obtrusive, visually jarring and detract from neighbouring properties
- Loss of light and privacy for 18A, 22A and 24. This has not been addressed in the revised plan
- There are no street scene plans provided that would aid in public consideration of the proposal
- No details have been provided of the planting that is proposed
- 6.5m height will tower over the other properties
- The development provides no ecological or green benefits
- The scale is still exacerbated by the overbearing glazed gable which is totally out of keeping with neighbours/the locality, viewed from the side this unacceptably adds to the scale, bulk and massing of the proposal

3.0 Site Location and Description

- 3.1 The 0.16 hectare application site is located within a residential area of Kidderminster to the northeast of the town centre to the rear of number 20 Roden Avenue which is a late Victorian/Edwardian dwelling house. The host property benefits from two established vehicular accesses – one to the northern boundary and one adjacent to the southern boundary.
- 3.2 Roden Avenue itself comprises detached typically two storey dwelling houses arranged in a generally orderly pattern facing the avenue. To the north of the site lies 22 Roden Avenue on a substantial plot, with later cul-de-sac development to the rear of this property; 22a and 24 Roden Avenue. To the west lies 280 Chester Road North which is occupied by a dormer bungalow. To the south lies 18 and 18a which are bungalows that lie to the rear of number 18.
- 3.3 The application proposes the erection of a dormer bungalow with a single storey side element. Internally, the dormer bungalow would comprise an entrance lobby, study, bedroom with en-suite, sitting / dining / kitchen area with utility, bathroom and WC with two bedroom and en-suite above. The development will be bounded by new timber fencing, with ample outdoor amenity space. The development will also have a 2.5 metre flat roof timber detached double garage with 2 further car parking spaces located to the front of the proposed dormer bungalow, 1 of which will be to accommodate an electric vehicle charging point.

4.0 Officer Comments

- 4.1 The main considerations for this application are:
- Policy context
 - Design Density and Layout
 - Impact on adjacent properties

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- Flood Risk and Drainage
- Biodiversity and Trees
- Highway Safety and Access

POLICY CONTEXT AND STATUS OF THE DEVELOPMENT PLAN

- 4.2 The National Planning Policy Framework (the 'Framework') advises that the purpose of the planning system is to contribute to the achievement of sustainable development. Achieving sustainable development means that the planning system has three overarching objectives (economic, social and environmental) which are interdependent and need to be pursued in mutually supportive ways. Also, to ensure sustainable development is pursued in a positive way, the decision taking should apply a presumption in favour of sustainable development which means approving development proposals that accord with an up-to-date development plan without delay.
- 4.3 Paragraph 69 of the Framework states that 'small and medium sized sites can make an important contribution to meeting the housing requirement in an area and are often built-out relatively quickly. To promote the development of a good mix of sites local planning authorities should (amongst other things): support the development of windfall sites through their policies and decisions – giving great weight to the benefits of using suitable sites within existing settlements for homes'.
- 4.4 The site is located within the defined settlement boundary of Kidderminster where Policy SP.2 sets out the Council's strategic approach to windfall development and seeks to direct new homes on previously developed land within the urban areas of Kidderminster and Stourport-on-Severn.
- 4.5 The application site lies within an area allocated for residential on the Adopted Policies Map and is accessible to local shops, schools and Kidderminster Train Station. The principle of development is therefore considered to be acceptable subject to the following site specific considerations.

DESIGN/DENSITY/LAYOUT

- 4.6 Policies SP.20 and DM.24 of the Wyre Forest District Local Plan and Paragraph 130 of the Framework all require good design and for new developments to integrate well with the existing development and to add to the overall quality of an area.
- 4.7 The Adopted Supplementary Planning Document on Design sets out how small scale developments (1-9 homes) are predominantly driven by the context and character of their surroundings. The design should respond to the context, creating better places and making a positive addition to how the places function wherever possible. The design should fit into or help establish the place. The Council would expect new development proposals to consider how will the proposal fit in with the existing scale, density, building line, eaves and ridge heights and elevational detailing of both the immediate property and the wider surroundings.

