Date: Tuesday 10th May 2005
Time: 6.00 pm
Venue: Earl Baldwin Suite, Duke House, Clensmore Street, Kidderminster
PLANNING (DEVELOPMENT CONTROL) COMMITTEE

Members of the Committee

<table>
<thead>
<tr>
<th>Chairman: Councillor S J Williams</th>
<th>Vice-Chairman:</th>
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<tr>
<td>Councillor Mrs M B Aston</td>
<td>Councillor C D Nicholls</td>
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<td>Councillor J-P Campion</td>
<td>Councillor Mrs F M Oborski</td>
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<td>Councillor S J M Clee</td>
<td>Councillor M W Partridge</td>
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<td>Councillor N J Desmond</td>
<td>Councillor Mrs J L Salter</td>
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<td>Councillor Mrs H E Dyke</td>
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<td>Councillor Mrs J Fairbrother-Millis</td>
<td>Councillor J A Shaw</td>
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<td>Councillor P B Harrison</td>
<td>Councillor J C Simmonds</td>
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<td>Councillor M J Hart</td>
<td>Councillor K J Stokes</td>
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<td>Councillor Mrs S M Hayward</td>
<td>Councillor A D Williams</td>
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<td>Councillor M A W Hazlewood</td>
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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 Mrs Diana Glendenning, Committee Officer, Civic Centre, Stourport-on-Severn. Telephone: 01562-732763 or email diana.glendenning@wyreforestdc.gov.uk.

DECLARATIONS OF INTEREST - GUIDANCE NOTE

Code of Conduct - Members are reminded that under the Code of Conduct it is the responsibility of individual Members to declare any personal or personal and prejudicial interest in any item on this agenda. A Member who declares a personal interest may take part in the meeting and vote, unless the interest is also prejudicial. If the interest is prejudicial, as defined in the Code, the Member must leave the room. However, Members with a prejudicial interest can still participate if a prescribed exception applies or a dispensation has been granted.

Section 106 of the Local Government Finance Act 1992 - If any Member is two months or more in arrears with a Council Tax payment, they may not vote on any matter which might affect the calculation of the Council Tax, any limitation of it, its administration or related penalties or enforcement.
NOTES

- Councillors, who are not Members of the Planning (Development Control) 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, Head of Legal and Democratic Services or Head of Planning, Health and Environment 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 Planning and Environment.

- 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.
AGENDA

PART I

Open to the Press and Public

1. APOLOGIES FOR ABSENCE

2. APPOINTMENT OF SUBSTITUTE MEMBERS

To receive the name of any Councillor who is to act as a substitute, notice of which has been given to the Head of Legal and Democratic Services, together with the name of the Councillor for whom he/she is acting.

3. DECLARATION OF INTERESTS

In accordance with the Code of Conduct, to invite Members to declare the existence and nature of any personal or personal and prejudicial interests in the following agenda items. Members should indicate the action they will be taking when the item is considered.

Members are also invited to make any declaration in relation to Section 106 of the Local Government Finance Act 1992.

(See guidance note on cover.)

4. MINUTES

To confirm as a correct record the Minutes of the meeting of the Committee held on Tuesday 12th April 2005 (Pages 136 - 163)

5. APPLICATIONS TO BE DETERMINED

To consider the report of the Development Control Manager on planning and related applications to be determined. (Pages 1 - 60)

6. APPLICATIONS PENDING DECISION

To receive a schedule of planning and related applications which are pending. (Pages 61 - 71)

7. PLANNING AND RELATED APPEALS

To receive a schedule showing the position in relation to those planning and related appeals currently being processed and details of the results of appeals recently received. (Pages 72 - 96)
8. **PLANNING APPLICATION FOR CONVERSION OF EXISTING OUTBUILDING WITH EXTENSION TO REAR TO FORM ANCILLARY ACCOMMODATION AT THE OLD VICARAGE, LEA LANE, COOKLEY (WF. 1023/03)**

To consider a report from the Head of Planning, Health and Environment that asks Members to consider whether planning permission should be granted in the absence of a Section 106 obligation to tie the annex to the property and to ensure that it is occupied by a relative of the applicant. (Pages 97 - 99)


To consider a report from the Head of Planning, Health and Environment that seeks Members' approval for dealing with complaints received in connection with the High Hedges Regulations, as set out in the attached Development Control Practice Note 16 - High Hedges. (Pages 100 - 116)

10. **APPLICATION FOR FOOTPATH DIVERSION ORDER - FOOTPATH 116 (PART) (ROCK) AT THE SNEAD ABBERLEY**

To consider a report from the Head of Legal and Democratic Services that seeks approval to an application for a Footpath Diversion Order under Section 257 of the Town and Country Planning Act 1990 and seeks authorisation for the Head of Legal and Democratic Services to make such an Order. (Pages 117 - 121)

11. **SECTION 106 OBLIGATION MONITORING**

To consider a list of the most ‘current’ Section 106 obligations that require monitoring. (Pages 122 - 133)

12. **OFFICE OF THE DEPUTY PRIME MINISTER (ODPM) - PLANNING PERFORMANCE STATISTICS**

To consider a report from the Head of Planning, Health and Environment that informs Members of the published performance statistics relating to Development Control. (Pages 134 - 135)

**PART 2**

*Not open to the Press and Public*

There are no items in this part of the Agenda.
EXECUTIVE SUMMARY TO REPORT OF
DEVELOPMENT CONTROL MANAGER

Planning (Development Control) Committee  10 MAY 2005

Part A Reports

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<td>WF/0122/05</td>
<td>Land at Clensmore Street, Kidderminster</td>
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<td>WF/0274/05</td>
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Part B Reports

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<td>WF/0226/05</td>
<td>St. Ambrose's R.C. Primary School, Clarence Street, Kidderminster</td>
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<td>WF/0231/05</td>
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<td>Land off Kinver Lane, Caunsall</td>
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<td>WF/0271/05:D</td>
<td>Land to rear of Champney, off Hoo Road, Kidderminster</td>
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<td>WF/0285/05:D</td>
<td>70 Blackwell Street, Kidderminster</td>
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<td>Application No.</td>
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<td>WF/0322/05</td>
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<td>WF/0363/05:D</td>
<td>Coppice Gate Farm, Lye Head, Bewdley</td>
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<td>WF/0364/05</td>
<td>14 Eastwood Drive, Kidderminster</td>
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<td>WF/0397/05:D</td>
<td>Treatus Farm, Gorst Hill, Rock</td>
<td>Refusal</td>
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<tr>
<td>WF/0398/05</td>
<td>Ideal Buildings, Mill Street, Kidderminster</td>
<td>Refusal</td>
<td>60</td>
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PRESENT:-

Councillors: S J Williams (Chairman), Mrs M B Aston, J Baker, A J Buckley, P Dyke, Mrs J Fairbrother-Millis, P B Harrison, Mrs S M Hayward, M A W Hazlewood, C D Nicholls, Mrs F M Oborski, M W Partridge, Mrs J L Salter, M J Shellie, J A Shaw, J C Simmonds, K J Stokes and A D Williams.

CM.907 APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillors S J M Clee, Mrs H E Dyke and M J Hart.

CM.908 APPOINTMENT OF SUBSTITUTES

Councillor J Baker was appointed as a substitute for Councillor S J M Clee.
Councillor P Dyke was appointed as a substitute for Councillor Mrs H E Dyke.
Councillor A J Buckley was appointed as a substitute for Councillor M J Hart.

CM.909 DECLARATION OF INTERESTS

Councillor M A W Hazlewood declared a prejudicial interest in application number WF.288/05 as he had visited the site with the Parish Council and had spoken to the applicant. He also declared a personal interest in application number WF.201/05 as he had received a letter from the applicant but he came to the meeting with an open mind.
Councillor Mrs F M Oborski declared a prejudicial interest in application numbers WF.225/05 and WF.226/05 as she is a governor of St. Ambrose Roman Catholic Primary School.
Councillor A D Williams declared a personal interest in application number WF.9/05 as he is a Ward Councillor and had spoken to one of the objectors but he came to the meeting with an open mind.
Councillor J C Simmonds declared a personal interest in application number WF.201/05 as he had received correspondence from the applicant but he came to the meeting with an open mind.
Councillor K J Stokes declared a personal interest in application number WF.122/05 as he is a Ward Councillor and had spoken to one of the objectors but he came to the meeting with an open mind.
Councillor Mrs J L Salter declared a personal interest in application number WF.1261/04 as she had spoken to objectors but came to the meeting with an open mind.

CM.910 MINUTES

DECISION:

The minutes of the meeting held on the 8th March 2005 be confirmed as
a correct record and signed by the Chairman.

CM.911 APPLICATIONS TO BE DETERMINED

The Committee considered those applications for determination (now incorporated in Development Control Schedule No. 415 attached).

DECISION:

The applications now submitted be determined, in accordance with the decisions set out in Development Control Schedule No. 415 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.

CM.912 APPLICATIONS PENDING DECISION

The Committee received a schedule of planning and related applications that were pending decision.

DECISION:

The schedule be noted.

CM.913 PLANNING AND RELATED APPEALS

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

DECISION:

The details be noted.

The meeting ended at 8.17 pm.,
The Schedule frequently refers to various standard conditions and notes for permission and standard reasons and refusals. Details of the full working of these can be obtained from the Head of Planning, Health and Environment, Duke House, Clensmore Street, Kidderminster. However a brief description can be seen in brackets alongside each standard condition, note or reason mentioned.

WF.1261/04 Development of fifteen industrial units for B1 Use with associated parking and access at Fletcher Business Park, Barracks Road, Sandy Lane Industrial Estate, Stourport on Severn

DELEGATED AUTHORITY TO APPROVE subject to receipt of satisfactory landscaping scheme (to include leylandii with shrubs) and subject the following conditions:-

1. A6 (Full with no reserved matters)
2. A11 (Approved plans)
3. B1 (Samples/details of materials)
4. Details of means of enclosure to be submitted
5. Site levels as indicated on approved plan and floor levels
6. Landscaping and earth bunds in accordance with approved plans
7. Indication of planting time-table and creation of earth bunds submitted prior to development
8. C8 (Landscape implementation)
9. No extractor, compressor, generator, motor or other noise emitting equipment shall be sited externally any units unless otherwise agreed
11. J16 (Restrictions of use to B1 only)
12. J18 (no external storage unless otherwise agreed)
13. No external lighting to the buildings or within the application site unless otherwise agreed
14. F12 no burning
15. Hours of construction / demolition restricted to 0800 – 18/00 Mon to Friday, 0800 – 1300 on Saturdays and none on Sundays or Bank Holidays
16. All rollershutter shall remain closed during all process operations with the exception of delivery times, unless otherwise agreed in writing
17. Highways - consolidation / surfacing of all roads, turning areas and parking areas
18. Highways – means of vehicular access at all times shall be from Barracks Road
19. H27 (Parking for site operatives)
20. Details to be submitted for cycle parking
1. Environment Agency – floor levels
2. Environment Agency – scheme for disposing of foul and surface water
3. Environment Agency – storage of oils, fuels and chemicals
4. Environment Agency – provision of oil interceptor
5. Environment Agency – scheme for the provision and implementation of surface water run off limitation
6. Environment Agency – siting of soakaways
7. Environment Agency – construction of soakaways
8. Environment Agency – flood warning notices
9. Environment Agency – desk top site investigation
10. Environment Agency – development in accordance with desk top study
11. Environment Agency – addendum study if further contamination found
12. Environment Agency – Verification of remediation works
13. Severn Trent Water – no buildings or trees within 2.5m of either side of sewer

Notes

A  Environment Agency
B  Fisher German
C  Central Networks
D  Footpath Diversion

Reason for Approval

The application site is partly allocated for employment uses and partly unallocated in the Adopted Wyre Forest District Local Plan (2004). The design and layout of the scheme is considered acceptable. The impact of the development on residential amenity and highway safety has been carefully considered. The development is considered to accord with policies PPS.1, PPG.4, PPS.23, PPG.25, CTC.7, CTC.9, D.21, D.19, D.23, D.25, D.26, D.43, T.1, T.4, RST.3 of the Adopted Worcestershire County Structure Plan and E.1, E.2, D.1, D.2, D.4, D.7, D.10, D.11, D.15, D.16, D.19, LA.9, NR.1, NR.5-9, Nr.11, NR.12, Nr.14, TR.7, TR.9, TR.10, TR.17 and LR.8 of the Adopted Wyre Forest District Local Plan.
WF.122/05 Excavation of soil over part of site, regrading of existing embankments and the laying of a hard surfaced area to facilitate the open storage of motor vehicles (retrospective) and the change of use of land to allow the open storage of motor vehicles on land at Clensmore Street, Kidderminster

APPLICATION DEFERRED to allow consultation with Wyre Forest Community Housing, Horsefair Tenants Consultative Committee and Cox's Homes.

WF.148/05 Extension of existing yard for car parking (temporary storage pending delivery) facilities adjacent railway line at Station Drive, Blakedown

REFUSED for the following reasons:

1. The proposed development by virtue of its position and intended purpose would be seriously detrimental to the character and appearance of the surrounding area. It would also be detrimental to residential amenity by reason of visual intrusion, and the noise and general disturbance associated with traffic movements both on and off the site. To permit this development in these circumstances would be contrary to the provisions of Policy D.1, D.3 and the general principles of Policy H.8 of the Adopted Wyre Forest District Local Plan.

2. The additional use of the existing access arrangement by commercial vehicles together with cars which the proposed development will generate, where visibility is restricted at the minimum stop distance of 2m in each direction to Station Drive and Mill Lane, with the immediate close proximity to the existing control railway crossing would be likely to compromise the safe movement of traffic and the safe use of the road by others. The proposal is therefore contrary to Policy 9 of the Adopted Wyre Forest District Local Plan.

WF.123/05 Garage, rear first floor extension and garden room, pitched roof over flat roof at 2 Ravens Nest, Sugars Lane, Far Forest, Rock

REFUSED for the following reason:

1. The proposed extensions by virtue of their size, design and position would harm the character and appearance of the original property and would in conjunction with previous extensions overwhelm the original structure. The proposal would therefore be contrary to Policies D.1, D.3 and D.17 of the Adopted Wyre Forest District Local Plan (2004).

WF.187/05 Proposed Conservatory and Dormer Alteration (Re-submission of WF.1146/04) at Valley View Lodge, Gorst Hill, Rock

APPROVED subject to the conditions below:
1. A6 (Full with No Reserved Matters);
2. A11 (Approved Plans);
3. B3 (Finishing Materials to Match)

Reason for Approval

The proposed extensions to this replacement dwelling are considered to be of an appropriate scale and design in comparison to the original dwelling. The impact of the extension upon the neighbouring property has been carefully assessed and it is considered that there will be no undue impact upon their amenity. For these reasons the proposal is considered to be in accordance with policies D.1, D.3, D.17, LA.1, LA.2 of the Adopted Wyre Forest District Local Plan and Policy CTC.4 of the Worcestershire County Structure Plan.

WF.9/05 Erection of rhinoceros house with associated shelters and hardstanding, at West Midlands Safari Park, Kidderminster Road, Bewdley

APPROVED subject to the following conditions

1. A6 (Full with No Reserved Matters)
2. A11 (Approved Plans)
3. B1 (Samples/Details of materials)
4. Cross section of ha-ha
5. Full details of themed cladding
6. Environment Agency
7. Landscaping
8. Restriction of use to rhinos

Notes

Environment Agency

Reason for Approval

The proposal is considered to be appropriate development in the Green Belt. The position and design of the compound, building and associated structures are considered to be acceptable and will not result in harm to the Green Belt or the character of the landscape. The impact of the development, its use, and attraction to the public has been carefully considered however it is felt that no adverse harm will be caused to neighbouring residential properties. For these reasons the proposal is considered to comply with policies D.1, NR.7, GB.1, GB.2, GB.6, LA.2, TM.1, of the Adopted Wyre Forest District Local Plan and D.39, CTC.4 of the Worcestershire County Structure Plan and PPG.2 - Green Belts.
WF.37/05 Erection of part two-storey, part three-storey, part four-storey mixed development comprising four retail units at ground floor and a total of thirteen apartments (one and two bedroom) at upper floors together with associated access and parking at Station Hill Service Station, Comberton Hill, Kidderminster

DELEGATED AUTHORITY TO APPROVE this application subject to a Section 106 Agreement to cover educational contributions and the identified improvements beyond the application site (including contribution towards the cycle route) and subject to the following conditions:

1. A6 (Full with no reserved matters)
2. A11 (Approved plans)
3. B1 (Sample/details of materials)
4. C6 (Landscaping – small scheme)
5. Limitation of an A1 usage (250 sq. metres)
6. No take-away use
7. Restricted area of seating
8. No change of use to public house (A4)
9. D1 (Contamination land)
10. D2 (Landfill gas investigation)
11. F5 (Construction site noise/vibration)
12. F7 (Completion of noise attenuation)
13. Details of extraction system to be submitted
14. Environment Agency
15. Highway

Notes
A   SN5 (No advertisements)
B   SN12 (Neighbours' rights)
C   Highway
D   Environment Agency
E   Crime Risk Manager

Reason for Approval

The proposed development is acceptable in terms of design, layout and highway safety. The impact on nearby residential amenity has been considered and the scheme is judged to have no serious impact in this regard. For these reasons the considered to be in accordance with policies RT.6, H.2, D.1, D.3, D.9, D.15, TC.4, TR.7, TR.9, TR.17 and CY.4 of the Adopted Wyre Forest District Local Plan.

Councillor P Dyke left the meeting at 7.30 pm after consideration of this application.
WF.102/05 Erection of first floor extension over ground floor swimming pool at The Alms House, Worcester Road, Harvington (Re-submission of WF.1096/04)

REFUSED for the following reasons:

1. The application site is within an area designated as part of West Midlands Green Belt. The proposed extension, when considered together with previous extensions and alterations, would result in a disproportionate addition over and above the size of the original dwelling. The development is therefore inappropriate development within the Green Belt and contrary to Policy GB.1 of the adopted Wyre Forest District Local Plan. There are no very special circumstances to justify why these policies should be overridden.

2. The proposed extension, by virtue of its scale and design, would not be subservient to the original building and would be overwhelming. The proposed development would therefore be contrary to Policy D.17 of the Adopted Wyre Forest District Local Plan.

WF.201/05 Variation to Planning Approval WF.954/93 (Elevations and layout) (Part Implemented) at The Cowshed, Hurtle Hill Farm, Heightington

REFUSED for the following reasons:

1. The provision of the building to provide an indoor swimming pool has involved the demolition of part of the original barn and extensive rebuilding which is contrary to Policy D.16 of the Worcestershire County Structure Plan and Policies RB.1 and RB.5 of the Adopted Wyre Forest District Local Plan. There are no material considerations to justify why these policies should be overridden.

WF.1342/04 and WF.1343/04 Conversion of existing barn with internal and external alterations to create two bedroomed dwelling with associated parking and brick walls to garden area at Activity Barn (Barn 2), Park Hall, Blakedown

Application WF.134/05 REFUSED for the following reasons:

1. The proposed conversion is unsympathetic to the curtilage listed building and fails to respect the setting of the listed Park Hall. This is contrary to Policy L.B.1 and LB.2 of the Adopted Wyre Forest District Local Plan and advice in PPG15.

2. The proposal adversely affects the special architectural and historic interest of the building and is therefore contrary to Policy RB7 of the Wyre Forest District Local Plan.

3. There is insufficient information to properly consider the proposed development in the light of Rural Building conversion policies RB1 of the Adopted Wyre Forest District Local Plan.

4. The proposed development, if permitted, has the potential to jeopardise the safety and free flow of traffic upon the A456 Trunk Road and link roads.
order that the Trunk Road and junctions will continue to fulfil its purpose as part of a national system of routes for through traffic, in accordance with Section 10 (2) of the Highways Act 1980, and for the safety of the traffic on the road.

And that the listed building consent application be REFUSED for the following reasons:

1. The proposed conversion in unsympathetic to the curtilage listed building and fails to respect the setting of the listed Park Hall. This is contrary to Policy LB.1 and LB.2 of the Adopted Wyre Forest District Local Plan and advice in PPG15.

2. The proposal adversely affects the special architectural and historic interest of the building and is therefore contrary to Policy RB7 of the Wyre Forest District Local Plan.

WF.32/05 Erection of a canopy porch over front door at Rowan Barn, Crundalls Court, Crundalls Lane, Bewdley

APPROVED subject to the conditions set out below:

1. A6 (Full with no reserved matters);
2. A11 (Approved plans);
3. B6 (External details)

Reason for Approval

The principle of the residential use of the barn has already been accepted by the granting of WF.847/88. The proposed canopy porch respects the character of the barn and would not have an adverse impact on the surrounding properties or landscape Protection Area / Green Belt and therefore the development complies with policies IGB.1, GB.2, LA.1, LA.2, D.3, D.17, RB.1 (ii), and RB.6 off the Adopted Wyre Forest District Local Plan.

WF.38/05 and WF.39/05:LBC: Internal and external alterations to form four flats; Listed Building Consent: Internal and external alterations to form four flats at 65 Load Street, Bewdley

APPROVED subject to the following conditions:

1. A6/A7 (Full with No Reserved Matters/Listed Building/Conservation Area Consent);
2. B9 (Details of Windows and Doors);
3. Roof light details;
4. Details of fire protection to stairwells;
5. Details of all new facing materials and proposed mortar;
6. Details of all ventilation for flats;
7. F4 (Noise Insulation of Flats);
8. Restriction on hours of construction
9. A.11 (Approved Plans)
Notes

A. SN12;
B. SN5.

Reason for Approval

The proposed alterations and creation of 4 no. flats are considered to be acceptable in terms of their impact on the special architectural and historical character of this Grade II Listed Building, and on the character and appearance of the Bewdley Conservation Area. The effects of the development on neighbouring properties has been carefully assessed and it is considered that there will be no undue loss of amenity. The proposal is thus in accordance with policies H.2, D.1, D.3, LB.1, LB.2, CA.1, TC.2, RT.2, RT.3, TR.9, TR.17, NR.9, NR.11 of the Adopted Wyre Forest District Local Plan and PPG3 and PPG15.

WF.69/05 Increase in height of existing lattice mast from 15m-20m, installation of three antennas, two dishes and equipment cabinet at Frank Salt and Co. Ltd., Barracks Road, Sandy Lane Industrial Estate, Stourport on Severn

APPROVED subject to the following conditions:-
1. A6 (Full with no reserved matters);
2. A11 (Approved plans);
3. All approved equipment shall be removed once its use has become redundant.

Reason for Approval

It is considered that it has been satisfactorily demonstrated that there is a need for development. Its siting and design which would provide a shared facility are acceptable. It is therefore considered to accord with policies E.2, TR.20 of the Adopted Wyre Forest District Local Plan and D.44 of the Worcestershire County Structure Plan and PPG.8.

WF.81/05 and WF.82/05: LBC Change of use of outbuildings to staff accommodation

Listed Building Consent : Change of use and alterations to outbuildings to form staff accommodation at Broome Residential Home, Broome House, Clent

APPROVED subject to the following conditions:
1. A6/A7 (Full with no reserved matters/Listed Building Consent);
2. A11 (Approved plans);
3. B1 (Samples/details of materials);
4. B9 (Details of windows and doors);
5. Use as ancillary accommodation for staff only (WF.81/05);
6. Delete permitted development rights (WF.81/05);
7. Retention of hedgerow; and APPROVED the Listed Building Consent subject to Conditions 1-4
Reason for Approval

The proposed development is considered to be of a design that will not adversely affect the setting of the Listed Building and will complement the Conservation Area. The development is acceptable within a Green Belt area in that it comprises the re-use of an existing building. The development will not adversely affect the amenity of adjacent property and there is satisfactory car parking within the area of Broome House to ensure that on street car parking is not necessary. For these reasons the proposal is considered to be in accordance with policies GB.1, GB.2, GB.6, RB, D.1, D.3, LB.1, LB.2, LB.3, CA.1, CA.4, TR.9 and TR.17 of the Adopted Wyre Forest District Local Plan.

WF.100/05 Extension at first floor level to from bedroom with en-suite at 1 Llangorse Close, Stourport on Severn

REFUSED for the following reason:

1. The extension which is not sufficiently set back from the principal elevation, nor adequately set down from the main ridge is not considered to be subservient to the original dwelling. The proposal is therefore contrary to Policy D.17 of the Adopted Wyre Forest District Local Plan and the adopted Supplementary Planning Guidance on Design Quality.

WF.133/05 Change of use of strip of land to residential curtilage and relocation of fence to enclose area (52m x 2.8/2.5m) at Hospital Lodge, Stourport Road, Kidderminster

APPROVAL subject to the following conditions:-

1. A6 (Full with no reserved matters);
2. A11 (Approved plans);
3. Details of style, height and colour of fencing to be agreed

Reason for Approval

The use of this small area of land is considered acceptable due to the circumstances set out in the application. The position of fencing will not result in a detrimental loss or harm of the Public Open Space. For these reasons the development therefore complies with policies D.1, D.3, D.4 and LR.1 of the Adopted Wyre Forest District Local Plan.

WF.134/05 and 135/05: LBC  First floor extension to provide bedsitting room for live-in carer
Listed Building Consent: First floor extension to provide bedsitting room for live-in carer; two additional rooflights to existing dwelling at Old Norchard, Dunley, Stourport on Severn

REFUSED for the following reasons:

1. The proposed extension would detract from the character and appearance of this curtilage Listed barn contrary to Policies LB.1 (i) (ii), LB.2, RB.1 and RB.7 of the Adopted Wyre Forest District Local Plan.
2. The proposed extension by virtue of its size, design and position would harm the character and appearance of the original property and would in conjunction with previous extensions overwhelm the original structure. The proposal would therefore be contrary to Policy D.17 of the Adopted Wyre Forest District Local Plan.

3. The proposed development involves a further extension to a dwelling created through the reuse of a rural building which is contrary to Policies RB.1 and RB.5 of the Adopted Wyre Forest District Local Plan and that the Listed Building Consent application be **REFUSED** for Reason 1. above
Listed Building Consent application WF.135/05 be **REFUSED** for the following reason:-

The proposed extension would detract from the character and appearance of this curtilage Listed barn contrary to Policies LB.1 (I) (ii), LB.2, RB.1 and RB.7 of the Adopted Wyre Forest District Local Plan.

**WF.151/05** Temporary planning permission for free standing single storey modular building with access steps and ramp for a period of three years at Wolverley High School, Blakeshall Lane, Wolverley

**APPROVED** subject to the following conditions and in consideration of Articles 1 and 8 of the Human Rights act 1998:-

1. A8 (Temporary permission – buildings : 3 years);
2. A11 (Approved plans);
3. B1 (Samples/details of materials);
4. C6 (Landscaping – small scheme);
5. C8 (Landscape implementation)

**Reason for Approval**

The applicant has provided the very special circumstances why the modular building should be permitted in the Green Belt, namely that urgent temporary accommodation is required for examination purposes at the school. The building, in the location shown on the submitted plans would not harm the visual amenity or openness of the Green Belt and the character/appearance of the Wolverley Conservation Area would be preserved. The development therefore complies with policies GB.1, GB.2, GB.6, CA.1, D.1, D.3, D.5, D.11, CY.5 of the Adopted Wyre Forest District Local Plan.

**WF.164/05** Replace sitting room flank dado wall panelling, replace drawing room and dining room doors to match existing, remove existing log burning stove, fireplace surround and mantel over at Drayton House, Drayton

**REFUSED** for the following reason:-

1. The proposed removal and replacement of the wall panelling would result in the loss of an important historic internal element. In addition the proposed replacement doors will result in harm being caused to the interior by virtue of the thickness of doors and the resulting alterations to doorframes. These alterations will significantly harm the interior that plays an important role in the character of this Grade II* listed building, and will be contrary to Policies LB.1 and LB.2 of the Adopted Wyre Forest District Local Plan, Policy CTC.19 of the Worcestershire County Structure Plan and advice in PPG.15.

**WF.165/05** Replace main stair case hall dado wall panelling, raising and replacement of 3 doors to hall and kitchen (back staircase to match existing) at Drayton House, Drayton

**REFUSED** for the following reason:-

J/Committee/Devcontl/Schedule/2005/12.04.05.doc
1. The proposed removal and replacement of the wall panelling and internal doorways would result in the loss of important historic internal elements. These alterations will significantly harm the interior that plays an important role in the character of this Grade II* listed building, and would be contrary to Policy LB.1 and LB.2 Adopted Wyre Forest District Local Plan and Policy CTC.19 – Worcestershire County Council Structure Plan and advice in PPG.15

**WF.179/05 Erection of 3 detached dwellings following demolition of existing dwelling at Grove Cottage, 7A Mill Lane, Blakedown**

**REFUSED** for the following reasons:

1. The proposed residential development constitutes backland development and would result in a significant adverse impact on the character and amenity of the area arising from its layout which would lead to an increase in noise and disturbance; likely loss of privacy; a build form likely to have an overbearing impact on neighbouring property; and would result in a loss of trees of amenity value. To approve the development in these circumstances would be contrary to policies H6, D1, D3, D4 of the adopted Wyre Forest District Local Plan and if allowed would set a precedent for other sites which would collectively degrade the character of this attractive residential area.

2. The layout of the proposed private shared access road is at variance with the requirements of the County Council's current Design Guide for New Developments in respect to width of roadway, lack of service strips, provision for vehicles to ingress and egress the site in a forward gear and lack of off road parking to serve all three dwellings. The proposal is therefore contrary to Policies TR.9 and TR.17 of the Adopted Wyre Forest District Local Plan.

**WF.180/05 First floor side extension at Whitehill Cottages, Shenstone**

**APPROVED** subject to the following conditions:

1. A6 (Full with No Reserved Matters);
2. A11 (Approved Plans);
3. B1 (Samples/Details of Materials);
4. J8 (No Further Windows)

**Note**

SN12 (Neighbours’ rights).

**Reason for Approval**

The proposed extension is considered acceptable in design terms. The proposed development will be in proportion with the original building and will not harm the openness or visual amenity of the Green Belt. The impact of the extension upon the neighbouring property has been carefully assessed and it is considered that there will be no undue impact upon their amenity. For these reasons the proposal is considered to be in accordance with policies D.1, D.3, D.5, D.17, GB.1 and GB.2 of the Adopted Wyre Forest District Local Plan.
WF.185/05 Subdivision and change of use of agricultural land to the keeping of horses and creation of new vehicular access off Stakenbridge Lane, on Land at Stakenbridge Lane, Churchill

APPROVED subject to conditions and in consideration of Articles 1 and 8 of the Human Rights Act 1998.

1. A6 (Full with No Reserved Matters);
2. A11 (Approved plans);
3. – 7. (Highways);
8. C6 (Landscaping small scheme);
10. C8 (Landscape implementation);
11. B11 (Details of enclosure); Highway Note

Reason for Approval

The proposal is considered to be appropriate development in the Green Belt, and is capable of implementation without creating harm to the openness/visual amenity of the Green Belt, landscape, the amenity of adjacent land/buildings, and highway safety. For these reasons the proposal is considered to be in compliance with policies GB.1, GB.2, GB.3, GB.6, AG.8, EQ.3, TR.9 and LR.8 of the Adopted Wyre Forest District Local Plan.

WF.193/05 Replace casement windows to ground floor cloakroom, hall, utility room and kitchen, reorganise soil and rainwater pipe drainage to north and west elevations only, provision of new safe enclosure under staircase at Drayton House, Drayton

REFUSED for the following reason:-

1. The unnecessary replacement of historic windows with modern plain glazed fenestration windows of no historic authenticity will result in significant harm being caused to the character and fabric of this important Grade II* Listed Building and would be contrary to polices LB.1 and LB.2 of the Wyre Forest District Local Plan, Policy CTC.19 of the Worcestershire County Council Structure Plan and advice in PPG.15

WF.194/05 Change of use from veterinary surgery (D1) to financial and professional services (A2) at 14 Comberton Place, Kidderminster

APPROVED subject to the following conditions:

1. A6 (Full with No Reserved Matters);
2. A11 (Approved Plans)

Note

SN5 (No advertisements)
Reason for Approval

The proposed development is compatible with Policy RT.6 of the Adopted Wyre Forest District Local Plan and results in no loss of amenity or car parking/highway safety related problems.

WF.195/05 Single storey extension to front elevation at 20 Whitville Close, Kidderminster

APPROVED subject to the following conditions:

1. A6 (Full with No Reserved Matters);
2. A11 (Approved Plans);
3. B3 (Finishing Materials to Match);

Notes

A. SN12 (Neighbours’ rights);
B. Within 250m of a landfill;
C. Environment Agency.

Reason for Approval

The proposed extensions are considered to be of an appropriate scale and design to the main dwelling and will have an acceptable appearance in the street scene. The impact of the extension upon the neighbouring property has been carefully assessed and it is considered that there will be no undue impact upon their amenity. For these reasons the proposal is considered to be in accordance with policies D.1, D.3 and D.17 of the Adopted Wyre Forest District Local Plan.

WF.196/05 Proposed regularisation of existing caravan development to provide for the siting of 15 static holiday caravans and 17 touring caravans at Woodhouse Farm, Pound Green, Bewdley

APPROVED subject to the following conditions:-

1. A11 (Approved Plans);
2. This permission approves 15 static and 17 holiday touring caravans only;
3. Occupancy restriction to 11 months;
4. Details of proposed tree and hedge planting to be submitted within 2 months;
5. The agreed planting details shall be implemented between October 2005 and March 2006 planting season; 6. C9 (Hedge Protection)

Reason for Approval

The siting of the additional caravans within this well screened and self contained site is not considered to have a significant detrimental effect upon the appearance of the landscape. In addition enhanced landscaping is proposed. It is therefore considered that the proposal complies with policies TM.5, TM.6, D.3, LA.1, LA.2 and LR.8 of the Adopted Wyre Forest District Local Plan.
WF.204/05 Erection of a first floor extension at 65 Aggborough Crescent, Kidderminster

REFUSED for the following reason:

1. The proposed extension would introduce an unacceptable adverse impact upon the amenity of the adjacent residential property, 66 Aggborough Crescent, by virtue of loss of natural day light to habitable room windows and also due to the overbearing impact. The proposal would therefore be contrary to Policies D.1 and D.17 of the Adopted Wyre Forest District Local Plan.

WF.206/05 Change of use from A1 (retail to A3 (food) at 12 Bridge Street, Stourport on Severn

APPROVED subject to conditions:

1. A6 (Standard time);
2. A11 (Approved plans)

Note
Any further external changes to the building may require planning permission.

SN5 (Advertisements)

Reason for Approval

The proposed A3 food and drink use in this sustainable town centre location is capable of implementation without creating serious adverse effects on the amenity of the immediate locality, or highway safety. Also the character and appearance of the Conservation Area would be preserved. Therefore, it accords with policies TC.2, TR.4, CA.1, D.1, NR.5 and TR.9 of the Adopted Wyre Forest District Local Plan.

WF.207/05 Moving of sink and new outlet pipe; erection of new stud wall; removal of suspended ceiling at 12 Bridge Street, Stourport on Severn

APPROVED subject to condition:-

1. A7 (Listed Building Consent)
Note :Any further internal or external changes to the building likely to require Listed Building Consent.

Reason for Approval

The proposed alterations are considered to be acceptable in terms of their impact upon the character and appearance of this Grade II Listed Building and the Stourport on Severn No. 1 Conservation Area. For these reasons the proposal is considered to be in compliance with policies LB.1, LB.2, and LB.3 of the Adopted Wyre Forest District Local Plan.
WF.209/05 Erection of a two storey extension at 5 Comberton Avenue, Kidderminster

APPROVED subject to the following conditions:

1. A6 (Full no reserved matters)
2. A.11 (Approved Plans)
3. B3 (Matching materials)
Note: - SN.12

Reason for Approval
The proposed extension is considered to be of an appropriate scale and design to the main dwelling and will have an acceptable appearance in the street scene. The impact of the extension upon neighbouring properties has been carefully assessed and it is considered that there will be no undue impact upon their amenity. For these reasons the proposal is considered to be in accordance with policies D.1, D.3 and D.17 of the Adopted Wyre Forest District Local Plan.

WF.212/05 Conversion and extension to existing outbuilding to provide new dwelling to be occupied by guests as ancillary accommodation to Loen at “Loen” Church Lane, Long Ban, Bewdley

REFUSED for the following reasons:

1. The proposed conversion of the existing domestic outbuilding to a unit of ancillary accommodation would be contrary to parts (ii) and (vii) of Policy RB1 of the Adopted Wyre Forest District Local Plan. Notwithstanding the proposed use of the outbuilding as ancillary to Loen such intensification of residential accommodation at this location would also be contrary to Policy H9 of the Adopted Wyre Forest District Local Plan which sets out the criteria for residential development outside areas allocated under Policy H2 of the Plan.

2. The size, height and scale of the proposed building would create an adverse visual effect on the landscape character of this Landscape Protection Area. This is contrary to policy CTC1, CTC4 and SD2 of the Worcestershire County Structure Plan and Policies LA1/LA2/D3/D5 of the Adopted Wyre Forest District Local Plan.

WF.213/05 Proposed garage and stables at “Loen”, Church Lane, Long Bank, Bewdley

REFUSED for the following reason:

1. The size, scale and height of the proposed outbuilding would create an adverse visual impact upon the landscape character of this Landscape Protection Area. This is contrary to Policies CTC1, CT4 and SD2 of the Adopted Worcestershire County Structure Plan and Policies D3, D5, LA1 and LA2 of the Adopted Wyre Forest District Local Plan.
Councilor Mrs F M Oborski left the room during consideration of the next 2 applications.

WF.225/05 Demolition of school buildings and construction of new two storey classroom block at St. Ambrose’s R. C. Primary School, Leswell Street, Kidderminster

APPROVED subject to the following conditions:-

1. A6 (Full with No Reserved Matters);  
2. A11 (Approved plans);  
3. B1 (Samples/Details of Materials);  
4. F5 (Construction site noise/vibration);  
5. F13 (Control of dust);  
6. Environmental Agency conditions;  
7. C2 (Retention of existing trees);  
8. C3 (Tree protection during construction);  
9. C4 (Protection of Trees – No burning);  
10. Highway conditions;

Note

Environmental Health

Reason for Approval

The proposed extensions are considered to be well designed and the impact of the proposed use upon neighbouring properties has been carefully assessed and it is considered that there would be no undue impact upon their amenity. For these reasons, the proposal is considered to be in accordance with policies LB.1, LB.2 and LB.3 of the Adopted Wyre Forest District Local Plan.

WF.226/05 Demolition of school buildings and erection of dwellings at St Ambrose’s Roman Catholic Primary School, Clarence Street, Kidderminster

delegated APPROVAL subject to a Legal Agreement to ensure a linked relationship with the development of this site and the improvements to the school under the separate application WF.225/05. The application should be deferred for one cycle to allow for the commencement of the departure procedure.

If approved the following conditions are also recommended:

1. A2 (Standard Outline – Reserved Matters);  
2. A3 (Submission of Reserved Matters);  
3. A12 (No Approval of Layout);  
4. B1 (Samples/Details of Materials);  
5. B13 (Levels Details);  
6. C1 (Tree Survey);  
7. C2 (Retention of Existing Trees);  
8. C3 (Tree Protection During Construction);  
9. C4 (Protection of Trees – No Burning);
10. C8 (Landscape Implementation);
11. Environment Agency Conditions;
12. F5 (Construction Site Noise/Vibration);
13. Highway Conditions;

It was also requested that the developer be asked to provide a contribution towards traffic calming measures at the junction of Clarence Street and Leswell Street.

Notes.

Reasons for Approval

It is considered that very special circumstances outweigh the normal presumption against residential development in areas not allocated for this purpose. The application is acceptable in other respects including impact on residential amenity and in terms of highway safety.

WF230 /05 Proposed alterations to form granny flat (re-submission of WF.635/04) at White House Farm, Areley Kings, Stourport on Severn

REFUSED for the following reason:

1. The application proposes to convert the curtilage outbuilding to a granny annex. The proposal involves raising the height of the building to allow for first floor living accommodation. The annex would comprise living room accommodation, capable of providing kitchen facilities, on the ground floor and two double bedrooms with two bathrooms on the first floor. Although a link between the main dwelling has been proposed on the ground floor the annex would not have strong links at both ground and first floor levels and the annex would benefit from other entrances. Furthermore, no special circumstances have been submitted in support of an additional second bedroom. The proposal is therefore contrary to Policy H.18 of the Adopted Wyre Forest District Local Plan.

WF.236/05 Erection of a conservatory to the rear of Brook Cottage, Hill Pool, Chaddesley Corbett

REFUSED for the following reason:

1. The application site is within an area designated as part of the West Midlands Green Belt. The proposed extension when considered with the existing extensions would result in a disproportionate addition over and above the size of the original dwelling. The development is therefore inappropriate development within the Green Belt and contrary to advice in PPG2, Policy GB1 and GB2 of the adopted Wyre Forest District Local Plan and Policy D39 of the Worcestershire County Structure Plan. There are no very special circumstances to justify why these policies should be overridden.

WF.238/05 Creation of parking area at Burlish Top Local Nature Reserve, The Kingsway, Stourport on Severn.

APPROVED subject to the following conditions:
1. A6 (Full with No Reserved Matters);
2. A11 (Approved Plans);
3. C4 (Protection of Trees – No Burning);
4. C5 (Hand Digging Near Trees);
5. Driveways and Parking Near Trees;
6. Sample/Details of Hard Surfacing;
7. C12 (Details of Earthworks)

Notes

SN3

Reason for Approval:

The proposed development is considered to be appropriate development within the Green Belt. The proposed car parking area is considered to be acceptable in terms of its impact on the Local Nature Reserve and the visual impact on the open countryside. For these reasons the proposal is considered to be in accordance with policies NC.2, D.4, D.11, TR.9, GB.1, GB.2 and LA.2 of the Adopted Wyre Forest District Local Plan.

WF.247/05 Retention of timber decking and canopy with proposed canopy extension and tree irrigation at The Swan Inn, Birmingham Road, Blakedown

REFUSED for the reason below and that the matter be referred to the Enforcement Section:

1. The development would result in serious water deprivation to the root system of a mature tree which is protected by a Tree Preservation Order. The development which would also involve further pruning work, would consequently be seriously detrimental to the long-term health and appearance of an important tree, which makes a valuable contribution to the street scene. To approve the development in these circumstances, and in the absence of clear information to allow consideration of how the moisture requirements of the Yew Tree would be met, would be contrary to policies D3, D4 and D11 of the adopted Wyre Forest District Local Plan.

WF.253/05 Two storey side extension at 11 Nursery Grove, Kidderminster

REFUSED for the following reason:

1. The proposed extension, by virtue of its design, height and location, would lead to a serious and significant loss of amenity to No. 9 Nursery Grove by way of restricting light to a first floor bedroom window on the side elevation. The proposal is therefore contrary to Policies D.1 and D.17 of the Adopted Wyre Forest District Local Plan.

WF.255/05 Erection of two detached bungalows with garages at land to rear of 42 Connaught Avenue, Kidderminster

APPROVED subject to the following conditions:
1. A6 (Full with no Reserved Matters)
2. A.11 (Approved Plans)
3. B1. (Samples/Details of materials)
4. Details of boundary treatment
5. Levels
6. Severn Trent
7. Environment Agency
8. Highways
B. Highways
C. Environment Agency

**Reason for Approval**
The proposed residential development is situated in an area allocated for residential purposes and is considered to constitute previously developed land. The layout and the design of the development, is considered to be acceptable, not adversely affecting the character of the immediate area or the street scene. The affect on neighbouring properties has been carefully considered however it is felt that there will be no significant loss of amenity to residents. It is also considered that the proposal will not result in an adverse impact on highway safety. The proposal thus conforms to policies H.2, H.5, H.6, D.1, D.3, D.10, TR.9 and TR.17 of the Adopted Wyre Forest District Local Plan.

WF. 257/05 Erection of a kitchen extension, conservatory and loft conversion with rear dormer window at 14 Elm Road, Kidderminster.

**APPROVED** subject to the following conditions:

1. A6 (Full with no reserved matters);
2. A.11 (Approved plans);
3. B3 (Finishing materials to match);

**Note**
SN12 (Neighbour rights)

**Reason for approval**
The proposed extensions are considered to be of an appropriate scale and design to the main dwelling. The impact of the extensions upon neighbouring properties has been carefully assessed and it is considered that there will be no undue impact upon their amenity. For these reasons the proposal is considered to be in accordance with policies D.1 and D.17 of the Adopted Wyre Forest District Local Plan.

WF.260/05 Erection of detached dwelling and associated garaging at land to the rear of “The Old Vicarage”, Habberley Road, Bewdley

**APPROVED** subject to the following conditions:

1. A6 (Full with No Reserved Matters);
2. A11 (Approved Plans);
3. B1 (Samples/Details of Materials);
4. B11 (Details of Enclosure);
5. B13 (Levels Details);
6. C3 (Tree Protection During Construction);
7. C4 (Protection of Trees – No Burning);
8. E2 (Foul and Surface Water);
9. F5 (Construction Site Noise/Vibration);
10. Highways;
11. J1 (Removal of Permitted Development – Residential);

Notes

A. SN1;
B. Highways.

Reason for Approval

The proposed residential development is situated in an area allocated for residential purposes and is considered to constitute previously developed land. The layout and design of the development, is considered to be acceptable, not adversely affecting the character of the immediate area or the street scene. The affect on neighbouring properties has been carefully considered however it is felt that there will be no significant loss of amenity to residents. It is also considered that the proposal will not result in an adverse impact on highway safety. The proposal thus conforms to the above Policies of the Adopted Wyre Forest District Local Plan (2004).

WF.264/05 Erection of first floor extension and single storey extension at 2 Well Lane, Rushock

REFUSED for the following reasons:

1. The application site is within an area designated as part of the West Midlands Green Belt. The proposed extension, when considered together with previous extensions and alterations, would result in a disproportionate addition over and above the size of the original dwelling. The development is therefore inappropriate development within the Green Belt and contrary to Policy GB.1 of the Adopted Wyre Forest District Local Plan. There are no very special circumstances to justify why these policies should be overridden.

2. The proposed extension by virtue of its size and design and when considered together with previous extensions, would not be subservient to the original building and would be overwhelming. The proposed development would therefore be contrary to Policy D.17 of the Adopted Wyre Forest District Local Plan.

3. The proposed extension, by virtue of its design and location, would lead to a serious and significant loss of amenity to 1 Well Lane by way of restricting light to a ground floor dining room window. The proposal is therefore contrary to Policies D.1 and D.17 of the Adopted Wyre Forest District Local Plan.

WF.267/05 Erection of replacement scout hut following demolition of existing fire damaged hut and detached office at Rhydd Covert, Kidderminster Road, Bewdley

J/Committee/Devcont/Schedule/2005/12.04.05.doc
APPROVED subject to the following conditions:-

1. A6 (Full with No Reserved Matters);
2. A11 (Approved Plans);
3. B1 (Samples/Details of Materials);
4. B5 (Timber Staining);
5. B13 (Levels Details);
6. C3 (Tree Protection During Construction);
7. C4 (Protection of Trees – No Burning);
8. C5 (Hand Digging Near Trees),
9. Use as Scout Building only;
10. Details of construction compound and construction vehicle parking;

Notes

A. SN10
B. Use of Public Right of Way

Reason for Approval

The proposed replacement scout building is considered to be inappropriate development in the Green Belt. However, due to the very special circumstances that exist in this case, it is felt that any inappropriateness can be outweighed. Its design, size and position are considered to be acceptable and would not cause harm to interests of acknowledged importance. For these reasons the proposal is considered to be in accordance with policies D.1, D.3, GB.1, GB.2, GB.3, GB.6, LA.2, NC.1, NC.2, and TR.9 of the Adopted Wyre Forest District Local Plan.

WF. 269/05 Single storey extensions, to side rear and front at ‘Woodglade’, Dowles Road, Bewdley

DELEGATED AUTHORITY TO APPROVE subject to the receipt of satisfactory revised plans and subject to the following conditions:

1. 6 (Full no reserved matters);
2. A.11 (Approved plans)
3. B3 (Finishing materials to match).