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- 4.8 The character of the immediate local context is one of backland development by way of the historic bungalow at number 18a and the more recent cul de sac development to the rear of number 22. As backland development is already a precedent in this location the addition of an additional 1 no. 3 bedroom bungalow with detached flat roof double garage would not have any additional detrimental impact on the local character. The proposed plot size is considered to be acceptable as it would relate well in terms of the surrounding plots with a bungalow of similar dimensions to the ones surrounding it. It would have an acceptable front and rear amenity space and sufficient spacing around the bungalow in order to ensure that it would not result in an overdevelopment of number 20's plot as this property would be left with adequate amenity space itself.
- 4.9 The design of the bungalow would respond in a positive way to the local character as the traditional, high-quality materials and the architectural detailing of the other properties in the vicinity have been carefully considered. A Councillor and the neighbours suggested that the roof be rotated by 90 degrees in order to mirror the roof pitch of numbers 22a and 24, however it is felt that the layout of the dwelling and its roof form echoes the pattern and orientation of the existing development fronting Roden Avenue and the orientation of the bungalow at number 18a which is located in a similar set back position immediately to the south. Rotating the roof form and floor plan through 90 degrees would undermine the design and would result in potential harm to the occupiers of dwellings to the north and south through increased massing and potential overlooking.
- 4.10 The revised scheme has seen a reduction in the eaves height to 2.4m and the ridge height reduced by 500mm to 6.5m with chamfered corners to the roof to further minimise its bulk and therefore the bungalow's ridge height will be a similar height to the adjacent bungalows at numbers 22a and 24 Roden avenue. The bungalow at number 18a has a lower roof level of approx. 3.8m & the higher level is approx. 5.5m, however the two roofs would be facing the same way and therefore the increase in height of the proposed bungalow would be acceptable. The proposals demonstrate consideration of height, scale, massing and wider site context in order to ensure that the new development will add value to the distinctive character of the area as a whole in accordance with accord with Policies SP.20 and DM.24 and also the Framework.

IMPACT ON ADJACENT RESIDENTIAL PROPERTIES

- 4.11 The majority of the objections raised relate to the perceived over development of the site, loss of light and the impact that the proposed new build dwelling will have on existing neighbouring residential amenity.
- 4.12 The design and layout has demonstrated that a dwelling and garage can be achieved whilst providing adequate separation distances from neighbouring properties with a gap between the rear elevation of no. 20 and the front of the new bungalow of approximately 32 metres.
- 4.13 Revised plans have been received after concerns were raised by the case officer and the neighbours regarding the separation distance between the rear elevation of number 22a and the side of the proposed bungalow and the overbearing impact that the gable end of the proposed bungalow would have on the rear amenity space of this property. The first-floor element immediately adjacent to the boundary with number 22a has now been reduced to a single flat roof element with lantern roof light, the side

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elevation of this would be located approximately 15 metres from the rear elevation of this property and the separation distance of the side of the gable end from the rear of number 22a has now been extended from 14 metres to 19 metres. The proposed unit would offer adequate Internal size and layout and would provide a garden that would be both useable and private.

- 4.14 The revised drawings have taken into account the concerns raised by the neighbours and the case officer in terms of the impact that the gable would have had being located to close to the rear gardens of the adjacent properties. The development now accords with Policies SP.20 and DM.24 of the Adopted Local Plan which amongst other matters seek to prevent serious detrimental impact to existing neighbouring properties.

FLOOD RISK AND DRAINAGE

- 4.15 A surface water flood risk has been identified for areas in the vicinity of the site and it will therefore be extra important that surface water from the development will be disposed of responsibly. With this being a back garden development, the development will inevitably increase the amount of impermeable area and therefore the amount of runoff generated on this site. It is proposed to use block paving at the site which can be permeable or impermeable, depending on the construction details. Using a permeable paving would at least limit the increase in impermeable area introduced by this development, however further details regarding the block paving would be required to ascertain whether this is the case and a condition has been attached accordingly.
- 4.16 No drainage details for the dwelling, garage or hardstanding areas have been submitted as part of the application. Discharge via infiltration is the preferred method where ground conditions allow and should be ruled out before a discharge to the sewer is considered. This is extra important because the sewer system in Roden Avenue is a combined sewer system (taking both foul and surface water). The Council's watercourse officer has no reason to believe that ground conditions on this site would not be suitable for infiltration drainage.
- 4.17 To ensure that the development will not increase flood risk elsewhere all surface water drainage systems need to be designed for the 1 in 100-year event plus a 40% climate change allowance. A condition is therefore recommended to be added which required the submission of a scheme for a surface water drainage strategy to be submitted and approved by the Local Planning Authority.
- 4.18 Your Officers therefore consider that the proposed development would accord with Policy SP.31 and SP.32 of the Adopted Local Plan and Paragraph 167 of the Framework.

BIODIVERSITY AND TREES

- 4.19 Paragraphs 174 and 180 of the Framework requires due regard to be had to wildlife habitats and biodiversity. These requirements are echoed in Policy SP.23 of the Wyre Forest District Local Plan including delivering a net gain in biodiversity. An Ecological assessment in the form of a Phase 1 habitat survey has been submitted and the following habitats have been identified:

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- Amenity Grassland;
- Trees, Shrubs and Flower beds;
- Building and Hard-surfacing; and
- Ornamental Pond (off-site);

4.20 None of these habitats are considered to be of ecological importance, however where it has not been practicable to avoid loss of habitats, new habitat creation has been proposed to offset losses, in conjunction with the landscape proposals. Conditions can be added to ensure the submission of a suitable landscaping scheme prior to commencement of any works on site as many trees worthy of retention were removed prior to submitting the application, the submission of a tree protection plan, a scheme for ecological enhancements including the provision of built-in bird nesting, bat roosting boxes and hedgehog domes, protection for hedgehogs and other small mammals during construction, a suitably worded condition to ensure that all works are to be timed so as not to impact on nesting birds or the services of a qualified and experienced ecologist engaged to ensure that no harm comes to nesting birds and in order to demonstrate a Biodiversity net gain the recommendations made in the PEA section 6.2 will need to be implemented.

4.21 Therefore, it is considered that by the imposition of suitably worded conditions to ensure mitigation on site that the proposed development can achieve a net gain in biodiversity in accordance with Policy SP.23 of the Wyre Forest District Local Plan and the Framework.

HIGHWAYS AND ACCESS

4.21 Policy SP27 of the Wyre Forest District Local Plan relates to Transport and Accessibility in Wyre Forest and advises that to manage travel demand, proposals must demonstrate that:

- e. the location and layout of development will minimise the demand for travel;
- f. they offer viable sustainable transport choices, with a particular focus on active travel modes with attractive and well-designed walking and cycling networks;
- g. they address road safety issues; and in particular,
- h. they are consistent with the delivery of the Worcestershire Local Transport Plan objectives.

4.22 The site will be served by the existing points of access and for 1 additional dwelling is considered to be acceptable. The driveway width of 4.8m will allow for manoeuvring and the number of vehicle movements will be low for a total of 2 dwellings. Your Officers agree with the conclusions of the Highway Authority, suitable access can be provided and the associated traffic accommodated within the surrounding highway network. Adequate provision for parking is provided within the site to serve all the dwellings.

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- 4.23 There is no further objection from Highways subject to the inclusion of two conditions and a note. Your Officers agree with the conclusions of the Highway Authority that a safe and suitable access is achievable and the proposal is therefore acceptable from a highway safety perspective in accordance with Policy SP.27.

5.0 Conclusion and Recommendations

- 5.1 Overall, the development would provide a sustainable development and would accord with the Development Plan and would not have a detrimental impact on the local character of the area or upon the amenity of neighbouring residents. The proposed dormer bungalow would result in a property with adequate front and rear amenity areas which relates well to the existing pattern of development and therefore would enhance the character and quality of the area. As the surrounding context includes backland development, the additional bungalow as proposed would sit well alongside number 18a, 22a and 24. It is considered that the harm to the built environment would be minimal now that revised plans have been received and the concerns raised regarding the development would not outweigh the benefit of the proposal, including the need to boost the supply of housing and as such the balance is clearly in favour of the proposal.