Reason for approval

The proposed extensions are considered to be of an appropriate scale and design to the main dwelling. The impact of the extensions upon neighbouring properties has been carefully assessed and it is considered that there will be no undue impact upon their amenity. For these reasons the proposal is considered to be in accordance with policies D.1 and D.17 of the Adopted Wyre Forest District Local Plan.

WF. 273/05 Erection of two storey and single storey rear extensions and detached garage at 8 Holmwood Avenue, Kidderminster

DELEGATED AUTHORITY TO APPROVE subject to the satisfactory completion of the neighbour consultation on revised plans and subject to no new objections being
raised.

1. A6 (Full with no reserved matters);
2. A11 (Approved Plans);
3. B3 (Finishing Materials to Match);
4. J7 (Windows: Obscure Glazing);

Note

SN12 (Neighbours Rights)

Reason for approval

The proposed extension accords with criteria set out in the Adopted Wyre Forest District Local Plan Policy D.17 in that it is in scale and keeping with the original dwelling and would not have a serious adverse effect on the amenities of the neighbouring property. The development therefore complies with policies D.1, D.3 and D.17 of the Adopted Wyre Forest District Local Plan.

WF. 279/05 Erection of Conservatory at 11 Heathfield Crescent, Kidderminster

APPROVED subject to the following conditions:

1. A6 (Full with no reserved matters);
2. A11 (Approved Plans)
3. B3 (Finishing Materials to Match)

Reason for approval

The proposed extension is considered to be of an appropriate scale and design to the main dwelling. The impact of the extension upon neighbouring properties has been carefully assessed and it is considered that there will be no undue impact upon their amenity. For these reasons the proposal is considered to be in accordance with policies D.1 and D.17 of the Adopted Wyre Forest District Local Plan.

WF. 280/05 change of use of care home to 6 apartments with associated access improvements and erection of garages at Wolverley Court Care Home, Wolverley Road, Wolverley

APPROVED subject to the following conditions:

1. A6 (Full with No Reserved Matters);
2. A11 (Approved Plans);
3. B1 (Samples/Details of Materials);
4. B8 (Mortar Details – To be submitted);
5. G1 (Details of Works to Listed Buildings);
6. Highways condition

Reason for Approval
The proposed conversion works are considered to be appropriate development in the Green Belt and will not cause adverse harm to the character or setting of the Green Belt. The proposed access and visibility improvements are acceptable and will not result in a deterioration of highway safety. For these reasons the proposal is considered to be in accordance with policies H.7, H.9, D.1, D.3, D.4, LB.1, LB.2, TR.9, TR.10, TR.17 and CT.4 of the Adopted Wyre Forest District Local Plan.

WF.288/05 Retention of detached bungalow and double garage (Amendment to Planning Permission WF.755/02) [Retrospective] at ‘Rivermead’, Birds Barn Lane, Wolverley

Councillor M A W Hazlewood left the room whilst this application was being considered.

REFUSED for the following reason:-

1. The application site is within the West Midlands Green Belt. The replacement bungalow as built would constitute inappropriate development due to the increase in height above the original chalet and the previously approved replacement bungalow. The applicant has failed to demonstrate any very special circumstances why this inappropriate development should be permitted in the Green Belt. The proposal is therefore contrary to government advice in PPG2, Policy D.39 of the Worcestershire County Structure Plan and Policies GB.1 and GB.2 of the Adopted Wyre Forest District Local Plan, which state that inappropriate development will only be allowed in the Green Belt where very special circumstances have been demonstrated which outweigh the harm arising from the inappropriateness of the development.

WF.290/05 Erection of four two-bedroom flats on land to the rear of 38/39 Sion Hill Kidderminster

REFUSED for the following reasons:

1. The proposed development represents a poor form of tandem development which would be detrimental to the character of the surrounding area. Therefore, the proposal is contrary to Policy H.6 of the Adopted Wyre Forest District Local Plan and the SPG on Design Quality.

2. From the details submitted the proposed flats, by virtue of their siting and proximity to the boundaries of adjacent residential dwellings, would likely lead to an unacceptable impact on the daylight currently enjoyed by the occupants of these dwellings and rear gardens. The proposed development is contrary to Policies H.6 and D.1 of the Adopted Wyre Forest District Local Plan.

3. The development would increase the number of vehicular movements along the existing narrow access to a degree that would lead to an unacceptable reduction in amenity to adjoining properties by increased noise and general disturbance. Therefore, the proposal is contrary to Policies H.6 and D.1 of the Adopted Wyre Forest District Local Plan. 4. Part of the application site is not considered to be previously developed land as defined in PPG3 (Housing) and to approve such residential development in these circumstances would be contrary to the aims and provisions of Policy H.2 of the Adopted Wyre Forest District Local Plan.
WF.298/05 Single storey extension to side to provide new wheelchair access at Murray’s Healthcare, 68 Load Street, Bewdley

REFUSED for the following reasons:-

1. The design of the proposed extension would fail to harmonise with the existing historic townscape and would be uncomplimentary to the appearance of the existing building. The proposed development would also fail to preserve or enhance the character and appearance of the Bewdley Conservation Area. This would be contrary to Policies CTC.19, CTC.20 and SD.2 of the Worcestershire County Structure Plan and Policies D.1, D.3, D.18 and CA.1 of the Adopted Wyre Forest District Local Plan.

WF.299/05 Single storey extension to side to provide new wheelchair access at Murray’s Healthcare, 68 Load Street, Bewdley

REFUSED for the following reason:

1. The design and orientation of the proposed extension, which incorporates demolition of part of the historic fabric, would fail to respect the character and appearance of this Grade II Listed Building. This is contrary to Policy CTC.19 of the Worcestershire County Structure Plan and Policies LB.1 and LB.2 of the Adopted Wyre Forest District Local Plan.

WF.302/05 Replacement agricultural barn at The Lindens, Heightington, Bewdley

REFUSED for the following reasons:

1. In the absence of a strong justification for the size of agricultural building proposed, the development would be contrary to Policy AG.4 of the Adopted Wyre Forest District Local Plan and would set a serious precedent for other sites in the area.

2. The proposed building, by virtue of its size and location, would be a prominent feature in the landscape which would detract from the character of this rural part of the Landscape Protection Area and Area of Great Landscape Value. The proposal is therefore contrary to Policies D.3, D.5, LA.1 and LA.2 of the Adopted Wyre Forest District Local Plan and Policies CTC.1 and CTC.4 of the Worcestershire County Structure Plan.

WF.305/05 Modify existing conservatory roof from UPVC to tiled at Hobro Lodge, Wolverley

REFUSED subject to no new planning issues being raised, for the following reason:

1. The application site is within an area designated as part of the West Midlands Green Belt. The proposed extension would result in a disproportionate addition over and above the size of the original dwelling. The development is therefore inappropriate within the Green Belt and contrary to Policies GB.1 and GB.2 of the Adopted Wyre Forest District Local Plan and Policy D.39 of the
Worcestershire County Structure Plan. There are not very special circumstances to justify why these policies should be overridden.
PLANNING (DEVELOPMENT CONTROL) COMMITTEE  
10th MAY 2005

PART A

WF.988/04
Date Received: 14.9.04
Agent: -
Ord. Sheet: 8171 NW
Policy: H.2,H.5,H.10,D.1,D.3,D.4, D.10,D.11,NR.7,NR.8,NR.9, NR.11,NR.12,TR.9,TR.17 (AWFDLP); PPS1; PPG3
Case Officer: Miss J. Summerfield
Ward: Mitton
Proposal: Full: Erection of twenty eight dwellings (eighteen x two-bedroom and ten x one-bedroom) and associated roads and sewers at Brindley Arms, Minster Road, Stourport on Severn
Applicant: George Wimpey Midland Ltd.

1. Site Location and Description

1.1 The application site which is rectangular in area measures approximately 0.28 ha. in area and fronts Minster Road, just north of the traffic light junction with Worcester Street and Church Drive. The site currently accommodates a public house known as the ‘Brindley Arms’ and its associated car park and beer garden. The residential properties on Longboat Lane border the site to the north, and an existing commercial premises borders to the south. A wooded area lies to the east of the site with St. Michael and All Angels Church and graveyard beyond.

1.2 The application proposes a total of twenty eight residential units in two separate blocks (eighteen two-bedroom and ten one-bedroom)

1.3 Units 1-16 would be accommodated within a continuous building (Blocks A-C) which fronts Minster Road and curves round to face the proposed access driveway into the site. This building would be two storey in height, with parts of the block having rooms in the roof space. The highest part would have a ridge height of approximately 9.6 metres. Meanwhile Units 17-28 would be accommodated in a separate three-storey block (Block D) positioned some 40 metres back from the front of the site. The scheme proposes a total of twenty-eight parking spaces.

1.4 The applicant proposes a total of eight affordable units within the three storey block. These would all be two bedroom.

1.5 The application has been submitted together with a Design Statement, landscape plan, Traffic Assessment and a confidential financial appraisal as a basis for negotiating the number and tenure of affordable units.
2. **Planning History**

2.1 (of relevance) WF.847/03 – Redevelopment to provide thirty nine one-bedroom and fourteen two-bedroom apartments (53 units in total) with associated parking after demolition of existing public house: Refused 14th October 2003

3. **Consultations and Representations**

3.1 **Stourport on Severn Town Council** – Awaiting comments

3.2 **Highway Authority** – No objections subject to two Legal Agreements to provide a contribution towards the phasing the traffic lights and to ensure that the proposed works within the highway are undertaken. Recommend conditions.

3.3 **Environment Agency** – No objections subject to conditions

3.4 **Severn Trent Water Ltd.** – No objections subject to conditions

3.5 **Worcestershire County Council** (Education Services) – Requirement for contribution towards education (Officer Comments – The education contribution would need to be secured by a Section 106 Obligation).

3.6 **British Waterways** – No objections

3.7 **Environmental Health** – No objections subject to the submission of an assessment of road traffic movements on the Minster Road. Such an assessment may indicate that a scheme of noise insulation is required. Also land contamination report required.

3.8 **Housing Services** – Eight of the twenty eight units on site are offered as affordable, i.e. 30%.

Whilst we are pleased that there is no visible difference between the affordable and the market units, the proposal shows a shared entrance between the affordable housing on the ground and first floor, and the private units on the second floor. However, this may not be acceptable from a housing management point of view, and will need to be discussed with the Registered Social Landlord (RSL).
The proposal is for one and two bedroom units in accordance with the recommendations of the Housing Needs Survey; we would prefer to see rented units on site to meet the high need within the Stourport on Severn area.

We have only been offered one-bedroom units and would prefer to see a mix of affordable one and two bedroom reflecting a mix on the site as a whole.

The unit sizes meet our own minimum standards as laid out in our Partnership Agreement but confirmation is required that these are acceptable to the RSL.

(Oficer Comment – The scheme now proposes all eight affordable units as two-bedroom. The sizes of the units are acceptable to the RSL currently involved in the negotiations. The only outstanding issue is the tenure of the units).

3.9 Arboricultural Officer – No objections to proposed landscaping scheme

3.10 Stourport on Severn Civic Society – We feel that the proposed development is an improvement on the previously submitted plans as attempts are being made to retain much of the tree cover and the three storey block is being sited away from the main road to prevent having a tunnel effect. The car parking is also discreetly sited. However, we are disappointed that a national house builder such as Wimpey could not have produced a more imaginative design of this site which forms one of the main gateways to the town. What we are being presented with is a carbon copy of the Spires complete with spiral staircases (which may be a space saving feature for the developer but are totally impracticable for everyday living) and ‘galleried’ bedrooms. We question the need for even more one bedroom flats in Stourport on Severn.

3.11 Neighbour/Site Notice/Advertisement : A total of five letters of objection have been received raising the following concerns:
- Distinct improvement on previous refused scheme
- Current proposal is attempting to build on the area below the picket fence to the rear of Nos. 22-36 Longboat Lane – would that not then redesignate the site and enable building on the wooded area?
- Block D is too tall restricting day light – would not object to two storeys
- Very worried that a pathway may be built to the rear of our house in Longboat Lane affecting our privacy
- We will not agree to the removal of our rear garden fence bordering the site
- There will be no protection from children climbing into our garden
• The character of Stourport on Severn will be eroded and already is by excessive homes being built on any given space
• It would turn this area of Stourport on Severn into one big housing estate

4. **Officer Comments**

4.1 The location of the site is within an area allocated within the Adopted Wyre Forest District Local Plan primarily for residential use. Therefore the principle of residential development on the site is considered acceptable. Members will note that a previous application for a total of fifty-three one and two bedroom apartments was refused in October 2003. In an attempt to describe the current application, the previous six reasons for refusal are summarised below together with an explanation of how the current scheme has been amended to address these issues.

**Reason for Refusal 1**
*Discrepancies between the submitted plans*

4.2 The previous scheme raised concern due to the lack of correlation between floor plans and elevations. There are no such concerns with the current plans.

**Reason for Refusal 2**
*Loss of privacy to the residential occupiers of Longboat Lane due to the overlooking of their private amenity space – A loss of outlook to the occupiers of 108 Minster Road – a loss of privacy due to the overlooking between the blocks to the future occupiers of the development*

4.3 The previous application indicated three distinct blocks with windows to habitable rooms orientated north and southwards towards existing residential properties. Due to the height of the buildings and the proposed separation distances, it was considered that the siting of the blocks provided insufficient privacy to the existing garden areas to Longboat Lane. The current scheme alleviates this objection by providing a layout which provides sufficient separation distance to the properties fronting Longboat Lane and ensuring that there is no overlooking of private gardens by habitable windows.

4.4 The removal of the previously proposed Block 3 removes the concern with respect to the loss of outlook to No. 108 Minster Road.
4.5 Objections have been raised with respect to the height of the three storey block (Block D) and the loss of light to properties at Grosvenor Gardens. It is not however considered that Block D which lies to the north west of the properties at Grosvenor Gardens at a distance of approximately 35 metres from the nearest property (No. 11) would reduce light to a significant effect.

**Reason for refusal 3**

*Block 1 fronting Minster Road would provide an over-prominent feature, which would detract from the scene and vista in a northerly direction from the traffic light junction.*

4.6 The previous scheme proposed a much larger part four-storey block fronting Minster Road which jutted forward of the existing commercial premises to the south to provide a prominent development fronting Minster Road. The current scheme alleviates the concern as the entrance into the site is located adjacent to the commercial premises to the south. The development at the frontage to Minster Road is also set far enough back to provide an acceptable appearance within the street scene. Furthermore, the block fronting the highway is two storey in height with rooms in the roofspace.

**Reason for refusal 4**

*Insufficient evidence has been provided to demonstrate the wooded eastern part of the site comprises previously developed land.*

4.7 The previous application proposed development on an existing wooded area beyond the beer garden where there was significant doubt that this comprised previously developed land. This part of the previous site has been removed from the application.

4.8 A neighbour has raised concern with respect to the development on land to the rear of 22-36 Longboat Lane. This is the existing beer garden and is considered to comprise previously developed land. Residential development on this piece of land would comply with Policy H.2 of the Adopted Wyre Forest District Local Plan.

**Reason for refusal 5**

*Inadequate provision for suitable replacement tree planting.*

4.9 A full landscaping scheme has been submitted and is considered acceptable. Furthermore, the wooded area which previously formed part of the application site no longer forms part of the current scheme.
REASON FOR REFUSAL 6

Absence of a traffic impact assessment.

4.10 The current scheme was submitted together with Traffic Assessment which covers accident details and estimates existing and proposed vehicular movements associated with the site. Plans have also been submitted which indicate works within the existing highway to improve the complicated lay-by arrangement in front of the site. Highway works are to include the formation of a bus lay-by, relocation of the bus shelter, redesignation of the entrance to the lay-by, provision of a yellow diagonal box marking the junction, and removal of existing dropped kerbs at an existing crossing point. Such works within the highway would be secured by way of a Section 278 Agreement overseen by the Highway Authority. There is also agreement to a financial contribution towards improving the existing traffic light phasing at the Minster Road/Church Drive/Worcester Street junction. This would allow increased pedestrian movement at the junction. This would need to be secured through a Section 106 Obligation. The Highway Authority is in agreement with all of the proposed works.

AFFORDABLE HOUSING

4.11 In terms of affordable housing, the applicant has agreed to provide 30% of the units (eight in total) as part of the scheme. At present there are ongoing negotiations between Officers including the Housing Services Manager and the applicant with respect to agreeing the tenure of the affordable units. At present all of the eight units have been offered as shared ownership, however first preference is for private rented.

5. Conclusions and Recommendations

5.1 The principle of residential development is acceptable on this site and the design of the units and their siting would provide an attractive frontage to Minster Road. It is not considered that the scheme would significantly reduce privacy to the adjoining residential occupiers.

5.2 I therefore recommend delegated authority be given to APPROVE subject to agreement with respect to the tenure of the proposed eight affordable units, and subject to the signing of a Section 106 Agreement for the following items:

i. Secure eight units as affordable
ii. Contribution towards education
iii. Contribution towards improving traffic light junction for pedestrian movement
WF.988/04 continued

and subject to the following conditions

1. A6 (Full with no reserved matters)
2. A11 (Approved plans)
3. B1a (Samples/details of materials)
4. B9 (Details of windows and doors)
5. B11 (Details of enclosure)
6. B13 (Levels details)
7. C8 (Landscape implementation)
8. E2 (Foul and surface water)
9.-15. Environment Agency
16.-18. Highway
19. Noise Impact Assessment
20. J8 (No further windows)

Notes
A. SN2 (Section 106 Agreement)
B.-F. Highway

Reason for Approval
The site comprises previously developed land and the principle of residential development accords with Policy H.2 of the Adopted Wyre Forest District Local Plan. The proposed design and siting of the units has also been considered with respect to the potential impact on residential amenity, however it is considered that there would be no undue loss of privacy or outlook. For these reasons the proposal is considered to be in accordance with the policies listed above.
WF.122/05

Date Received: 14.2.05
Agent: Engineering and Building Design
Ord. Sheet: 8277 NE, 8277 SE
Policy: E.2,D.1,D.4,D.10,D.11, D.15,TR.9,TR.17
Case Officer: Mr. P. Wrigglesworth

Proposal: Full: Excavation of soil over part of site, regrading of existing embankments and the laying of a hard surfaced area to facilitate the open storage of motor vehicles (retroactive) and the change of use of land to allow the open storage of motor vehicles on land at Clensmore Street, Kidderminster

Ward: Broadwaters
Applicant: Kidderminster Property Investments Ltd. and CMS (Kidderminster) Ltd.

THIS APPLICATION WAS DEFERRED AT THE PLANNING (DEVELOPMENT CONTROL) COMMITTEE MEETING ON 12TH APRIL 2005 TO ENABLE CONSULTATIONS WITH WYRE FOREST COMMUNITY HOUSING, HORSEFAIR TENANTS CONSULTATIVE COMMITTEE AND COX HOMES

1. Site Location and Description

1.1 This site forms part of the former Georgian Carpets site in Clensmore Street, Kidderminster. Although the site is adjacent to a residential area, it does form part of a larger area allocated for employment use (Classes B1, B2 and B8) in the Adopted Wyre Forest District Local Plan.

1.2 The application is retrospective in terms of the excavation of soil and regrading of the embankments. The applicants state that the land would offer three acres of outside storage space for new cars combined with a 1,000 sq. ft. unit for preparation. This increase in space would allow the firm to park cars and vans in a more accessible profile than they currently have at their Wilden Lane site. The application shows a drive through situation where vehicles would enter via one entrance and exit via another. The plans also show areas which can be laid out for car parking to serve the existing factory premises.

2. Planning History

2.1 Most relevant: WF.262/86 – Storage of new cars at Clensmore Mills, Kidderminster: Approved 28th May 1986

3. Consultations and Representations

3.1 Highway Authority – No objections subject to conditions

3.2 Environment Agency – No objections subject to conditions

3.3 British Waterways – No objections to proposed development in principle subject to grass landscaping of the embankment. Existing view from the Canal shows the exposed soil embankment which presents an unattractive view, grassing of this embankment may help to improve the view from the Canal and towpath
WF.122/05 continued

3.4 Inland Waterways Association – Key concerns are possible risk of seepage of pollutants through or across the ground into the Canal and other watercourses. The area where work is to be carried out does not appear to be of a sealed material that would form a bund that would prevent seepage, it is just referred to as hardstanding. Nor is there proposed maintenance schedule to ensure that any bund would be fit for purpose in the course of time. Environmental pollution is also visual and the applicants have failed to consider this especially with regard to some residents in Alder Avenue.

There should be a professionally written environmental report advising what precautions should be taken to avoid seepage into any watercourse; that there is a suitable bunded floor that has an adequate maintenance programme in place to ensure continual protection against seepage, and the applicants should give a commitment that the activities will not be seen from the upper floors of the three storey blocks in Alder Avenue.

3.5 Arboricultural Officer – No objections

3.6 Conservation Officer – No objections

3.7 English Nature – No wish to comment

3.8 Worcestershire Wildlife Trust – Views awaited

3.9 Environmental Health – No objection in principle subject to the proposed times being conditioned and the maximum number of deliveries in time period. Landscaping necessary on bank.

Due to the past contaminative use of the site any material excavated will need to be suitably disposed of off site and the surface re-sealed to prevent any pathways being created.

Any person excavating on site shall also have to use suitable Personal Protective Equipment. If any contamination is encountered the Local Authority should be notified and further investigation and remediation may be required. If there is any imported material used a risk assessment shall be carried out. This should include the location and past uses of the source of the material and samples should be tested according to the past uses identified in the risk assessment.

I would recommend that the front parking area is tarmaced or another similar material is used so as to prevent dust being created and therefore creating a potential pathway for potentially contaminated soils.
3.10 **Neighbour/Site Notice/Advertisement** - Five letters of objection. The issues raised are summarised as follows:-

- Concern as to the time delay in action being taken with respect to earth bunding, cutting down trees and dismantling buildings, now it transpires that planning permission is needed. This issue should be addressed as a matter of urgency. Over the last week they have taken down a number of trees which presumably they did not have permission have. For these reasons plus the fact that work has been carried out from very early in the morning to very late at night including the transportation of gas cylinders contrary to health and safety regulations we are requesting that conditions be put on any planning permission.

- Planning conditions are the only way of ensuring that any ‘future oversight’ on behalf of applicants can be redressed because we do not have any confidence that the limitations set out within the planning application will be adhered to.

- Concerned about amount of traffic (in light of fact that traffic studies have been conducted in the area) as well as road access.

- Number of cars/transporters are a major concern.

- The restrictions on security lighting and that any power supplies i.e. generators are not likely to cause any noise issues. Could affect people living in Clensmore Street / Waterside Grange.

- What are plans regarding car parking?

- Application should be looked at with a dim view by Planning Committee in view of total disregard for planning regulations.

- Extra traffic using the Horsefair/Broad Street/Clensmore Street. Application states that two lorries a day will visit the site. If there are car transporters I am very concerned about the use at Broad Street. Also size of site is large, maybe 400 cars or more. Cannot see how two lorries will be sufficient. Flow of cars is 15 per day – I find this hard to believe. Could cause traffic jams – the Horsefair is a very high vehicular rate.

- **Highly populated area with children who play in street around proposed entrance – open to a tragic accident.**

- **Stoney Lane is a cul de sac, cannot envisage car transporters with limited manoeuvrability constantly using it.**

- Eyesore.

- Falling house prices.

- Fast growing trees should be planted.

- Decimation of trees has already taken place in addition to movement of top soil.

- Storage not a problem but feel Wilden Lane area satisfactory.

- Was excellent habitat for wildlife now ruined – will bring misery to inhabitants around the development.

- Will cause great distress, danger and inconvenience.
WF.122/05 continued

- Cul de sac over-populated due to recent residential development on other side of canal
- Need to condition maximum number of vehicles as original application stated two deliveries per day
- Car park should be finished before site is occupied.

One letter also states that I am HGV driver and would not consider driving my vehicle onto Stoney Lane

One letter of concern – Canal bunding should be landscaped with suitable trees

As stated at the beginning of this report, this application was deferred at the last meeting to enable consultation with three organisations. These organisations have now been formally consulted but no response has been received at the time of writing this report. Any comments received will be reported to Members at the Committee meeting.

However, since the last meeting nine further letters of objection have been received (including a letter from Councillor Mrs. Amanda Poole) which cover the following points:

- The period of fleet carriers (8.30 a.m. to 4.30 p.m.) coincides with children going and returning from school – potential for road traffic accidents and additional air pollution for children – no special limit in the area – Broad Street already dangerous stretch of road. Lots of elderly people trying to cross the busy road safely
- Reduces the already very poor air quality in the Horsefair – worst in Kidderminster
- Noise pollution to local residents
- Damage to road surfaces, particularly in Broad Street
- Potential parking problems when fleet carriers stop at Horsefair shops/cafes
- Queen Street will be used as a ‘rat run’ to gain access to Broad Street
- Traffic should be directed to the site via Clensmore Street and exit via Broad Street thereby reducing traffic by 50%
- Already have a dreadful traffic bottleneck six days a week – why are you adding to this?
- No benefit to residents
- Already enough traffic with Waterside Grange being added
- Should be speed restrictions/traffic calming
- No play area for children so have to play in streets, will you feel guilty when a child gets knocked down. Do we have to wait for a fatal accident – apply common sense
- Why move from a semi rural area (Wilden) to one of the most congested and polluted areas of Kidderminster
- Cox Homes building site yard is to be a children’s play area.
WF.122/05 continued

- In the past I have had to suffer from noise, vibration and exhaust fumes of heavy lorries using the Street – since closure of carpet factory, Broad Street has become a much more pleasant place to live – should become a housing site – seems we are about to revert to the bad conditions of the past, only more so
- Cox Homes development has not reached its traffic generation potential yet
- Should open up the corner of Duke House car park which would solve the problems of car transporters using Broad Street
- I will be invoking Article 8 of the Human Rights Act as development constitutes an interference to my private life and family home
- Having consulted the Police, Fire Service and Ambulance Service, they already have great difficulty getting through the Horsefair in an emergency

3.11 Applicant’s justification/(summarised)

As part of the application, the applicants explain that they currently employ between 50 and 60 full time staff and 50 part time staff. Their current facility at Wilden Lane Industrial Estate is seriously short of space and inefficient. There is no opportunity for expansion there and if this position is not addressed urgently, they are in danger of losing some of their biggest customers which will have “disastrous” implications for the viability of the Company. The vehicles are delivered from the manufacturer, Vauxhall. The units are stored until required (usually within two weeks). They are then inspected for critical safety and cosmetic items, cleaned and allocated for delivery to the customers. All of the activity containing this process takes place within the site including the loading and unloading of car transporters. These transporters are modern in design and can carry up to fifteen units, so the actual number of movements on the highway is very small. The amount of deliveries/despatches per day can vary from 0 to 15 with the average, although difficult to define, around 8. This transport activity is no more than can be expected from a normal business operating from the site and perhaps even less. It should also be noted that activity within the site will also be very low, most vehicles are simply in static storage. It is unlikely that on average any more than one vehicle would be actually moving at any one time. This site has been used by heavy transport in the past and we see no major variation for the current proposal. There should be no more impact to residents in Clensmore than already happens in Wilden Lane. As an absolute extrapolation, 9,000 units per year is 173 per week or 35 per day, remembering that transporters carry between 8 and 15 vehicles per movement this provides an approximate average. The loading and unloading will take place within the confines of the site and the access has already had major construction work completed to ensure transport is able to operate with both entry and exit in forward gear. The transporters will be able to turn inside the compound or exit through the gate designed to give direct, straight line, access to Broad Street.
4. **Officer Comments**

4.1 This application covers a large area of land within the former Georgian Carpets premises. The main issues are considered to be visual impact, noise and disturbance and highway related issues.

**VISUAL IMPACT**

4.2 Although the development lies close to the Canal Conservation Area, the large area of motor vehicles will not be visible from the Canal towpath due to both the long standing and more recent earth bunding in this vicinity. The new earth bunding would be improved in appearance if it were to be landscaped and this could be a condition of consent. Both the Conservation Officer and the Arboricultural Officer raise no objections to the development. Since the last Committee meeting, the applicant has confirmed that a landscaping scheme will include a membrane over the new bunding to help retain the soil.

4.3 When viewed from other vantage points it is not anticipated that the vehicle parking would present a serious visual problem as most of the land is set back from Clensmore Street and a good proportion of it is hidden from view by existing buildings.

4.4 Revised plans have been received showing additional car parking to cater for the remainder of the industrial buildings should they brought back into use. This is an area of scrub land lying within the industrial estate boundary and situated behind industrial units in Red Sands Road. This area will be visible from residential properties on the opposite side of the road. However, this is not considered to be a serious visual problem given the fact that this is not an attractive piece of land and is situated between two industrial units. It should also be noted that the hard surfacing of an area within an industrial estate is something that does not normally require planning permission and there is scope for some landscaping on the frontage to reduce the visual impact.

**NOISE AND DISTURBANCE**

4.5 The hours of operation of the delivery vehicles is carried out in an organised way in that the deliveries are made in time slots to ensure that transporter vehicles do not normally arrive at the same time. The applicants have stated “deliveries from the manufacturer are not random but worked on a slot system. The transporter companies 'phone our centre when they have a load assigned to them and book a slot that we offer to them. Our slots start at 8.30 a.m. and end at 4.30 p.m. Monday to Friday. This allows us to keep the transporters on site to a minimum. We find most of deliveries are within one hour of the slot and even deviation from the slots still keep the flow system in place to stop congestion. To give an example of the amount of transporters per day, the last six working days have been six –five – four – four – six –seven. This is actually quite a busy period for us as you can see we keep it as linear as we can.”
4.6 This should mean that there is no noise and disturbance outside these normal hours from transporter vehicles. The issue of what happens when these vehicles arrive early for the first slot and the gates are closed has been raised. The applicants have confirmed that they will write to all delivery agents to advise them that waiting in Clensmore Street, prior to opening, is not acceptable. The applicants have also stated that there is a permanent night watchman at the Georgian Goodacre site to open the gates in these circumstances. They have offered to display the security telephone number on the main gate which means a driver could have access within minutes of arriving.

4.7 The applicants have also agreed to a personal condition to ensure that another company does not take on any consent and operate in a different manner to the way described above.

4.8 There will obviously be some noise and general disturbance associated with traffic movements to and from the site through a residential area but the number of anticipated additional vehicle movements is not considered to be high and given the times and anticipated number of transporter vehicles, it would be difficult to justify a refusal on this basis. Very little noise is anticipated from the checking and preparation of vehicles on the site.

4.9 On the update sheet at the last meeting, Members were advised that the applicants need lighting on site for health and safety purposes whilst operating on site. Full details of this lighting have been requested and it is anticipated that they will be received in advance of the Committee meeting. In any event full details of lighting can be dealt with by a planning condition.

HIGHWAY RELATED ISSUES

4.10 One of the main concerns is the potential number of vehicles driving through a residential area and emerging at the less than satisfactory Horsefair Road system. The Highway Authority has been closely involved with this scheme and they do not raise an objection to the development in view of the anticipated number of transporter vehicle movements. The Highway Authority has been concerned about lorry parking within the site and car parking for the remainder of the industrial estate. However, revised plans have now been received showing the circular transporter route within the site and the residual car parking area. The Highway Authorised raised no objections to the revised plans.
CONTAMINATION

4.11 Since the last Committee meeting, in view of the past contamination use of the site, Environmental Health Officers have recommended that the front parking area is tarmaced or other similar material is used to prevent dust being created and creating a potential pathway for potentially contaminated soils. The Highway Authority has also requested that the parking and storage areas be properly consolidated.

5. Conclusions and Recommendations

5.1 Since the last Committee meeting, in view of the concerns expressed by Members about traffic movements associated with the scheme Officers have been in further discussions with the applicant. The applicant has agreed to a condition to restrict the permission for a temporary period of 5 years. The applicant has also agreed to contribute up to £5,000 towards a future Traffic Impact Assessment, as part of the wider redevelopment of the Horsefair/Churchfields area, if the assessment is carried out during the life of the temporary permission.

5.2 The use of industrial land for this purpose is compliant with the Development Plan. Nevertheless, this is a sensitive application in view of the siting of this industrial estate with a vehicular access route through a residential area. However, taking all matters into consideration, including Articles 1 and 8 of the Human Rights Act 1998, it is recommended that delegated authority be given to APPROVE this application subject to a Section 106 Agreement relating to the contribution towards a Traffic Assessment and subject to the following conditions:-

1. A9 (Temporary permission : 5 years)
2. A11 (Approved plans)
3. A10 (Personal permission)
4. Landscaping of earthbunds and landscaping at the front of the new car parking area facing Stoney Lane
5. Deliveries Monday to Friday only – 8.30 a.m. to 4.30 p.m.
6. Implementation of the circular 'in' and 'out' route
7. Residual car parking areas for existing factory to be set out before car storage takes place
8. Access to residual car parking via access opposite Board Street
9. Residual car parking not to extend beyond front face of existing factory adjacent
10. Storage of new vehicles only
11. No floodlighting without formal approval from Local Planning Authority
12. No car sales/car hire directly from the site
13. Detailed drainage arrangements to be submitted
14. Highway conditions
15. Environment Agency conditions
16. Maximum number of transporter vehicle deliveries 15 per day
17. Details of lighting to be submitted and agreed in writing before any lighting installed and no illumination except between the hours of 0730 and 1800 Monday to Friday.

Reason for Approval: The use of industrial land for this purpose is appropriate. The impact on visual amenity, neighbouring amenity and highway safety have been carefully considered and any harm arising is considered to be within acceptable tolerances. For these reasons and taking into account all other issues raised, the development is considered to be acceptable and compliant with the policies listed above.
WF.274/05

Date Received: 21.3.05
Agent: Engineering & Building Design
Ord. Sheet: 8075 SW
Policy: D.1, NR.7, GB.1, GB.2, GB.6, LA.2, TM.1 (AWFDLP)
D.39, CTC.4 (WCSP)
PPG.2 – Green Belts
Case Officer: Mr. P. Round
Ward: Wribbenhall
Applicant: West Midlands Safari Park

Proposal: Full: Retention of 3.6m high fencing and electric gates creating a ‘drive-thru’ tiger compound with link tunnel and 5.4m high watchtower at West Midlands Safari Park, Kidderminster Road, Bewdley

1. Site Location and Description

1.1 The West Midlands Safari Park is located on the east of Bewdley town centre situated on Green Belt land between Kidderminster and Bewdley. The Park was established in the 1970’s and continues to form a major tourist attraction for the area

1.2 The area of the Safari Park lies wholly within the West Midlands Green Belt, Landscape Protection Area and Area of Great Landscape Value. This current application relates to an area of the park at its south-western extremity.

1.3 The application seeks consent for the retention of a ‘drive-thru’ tiger compound (including 3.6m high fencing), a 5.4m high watchtower and associated link tunnel to the previously approved tiger house and compound.

2. Planning History

2.1 BB.80/71 – Safari Park : Approved

Numerous other applications, but recently of a relevance to this part of the park:

WF.511/04 – Replacement tiger house and compound : Approved
WF.9/05 – Rhinoceros House, compound and associated structures : Approved

3. Consultations and Representations

3.1 Bewdley Town Council – Recommend refusal because of its effect on nearby residential property by way of pollution, noise, invasion of privacy, safety, over-development, and the fact that it is a retrospective application. The Town Council would also draw your attention to the fact that the Environment Agency’s noise report is invalid because it was carried out on a pre-Easter Thursday at 10.15 with only 3 cars present (Officer Comment – The Noise Report was submitted on behalf of the applicant and not produced by the Environment Agency).
3.2 **Highway Authority** – Recommend Refusal (see Refusal Reason 2 at end of report).

3.3 **Environmental Health** – No objections;
1) The road is existing and the previous comment was based on the assumption that traffic noise was already a present feature. The noise report confirmed it would not be a problem. The residents’ letter referred to Easter and inferred that severe congestion was not a regular event.
2) Better management could reduce problems by reducing volume of any tannoy or replacing with an L.E.D. screen to give instructions. Traffic control could also be used if congestion was found to be a problem.
3) The local residents have complained about excessive noise and fumes mainly related to events at Easter. Traffic volumes could be the same with or without this development, especially if another attraction was highlighted elsewhere in the park. Some of the noise sources quoted such as horns should not be occurring and again come down to management but could be a problem if management was poor. This could happen though with or without the gates.
4) Evidence from monitoring main roads tends to show very rapid fall off of pollutant levels within a very few meters of main roads with heavy traffic loads, motorways for example. Although no monitoring has been carried out (it would take many months) all previous experience would indicate that high levels at the dwellings would be unlikely unless there were very specific topographical features e.g. a canyon effect. It is also an existing roadway and so even without the compound high density traffic could still be a feature.

3.4 **Worcestershire County Council Historic Environment and Archaeology Service** – Awaiting comments

3.5 **Neighbours** - Six letters of objection received; two from adjacent neighbours and four from family and friends of neighbours. The letters raise the following points

- Concern over traffic congestion, and queuing close to residential properties
- During Easter backlog so bad, gates were left open increasing security risks.
- Noise issues in respect of queuing traffic, horns, loud speakers etc
- Invasion of privacy, from queuing vehicles and watchtower.
- Pollution from exhaust fumes
- No justification as to position
- Retrospective, seems to be a ‘done deal’
- Affecting health and well being of residents and increasing fear
Officer Comments

4.1 The principle of the Safari Park use has been established since 1971. The application site falls within the area approved as a safari park. Various buildings have been proposed and supported by the council over the years and on these occasions the schemes have been considered as appropriate development in the Green Belt as they are in connection with the recreational use of the site. I see no reason in this particular case to take a different view. As such it is considered that the development is appropriate.

4.2 This is a retrospective application and the drive through arrangement to view the tigers is a new attraction to the Safari Park. Tigers will access the compound via a camouflaged mesh tunnel, which goes under the roadway and links to the existing Tiger house and compound approved in 2004. The ‘drive-thru’ operates by opening gates and allowing vehicles to pass through at intermittent stages.

Design and Appearance

4.3 The design of the fencing, gates and watchtower, including their cladded appearance are considered to be acceptable and appropriate in their location and link well visually with the whole park. In pure design terms, there is no adverse impact on neighbouring properties or the visual amenity of the Green Belt. The main concern in this instance is the impact of the development on the amenity of neighbours and also highway safety.

Impact on Amenity of Neighbouring Properties

4.4 Concerns have been expressed over the indirect impact of the location of this new attraction in terms of noise and exhaust fumes, particularly during busy periods such as bank holidays. Due to the position of the enclosure, and the internal road network to gain access to it, vehicles queue close to the boundary of the residential properties. The internal road is 42m away from the dwellings and the nearest gates 57m away.

4.5 A Noise Assessment has been submitted with the application which concludes that the noise levels from the opening and closing of the gates and vehicular traffic will not result in an increase in noise over and above the general noise levels of the Safari Park. Concern has been raised by the objectors as to the methodology of the Noise Assessment in that it was carried out before the Park was open to visitors and that it doesn’t accurately reflect the noise on site. The Council’s Environmental Health section do not consider it necessary for a noise survey to be carried out at peak times due to the calculations used in the assessment. They advise that as the roadway already exists, they do not consider that they can object from a noise perspective.
4.6 It is also acknowledged by Environmental Health that other noises occur such as horns, and tannoy systems, however they believe that these are likely to be infrequent and can be controlled by better management of the Safari Park.

4.7 With regards to air pollution, the traffic fumes that are generated are not considered to be substantially worse than existed prior to the new enclosure, as vehicles used this route to circulate around the park. I would concur with that view.

4.8 Notwithstanding the advice from Environmental Health, the drive through arrangement has been designed specifically to enable visitors to view the tigers in close proximity. The gates and compound have altered the pattern of traffic flows within the safari park, which now results in vehicles stopping, slowing down, and queuing along side the boundaries of residential properties. It is considered that such an alteration to traffic flows, particularly in conjunction with the use of loud speakers and other associated noise, results in a significant loss of amenity to the residential properties especially at peak times.

4.9 The measures suggested by Environmental Health for controlling the use of horns or tannoy could not be dealt with by a planning condition and would rely on the co-operation of the Safari Park which would be extremely difficult for them to manage without constant supervision and would therefore be considered unreasonable. Even without this it would also prove incredibly difficult to monitor and therefore very difficult to enforce against any alleged breach. As such the loss of amenity to neighbouring residential properties in respect of this particular issue cannot be adequately controlled by planning conditions.

4.10 In addition the 5.4 m high watchtower is positioned too close to the neighbouring properties which also comprises their right to privacy and personal enjoyment of their dwelling.

HIGHWAY ISSUES

4.11 The introduction of a new attraction will clearly attract more visitors to the park. The existing access to serve the Safari Park is off the main A456 Kidderminster to Bewdley Road. Both this road and especially the junction with the safari park are known accident cluster sites. In fact at the entrance alone in the last 5 years there have been 6 injury collisions, two of which have been serious, this is in addition to a number of damage only accidents. In light of the nature of this junction the Highway Authority has been monitoring planning applications for the park.
4.12 They now feel that due to the introduction of a new visitor attraction that this development when considered cumulatively with other approved and implemented schemes, that the increase in vehicular movements to and from the site will result in harm being cause to highway safety. This is of particular importance as the ‘drive-thru’ compound affects traffic flows and results in greater queuing, and backlogs within the Safari Park and along the road network around Kidderminster. I agree with these concerns and feel that any new attraction without improvements to the junction or internal road layout will ultimately result in a deterioration of highway safety.

5. Conclusions and Recommendations

5.1 The development is considered to create an unacceptable loss of amenity to adjoining residential properties by virtue of general disturbance and queuing of vehicles along the boundary of these properties. In addition the existing access to serve the Safari Park at the A456 is considered unacceptable to accommodate the additional traffic associated with this new visitor attraction. In view of this the application cannot be supported.

5.2 I therefore recommend REFUSAL for the following reasons.

1 The new drive through compound and its associated gates results in a significant change in the pattern of vehicular traffic, leading to vehicles stopping, slowing down, travelling at slow speeds and queuing, along side the boundaries of residential properties. It is considered that such an alteration to internal traffic flows, in conjunction with other noises associated with the compound, results in a material loss of amenity to adjoining residential properties. The proposed 5.4m high watchtower is also considered to be too close to the neighbouring properties and will compromise their personal enjoyment of their amenity. As such the proposal is contrary to Policy D.1 of the Adopted Wyre Forest District Local Plan.

2 The use of the existing junction arrangements to serve the proposed development with a further attraction to the Safari Park, involving additional vehicles slowing down and making turning movements, together with the presence of waiting vehicles on the adjoining principal road dual carriageway, A456 a Ranked Accident Cluster Site, would be likely to compromise the safe movement of traffic and the safe use of the road by others. The proposed development is therefore contrary to Policy TR.9 of the Adopted Wyre Forest District Local Plan.
Proposal: Outline: Erection of nineteen affordable housing apartments with associated parking and access alterations (siting and access) at Former Parish Hall, Lea Lane, Cookley

Case Officer: Mr. P. Round
Applicant: Manor Oak Residential Properties Ltd/Bromford Carinthia Housing Association Ltd.

1. Site Location and Description

1.1 Cookley Parish Hall is situated on the edge of Cookley Village accessed off Lea Lane forming the end of the Village boundary with the Green Belt and Landscape Protection Area beyond. The existing Parish Hall is not in a good state of repair and occupies only a small proportion of the site, with car parking taking up the remainder. The building is a pitched roof single storey construction with its gable fronting onto Lea Lane. The sites frontage onto Lea Lane is dominated by protected mature Yew trees and is directly opposite St. Peters Church, a Grade II Listed Building.

1.2 The proposal is for the construction of a block of 19 apartments to be erected in place of the existing building. The application has been submitted in outline form, with siting and access being determined at this stage. Although submitted in outline, Bromford Carinthia have indicated that the apartments will be 3 x 1 bed flats and 6 x 2 bed flats for shared ownership, 6 x 2 bed flats and 4 x 1 bed flats for rent. The scheme provides 25 parking spaces, a cycle park, refuse store and three garden areas for three of the apartments. The new access is in a central location on the frontage in an attempt to improve visibility.

2. Planning History

2.1 None

3. Consultations and Representations

3.1 Wolverley and Cookley Council – Awaiting Comments

3.2 Highway Authority – Recommend Refusal (see reasons 4. and 5. at the end of report)

3.3 Arboricultural Officer – I object to the development in view of the necessity to remove the majority of the protected Yew trees on site.
3.4  **English Heritage** – No comments

3.6  **Severn Trent Water** – No objection subject to conditions

3.7  **Environment Agency** – No objection subject to conditions

3.8  **West Mercia Constabulary** – Not enough detail to comment

3.9  **The Ramblers’ Association** – No objection

3.10  **Worcester County Council (Countryside Services)** – No objection subject to note.

3.11  **Environmental Health** – No objections subject to conditions and note.

3.12  **Housing Services** – The Housing Services Section have been working with the Parish and have established a need for Affordable Housing in Cookley. We support the development of affordable housing on this site subject to it meeting the requirements of the Planning Department.

3.13  **Neighbour** – 145 letters of objection and 154 signatory petition received raising the following issues:

- The development will increase the amount of vehicular traffic on an already narrow and winding Road. Lea Lane already becomes congested during school pickup and drop off and other events at the Church, playing fields and Doctors.

- Difficulty for emergency vehicles, refuse vehicles and maintenance vehicles to access Lea Lane. Difficulty will be compounded with extra traffic.

- Parking is limited within the site, as public transport is limited additional vehicles will be needed leading to more traffic parking in the lane adding to the congestion.

- The improvements to the playing fields will attract more cars to Lea Lane. This is without the extra 19 flats.

- Sebright School has problems at present with inadequate parking and access, this leads to poor visibility. Increasing the traffic will compound the problem and increase the risk to children and adults (as pedestrians and vehicles)

- The proposed two tier system at the school will increase pupils and teachers resulting in increase in traffic.
The site for the development is inappropriate. Will spoil the appearance of the village. 19 flats on the site is “cramming” and the height results in overlooking.

Concern over the allocation of apartments should be for young people to remain in Cookley.

Would not object to a more appropriate number of starter/family homes

Letter received from County Councillor raising the following concerns:
1. Highways: This Lane is used as a ‘rat run’ and is very busy at peak times. A school and a Church are situated side by side in the Lane. Traffic is already a real hazard to the children and more development will add to the hazard. It is difficult at times for people to get to the Church for funerals etc.
2. Sewerage and Drainage: It is doubtful that the system – already ancient and overloaded could take the strain of these extra properties
3. Over-development of Site: To put this number of properties on such a small site – plus the necessary parking is undoubtedly an over-development
4. Destruction of Established Trees: The proposed site plan will require the felling of mature trees – is this to be allowed?
5. Affordable Housing: This type of accommodation is badly needed in Cookley but will it be affordable. Recent similar developments have not been priced at a level that is affordable to local residents

4. Officer Comments

DEVELOPMENT PLAN ALLOCATION

4.1 The site is allocated within the Local Plan for residential purposes, and it is considered to constitute previously developed land. As such it is considered to be suitable in principle for residential development. It is not therefore necessary to consider the proposal under the Affordable Housing Exception Scheme Policy H.11. In terms of Affordable Housing provision for the Cookley area, I also consider this to be a suitable site for such provision. The main concerns for this application however relate to density, design, siting, access arrangements and impact on protected trees.

DENSITY

4.2 Policy H.5 requires development in this location to achieve 30 dwellings per hectare, however the policy is conditional on development having regard to the local circumstances and character of the area.
4.3 To achieve the requirement of 30 dwellings per hectare of this site only 6 dwellings would need to be provided. Under the present scheme, the development achieves 95 dwellings per hectare. It is felt that such a provision without a clear supporting housing need represents an over-development of the site. Such a high density development in the village of Cookley would significantly affect its character and appearance.

4.4 As the application is submitted in outline, no details have been submitted of the design or external appearance. However, the applicants have provided a 3 dimensional illustrative design of the development to help visualise the design concept.