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

1. Implementation within 3 years
2. In accordance with the submitted drawings/details
3. Submission of material details
4. Submission of boundary treatment
5. Access and parking
6. Electric Vehicle charging Points
7. Construction Environmental Management Plan
8. Surface Water Drainage
9. Removal of PD rights
10. Scheme of Ecological Enhancement Measures to be implemented
11. No trenches to be left open or uncovered overnight
12. Tree root protection plan
13. Nesting birds
14. Details of artificial boxes
15. Landscape plan and maintenance
16. Small Landscaping scheme
17. Retention of Landscaping
18. No gates shall be erected at the site at any time
19. Water efficiency
20. Renewable energy

Note

- a. Severn Trent Water

Planning Appeal decisions Since April 2022

- 1.1 There have been 13 appeal decisions since the start of the 2022/23 financial year. Nine have been dismissed and four have been allowed. At the end of April, the Wyre Forest Local Plan was adopted and all but one of these appeals have been determined against the new policies.
- 1.2 The table below gives details of these decisions in date order.

Date of decision	Location	Planning reference	Proposal	Decision
21/04/2022	Orchard House, Cleobury Road, Far Forest	21/0565/OUT	Erection of 4 self/custom build dwellings	Allowed
05/07/2022	Land east of The Wain House, Lye Head, Bewdley	21/0592/FUL	Erection of 2 detached holiday lets (11 months)	Dismissed
05/07/2022	Olive Tree, Buckeridge Lane, Rock	19/0787/FUL	Change of use of land to site ten holiday lodges	Dismissed
13/07/2022	The Lodge, 12 New Wood Lane, Blakedown	21/0265/HOU	Proposed loft conversion	Dismissed
19/07/2022	33 Baldwin Road, Kidderminster	21/1101/HOU	Two-storey side extension	Allowed
31/08/2022	Land rear of 5 Adam Street	21/0441/FUL	New bungalow	Allowed
12/09/2022	12 Trimpley Lane, Bewdley	21/0641/HOU	Extensions to create annexe – condition to prevent separate ownership	Dismissed
14/09/2022	Railway Corner, Stanklyn Lane, Summerfield	21/0608/PIP	Demolition of existing buildings and redevelopment to create 1-3 dwellings	Dismissed
22/09/2022	Land adjacent Keys Meadow, New Road, Far Forest	21/0389/OUT	Construction of four 2-bed bungalows	Dismissed
29/09/2022	Wyre Mill Cottage, Mill Lane, Wolverley	21/0729/S73	Replacement of permitted garage with Lifetime Home without complying with conditions	Allowed
20/10/2022	Callimore Farm, Rushock	20/0856/FUL	Change of use of land for storage of agricultural machinery, use of agricultural buildings for storage and retention of commercial buildings for offices	Dismissed

09/11/2022	51 Brinton Crescent, Kidderminster	21/0670/PIP	Proposed bungalow	Dismissed
25/11/2022	Brown Westhead Park Wolverley	21/1200/OUT	Erection of 3 dwellings	Dismissed

Main Issues for allowed appeals.

2.1 **Orchard House, Far Forest** – two issues were relevant to this appeal. 1. Whether the appeal site is in an appropriate location for new housing having regard to local planning policies and 2. The effect of the proposed development upon the character and appearance of the area. Inspector’s conclusions – 1.SAL.DPL2 housing beyond settlement boundary is not permitted unless in exceptional circumstances including meeting identified local housing need. Rock Housing Needs survey not considered robust and given limited weight. 2. Far Forest is dispersed settlement but with denser newer development to north of A4117. Proposed development is modest and relatively well-contained and would not adversely affect character of Far Forest. Other consideration – Self-Build and Custom Housebuilding Act – limited evidence that demand has been met and no relevant development plan policies and thus #11d of NPPF is engaged.

2.2 **33 Baldwin Road, Kidderminster** – main issue is effect of proposed extension (with Juliet balcony) on living conditions of occupiers of 34 Baldwin Road with regard to privacy. Concluded that while proposal would result in closer views towards no.34 than existing situation, it would not provide a significantly greater field of view of neighbouring garden than currently approved window. Inspector found that proposed extension would accord with the development plan as a whole.

2.3 **Land rear of 5 Adam Street, Kidderminster** – two main issues 1. The effect of the proposed development upon the character and appearance of the area and 2. The effect of the proposal upon highway safety. Inspector’s conclusions 1. – proposed layout would not be harmful to character and appearance given variety of property design, plot shapes and sizes in the area. 2. Small scale development is unlikely to generate much traffic. Quiet residential street with available on-street parking.