4.5 The proposed footprint of the building takes a horseshoe shape design measuring 17.2m x 7.2m and is situated adjacent to the Southern boundary of the site. The proposed building and associated car parking area occupy the majority of the site leaving virtually no provision for communal amenity space. The only undeveloped areas are a 2m wide strip between the building and the eastern boundary and an area ranging from 1.6 m to 3.8 m in width between the building and the southern boundary. It should be noted that the scheme does provide three areas of garden for three individual flats, however the remaining sixteen flats have no amenity space provision. The proposed building, car parking and small areas of garden will dominate the site resulting in a cramped appearance of the development and leading to loss of trees on the frontage. This visual appearance is vitally important in this location as it provides the link and gateway between the Green Belt and Cookley Village. The overall visual affect of the scheme will be that of over-development that will significantly harm the character of this attractive location.

4.6 The building is located within 2m of the boundary of residential properties on Castle Road. Although it is acknowledged that design is not for consideration at this stage, it is clear that to provide the number of dwellings indicated, that the building would need to be of a substantial height. The illustrative design substantiates this by showing a building of 2 ½ / 3 storey in height. When in close proximity with the garden areas of adjoining properties, a development of this height will have a disastrous impact on these garden areas and will result in a loss of amenity to these residential properties. Although the existing Parish Hall is also in close proximity, it is felt that the bulk and height of the proposed building will cause material harm.
4.7 In light of these issues it is considered that the proposed size of the building and its siting is unacceptable and will result in harm being caused to the surrounding area and neighbouring properties. Due to the site’s position close to the Green Belt, any harm caused so close this designation will impact on the visual amenity of the Green Belt and be in conflict with Policy GB6 of the Local Plan and government advice in PPG2.

4.8 The trees on the site are covered by the Cookley Parish Hall Tree Preservation Order No 281 (2004). The trees consist of seven Yew trees and a Corsican Pine on the frontage and a Sycamore within the site. These trees play an important role as a gateway to the village, and provide a visual tree corridor on this section of Lea Lane. The proposals by virtue of the new access and building will result in the direct removal of three Yew trees and the Sycamore. The Arboricultural Officer also feels that a further two Yew trees will have to be removed through the provision of the visibility splays. The net loss of trees on the site is 5 out of 7 Yew trees and the Sycamore Tree. As the Tree Preservation Order is so recent special regard must be given as to the reasoning behind such a large loss of trees. The applicants have commissioned an independent Arboriculturalist to view the trees, and his conclusions are that the removed trees can be replaced by additional planting. However, officers consider that additional planting will not overcome the harm caused by the loss of these important trees.

4.9 In addition it is considered that the two garden areas fronting onto Lea Lane will be completely overshadowed by the remaining Yew trees and will result in pressure being put on these protected trees either for severe pruning or removal. It is considered that position of these garden areas are inappropriate in relation to the trees and do not give full consideration to their protected status.

4.10 These trees play an important role in the visual character of the area and its relationship with the Green Belt. The loss of these trees is considered unacceptable.

ACCESS ARRANGEMENTS AND HIGHWAY CONSIDERATIONS

4.11 The current access to serve the Parish Hall is grossly deficient in terms of visibility due to the presence of a high brick wall that marks the boundary of the alley and The Cottage. The proposed access seeks to improve this visibility by centralising the access and creating improved visibility splays. The car park provides 25 car-parking spaces along with a cycle store together with associated landscaping.
4.12 The Highway Authority have considered the application carefully and feel that the visibility splays provided are inadequate and do not comply to the requirements of the County Council’s current design guide. The traffic generation to the site will be considerable especially during peak hours and this increase will exacerbate the existing highway dangers in close proximity to the School, Doctor’s Surgery and Social Club. In addition, it is considered that the junction of Lea Lane with Castle Road is insufficient to accommodate the number of vehicles associated with this development, and when assessed cumulatively with existing uses on Lea Lane it is felt that vehicular and pedestrian safety will be compromised. Although it is acknowledged that the Parish Hall could generate a substantial amount of traffic, it is considered that this will not be on a regular basis and would normally be outside peak hours.

4.13 AFFORDABLE HOUSING PROVISION

A Housing Needs Survey was carried out on behalf of Wolverley & Cookley Parish Council in 2004. In respect of Cookley a need for 9 flats, 8 houses, and 2 bungalows was identified by the Survey for the next five years, to be accommodated on land within the village. As stated above it is considered that the Parish Hall site is suitable in principle for accommodating some of this need.

4.14 It is clearly documented that there is a specific need to provide units of accommodation to aid occupiers of the Parish, dependants, first time buyers and people employed in the Parish to obtain housing at affordable levels. The results of the Housing Needs Survey are key to this provision and identify the requirement over the next 5 years. The policies within the Local Plan support such schemes subject to normal policy requirements. In this type of location it is desirable for developers to enter into a legal agreement to secure the occupancy initially and in perpetuity to be linked directly to the Parish. The applicants have agreed to enter into such an agreement.

4.15 Notwithstanding the benefits of the providing affordable housing in this area, it considered that number provided is in excess of that identified in the Housing Needs Survey, and this does not hold sufficient weight to override the harm that would be caused as outlined above.

5. Conclusions and Recommendations

5.1 Although it is felt that the Parish Hall site provides a suitable location for affordable housing provision for Cookley Village, the development as proposed is considered unacceptable.
5.2 The siting of the new access, the building and associated development will constitute an over-development of the site. Such over-development will result in loss of protected trees to the frontage, detriment being caused to neighbouring properties and harm being caused to the character of this Village location, and the visual amenities of the adjoining Green Belt. In addition the access, junction arrangements and nature of the road are insufficient to accommodate the traffic generated from the development, and will result in a deterioration of pedestrian and vehicular safety.

5.3 I therefore recommend REFUSAL for the following reasons.

1. The proposed development represents a high-density scheme and due to the siting of the building and parking areas it constitutes over-development of the site, thereby resulting in inadequate provision of amenity space and leading to a cramped appearance of the site. This over-development of the site will significantly affect the character of this Village location and the visual amenities of the adjoining Green Belt. There is insufficient evidence to justify the proposal in terms of its numbers or to outweigh the harm that would be caused. As such the development is contrary to Policies H.5, D.1, D.3, D.13 and GB.6 of the Adopted Wyre Forest District Local Plan and government guidance in PPG2.

2. The development by virtue of its position in close proximity to residential properties and its anticipated height is likely to result in a loss of amenity through dominance and overshadowing to the rear garden areas of these properties. The development would be contrary to Policy D.1 of the Adopted Wyre Forest District Local Plan.

3. The proposed new access, visibility splays and provision of a pedestrian footway across the frontage of the site will result in the loss of a number of protected trees on the site both directly and indirectly. In addition the canopies of the remaining trees will overshadow the position of the two garden areas, such impact will put undue pressure for pruning or felling of these trees. The loss of these protected trees is considered to be unacceptable and will remove the visual amenity that is afforded by them. The proposal is thus contrary to Policy D.4 of the Adopted Wyre Forest District Local Plan.

4. The proposed access arrangements where visibility is restricted especially in a northerly direction measured at the X Distance of 4.5 metres together with the internal layout is at variance with the requirements of the County Councils current Design Guide. The proposal is thus contrary to policy TR9 of the Adopted Local Plan.

5. Lea Lane together with its junction of Castle Road is considered unsuitable in its present layout to serve the proposed development and would be likely to comprise the safe movement of pedestrians and vehicles and the safe use of the road and junction by others. The proposal is therefore contrary to Policy TR.9 of the Adopted Wyre Forest District Local Plan.
WF.41/05

Proposal: Full: Industrial unit (Use Class B1/B2) with ancillary offices at Wilden Industrial Estates, Wilden Lane, Stourport on Severn

Date Received: 10.2.05
Agent: Tim Cooper Associates
Ord. Sheet: 8272 SW
Policy: E.2,D.1,D.3,D.7,D.10,D.11, NR.5,GB.6,TR.9,TR.17
Case Officer: S. Allum
Applicant: Wilden Industrial Estates Ltd.

Site Location and Description: The Wilden Industrial Estate is located to the west of Wilden Lane, the access being some 200 metres north of All Saints School and Church. This land is allocated in the Development Plan for employment purposes, and the proposed building (27.5m x 16.5m floor plan x 5.5m high to ridge) is shown to be erected in the south west corner of the site, adjacent to the River Stour and open Green Belt land. Materials are similar to the existing industrial buildings in the immediate vicinity, i.e. brick base up to a height of 1.2 metres, with the remaining walls and roof in steel cladding – Goose grey for the roof; Blue for the sides – again, to match the previously approved estate structures.

Planning History: WF.13/76 – Workshop building and two storey building for offices, toilets and tool room: Approved but not implemented

Consultations and Representations: Stourport on Severn Town Council – Recommend approval
Highway Authority – No objections subject to condition
Environment Agency – No objections subject to conditions
Severn Trent Water Ltd. – No objections subject to condition
Environmental Health – Views awaited

Officer Comments: The principle of Industrial development on this land is established by the Development Plan land allocation. The details of the scheme are satisfactory. The design of the building is appropriate and similar in style and materials to existing buildings on the estate. Although the building would be conspicuous from the Green Belt, there is an opportunity to soften this with appropriate landscaping and materials. Likewise the applicant has provided all relevant and necessary information in respect of flood risk which has been ratified by the Environment Agency. The proposed building is located some 110 metres from the nearest dwellings on the east side of Wilden Lane. At this distance, I do not believe that a serious loss of amenity would occur to these dwellings.

Conclusions and Recommendations: This proposal complies with all relevant Development Plan policies. I therefore recommend APPROVAL subject to conditions, and in consideration of Articles 1 and 8 of the Human Rights Act 1998:- 1. A6 (Full with no reserved matters); 2. A11 (Approved plans); 3. B1 (Samples/details of materials); 4., 5., 6. Environment Agency; 7. Severn Trent Water Ltd. (drainage); 8. Highway; 9. C6 (Landscaping – small scheme); 10. C8 (Landscape implementation); 11. B11 (Details of enclosure); 12. B13 (Levels); 13. Highway; Note – Environment Agency

Reason for Approval: The application site is identified as a proposed site for Classes B1, B2 and B8 uses in the Adopted Wyre Forest District Local Plan. The design and layout of the scheme is considered acceptable. The impact of the scheme in relation to residential amenity, highway safety, flood risk and Green Belt visual amenity have been carefully considered. The development is therefore in accordance with the policies listed above.
Proposal: Full: Erection of wooden cabin ('HELPPO' outbuilding) over six car parking spaces for promotional purposes for a one year period at B. & Q. Warehouse, Green Street, Kidderminster

Ward: Greenhill
Applicant: B. & Q.

Site Location and Description: This application relates to the B. & Q. store in Green Belt. It is proposed to erect a wooden cabin type building in front of the existing store. The proposed building is 5.6 metres long x 4.7 metres wide x 2.7 metres high. The building will take up six car parking spaces. Permission is required for a one year period.

Planning History: None particularly relevant

Consultations and Representations:
Highway Authority – No objection
Environment Agency – No response
Neighbour/Site Notice – No representations received

Officer Comments: This is an application for temporary permission for one year to erect a wooden structure close to the front of the B. & Q. building. The site is allocated for car parking where Policy TC.5 of the Adopted Wyre Forest District Local Plan applies. Although this policy does not allow for loss of car parking, in this particular case the loss of six car parking spaces on this site is considered to be a minor issue. In addition, the Highway Authority has raised no objections. In view of its temporary nature, appearance and setting, it would be difficult to substantiate an argument against this building on visual grounds.

Conclusions and Recommendations: In view of the above, I recommend that the application be APPROVED subject to the following conditions:-
1. A8 (Temporary permission – one year) 2. A11 (Approved plans)

Reason for Approval
For a temporary period of 12 months the size, location and appearance of this building is considered to be acceptable and the loss of car parking spaces for this period is not considered to present a problem for off site car parking. For these reasons the proposal is considered to be in accordance with the policies listed above.
Mr. Cox
Applicant:

is located close to the proposal (not covered by a Tree Preservation Order). The revised proposal is to erect a three car pitched roof garage (9 metres x 6 metres x 4 metres high to ridge) on a lower part of the garden adjacent to Churchill Lane, access being gained via a new internal driveway down the slope from the existing access and shared driveway. An existing mature Norway Spruce tree to ridge) on a lower part of the garden adjacent to Churchill Lane, access being gained via a new internal driveway down the slope from the existing access and shared driveway. An existing mature Norway Spruce tree is located close to the proposal (not covered by a Tree Preservation Order).

Consultations and Representations: Churchill and Blakedown Parish Council – Objects to the revised application as this three car garage is a large building and sited in a prominent location in the Green Belt to the detriment of the visual amenities of the area. Furthermore, the location means that a long driveway will have to be constructed, which will also be visually detrimental. The scale of the proposed use will mean an increased use of the access and this will have visibility and road safety implications. This three car garage will be out of scale with the existing cottage and the use of roller shutter doors gives a commercial appearance to the building and area.

Environment Agency – No objections subject to notes. Severn Trent Water Ltd. – No comments received Highways Agency – No objections to the revised proposals. Network Rail – No comments received Arboricultural Officer – Provided the proposed drive is located at least 4 metres from the mature Norway Spruce and that any excavations within 6 metres of the tree are kept to a minimum, I would not object subject to conditions.

Neighbour: one letter of objection received – Moved to Blakedown 8 years ago into No. 5 Birmingham Road. Chose Blakedown as it is Green Belt, Conservation Area and beautiful little village. Understand that buildings cannot be erected to spoil views of the village. Disappointed that Mr. Cox did not contact me to discuss proposals as plans affect my living rights, as the plot is unusually split. Main issue is shared hedge that leads from drive to Mr. Cox’s garden. Does not show on plans. Two trees on land also not shown – believe that there is a Preservation Order on one of the larger trees. Other reasons: Increased noise and disruption levels from shared drive; garage will affect right of light and air; Privacy will be invaded as garage is intended for purpose of selling cars – concern over my safety; Design not in keeping with two cottages or the village; Bus stop near to shared access – quite dangerous with increased traffic in and out; Small turning space – could be dangerous; Increased noise from garage shutter doors and extra car fumes; Sewer pipe runs through site – Severn Trent may need access; Impact on wildlife, e.g. Muntjac Deer; If electricity supply is required for garage – how will this be achieved. Applicant no longer drives and does not own a car – he has a garage already adjacent to house. Garage larger than his living space and is intended for his grandson who is a car trader and proposes to sell some of his ‘better’ cars from Blakedown to enhance price. Not appropriate to run a business from site, yet this appears to be the intention. If permission granted suggest condition preventing commercial use.

Officer Comments: PPG2 lists the type of development which is not inappropriate in the Green Belt. One of these is limited extensions or alterations of existing dwellings. This advice also forms the basis of Policy GB.1 of the Adopted Wyre Forest District Local Plan. As the proposed garage is located a considerable distance away from the main dwelling, it does not fall within this criteria. This proposed garage is therefore, ‘inappropriate’ development in the Green Belt which is, by definition, harmful. When considering inappropriate development. Very special circumstances must be demonstrated by the applicant to justify why the development would be permitted. Other than an explanation that the garage is needed for domestic purposes, no other information or justification has been received. It is also considered that due to the siting of the garage the proposed development will reduce the openness of the Green Belt. As a domestic garage, I feel that the impact upon neighbour amenity would be negligible, and this determination cannot take into account any private matters as highlighted by the neighbour. If Members are mindful to approve, a condition could be imposed to restrict the use of the garage to address this issue.

Conclusions and Recommendations: This proposal fails to meet the criteria of Green Belt policy in the Development Plan. I therefore recommend REFUSAL for the following reasons, and in consideration of Articles 1 and 8 of the Human Rights Act 1998:-

1. The application site lies within an area designated as part of the West Midlands Green Belt; the garage proposed is considered inappropriate development within the Green Belt and due to its siting it would reduce the openness of the Green Belt. No very special circumstances have been demonstrated by the applicant to justify approval or how the harm by reason of inappropriateness can be overcome. This is considered to be contrary to the guidance contained in Planning Policy Guidance Note No. 2, Policy D.39 of the adopted Worcestershire County Structure Plan, and Policies GB.1, GB.2 and GB.6 of the Adopted Wyre Forest District Local Plan.
Outline: Demolition of school buildings and erection of dwellings at St Ambrose’s Roman Catholic Primary School, Clarence Street, Kidderminster

Site Location and Description: This part of St. Ambrose School is located at the end of Clarence Street. The site has an area of 0.28 hectares and is comprised of school buildings in poor condition with trees around the boundaries. It is proposed to demolish the school buildings and to gain planning permission for the principle of residential development on this site. This is an outline application and although an indicative layout has been submitted this is purely illustrative as siting, design, external appearance and landscaping are reserved matters.

Planning History:
- WF.226/05 – Demolition of school buildings and construction of new classroom: Approved
- WF.683/98 – Erection of covered walkway: Approved
- WF.225/05 – Demolition of school buildings: Approved
- WF.899/92 – Classroom Extension: Approved
- WF.226/05

Consultations and Representations:
- Highway Authority – No objections
- County Education Services – No educational contributions necessary in this case
- Neighbours/Site Notice/Advertisement – No representations received.

Officer Comments: The site is allocated for educational purposes in the adopted Local Plan. To develop this land for residential purposes would be contrary to the land use allocation and also the provisions of Policy H2 (Residential Locations). The application should therefore be refused unless there are material considerations to justify why the policies should be overridden. In this case there are a number of circumstances which support the scheme. The applicants have stated that the school no longer needs this site and the upkeep and the maintenance is a considerable burden on the school's resources. Furthermore, they state the buildings on the main site do not provide the school with good quality teaching accommodation and the proposals to improve that scheme would not set a precedent for other schools because it is very much a brownfield site, it does not result in a loss of playing fields and most of the land is hard surfaced or built upon. Other issues, such as impact on neighbouring amenity and implications for boundary trees would be considered at the reserved matters stage, if the application is approved. Since the last meeting, the Highway Authority has been contacted with respect to the provision of traffic calming measures. However, it is felt that this could not be justified by this application particularly in view of the slow speed of traffic in the area. Money for improved street lighting and junction tactile paving however is to be sought by the Highway Authority under the provisions of a Section 278 Highways Agreement.

Conclusions and Recommendations: This development is contrary to Policy H.2, however, in this particular case it is felt there are special circumstances to outweigh normal adherence to the Local Plan and as such the application is recommended for delegated APPROVAL subject to a Section 106 Agreement to ensure a linked relationship with the development of this site and the improvements to the school, and subject to the following conditions:-


Reasons for Approval: It is considered that very special circumstances outweigh the normal presumption against residential development in areas not allocated for this purpose. The application is acceptable in other respects including impact on residential amenity and in terms of highway safety.
Site Location and Description: This is the former Save Service Station site on the Wolverhampton Road (A449). It is proposed to erect twelve x 2 and 2½ storey dwellings fronting Wolverhampton Road. The dwellings are terraced and in two blocks separated by a gated central parking court. This parking court contains two detached double garages and all the car parking for the proposed dwellings.

Planning History: WF.645/03 - Fourteen dwellings : Refused; appeal dismissed
WF.1303/03 - Fourteen dwellings : Approved

Consultations and Representations:
Environment Agency - No objection subject to conditions
Severn Trent Water Ltd. – No objection subject to conditions
Highways Agency – Request safety audit, and Direct refusal in the absence of one
West Mercia Constabulary – Various measures suggested to improve crime prevention which have been passed on to the applicant's agent
County Council (Education Services) – Educational contribution required
Arboricultural Officer - No objection subject to suitable landscaping conditions
Neighbour/Site Notice – No representations received

Officer Comments: Planning permission has already been granted for 14 dwellings on this site. The current scheme proposes two blocks of terraced houses on each side of a parking court. Unlike the previous scheme (which also contained flats) all of the dwellings now front on to Wolverhampton Road. This has two advantages in that dwellings in Chapel Court are no longer overlooked at all, and the separation distance between the new units and existing flats to the rear are greatly increased. The parking court which separates the two blocks is proposed to be gated and this feature together with linking walls should help to screen the parking area from the road. In terms of design the dwellings are a mixture of 2 storey and 2 ½ storey properties and this in addition to varied building lines adds interest to the development. The scheme retains some trees on one side of the development, observes the 45° degree code and maintains acceptable separation distances to site boundaries with other residential property. At the time of writing the applicant’s are in the process of preparing the safety audit required by the Highways Agency.

Conclusions and Recommendations: This is considered to be an acceptable alternative scheme for developing this site. Subject to the receipt of an acceptable safety audit and the Highways Agency withdrawing their objection, I would recommend delegated APPROVAL subject to a Section 106 Agreement relating to educational contributions and subject to the following conditions:

Reason for Approval: The proposed development is acceptable in terms of design layout and highway safety. The impact on the amenity of residential properties has been considered and the scheme is judged to be acceptable. For these reasons the proposal is considered to be in accordance with the policies listed above.
Site Location and Description: This application relates to a three storey detached dwelling, Woodland House, located on New Wood Lane in Blakedown. Immediately adjacent to the site is a public footpath. The site is within the West Midlands Green Belt. The application seeks consent for a single storey extension to provide a larger sitting area.

Planning History: Most recent and relevant:
WF 494/86 – Extension to form additional living accommodation (not implemented)
WF 153/89 – Extension to form swimming pool : Approved

Consultations and Representations:
Churchill and Blakedown Parish Council – No objections
Highway Authority – No objection
Ramblers Association – Comments awaiting
Arboricultural Officer – No objections
Neighbour/Site notice – No representations received

Officer Comments: The application site is within the Green Belt where Policy GB.1 allows for residential extensions provided it does not result in disproportionate additions over and above the size of the original dwelling. This three storey dwelling has previously been extended to form a swimming pool. The existing extension has already increased the footprint of the original property by 112%. The proposed extension which measures 44.5 sq.m. would increase the footprint by a further 23% resulting in a cumulative increase in footprint of 135%. In support of the application the Agent states that the extension fully satisfies the requirements of Policy D.17 in respect of scale, character, materials, the subservient nature and the fact it is not readily visible. The Agent also argues that the proposed extension even when added to the earlier extension is no way disproportionate. The total increase in volume is 65% and this increase should be considered rather than the increase in footprint due to the property being three storey. Recent appeal decisions relating to extensions in the Green Belt have referred to both volume and footprint. In this case as the extension is to the side of the existing property which has already been extended in terms of its footprint, it is considered appropriate in this case to consider the cumulative increase in footprint resulting from the proposed extension. Although it is acknowledged that the cumulative increase in volume is only 65% the 135% increase in footprint is considered to be disproportionate to the original property. The justification provided by the Agent is not considered to constitute very special circumstances why the proposed development should be permitted.

Conclusions and Recommendations: In view of the above and in consideration of Articles 1 and 8 of the Human Rights Act 1998, I recommend the application for REFUSAL for the following reason:
1. The application site is within an area designated as part of the West Midlands Green Belt. The proposed extension, when considered together with an existing extension, would result in a disproportionate addition over and above the footprint of the original dwelling. The development is therefore inappropriate development within the Green Belt and contrary to advice in PPG2 and Policy GB.1 of the Adopted Wyre Forest District Local Plan. There are no very special circumstances to justify why this inappropriate development should be permitted.
Proposal: Full: Erection of additional three bay stable for use as foaling and sick bay accommodation ancillary to recreational keeping of horses on land off Kinver Lane, Cookley

Site Location and Description: The application site is located in the south west corner of a field that is accessed by a 150m long track off Kinver Lane in Cookley. The track is located approximately 150m north east from the split cross road junction of Snake Lane and Orchard Grove with Kinver Lane. It is proposed to erect a three-bay stable measuring 11m x 3.5m that stands 2.8m at its maximum height. The stable block is to be positioned to the east of an existing stable and in parallel approximately 3 metres away from tack room which forms an ‘L’ shape on the southern elevation. The Agent has supplied supporting information along with letters from the Applicant’s Vet, Farrier, and a Kinver Parish Councillor. The key justification is that of a need for sick bay and foaling accommodation. The Agent has also requested that the Members of the Committee undertake a site visit prior to any determination of the application, and that the Applicant is willing to enter into a legal agreement stating that no further buildings will be required.

Planning History: WF.812/98 – Barn, four stables and change of use to keeping of horses: Refused; Appeal Dismissed but allowed the change of use to horticulture
WF.533/99 – Building to form four Stables: Approved
WF.75/01 – Provision of addition 3 bay stable block: Refused; Appeal Dismissed

Consultations and Representations: Wolverley and Cookley Parish Council – Views awaited
Highway Authority – Views awaited. Environment Agency – No comment
Neighbour/Site Notice – No representations received

Officer Comments: Within Green Belt areas the keeping of horses and associated buildings are normally considered to be appropriate development. However in this case it falls to the Local Planning Authority to consider whether the accommodation is essential and the impact of the buildings on the landscape and visual amenities of the Green Belt. An identical application was considered in 2001 and was refused and a subsequent appeal dismissed. The Inspector at that time did not view the additional stables as being essential, and felt that they harmed the openness of the Green Belt. He also felt that as no very special circumstances exist that the development was inappropriate in the Green Belt. This application is essentially a resubmission of this appeal. The circumstances surrounding and in support of the appeal were that of welfare of sick animals. In this regard the Inspector noted that no specific examples had been provided to substantiate this claim. In this current application the circumstances are identical stating the need for sick bay accommodation. Although a letter from the Vet has been received again no specific examples have been submitted. In terms of foaling bays, the 1998 permission included a foaling bay, and no information has been provided to justify a further foaling bay. The additional building is therefore not considered to be an essential facility and as such constitutes inappropriate development in the Green Belt, which causes harm by definition. In addition I agree with the Inspector that the proposed stables will harm the openness of the Green Belt. The circumstances have not materially changed since the appeal decision. I cannot support this application, as it is clearly contrary to Local Plan Policy and Government Advice.

Conclusions and Recommendations: I therefore recommend REFUSAL for the following reasons:-
1. The application site lies within an area designated as part of the West Midlands Green Belt; the development proposed constitutes inappropriate development and in the Green Belt. No very special circumstances have been demonstrated to justify why the proposal should be permitted. It is thus considered contrary to Policies GB.1 and GB.3 of the Adopted Wyre Forest District Local Plan and Policy D.39 of the Adopted Worcestershire County Structure Plan
2. The intensification of built development in this prominent location would cause demonstrable harm by virtue of the creation of additional built development that is unacceptable and would detract from the openness and visual amenity of the Green Belt and such is contrary to Policies GB.1, GB.3, GB.6 and EQ.2 of the Adopted Wyre Forest District Local Plan and Policies D.36 and CTC.4 of the Adopted Worcestershire County Structure Plan
Ward: Aggborough & Spennells  
Applicant: Elmsyne Ltd.

Site Location and Description: This area of land is to be found to the rear of Hoobrook flats. It is a sloping site which rises in a northerly direction towards the rear gardens of properties situated in Ludlow Road. On the eastern side is a car parking area, beyond the western boundary are residential gardens of properties in Worcester Road and Ludlow Road. To the south is a block of flats known as ‘Champney’. The central area is covered by scrub and smaller trees; larger trees are located adjacent to the western and northern boundaries. Vehicular access to the site is gained via St. Cecilia’s Close (the lowest access point to the flats) to Hoo Road. Outline planning permission was granted in 2002 for sixteen two/three bedroom dwellings and estate road on this site. This application seeks to extend the time period for the submission of reserved matters by a further 6 months.


Consultations and Representations: Highway Authority – No objections
Environment Agency – No objection. Severn Trent Water Ltd. – Views awaited
Highways Agency – No objection. Arboricultural Officer – Views awaited
Worcestershire County Council Historic Environment and Archaeology Service – Views awaited

Neighbour: Five letters of objection received – Plans incorrect shows existing car parking area, poor visibility due to parked cars each side of the proposed access road, site already congested- further pressure on parking at peak times and junction of Hoo Road/St Celia Close is difficult and dangerous due to poor visibility/parked vehicles/speed of traffic- increased traffic at junction and within Service Rd which is unsuitable -increased risk to children/elderly/disabled, traffic calming required for Hoo Road access through car parking would be a violation of lease agreements, loss of privacy for 30 flats in Champney - overlooking from elevated development, loss of woodland/wildlife – trees have been destroyed in past , detrimental to badgers welfare -Tree Officer in 2001 gave a strong indication that permission would be unlikely to succeed – original report should not have been affected by the applicant's request for costs back following imposition of a Tree Preservation Order, adverse impact of new services on trees on site and neighbouring land, access for emergency services would be very difficult, why wooded area sold, sold and resold? Trees oxygenate air around buildings and screen traffic island. Enough population already.

In addition to the points made above, the applicant has advised that the extension of time for 6 months will not affect the overall time limit for commencement of development (i.e. 5 years - condition 1), it is their intention to submit reserved matters at the earliest opportunity to have the consents in place by August. They have also submitted a court case where the Judge concludes that an extension of time for one year had only a limited effect.

Officer Comments: Outline planning permission was granted in March 2002 for 16 no two/three bedroom dwellings on this land. Condition number 5 attached to that permission requires a wildlife survey to be undertaken in order to ascertain the presence of protected and notable species/features and to safeguard the well being of any such species found to be present. In undertaking this survey, the applicant’s environmental biologist has recorded badger activity. Badger Sett exclusions are only permitted by English Nature between the months of July and November and will only be accepted when all planning issues have been resolved. The applicant has only recently acquired the site and consequently has only just begun preparing the details for the submission of reserved matters. With this in mind, the application seeks to extend the life of the outline planning permission for a further 6 months in order that these matters can be resolved. Similar neighbour objections relating to traffic, trees and wildlife were raised when the original application was submitted and these were taken into account when approving the scheme.

Conclusions and Recommendations: In view of the circumstances of the case it is considered to be reasonable to permit the amendment to condition number 3 of the outline planning permission to extend the date for the submission of reserved matters to September of this year. I therefore recommend APPROVAL subject to the same conditions as WF.653/01 with the amendment to No. 3

Reason for Approval – In the circumstances of the case, it is considered that the extension of the period allowed for the submission of reserved matters be extended by a further 6 months period is reasonable and not inconsistent with planning policy.
Planning (Development Control) Committee : 10th May 2005  PAGE NO. 36

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WF.285/05  Proposal: Full : Change of use from A1 to A5
Date Received: 09.03.05 (take away) at 70 Blackwell Street, Kidderminster
Agent: -
Ord. Sheet: 8377 SW
Policy: RT.6, NR.10, NR.11, CA.6, TR.9
Case Officer: C. Bishop
Ward: Broadwaters
Applicant: Peter Kajia

Site Location and Description: 70 Blackwell Street is a 3 storey Victorian end of terrace property which borders Union Street. The ground floor, although currently vacant, was previously a furniture shop. The application proposes to change the use of the ground floor to a hot food take away (A5 Use Class).

Planning History: (Adjacent site) Change of use to take away and new shop front at 71 Blackwell Street – Allowed at appeal. WF.377/05 Change of use to A5 and installation of external extraction system – Pending consideration

Consultations and Representations: Highway Authority – No objection
Crime Risk Manager – I have no formal observations to report on this application
Environmental Health – No objection subject to conditions
Neighbour/Site Notice: Four letters received raising the following points - Blackwell Street is already saturated with take away businesses and another will only add to the already increasing anti-social behaviour of youngsters and drunken adults requiring food late at night; I have been delivering take away food for Lucky Star for over 18 months and I have noticed the increase in traffic though the Horsefair area; residents and people visiting The Peacock leave their vehicles in Silver Street all night; another take away on the opposite corner of Silver Street would cause horrendous parking and traffic problems particularly at rush hour times; it is an accident waiting to happen; Union Street is only wide enough to allow 2 average size cars pass; there will be more vehicles parked in the vicinity; shortage of car parking; possibility of increased car crime or car theft.

Officer Comments: The application site is located within a Local Centre where Policy RT.6 applies. This policy says that proposals involving the change of use at the ground floor to A2 or A3 will be considered on their merits, but will be resisted where the proposal would be result in no convenience outlet within 200 metres. This policy does not limit the number of A3 units within the Local Centre. Although this policy does not refer to the new Use Class A5, no justification to that policy does refer to takeaway use and as such is relevant. In view of the premises being within close proximity to 'Bargain Booze' I consider the proposal to comply with this policy. The key areas for concern are the potential highway safety issues and cooking extraction facilities. The letters of representation received objected to the proposal on the grounds of increased traffic and parking problems and a potential increase in anti-social behaviour. In 1985 planning permission was refused for the change of use of the adjacent premises (no. 71) on the grounds that the development would be likely to result in vehicles parking in adjoining carriageways to the detriment of other users of the public highway and the junction of Union Street and Blackwell Street was considered to be sub-standard. The change of use was subsequently allowed at appeal where the Inspector concluded that the impact of a hot food take away shop on road safety is unlikely to be much greater than that made by any other small shop in the locality. The Inspector noted that the premises was within a mixed commercial and residential area and the majority of customers to the premises are likely to live or work in the area and are likely to arrive on foot. The Inspector also noted that there is limited car parking in Union Street and there is more extensive car parking within easy reach and custom is likely to be lowest or non-existent during rush hours. Whilst the amount of traffic using the Horsefair as a whole may have increased since the date of this decision, the considerations outlined above remain the same. In my opinion an additional hot food take-way within this Local Centre is unlikely to increase the number of people visiting the area to purchase a hot food take away. Another hot food premises would more likely increase the amount of choice available for people requiring a hot food take-away that live and work in the area. I do not consider the proposed change of use to have a significantly more harmful impact on the highway network than the existing use. The Crime Risk Manager has been consulted and raised no objection. With regards to the means of extraction no details have been submitted with the application. Due to the prominent location of the site within this historic part of Kidderminster it is considered essential that extraction details are agreed prior to the change of use occurring. It is not felt reasonable to refuse the application on this basis since extraction details can be controlled by condition.

Conclusions and Recommendations: The provisions of Articles 1 & 8 of the Human Rights Act 1998 have been taken into consideration, however, it is considered that the proposal meets the criteria of the relevant policies and therefore the application is recommended for APPROVAL subject to the following conditions: 1. A6 (Full with No Reserved Matters); 2. A11 (Approved Plans); 3. F9 (Details of Extraction Equipment); 4. F10 (Completion of fume extraction); 5. J19 (Hours of Opening to Customers); 6. J23 (Storage of Refuse – Submission of Details Required); 67 J16 (Restrictions on Use); 8. Restriction on occupancy of upper floors to be used in connection with hot food take-away only Notes – A. SN5 (No advertisements); B. Food Safety legislation. Reason for Approval: The impact of the proposed takeaway use upon neighbouring properties and highway safety has been carefully assessed and it is considered that, subject to suitable conditions, the use would not create a serious adverse effect. Also, the use would not result in an unacceptable loss of retail use in the group of small shops due to the presence of a convenience store within 500 metres of the site. Therefore it accords with the policies listed above.
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Site Location and Description: Millerdale House is a detached dwelling located in a rural area within the Landscape Protection Area west of the River Severn. There are neighbouring dwellings to the rear and side of the site. There have been previous extensions, but these have been restricted to the ground floor and comprise a conservatory and conservatory extension. This application seeks consent for a ground floor study (4.85m x 4 m), a rear kitchen extension (1.6m x 4.4m), and a pitched roof addition to an existing first floor flat roof.

Planning History: WF.335/99 – Conservatory extension : Approved
WF.115/97 – Erection of enclosed swimming pool building with conservatory : Approved
WF.36/02 – Conversion and extension of outbuildings (garage) to form two bedroom dwelling : Approved
WF.484/03 – Erection of double garage and ancillary amendments to existing driveway : Approved

Consultations and Representations:
Rock Parish Council – Recommend refusal; believe it is over-development of the current site and not in keeping with the surrounding rural settlements.
Highway Authority – No objections
Neighbour/Site Notice – No representations received

Officer Comments: Although this dwelling has been extended in the past, I do not feel that these further extensions would result in a disproportionate effect being created in relation to the size and scale of the original building. In terms of visual subservience, the proposed extensions would continue to allow the original building to retain its visual dominance as required by policy. (The detached garage approved in 2003 is effectively an outbuilding, being located more than 5 metres from the nearest wall of the dwelling. Accordingly, the volume of the garage cannot be considered in the calculations relating to previous extensions). Additionally, the overall appearance of the dwelling would be enhanced, in my view, by the elimination of the existing first floor flat roof by a matching gable pitched roof. In a wider sense, this proposal would create no adverse impact upon the character of the Landscape Protection Area or the amenity/privacy of adjacent dwellings. With respect to the Parish Council comments, if approved the proposed extension will reach the limit of what is acceptable in terms of cumulative extensions, but I am satisfied that this scheme is not leading to ‘over-development’.

Conclusions and Recommendations: This proposal complies with the requirements of the appropriate Development Plan policies I therefore recommend APPROVAL subject to conditions, and in consideration of Articles 1 and 8 of the Human Rights Act 1998:
1. A6 (Full with no reserved matters); 2. A11 (Approved plans); 3. B6 (External details - approved plan)

Reason for Approval – The proposed extensions are considered to be of an appropriate scale and design in relation to the original dwelling, and will not be out of character with the Landscape Protection Area. The impact of the extensions upon the neighbouring properties has been carefully assessed, and it is considered that no adverse impact would be created in relation to amenity or privacy. For these reasons the proposal is considered to be in compliance with the policies listed above.
Site Location and Description: 22 Richmond Road is a detached residential bungalow located on a corner plot with Yew Tree Lane in ‘The Lakes’ area of Bewdley. The application seeks permission to demolish part of the existing bungalow and construct a split-level detached dwelling on the plot.

Planning History: None

Consultations and Representations:
- Bewdley Town Council – Recommends Refusal on the grounds of over-development
- Highway Authority – Recommend refusal (see Reason 2 for refusal)
- Disability Action Wyre Forest – Request access statement
- Neighbour/Site Notice – One letter of objection received – Excavation work will de-stabilise our property; view will be obscured; loss of light; loss of privacy; increased noise by having 2 properties adjacent to boundary; access location is a highway hazard; proposal is not in keeping with surrounding area

Officer Comments: The site is within an area allocated for residential use under Policy H.2 of the Adopted Local Plan, and is considered to constitute previously developed land. The Design Quality SPG emphasises that new residential developments should be responsive to existing street patterns and characteristics of the surrounding area. In order to accommodate the detached dwelling it is proposed to demolish part of the existing bungalow. Notwithstanding this, the plot is considered to be of an insufficient size to accommodate an additional dwelling that would be in keeping with the surrounding properties and plot sizes. The private amenity spaces for the proposed dwelling would have a poor relationship with the existing and proposed dwelling which would not be commensurate in size with the scale of the development. The application site is prominent within the street scene, especially when travelling north west on Richmond Road and south west on Tudor Road. A new dwelling of the design and composition proposed would introduce an intrusive feature within this street scene. The impact on the amenities of neighbouring properties has been carefully assessed, however, the proposal is not considered to cause any undue harm by way of loss of light or loss of privacy. The Highways Authority’s also consider the proposal unacceptable in terms of highway safety.

Conclusions and Recommendations: In view of the above I therefore recommend this application for REFUSAL for the following reasons:

1. A detached dwelling as proposed on a plot of this nature and size would represent an over development of the site, resulting in an unacceptable relationship between the proposed dwelling and neighbouring properties and would create a cramped visual appearance of the development in the street scene. Due to the restrictions of the plot, the siting and external appearance of the dwelling, the proposed development would not adhere to or contribute to the character or local distinctiveness of the area and would result in harm being caused to the visual amenities of the street scene and surrounding area. The proposal would, therefore, be contrary to Policies H.2, D.1 and D.3 of the Adopted Wyre Forest District Local Plan, the Design Quality SPG and guidance within PPG1 and PPG3.

2. The use of the vehicular access which will be occasioned by the proposed dwelling to Yew Tree Lane where visibility measured at the stop distance of 2 metres in a south westerly direction is grossly deficient and would be likely to compromise the safe movement of traffic and the safe use of the road by others. The proposal is therefore contrary to Policy TR.9 of the Adopted Wyre Forest District Local Plan.
Site Location and Description: 45 Fairfield Lane is situated within the Fairfield area of Wolverley Village. The area although close to the Green Belt has an urban feel to its surroundings. The site in question forms part of the large garden area to no 45. The proposal seeks for the erection of a detached bungalow with a new access onto Fairfield Lane. The site is washed over by the residential allocation and is considered to be previously developed land.

Planning History: None

Consultations and Representations:
Wolverley and Cookley Parish Council – Recommend deferral and request site meeting as the council have concerns over back land development outside of the building line and the setting of a precedent for future developments in Fairfield Lane.
Highway Authority - No objections subject to conditions
Severn Trent Water - No objections subject to conditions
Arboricultural Officer – No objections
Disability Wyre Forest – Welcome proposal must ensure all elements are step free
Neighbour – No comments

Officer Comments: The bungalow sits neatly within the site and although set back from the building line will command a strong presence with the streetscene. The site is of a size that allows the development to be constructed with ample garden area for both the proposed and parent properties. The position of the dwelling is similar to a recently constructed dwelling on the adjoining site set further back from the highway and helps complete the streetscene in this respect. With regard to neighbour’s amenity, the dwelling has been sensitively sited and does not impinge on amenity or privacy. The design of the bungalow fits in with general style of development in this location and is not considered to affect the local character of the area. The access is acceptable from the point of view of the Highway Authority, I concur with this view and feel that the dwelling will not result in a deterioration of highway safety either from the access point or from the increase in vehicular traffic. I have considered the Parish Council’s comments and feel that on this occasion due to the presence of the recently approved dwelling and other factors as outlined above the scheme is acceptable. In terms of precedent, any proposal is considered on its merits and in view of the characteristics of the site. It is felt that on this occasion the application is acceptable and complies with Local Plan Policy.

Conclusions and Recommendations: I therefore recommend APPROVAL subject to the following conditions:-

Reason for Approval
The proposed dwelling is well designed and will have an acceptable appearance in the street scene. The scheme is also acceptable in terms of highway safety. The impact of the dwelling upon neighbouring properties has been carefully assessed and it is considered that there will be no undue impact upon their amenity. For these reasons the proposal is considered to be in accordance with the policies listed above.
WF.316/05

Proposal: Full: Erection of detached bungalow including new access off Orchard Close at Rear of 19 Mill Road, Stourport on Severn

Date Received: 16.03.05
Agent: Engineering & Building Design
Ord. Sheet: 8171 NE
Policy: H.2, H.6, D.1, D.3, D.10, D.11, D.13, TR.9, TR.17
Case Officer: C. Bishop
Applicant: Mr. R. Whitehouse

Site Location and Description: Number 19 Mill Road is a detached 1½ storey dwelling located on a corner plot on Orchard Close, with a rear garden extending approximately 17 metres. The application proposes to erect a detached bungalow in the rear garden of 19 Mill Road with a new vehicular access onto Orchard Close.

Planning History: WF.448/92 – Extensions and alterations (residential): Approved; WF.639/04 – Single and two storey extensions to rear; detached garage and replacement side boundary wall: Refused.

Consultations and Representations: Stourport on Severn Town Council – Recommends refusal on the grounds that the development includes insufficient amenity space, that the proposal constitutes over development of the site and that the development is out of character with the area. Highway Authority – No objections subject to conditions Severn Trent Water – No objection subject to condition Neighbour/Site Notice – Two neighbour letters received objecting to the proposal for the following reasons: side wall of new bungalow would be less than one metre away from our bungalow; it will reduce the stability of our bungalow; access into Orchard Close would be dangerous for traffic and pedestrians as it is too near to the Orchard Close and Mill Road junction; we are already feeling very claustrophobic with the very high timber erected on top of the wall which also makes lounge quite dark.

Officer Comments: The site is within an area allocated for residential use under Policy H.2 of the Adopted Local Plan, and is considered to constitute previously developed land. The proposal would be tantamount to backland development which, to meet the criteria of Policy H.6 of the Local Plan, will only be permitted where there would be no significant adverse impact on the character of the area or amenity of the area. Policy D.3 of the Local Plan states that new development should have regard to the local distinctiveness of the locality and clearly relate to the appearance and character of the townscape. The Design Quality SPG emphasises that new residential developments should be responsive to existing street patterns and characteristics of the surrounding area. The plot is considered to be of an insufficient size to accommodate an additional dwelling that would be in keeping with the surrounding properties and plot sizes. The private amenity space proposed for the new dwelling and the existing dwelling would be extremely small which would not be commensurate in size with the scale of the dwellings. Furthermore, the proposed dwelling would come forward of the building line within Orchard Close which would be harmful to the visual amenity of this street scene. The impact on the amenities of neighbouring properties has been carefully assessed, however, the proposal is not considered to cause any undue harm by way of loss of light or loss of privacy. In terms of the highway impact, the Highways Authority have raised no objection to the proposed development.

Conclusions and Recommendations: The proposal would not positively relate to the local distinctiveness of the locality and it would have a poor relationship with the surrounding properties and the street scene. I therefore recommend the application for REFUSAL for the following reason:

1. A detached dwelling as proposed on a plot of this nature and size would represent an over development of the site, resulting in an unacceptable relationship between the proposed dwelling and neighbouring properties and would create a cramped visual appearance of the development in the street scene. Due to the restrictions of the plot and the siting and external appearance of the dwelling, the proposed development would not adhere to or contribute to the character or local distinctiveness of the area and would result in harm being caused to the visual amenities of the street scene and surrounding area. The proposal would, therefore, be contrary to Policies H.2, D.1 and D.3 of the Adopted Wyre Forest District Local Plan, the Design Quality...
Supplementary Planning Guidance and guidance within PPG1 and PPG3.
WF.317/05

**Date Received:** 17.3.05  
**Agent:** Barnett Taylor & Associates  
**Ord. Sheet:** 7875 SE  
**Policy:** H.2, H.4, H.5, D.1, D.3, D.4, D.11, LA.1, LA.2, LA.6, CA.1, LB.1, LB.5, TR.9, LR.8

**Site Location and Description:** The application site lies to the rear of No. 62 High Street, also known as the Manor House, which is Grade II* Listed. The site which slopes down to an existing car park between the site and the Manor House also lies within the Bewdley Conservation Area. The application seeks consent for a pair of two bedroom semi-detached dwellings with a total of 2 parking spaces. In essence the proposal seeks the previously approved single dwelling.

**Planning History:**  
1. WF.977/00 and WF.978/00 – Erection of one dwelling – Refused  
2. WF.604/02 (LBC) – Demolition of summer house – Refused 13.8.02 Appeal dismissed  
3. WF.619/02 – Erection of one dwelling and demolition of remains of summer house – Refused 13.8.02 Appeal dismissed  
4. WF.1019/03 – Erection of one dwelling – Approved 10.3.04  
5. WF.1020/03 (LBC) – Demolition of summer house – Approved 10.3.04

**Consultations and Representations:**  
- **Bewdley Town Council:** Recommend Refusal because this is an inappropriate development in a sensitive Conservation Area of enormous historical interest. It also represents backland development.  
- **Highway Authority:** No objections subject to conditions  
- **Rambler’s Association:** The existence of a public right of way is a material consideration, no development should be allowed obstruct the public right of way either during or after development  
- **Disability Action Wyre Forest:** Access statement to be provided to explain why this development of a new dwellings is not accessible and will not comply with Part M of the Building Regulations. You should not be allowing the creation of new dwellings that do not permit reasonable access for their occupants and visitors.  
- **Conservation Officer:** No objections. I do not feel that the subdivision of the property will dramatically impact on the character or appearance of the original building. Furthermore the materials were agreed on site.  
- **Worcestershire County Council Archaeology:** Comments awaited  
- **Bewdley Civic Society:** Comments awaited  
- **Neighbours/Site Notice/Advertisement:** 4 letters of objection have been received from residents of the Manor House (3 are the same) raising the following concerns. Any noise from this building is reflected towards the Manor House and a change from a single dwelling to semi-detached will double the amount of traffic into the car park, increasing noise and disturbance; the proposed properties are more suitable for family use and will not have a level surface for children to play on; possibility of damage to parked cars; the character of the area which at present has no children living in it will be altered; the value of my property will be reduced; more people will be able to look directly at the Manor House causing them unacceptable invasion of my privacy; no room for any more bins unless they are placed on the pavement; the additional vehicles will reduce the turning area for vehicles visiting the Manor House; no valid reason why a change to the original plan is necessary; more congestion and noise on the car park shared by the Baptist chapel, the Manor House and other residents of the High Street.  
- **Officer Comments:** A previous application for a single 3 bedroom dwelling was approved in March 2004. The principle of residential development on this site has already been accepted. The current application seeks consent for a pair of semi-detached properties on a similar size footprint (depth reduced by 500mm, width increased by 200mm) to that approved dwelling. The dwellings would be sited as previously, beyond the existing buried Ice House which is a submerged brick lined structure. Similarly it would also be ‘U’ shaped to enclose a courtyard to the rear. The agent on behalf of the applicant advises that the alterations comprise 1) porch doors amended to separate doors with timber infill boarding to give the impression of one opening 2) high level gable windows omitted and alterations to rear fenestration 3) courtyard divided into two by hard and soft landscaping with separate external timber steps to the rear public footpath.