2.4 **Wyre Mill Cottage** – bungalow not built in accordance with approved plans. Appellant seeking to remove all conditions and replace with condition reflecting bungalow as built. Also seeking to remove occupancy conditions. Conditions in dispute are – development should not be sold off, sub-let or used as separate accommodation and a personal occupancy condition. Housing in open countryside would not normally be permitted and Inspector concludes that dwelling was only acceptable with these occupancy conditions. Removal of permitted development rights is also contended but the Inspector agreed with the Council that this condition should remain but it has been redrafted. Thus, it would appear that the appeal was only allowed in part.

Main issues for dismissed appeals

3.1 The Wain House Lye Head – three main issues 1. The effects of the proposal on the character and visual appearance of the local landscape 2. The effect of the proposal on the living conditions of adjoining residential occupiers 3. Whether the removal of the Nissan Hut which is considered to be a non-designated heritage asset, would lead to unacceptable harm. Inspector's conclusions 1. Proposed structures would have urbanising effect on immediate environs. Policy DM21 & DM30 recognise cumulative impacts that chalet developments can have on landscape. 2. Any noise from the chalets would be unlikely to harm living conditions of neighbouring dwelling. 3. Although there is evidence of extensive wartime activity in the area, there is evidence that the 'nissan' hut was in fact not related to this. Thus there is no conflict with policy DM23. Benefits of scheme do not outweigh harm to wider landscape.

3.2 Olive Tree Buckeridge Lane- two main issues 1. The effects of the proposal on the character and visual appearance of the local landscape 2. The effect of the proposal on highway safety. Inspector's conclusions 1. Overall level of effect on landscape character of site and immediate adjoining countryside would be moderately adverse and the effect on the character of the wider landscape would also be adverse. The scattered form of the lodges would be a clear departure from the more clustered farm buildings in the area. With other caravan sites nearby, this would be seen as additional intrusive development. It would conflict with Policy DM21 and DM30 which seek to resist the cumulative impacts of such sites on the landscape. 2. Find no conflicts with highway safety.

3.3 The Lodge 12 New Wood Lane Blakedown – three main issues 1. Whether the proposal would be inappropriate development in the Green Belt 2. The effect of the openness of the Green Belt and 3. If the development is inappropriate, whether the harm by reason of inappropriateness and any other harm, would be clearly outweighed by other considerations as to amount to very special circumstances. Inspector's conclusions 1. Bungalow has been extensively extended to both side and rear including a swimming pool and garage. Proposed extensions would result in disproportionate additions over and above the size of the original dwelling and thus inappropriate development in the Green Belt. 2. Proposals would only erode openness of Green Belt to limited degree given their modest scale and screening. 3. Conclude that proposal would conflict with DM.22 and Green Belt policy set out in NPPF at #147-151.

3.4 12 Trimpley Lane, Bewdley – two main issues – 1. whether condition is reasonable or necessary in interests of the character and appearance of the area and 2. The living conditions of existing and future occupiers in respect of privacy and private amenity space. Inspector's conclusions 1. Intention of applicant is to sub-divide site and create new separate dwelling. This would result in a cramped development at a much higher density than the local context. The plot size of this one-bed dwelling would be uncharacteristically small for the area. This would conflict with policies DM2, SP13 and SP20. 2. No evidence provided on separate amenity space for two dwellings. Therefore proposal would harm living conditions of both dwellings and conflict with policies DM2 and DM25.

3.5 Railway Corner Stanklyn Lane- scope of considerations for Permission In Principle is limited to location, land use and the amount of development permitted. There are 5 main issues 1. Whether proposal is inappropriate development in the Green Belt 2. The effect of the proposal on the openness of the Green Belt 3. Whether the site is an appropriate location for new housing 4. The risk of flooding and 5. Whether any harm by reason of inappropriateness would be clearly outweighed by other considerations so as to amount to very special circumstances. Inspector's conclusions. 1. Appeal site is former car park associated with clubhouse that has been converted into flats. Site does not constitute infill development as not a small gap in otherwise built-up frontage. Agree that site is previously developed. However, proposal would have significant greater impact on openness. Thus, proposal constitutes inappropriate development in the Green Belt. 2. Proposal would result in substantial harm in spatial terms. 3. Consider that location of proposed development and accessibility of services and facilities would not be unacceptable. However, in absence of demonstration that proposal meets a local need, it would not be an appropriate location for new housing and contrary to SP11. 4. Site is at high risk of surface water flooding due to railway embankment acting as a dam. Proposal is thus contrary to SP31 and SP32. 5. Very special circumstances necessary to justify development do not exist.