**Conclusions and Recommendations:** It is considered that these minor alterations, whilst doubling the units of accommodation would not seriously affect the character of the Conservation Area. The proposed individual design of the structure is still considered appropriate to this site. Whilst neighbours concerns and those raised by Town Council have been taken into account it is not considered that they should warrant refusal of the application. I therefore I recommend APPROVAL subject to the following conditions:  
1. A11 (Approved plans);  
2. B3 (Finishing materials to match);  
3. No works to the existing Ice House structure;  
4. H13 (Highway);  
5. J1 (Removal of permitted development – residential);  
6. B10 (Window details);  
7. C3 (Tree protection during construction);  
8. C8 Landscape protection;  
9. Retention of existing rear wall

**Reason for Approval:** The proposed design alterations and increase in the number of units is not considered to have a significant adverse impact upon the appearance or character of the Conservation Area the amenity of neighbours or highway safety. It is therefore considered to comply with above policies.

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**Planning (Development Control) Committee:** 10th May 2005  
**PAGE NO.** 42
Site Location and Description: ‘Summerdyne’ is a detached dwelling with a large outbuilding which is used for purposes ancillary to the use of the main dwelling. The site is within the Landscape Protection Area and Area of Great Landscape Value. The application as submitted originally included the erection of a glazed extension to link the dwelling with the outbuilding which also included a conservatory to the front of the dwelling. The conservatory element has since been omitted and as such the application now only seeks consent for the glazed link between the dwelling and the outbuilding.

Planning History: Most recent
WF.10/92 – Lounge, laundry, kitchen, porch, bedrooms, bathroom extension and detached garage – Approved
WF.367/00 – Rebuild existing garden outbuildings – Approved

Consultations and Representations:
Rock Parish Council – Recommend refusal for this application as they believe it is over development of the current site (Officer comments – these comments relate to the application as originally submitted, comments on the revised plans are awaiting)
Highway Authority – No objections
Neighbour – No representations received

Officer Comments: The planning history shows that the property has already been extended previously. When the application was first submitted concern was raised over the cumulative impact of the proposed extension (which included a conservatory) when considered with the previous extensions. Concern was also raised over the visual impact of the conservatory as it was proposed on the front elevation which would be clearly visible from Chapel Lane. It was also considered that the conservatory would be out of keeping with the dwelling itself.

As stated above revised plans have now been received which show the conservatory omitted from the scheme. The application is therefore now only for the glazed link between the dwelling and the outbuilding. This extension would be 4m in length and ranges from 1.0 to 1.5m in width. The revised scheme no longer detracts from the character or appearance of the dwelling and does not harm the landscape setting in which it is located.

Conclusions and Recommendations: Revised plans have been received which overcome the adverse impact on the property and landscape. I therefore recommend APPROVAL subject to the following conditions:
1. A6 (Full no reserved matters); 2. A.11 (Approved plans) 3. B3 (Finishing materials to match). 4. Consent for glazed link only

Reason for approval – The proposed extension is considered to be of an appropriate scale and design to the main dwelling. The impact of the extension upon the Landscape Protection Area and Area of Great Landscape Value has been carefully assessed and it is considered that there will be no undue impact. For these reasons the proposal is considered to be in accordance with the policies listed above.
Proposal: Full: Erection of two additional stables following removal of existing field shelters at Park Farm House, Ribbesford

Site Location and Description: The application site accommodates Park Farm House, which is Grade II listed. The site is within the Landscape Protection Area and Area of Great Landscape Value. The property, together with its associated barns (now converted to residential use) form a group of buildings which lie between the Bewdley Bypass and Heightington Road. The application seeks consent for 2 additional stables to adjoin the existing 3 stable block extending it by 7.2m in length.

Planning History: Of relevance
WF.23/99 – Portal frame building – Withdrawn
WF.229/99 – 3 Stables, tackroom, haystore and implement store – Withdrawn
WF.313/99 – 3 Bay stable – Approved 20.5.99
WF.933/04 – Manege, stable extension and hay and implement store – Withdrawn
WF.974/04 – Change of use of land to the keeping of horses and manege – Approved 1.11.04
WF.1202/04 – Tractor, implement, hay store and lambing building – Approved 19.1.05

Consultations and Representations: Bewdley Town Council – Recommend Refusal because this development is contrary to the policy for stables.
Highway Authority – Views awaited
Conservation Officer – No objections subject to conditions
Environmental Health – No adverse comments
Ramblers Association – The existing public rights of way are a material consideration in the granting of planning consent. No development should be allowed to obstruct public rights of way either during or after development.
Worcestershire Wildlife Trust – Awaiting comments
Worcestershire County Council Footpaths – Awaiting comments

Officer Comments: From the planning history above it can be noted that in recent years approval has been granted for a 3 bay stable block, a manege (currently under construction) and an agricultural building (not yet constructed). There is also a triple bay car port within the curtilage of Park Farm House and a shed attached to the existing stable block. The reasoned justification to Policy EQ.2 advises that "it is considered reasonable to limit private individual keepers of horses to a maximum of 2 loose boxes and 1 store room within one structure ... Consequently ... the maximum size for leisure uses should be 3.5m x 3.5m x 11m." The existing stables marginally exceed these dimensions, however, the current proposal would provide one structure which would be far larger than specified above (18.8m x 3.7m x 3.0m to ridge). The agent on behalf of the applicant has indicated that (i) officers have noted previously that the site is well screened, (ii) the additional stables will replace an existing steel double shelter unit constructed on skids, (iii) the building will be screened from the footpath by the approved agricultural building, (iv) it is required to house valuable show horses on a site where equestrian uses have been accepted. Furthermore, reference is made to an appeal decision of 2002 when the Inspector advised that the dimensions indicated are only reflected in the reasoned justification not in the actual policy. The agent indicates that in order to meet policy it is only necessary for the building to be "sited within or immediately adjoining an existing farm buildings complex".

Conclusions and Recommendations: Having taken into consideration the comments made by the agent it is still clear that the proposed extension together with the existing stable block would exceed the policy guidelines. It is considered that this structure when seen together with the existing developments on site would result in a clutter of buildings which would detract from the appearance of the landscape. I therefore recommend REFUSAL for the following reason:-
1. The application site lies within an area designated as Landscape Protection Area and Area of Great Landscape Value. The development proposed is considered inappropriate in this location as it would harm the character of the area by virtue of it adding to the clutter of existing and approved curtilage/equestrian/agricultural buildings and is thus considered contrary to Policies CTC.1 and CTC.4 of the Adopted Worcestershire County Structure Plan, Policies LA.1, LA.2, EQ.3 and the reasoned justification to Policy EQ.2. It is also considered that to allow the development would set a precedent for future development of leisure stables in the countryside.
Site Location and Description: This application relates to 69 Austcliffe Lane in Cookley which is a link detached two storey dwelling. The dwelling is of unusual design whereby half of the roof-slope at the front projects forward to single storey level. The neighbouring property (No 67) is of the same design. The application seeks consent for an extension at first floor level within this section of sloping roof.

Planning History: None

Consultations and Representations:
Wolverley and Cookley Parish Council – recommend approval
Highway Authority – No comments
Neighbour – No representations received

Officer Comments: Policy D.17 of the Adopted Local Plan states that residential extensions must be in scale and in keeping with the form of the original building; harmonise with the existing townscape and not create incongruous features. The application proposes to extend at first floor level within the existing roof-slope, resulting in a new gable feature. The roof of the extension would be of the same height as the ridge height of the existing property. It is considered that the new gable feature within the roof slope fails to blend with the overall design of the dwelling, nor the neighbouring property, resulting in an awkward visual relationship between the existing and proposed elements. Furthermore, for the reasons outlined above if approved the proposal would introduce an alien feature within this street scene.

Policy D.1 also state that applications which fail to demonstrate design quality will be refused.

Conclusions and Recommendations: In view of the above, the proposal is considered to be contrary to Local Plan Policy. In consideration of Article 1 and 8 of the Human Rights Act 1998. I therefore, recommended for REFUSAL for the following reason:

1. The proposed extension by virtue of its design would not be in keeping with the overall design of the dwelling and would create an awkward visual relationship with the original building. The proposal would also introduce an alien feature within the street scene. The proposal is therefore contrary to Policies D.1 and D.17 of the Adopted Wyre Forest District Local Plan.
**WF.328/05**  
**Date Received:** 21.03.05  
**Agent:** Mr P M Wilkinson  
**Ord. Sheet:** 8474 NW  
**Policy:** D.1, D.3, D.17  
**Case Officer:** C. Bishop  
**Ward:** Aggborough & Spennells  
**Applicant:** Mr. and Mrs. N. Norris

**Proposal:** Full: **Erection of two storey extension (including first floor extension over garage) at 4 Barn Owl Place, Kidderminster**

**Site Location and Description:** Number 4 Barn Owl Place is a modern semi-detached dwelling located on the Spennells residential development. The application seeks permission to extend at first floor over the existing double garage and at two storey to the rear of the double garage. The proposal also involves converting one of the garage spaces to additional living accommodation.

**Planning History:** None

**Consultations and Representations:**
- **Highway Authority** – No objection
- **Neighbour** – No representations received

**Officer Comments:** Policy D.17 of the Adopted Local Plan states that residential extensions must be subservient to and not overwhelm the original building, which should retain its visual dominance. This is also emphasised within the Design Quality SPG. The proposed extension would only be set back from the principle elevation by 300mm which is not considered to achieve a satisfactory visual step back. The ridge would not be lower than the original, and by virtue of the width of the extension, the original building would be visually overwhelmed by the proposals. The impact of the proposals on the amenities of neighbouring dwellings has been carefully assessed however the proposal is not considered to have an adverse impact upon these properties. No objections are raised to the conversion of one of the garage spaces to living accommodation in view of the remaining car parking spaces available. The development as currently proposed is considered to be contrary to Policy D.17 of the Local Plan and the Design Quality SPG.

**Conclusions and Recommendations:** I therefore recommend the application for **REFUSAL** for the following reason:

1. The proposed extension, by virtue of its size, design and form, is considered to be out of scale with the original property. The extension, which is not set back from the principal elevation nor set down from the main ridge, is not considered to be subservient to the original dwelling and if approved it would not allow the original building to retain its visual dominance. The proposal is therefore contrary to Policies D.1 and D.17 of the Adopted Wyre Forest District Local Plan and the adopted Supplementary Planning Guidance on Design Quality.
Proposal: Full: Change of use of existing garage to residential dwelling at Gorst Hall, Barnetts Lane, Kidderminster

Site Location and Description: Gorst Hall is a residential property with substantial grounds that are surrounded by Kidderminster Golf course. Within the grounds of the house is a large garage which is proposed to be converted to a one bedroom bungalow. The only extension proposed is a small porch. Access to Gorst Hall is from Barnetts Lane and this track crosses part of the golf course. The application site falls within an area allocated as urban open space/golf course in the Adopted Local Plan.

Planning History: WF.301/96 Conversion of garage to single dwelling with access improvements – refused 18.6.96

Consultations and Representations: Highway Authority – Awaiting comments
Neighbours/Site Notice – No representations made

Officer Comments: Policy H2 of the adopted Wyre Forest District Local Plan defines the locations where residential development will be acceptable. This Policy also states that residential development outside of these locations will not be acceptable unless it is in accordance with Policies H.9 and GB.1. The site of the current application falls within an area allocated as urban open space (part of the golf course) and as the development falls outside the areas defined in Policies H.2 (and the scope of policies H.9 and GB 1) it is contrary to the development Plan. The Open Space policies LR.1 and LR.14 are also relevant to the determination of this application. Policy LR.1 does not allow development that would have an adverse impact on the open space. An extra dwelling would give rise to the potential for an increase in the amount of vehicular traffic crossing the golf course. This traffic would detract from the character of the open space and the amenity of the golf course. Policy LR.14 does not amongst other things allow any development which could give rise to safety issues from being struck by golf balls and access being gained from unsuitable roads.

I am advised that because of the golf course layout stray golf balls are unlikely to be a problem within the grounds of the proposed bungalow but there is a highway safety problem and the Highway Authority are recommending refusal to the application (See refusal reason 3).

Conclusions and Recommendations: For the above reasons and because the development would lead to an intensification of the urbanisation of this open space I would recommend REFUSAL for the following reasons:
1. To approve the development would be contrary to Policies H.2, LR.1 and LR.14 of the AWFDLP and no material circumstances have been submitted to override the presumption against development.
2. To approve the development would lead to an intensification of the urbanisation of this open space area which would detract from the character of the area and would set a precedent which could lead to further pressure for residential development within Gorst Hall. To approve the development in these circumstances would be contrary to Policy D.3 of the Adopted Wyre Forest District Local Plan.
3. The use of the existing vehicular access to Barnetts Lane where visibility is restricted in each direction would be likely to compromise the safe movement of traffic and the safe use of the road by others, contrary to Policies LR.14 and TR.9 of the Adopted Wyre Forest District Local Plan.
4. The existing private driveway from its junction with Barnetts Lane to the application site is considered to be unsuitable in its present unmade state to serve the proposed development. As such it is contrary to Policies LR.14 and TR.9. of the Adopted Wyre Forest District Local Plan.
Installation and Description: 12 Layamon Walk is an ‘end terrace’ dwelling located on a corner plot at the junction of Layamon Walk and Erneley Close on the ‘Walshes’ estate to the south west of Stourport town centre. The application seeks consent for a detached three bedroom dwelling together with an access. The plot for the proposed dwelling (10.25 metres wide x 22.8 metres deep maximum) is located to the north east of the existing dwelling, adjacent to a large area of open ‘amenity land’ which was part of the original estate design concept. The predominant housing type on this part of the estate is blocks of terraced and semi detached dwellings of a distinctive style.

Planning History: No recorded history

Consultations and Representations:
Stourport on Severn Town Council – Views awaited.
Highway Authority – No objections subject to conditions and notes.
Severn Trent Water Plc – Views awaited.
Neighbour/Site Notice – One letter received: Whilst we have no objection to the building of the property, we do have certain issues with the number of vehicles which currently sit on the land on which the property is to be built, at the moment they are all parked within the boundaries of the property and as such pose no highway hazard. There are currently six vehicles on the land including a high-sided van. When we viewed the plans they showed that there would be space for two vehicles on the current no 12 and two on the new property, and if any vehicles were to be parked on the road this would impede the view as we reversed our car off the drive of no. 10 thus creating a highway hazard. Therefore provided Mr. Bearman and Miss Osborne were prepared to undertake not to park all these vehicles on the road we would have no objection.

Officer Comments: Although this plot may be capable of consideration for housing development by virtue of its status as ‘previously developed land’ in a residential area, the visual impact of such development in a very established area with a distinctive character must be the subject of careful scrutiny. Accordingly, I feel that a dwelling of the scale and design shown on the submitted plans would appear as an incongruous feature in the street scene on this very prominent corner plot. This would, in turn, constitute a development which would be out of character with the existing established residential layout and local distinctiveness of the area.

With respect to the highway issues raised, the Highways Authority have been consulted and have raised no objection to the proposal. The proposal is therefore considered acceptable in terms of highway safety.

Conclusions and Recommendations: This proposal fails to meet the criteria of design policies in the Development Plan and adopted Supplementary Planning Guidance on Design Quality. I therefore recommend REFUSAL for the following reasons:-

1. The proposed dwelling would appear as an incongruous feature in the street scene on this very prominent corner site, to the detriment of the visual amenity of an established residential area featuring a distinctive layout and character. This is contrary to Policy SD.2 of the Adopted Worcester County Structure Plan, Policies D.1 and D.3 of the Adopted Wyre Forest District Local Plan and advice in Supplementary Planning Guidance on Design Quality.

Extension of Grade II Listed Barn
Proposal: Full: Detached three bedroom dwelling with additional vehicular access at land adjacent 12 Layamon Walk, Stourport on Severn

Site Location and Description: 12 Layamon Walk is an ‘end terrace’ dwelling located on a corner plot at the junction of Layamon Walk and Erneley Close on the ‘Walshes’ estate to the south west of Stourport town centre. The application seeks consent for a detached three bedroom dwelling together with an access. The plot for the proposed dwelling (10.25 metres wide x 22.8 metres deep maximum) is located to the north east of the existing dwelling, adjacent to a large area of open ‘amenity land’ which was part of the original estate design concept. The predominant housing type on this part of the estate is blocks of terraced and semi detached dwellings of a distinctive style.

Planning History: No recorded history

Consultations and Representations:
Stourport on Severn Town Council – Views awaited.
Highway Authority – No objections subject to conditions and notes.
Severn Trent Water Plc – Views awaited.
Neighbour/Site Notice – One letter received: Whilst we have no objection to the building of the property, we do have certain issues with the number of vehicles which currently sit on the land on which the property is to be built, at the moment they are all parked within the boundaries of the property and as such pose no highway hazard. There are currently six vehicles on the land including a high-sided van. When we viewed the plans they showed that there would be space for two vehicles on the current no 12 and two on the new property, and if any vehicles were to be parked on the road this would impede the view as we reversed our car off the drive of no. 10 thus creating a highway hazard. Therefore provided Mr. Bearman and Miss Osborne were prepared to undertake not to park all these vehicles on the road we would have no objection.

Officer Comments: Although this plot may be capable of consideration for housing development by virtue of its status as ‘previously developed land’ in a residential area, the visual impact of such development in a very established area with a distinctive character must be the subject of careful scrutiny. Accordingly, I feel that a dwelling of the scale and design shown on the submitted plans would appear as an incongruous feature in the street scene on this very prominent corner plot. This would, in turn, constitute a development which would be out of character with the existing established residential layout and local distinctiveness of the area.

With respect to the highway issues raised, the Highways Authority have been consulted and have raised no objection to the proposal. The proposal is therefore considered acceptable in terms of highway safety.

Conclusions and Recommendations: This proposal fails to meet the criteria of design policies in the Development Plan and adopted Supplementary Planning Guidance on Design Quality. I therefore recommend REFUSAL for the following reasons:-

1. The proposed dwelling would appear as an incongruous feature in the street scene on this very prominent corner site, to the detriment of the visual amenity of an established residential area featuring a distinctive layout and character. This is contrary to Policy SD.2 of the Adopted Worcester County Structure Plan, Policies D.1 and D.3 of the Adopted Wyre Forest District Local Plan and advice in Supplementary Planning Guidance on Design Quality.

Extension of Grade II Listed Barn
Proposal: Full: Detached three bedroom dwelling with additional vehicular access at land adjacent 12 Layamon Walk, Stourport on Severn

Site Location and Description: 12 Layamon Walk is an ‘end terrace’ dwelling located on a corner plot at the junction of Layamon Walk and Erneley Close on the ‘Walshes’ estate to the south west of Stourport town centre. The application seeks consent for a detached three bedroom dwelling together with an access. The plot for the proposed dwelling (10.25 metres wide x 22.8 metres deep maximum) is located to the north east of the existing dwelling, adjacent to a large area of open ‘amenity land’ which was part of the original estate design concept. The predominant housing type on this part of the estate is blocks of terraced and semi detached dwellings of a distinctive style.

Planning History: No recorded history

Consultations and Representations:
Stourport on Severn Town Council – Views awaited.
Highway Authority – No objections subject to conditions and notes.
Severn Trent Water Plc – Views awaited.
Neighbour/Site Notice – One letter received: Whilst we have no objection to the building of the property, we do have certain issues with the number of vehicles which currently sit on the land on which the property is to be built, at the moment they are all parked within the boundaries of the property and as such pose no highway hazard. There are currently six vehicles on the land including a high-sided van. When we viewed the plans they showed that there would be space for two vehicles on the current no 12 and two on the new property, and if any vehicles were to be parked on the road this would impede the view as we reversed our car off the drive of no. 10 thus creating a highway hazard. Therefore provided Mr. Bearman and Miss Osborne were prepared to undertake not to park all these vehicles on the road we would have no objection.

Officer Comments: Although this plot may be capable of consideration for housing development by virtue of its status as ‘previously developed land’ in a residential area, the visual impact of such development in a very established area with a distinctive character must be the subject of careful scrutiny. Accordingly, I feel that a dwelling of the scale and design shown on the submitted plans would appear as an incongruous feature in the street scene on this very prominent corner plot. This would, in turn, constitute a development which would be out of character with the existing established residential layout and local distinctiveness of the area.

With respect to the highway issues raised, the Highways Authority have been consulted and have raised no objection to the proposal. The proposal is therefore considered acceptable in terms of highway safety.

Conclusions and Recommendations: This proposal fails to meet the criteria of design policies in the Development Plan and adopted Supplementary Planning Guidance on Design Quality. I therefore recommend REFUSAL for the following reasons:-

1. The proposed dwelling would appear as an incongruous feature in the street scene on this very prominent corner site, to the detriment of the visual amenity of an established residential area featuring a distinctive layout and character. This is contrary to Policy SD.2 of the Adopted Worcester County Structure Plan, Policies D.1 and D.3 of the Adopted Wyre Forest District Local Plan and advice in Supplementary Planning Guidance on Design Quality.
Site Location and Description: 7 Peacock Mews is a three storey dwelling on the Waterside Grange development, a feature of which is the Staffordshire and Worcestershire Canal which runs adjacent to the new housing. This is classed in the Development Plan as a ‘Linear Conservation Area’. The proposal, along with the change of use of land, is to create a timber raised decking feature along part of the side boundary to the existing garden, facing the canal. The deck, (floor area 6.5 metres long x 2.5 metres deep with 850 mm high metal balustrade) would occupy part of a banked landscape area which was an integral part of the original residential layout. The decking is not within but immediately adjacent to the Canal Conservation Area.

Planning History: None.

Consultations and Representations: Environment Agency – Views awaited
Conservation Officer - I do not feel that the proposals would be appropriate, in terms of views into, out of, or along the length of, the Canal Conservation Area. The current view is one of rough soft landscaping, with a modern dwarf wall, capped with blue half-rounds and railings. This presents a sensitive and sympathetic approach to the boundary treatment of these properties, to the Conservation Area. This proposed encroachment, incorporating raising levels and erecting decking would be out of character with the CA, and with the surroundings, present a view, in both instances, in to the CA, out of the CA and along its length that would be detrimental to the character and appearance of the CA, and as such would be contrary to Policy CA.1 of the Adopted Local Plan
British Waterways - Views awaited
Inland Waterways Association – Views awaited
Staffordshire and Worcestershire Canal Society – Views awaited.
Neighbour/Site Notice – No representations received.

Officer Comments: The original design concept of the Waterside Grange residential development was very much focused on improving the canalside environment. This was substantially achieved by incorporating an attractive landscaped strip between the towpath and the dwelling frontages along the west bank of the canal. In this context, I am concerned that developments of the nature applied for, both individually and cumulatively, would erode this attractive landscape feature. Such changes to the waterside environment would also fail to preserve or enhance the character of the adjacent Linear Conservation Area.