3.6 Keys Meadow, New Road, Far Forest – main issue is whether the site is an appropriate location for new housing. Inspector's conclusion – Far Forest is identified as suitable location for new development under SP2. Housing beyond settlement boundaries will only be granted if specific policies allow such as rural exception sites. Scheme has been submitted on basis of local housing need being discounted and intended for occupation by those with a local connection. Rock Parish housing needs study identifies a need for 2 bed bungalows. However, with only a low response rate, the Inspector does not consider the Rock Parish Housing Needs Survey to be robust.

3.7 Callimore Farm Rushock – six main issues 1. Whether proposal is inappropriate development in the Green Belt 2. The effect of the proposal on the character and appearance of the area 3. The effect of the proposal on the openness and purposes of Green Belt 4. The effect of the proposal on agricultural land 5. The effect of the proposal on the living conditions of neighbours 6. Whether the harm by reason of inappropriateness would be clearly outweighed by other consideration so as to amount to very special circumstances. Inspector's conclusions – 1. Both parties agree that proposal is inappropriate development in the Green Belt 2. Majority of site comprises fields which are free of any significant development unlike nearby Rushock Trading Estate. Site is prominent from A442 and PROW. Proposal would fundamentally alter character and appearance. New access road would be incongruous feature in landscape and would require removal of large section of hedgerow. Proposal would harm character and appearance of area. 3. Proposal would represent significant encroachment of development into countryside and harm openness of Green Belt. 4. Proposal would conflict with DM32 which resists applications on best and most versatile land where not allocated in Local Plan. 5. Proposal is unlikely to cause unacceptable harm to living conditions of neighbours. 6. Firm supports local economy and provides job opportunities. They have been unable to find suitable premises in the local area and are subject to enforcement action which will limit their ability to trade. However, these factors do not outweigh the harm the proposal would cause.

3.8 **51 Brinton Crescent Kidderminster** – four main issues 1. Effect on character and appearance of area. 2. Impact on trees 3. Effect upon living conditions of existing occupiers 4. Whether proposed development would provide satisfactory living conditions for future occupiers Inspector's conclusions 1. Site is on junction set back behind wedge of open space. Area is characterised by 2 storey buildings behind low walls and hedges. A bungalow would be at odds with scale and pattern of development. It would also erode sense of openness on estate. It would be contrary to DM2 and DM24. 2. A protected pine tree is very near to proposed bungalow and is likely to impact it. Thus proposal is contrary to DM26 and NPPF #131. 3. Resultant amenity space to proposed dwelling and host dwelling is considered adequate. 4. Concludes that living conditions would not be unacceptably compromised resulting from the amenity space proposed.

3.9 **Brown Westhead Park Wolverley** – four main issues – 1. Whether the proposal would be inappropriate development in the Green Belt 2. The effect of the proposal on the openness of the Green Belt 3. Whether the proposed development would accord the Council's strategy with regard to locating development 4. Whether any harm by reason of inappropriateness would be outweighed by other considerations. Inspector's conclusions 1. Site lies outside settlement of Wolverley. Would not constitute 'infill' development under DM22. 2. The site appears to have blended into the landscape and as such is not PDL. It therefore does not meet the exceptions set out in NPPF #149(e) & (g). 2. The spatial and visual effects of the proposal would cause a significant loss of the current open character of the site and would harm the openness of the Green Belt. 3. Market housing is proposed and therefore the development would not comply with SP1, SP2, SP6, SP10, AP11 or SP22. 4. Securing remediation of the site is not of public benefit. This does not amount to very special circumstances.

Conclusions

4.1 In summary, it would seem that landscape and local character considerations are key to the determination of most planning appeals, whether they relate to sites in the Green Belt, in open countryside outside of the Green Belt or within an urban area or small village.