Conclusions and Recommendations: This proposal fails to meet the criteria of the appropriate development plan policies. I therefore recommend REFUSAL for the following reasons, and in consideration of Articles 1 & 8 of the Human Rights Act 1998:-
1. The proposal would appear as an incongruous feature and would fail to harmonise with the existing attractive waterside environment. To approve the development would also be likely to set an undesirable precedent for future, similar schemes in the immediate locality, which would further erode the established character of the area. This is contrary to Policy SD.2 of the Adopted Worcestershire County Structure Plan, and Policies D.1, D.3 and D.17 of the Adopted Wyre Forest District Local Plan.
2. The proposal would fail to preserve or enhance views into and out of the adjacent Canal Conservation Area. This is contrary to Policies SD.2, CTC.19 and CTC.20 of the Adopted Worcestershire County Structure Plan, and Policy CA.1 of the Adopted Wyre Forest District Local Plan.
Proposal: Full: Change of use of amenity land to residential use and erection of decking at 11 (Plot 64) Buttercup Close, Kidderminster

Site Location and Description: This property is a three-storey end terrace, which forms part of the Waterside Grange development in Kidderminster. The front garden of the property and the amenity land are adjacent to the Staffordshire and Worcestershire Canal Conservation Area. The application is for the change of use of the amenity land to residential use and the erection of a 3.03 x 6.3m area of raised timber decking.

Consultations and Representations:

Highway Authority – Views awaited

Conservation Officer - I do not feel that the proposals would be appropriate, in terms of views into, out of, or along the length of, the Canal Conservation Area. The current view is one of rough soft landscaping, with a modern dwarf wall, capped with blue half-rounds and railings. This presents a sensitive and sympathetic approach to the boundary treatment of these properties, to the Conservation Area (CA). This proposed encroachment, incorporating raising levels and erecting decking would be out of character with the CA, and with the surroundings, present a view, in both instances, into the CA, out of the CA and along its length that would be detrimental to the character and appearance of the CA, and as such would be contrary to Policy CA1 of the Adopted Local Plan.

The Inland Waterways Association – Whilst we do not feel that the work will visually affect the visual aspect of the site from the canal, we are concerned that being a water course, the canal is at risk from environmental pollution resulting from the treatment of decking timbers, both during construction and its subsequent maintenance, and possible seepage spilt liquids used in the construction process. If permission is granted, we suggest that these points are drawn to the applicants attention and that it is conditional that the applicant taking all reasonable precautions to ensure that there is not spillage or seepage, either as part of the construction process of subsequent preventative maintenance, and that he/she will make immediate arrangements for any pollutants to be removed from the canal.

British Waterways – No comments received

Staffordshire and Worcestershire Canal Society – Views awaited

Environmental Health – Property is located on former Stourvale Tin and Iron planting works

Officer Comments: The canal and its immediate surrounds were designated as a Conservation Area in August 1978 in recognition of the desire to conserve the integrity of the environment. The outline planning permission for the erection of 129 dwellings at the former Stourvale Works was given consent in 1994 and the reserved matters approved in December 1999. The Canal Conservation Area was one of the major influences on the design and layout of the housing estate. This property occupies a canalside frontage and although not located in the Conservation Area, it is immediately adjacent to it (within 3m). The proposed decking 3 x 6.3m would occupy what is currently a banked landscape area between the towpath and the railings at the front of the dwelling. It is my opinion that it would fail to preserve or enhance the special character and appearance of the Canal Conservation Area. This landscaped belt was an integral part of the original housing development. There are many other properties in this development which occupy canal frontages and the approval of this application would set a precedent for other decking which individually and cumulatively would completely alter the character of the area.

Conclusions and Recommendations: This proposal fails to meet the criteria of the appropriate development plan policies. I therefore recommend REFUSAL for the following reasons, and in consideration of Articles 1 & 8 of the Human Rights Act 1998:-

1. The proposal would appear as an incongruous feature and would fail to harmonise with the existing attractive waterside environment. To approve the development would also be likely to set an undesirable precedent for future, similar schemes in the immediate locality, which would further erode the established character of the area. This is contrary to Policy SD.2 of the Worcestershire County Structure Plan, and Policies D.1, D.3 and D.17 of the Adopted Wyre Forest District Local Plan.

2. The proposal would fail to preserve or enhance views into and out of the adjacent Canal Conservation Area. This is contrary to Policies SD.2, CTC.19 and CTC.20 of the Worcestershire County Structure Plan, and Policy CA.1 of the Adopted Wyre Forest District Local Plan.
WF.361/05

Date Received: 29.3.05
Agent: -
Ord. Sheet: 8479-8579
Policy: D.1, D.3, D.17 (AWFDLP)
Case Officer: J. McKenzie-Watts
Ward: Cookley

Proposal: Full: First floor extension over existing kitchen extension at 6 Westhead Road North, Cookley

Applicant: R. A. Brittain

Site Location and Description: The application site relates to a semi-detached dwelling located in Westhead Road North, Cookley. The application proposes a first floor extension above an existing kitchen extension at the side of the property to create an additional bedroom and bathroom.

Planning History: None

Consultations and Representations:
- Wolverley and Cookley Parish Council – Views awaited
- Highway Authority – No comment

Neighbour / Site Notice: one letter of objection received – My dining room window which is opposite will be directly affected by loss of natural light. The original extension, which was obviously installed to the 45° code, substantially reduced the amount of light to our property and has reduced our dining room to the darkest in the house, in consequence I had a conservatory built to attempt to gain light into the house. I therefore suggest that should planning consent be given to a further extension between houses 4 and 6 Westhead Road North, it will seriously impair the amount of light that is currently enjoyed, resulting in long shadows across the rear of our property. Thus I object to any further extension.

Officer Comments: The Council’s 45° code advises that when designing an extension to a building, care needs to be taken to safeguard the daylight to adjacent residential properties and protect them from overshadowing. As a general rule, proposals that do not adhere to this rule and obstruct light to the neighbouring properties in this way will not be allowed. In addition, Policy D.17 states that ‘extensions must not have a serious adverse effect on the amenity of neighbouring residents’. The extension proposed in this application fails the 45° code and would result in significant loss of light in the neighbouring property. The proposal therefore does not adhere to the aims and objectives of Policy D17 and as such cannot be supported. Although the extension is of acceptable design and would compliment the existing property, the affect on neighbouring property is significant enough to warrant refusal.

Conclusions and Recommendations: In consideration of Articles 1 and 8 of the Human Rights Act 1998, I therefore recommend REFUSAL for the following reason: 1. The proposed extension by virtue of its size and position relative to the neighbouring property would result in significant loss of light to habitable rooms of that property. The proposal is therefore considered to be contrary to Policy D.17 of the Adopted Wyre Forest District Local Plan.
Date Received: 29.3.05
Agent: C.J. Didlick
Ord. Sheet: 7473-7573
Policy: CTC.1, CTC.4, D.25, RST.3
(WCSP) LA.1, LA.2, E.8, E.10, TR.9, TR.17, LR.6
(AWFDLP)
Case Officer: J. Summerfield
Ward: Bewdley and Areley
Applicant: MPB Garden Buildings Ltd

Proposal: Full: Retention of use of land for the display of timber garden buildings manufactured at the adjoining factory premises (retrospective) at Coppice Gate Farm, Lye Head, Bewdley

Site Location and Description: The existing industrial premises lie approximately 200 m east of Lye Head within the Landscape Protection Area and Area of Great Landscape Value. The application site forms part of the industrial premises where timber garden buildings are made and delivered off site to various locations throughout the country where they are sold in the main by garden centres. This application is retrospective and seeks consent to display timber garden buildings which have been assembled and may have been returned by the garden centres due to cancelled orders or constructed incorrectly. The display models are thereafter offered at a discount to other garden centres and their display enables photographs to be taken and circulated. The application site measures approximately 700 m².

Planning History: (Of relevance) WF.589/77 – Replacement poultry slaughter house
WF.1242/78 – Assembly of timber garden sheds and storage of timber – Approved 22.11.78
WF.1252/78 – Preparing maintenance of agricultural machinery and vehicles with storage area – Refused 13.3.79
WF.771/82 – Factory extension for assembly of timber garden sheds – Approved 19.10.82

Consultations and Representations:
Rock Parish Council – Resolved to reluctantly approve this retrospective application. The Council further requested that if the committee is minded to approve this application they wish a condition to be placed on the planning consent that no further expansion would be considered on this site. The Council believes that if the business wished to expand then they should consider relocating to a more appropriate industrial premises.

Ramblers Association - We note that this is a retrospective application and also note that a Public Right of Way is also used as the vehicle access to the application site. Despite this there is no mention of measures to be taken (such as speed bumps) to ensure the safety of pedestrians. In these circumstances the applicant should be requested to resubmit this application in a form which incorporates these factors.

Highway Authority – Awaiting comment.
Neighbour/Site Notice – No response received.

Officer Comments: The planning history indicates that the existing assembly of timber garden buildings is long established at this location. Even in 1978 it was noted that an established use exists on this site for light and general industrial uses. The proposed display area lies to the north east of the existing unit used for assembly purposes. Policy E.8 of the Adopted Local Plan allows limited small scale industrial and commercial development where it involves the redevelopment of an existing industrial/commercial site, does not adversely affect the landscape character or residential amenity and providing that the traffic generated can be accommodated. The application site in question is screened to the north by existing vacant agricultural buildings and by existing mature trees to the south. It is not considered that it detracts significantly from the landscape character of the site. It is sufficiently separated from the nearest property known as Coppice Gate Farm not to adversely affect residential privacy. It is also considered that the use would not significantly attract additional vehicles to the site as the business does not promote retail sales from the site. The impact upon the existing public right of way leading to the site is not considered to be significant.

Conclusions and Recommendations: It is considered that the display area is acceptable in terms of its visual appearance and is appropriate at this site and I therefore recommend APPROVAL subject to the following conditions:
1. A11 (Approved Plans); 2. The application site shall be used solely for the purpose of displaying timber garden buildings which have been assembled at the adjacent MPB Garden Buildings Ltd site. It shall be used for no other purpose unless otherwise agreed in writing by the Local Planning Authority.

Reason for Approval – The impact of the use on the landscape has been assessed together with the potential impact on residential amenity, however in this instance it is considered that there will be no undue loss of landscape character or amenity. The proposal is considered to comply with the policies listed above.
Site Location and Description: No. 14 fronts Eastwood Drive at a point were the road turns 90 degrees.
It is proposed to demolish the existing house and construct three dormer bungalows in the grounds.
Vehicle access is shown via a shared drive off Eastwood Drive. The site is on two levels, the lower level in
the main originally formed the garden of a property fronting Comberton Road. The site backs on to
properties in Comberton Avenue and adjoins bungalows located in Borrington Gardens. This is an outline
planning application with only siting and means of access being considered at this stage. External
appearance, design and landscaping are reserved matters.
Planning History: WF.151/00 – Erection of an additional bungalow with revisions to layout and bungalow
design (Approved under 618/99) - withdrawn.
Consultations and Representations: Highway Authority – No objections subject to conditions.
Arboricultural Officer – The site contains no large trees of significant value. However both to the front and
rear of the property a collection of small trees, hedges, general shrub vegetation contributes greatly to the
amenity of the setting of the cul-de-sac. In order for this development to be implemented the majority of
this vegetation will need to be removed and so consequently would have a detrimental impact in terms of
vegetation loss. No objection on arboricultural grounds, however, would have concern regarding the
general loss of vegetation.
Neighbour/Site Notice – Five letters of objection – Loss of an Orchard with loads of mistletoe – something
not seen much these days – over development of the site – loss of privacy – cannot see how this can be
justified. Dismayed to see close proximity of proposed dormer bungalows to boundary with our gardens –
will mean felling of mature trees which present a high degree of privacy – our property is considerably
lower than Eastwood Drive and we are most concerned the garden will be overlooked. Loss of wildlife.
Further traffic onto Comberton Road that is highly congested at peak times – together with other
development time to call an end to development along this busy route into Kidderminster. Should be
bungalows not dormer bungalows or house. Protection of ancient hedges and trees which have a
preservation order. If approved needs landscaping and care taken with regards to boundary.
Officer Comments: The existing house and garden fall within an area allocated for residential purposes
and also constitute previously developed land. The principle of residential development is therefore in
accordance with Policy H.2 of the Local Plan. The existing property adds interest to the street scene by
enclosing a space at the focal point in Eastwood Drive where this street turns through 90°. Notwithstanding
some unfortunate pruning to a couple of Silver Birch trees, the front garden is also an attractive feature. If
permission were to be approved the street would lose both of these features as they would be replaced by
a new private driveway. The type of properties proposed (dormer bungalows) would also look out of
keeping with the properties on this side of the street where they are all houses and this relationship is
worsened by the difference in levels towards the back of the site. In addition to these problems it is felt
that the proposal represents an over development of the site in that Plot 3 would look hemmed in by other
bungalows in Borrington Gardens. Finally, and although this is an outline planning application, insufficient
information has been submitted to properly judge the impact on the adjacent properties in terms of
massing, design, windows and levels, although it is likely that the development would have a harmful effect
on the dining room of no. 4 Borrington Gardens
Conclusions and Recommendations: In view of the above I recommend that the application be
REFUSED for the following reasons:
1. The proposed development by reason of its layout and house type (dormer bungalows) would be
harmful to the appearance of Eastwood Drive in that it would result in the loss of an attractively landscaped
space enclosed by the existing house which makes a positive contribution to the street scene. The
dwelling types proposed together with their relationship with adjoining property are also out of keeping with
the character of properties in Eastwood Drive. To approve the development in these circumstances would
be contrary to Policies D.1 and D.3 of the Adopted Wyre Forest District Local Plan and advice contained in
the adopted Supplementary Planning Guidance - Design Quality. 2. Insufficient information has been
submitted with regards to position of dormer windows, levels and massing of properties to properly
ascertain the impact on neighbouring property in terms of overlooking, dominance and loss of light.
Notwithstanding this, it is likely that the development would result in over-dominance and loss of light to a
dining room in a bungalow at No. 4 Borrington Gardens. To approve development in these circumstances
would contrarily to Policy D.1 of the adopted Wyre Forest District Local Plan.
Site Location and Description: CMS garage is located adjacent to the ring road, close to the Blackwell Street traffic island. Vehicular access is gained from Churchfields to the rear of the site. The application seeks consent for signage to the car park accessed from Churchfields, various signs on all four elevations of the main sales building, and an internally illuminated free standing pylon sign at a height of 4.64 metres which is proposed to be located close to the back of the footway adjacent to the ring road. This is understood to be a ‘rebranding’ exercise under the Vauxhall name, to replace existing signage, and in association with the planning permission granted recently under WF.128/05 for exterior cladding.

Planning History: WF.243/85 – Non-illuminated sign – Approved
WF.384/88 – Illuminated signs – Approved
WF.65/92 – 7 Garage signs – Approved/Refused (free standing pylon sign facing Ring Road – Refused)
WF.128/05 – Recladding of building - Approved

Consultations and Representations: Highway Authority – No objection
Neighbour/Site Notice – No representations received.

Officer Comments: The overall scheme of replacement signs, both in terms of their size, means of illumination and various locations on the building and in the rear car park area, is satisfactory in this commercial setting. Regarding the proposed pylon sign adjacent to the ring road, previous applications on this garage site for similarly located free standing signs have been consistently refused by the Council, dating back to 1992. This well established objection remains, namely that signage fronting the highway in this vicinity would create a strident feature in the street scene, and any approval would set an undesirable precedent for other similar signs on this section of the ring road.

Conclusions and Recommendations: I recommend REFUSAL to the proposed pylon sign as this element of the scheme fails to conform to advertisement policies, for the following reason:-
1. The display of the pylon sign proposed on the open frontage of the highway would be prejudicial to the visual amenity of the area, in that it would create a strident feature in the street scene and would be conspicuous from a wider area. Furthermore, to approve the pylon sign would set an undesirable precedent for similar signs along the highway boundary, which would spoil the appearances of the ring road frontages. The proposed signage would, therefore, be contrary to Policies AD.1 and AD.6 of the Adopted Wyre Forest District Local Plan.
I recommend APPROVAL to the fascia signs and other signage to the rear of the premises, subject to the standard advertisement conditions.
Site Location and Description: Broome Residential Home is situated in the heart of the Broome Conservation Area. Broome House is a Grade II Listed Building situated within the Green Belt. It is proposed to rebuild a lean-to structure to provide staff accommodation. The accommodation would comprise two bedrooms, bathroom facilities and a small breakfast area.

Planning History: WF.81/05 – Change of Use of outbuilding to staff accommodation – Approved
WF.82/05 – Listed Building Consent: Change of Use of outbuilding to staff accommodation – Approved

Consultations and Representations:
Broome Parish Council – Views awaited
Highway Authority – No objection
Conservation Officer – Recommends Refusal
Severn Trent Water – Views awaited
Neighbour/Site Notice/Advertisement – No representations to date

Officer Comments: Planning permission and Listed Building consent were both approved at the last Committee meeting for the adjacent building to be converted to staff accommodation. Originally, the current scheme formed part of those applications. However, following the removal of a structure to be converted, this element was withdrawn and the present application made separately. The criteria for the conversion of rural buildings is contained in Policy RB.1. This policy makes it quite clear that buildings need to be structurally sound, and in a condition capable of re-use without significant building works or complete reconstruction and in the case of residential proposals the buildings are of an appropriate form for the intended use. The only part that now remains of the original structure is one side wall (and the rear garden wall, which the building originally was built against). To approve the development in these circumstances would be clearly contrary to the aims of this policy and also policies contained in the County Structure Plan (Policies D.10 and D.16) which seek to ensure that only those buildings that are of a permanent construction and suitable for conversion without extensive alterations or extensions, are allowed to be converted. This site lies within the Green Belt and as the development does not comply with the Rural Buildings Policy (or other Green Belt policies), it constitutes ‘inappropriate development’ and no very special circumstances have been demonstrated. Furthermore, the site forms part of a Listed Building and lies within a Conservation area. The previous application contained a structural report indicating that this structure was capable of being retained, and was suitable for conversion. Its removal and the subsequent construction of a new replacement structure would, in the opinion of the Conservation Advisor, not be in line with Policies within the Local Plan, in particular Policy LB.1 (ii) and (iii d), and LB.2. The importance of the remains of this building within the grounds of the principle building is minimal, and the justification for its reconstruction would have to demonstrate that its importance in the setting of the principal building is significant.

Conclusions and Recommendations: In view of the above I recommend that the application be REFUSED for the following reasons:
1. The proposed development constitutes new residential accommodation in the Green Belt, which is inappropriate development unless it is compliant with Green Belt Policy. In this case the development does not comply with Green Belt Policy in that the development is not infilling; it does not fulfil an agricultural need and is contrary to the rural buildings conversion Policy in that its rebuilding would constitute extensive alterations and significant building works. To approve the development in the absence of very special circumstances would be contrary to Policies D.12, D.28, D.39 and D16 of the County Structure Plan and Policies GB.1 and RB.1 of the Adopted Wyre Forest District Local Plan.

2. The remains of the existing structure are of little architectural or historic importance. It is considered that the removal of the existing structure and erection of a new building in its place would not enhance or preserve the character or appearance of this Listed Building. To approve the development in these circumstances would be contrary to Policy LB.1 and LB.2 of the
Adopted Wyre Forest District Local Plan.

WF.374/05

Date Received: 30.03.05
Agent: Grace N. Plant & Associates
Ord. Sheet: 9078-9178
Policy: LB.1, LB.2, LB.3 (AWFDLP)
Case Officer: P. Wrigglesworth
Ward: Blakedown & Ch addesley

Proposal: Listed Building Consent: Replacement building to provide staff accommodation at Broome Residential Home, Broome House, Clent
Applicant: Broome Residential Home

Site Location and Description: Broome Residential Home is situated in the heart of the Broome Conservation Area. Broome House is a Grade II Listed Building situated within the Green Belt. It is proposed to rebuild a lean-to structure to provide staff accommodation. The accommodation would comprise two bedrooms, bathroom facilities and a small breakfast area.

Planning History: WF.81/05 – Change of Use of outbuilding to staff accommodation – Approved
WF.82/05 – Listed Building Consent: Change of Use of outbuilding to staff accommodation – Approved

Consultations and Representations:
Broome Parish Council – Views awaited
Conservation Officer – Recommends Refusal
Neighbour/Site Notice/Advert – No representations to date

Officer Comments: Listed Building consent was approved at the last committee meeting for the adjacent building to be converted to staff accommodation. Originally, the current scheme formed part of those applications. However, following the removal of a structure to be converted, this element was withdrawn and the present application made separately. The previous application contained a structural report indicating that this structure was capable of being retained, and was suitable for conversion. Its removal and the subsequent construction of a new replacement structure would in the opinion of the Conservation Advisor not be in line with Policies within the Local Plan, in particular Policy LB.1 (ii) and (iii d), and LB.2. The importance of the remains of this building within the grounds of the principle building is minimal, and the justification for its reconstruction would have to demonstrate that its importance in the setting of the principal building is significant.

Conclusions and Recommendations: That the application be REFUSED for the following reasons:
1. The remains of the existing structure are of little architectural or historic importance. It is considered that the removal of the existing structure and erection of a new building in its place would not enhance or preserve the character or appearance of this Listed Building and to approve the development in these circumstances would be contrary to Policy LB1 and LB2 of the adopted Wyre Forest District Local Plan.
Site Location and Description: 93 New Road is currently a vacant retail unit within a ‘secondary shopping area’, previously in use as a butchers shop. There does not appear to be a separate flat above the shop, but there is a first floor flat at the next door property, No. 92, although this is unoccupied at present. The proposal is to create a hot food takeaway at the premises, with an associated extraction flue. The flue is shown to emerge on the side elevation at first floor level, then to ‘wrap around’ the building to the rear and with a final bend, move upwards, terminating at a point approximately half way up the roof slope. Parts of the external ducting would be visible from the college car park to the rear of the site.

Planning History: WF.252/71 – Retail Shop – Approved

Consultations and Representations:
Highway Authority – No objections
Environmental Health – No objections subject to conditions
Neighbour/Site Notice – Petition with seven signatories received: “Wish to object to the planning application – feel that New Road has enough take away restaurants already and that the opening of another such establishment will be to the detriment of my business.”

Officer Comments: Policy RT.4 permits Food & Drink uses (including takeaway) within secondary shopping areas, provided that the proposal is satisfactory in all other respects. In this case, sufficient safeguards in the form of appropriate conditions can be imposed to safeguard the amenity of the area and the immediate neighbours, particularly in relation to the extraction system. The argument put forward by the neighbours in their petition has been noted, however concerns about competition are not material planning considerations.

Conclusions and Recommendations: This proposal conforms to the appropriate development plan policies and I therefore recommend APPROVAL subject to the following conditions, and in consideration of Articles 1 & 8 of the Human Rights Act 1998:
1. A6 (Full with No Reserved Matters); 2. A11 (Approved Plans); 3. F9 (Details of Extraction Equipment – including details of noise); 4. F10 (Completion of Fume Extraction); 5. Finished colour of external flue to be agreed. Note: SN5 (No advertisements)

Reason for Approval
The proposed hot food takeaway in this sustainable town centre location is capable of implementation without creating serious adverse effects on the amenity of the immediate locality or highway safety. Therefore, the policies of the Adopted Wyre Forest District Local Plan listed above are satisfied.
Site Location and Description: “Wildacre” is part of a residential barn conversion scheme adjacent to Bromley Farmhouse (Listed Grade II), which has produced three separate dwellings from the former agricultural buildings complex. The location is relatively isolated and open in the Severn Valley, and designated Green Belt/Landscape Protection Area. The proposed building would be located outside the residential curtilage of the barn conversion (therefore not subject to rural building conversion policies), on a slope to the west of the site. The application form and plan indicate a ‘tractor store’ but this is qualified after discussion with the applicants as an oak framed building for the storage of ‘sit on mowers’ and a workshop for domestic grass cutting and maintenance purposes.

Planning History: WF.887/97 – Conversion of farm buildings into 3 dwelling units, erection of car ports and new walls, new driveway and private sewage plant – Approved
WF.42/98 – Listed Building Consent as above – Approved

Consultations and Representations:
Upper Arley Parish Council – Views awaited
Conservation Officer – Views awaited
Neighbour/Site Notice – No representations received.

Officer Comments: As the proposal does not fit any of the ‘exceptions’ listed in Policy GB.1, the proposed development must therefore be regarded as inappropriate development in the Green Belt by definition. As such, very special circumstances must be demonstrated by the applicant to justify approval. This building is clearly not required for agricultural or forestry uses, as alluded to above. As a domestic building therefore, judgement of the application stands to be based on an assessment of the stated need (at this stage just a verbal explanation given by the applicants on site) and whether this need can be regarded as ‘very special circumstances’. I am of the view that the information provided thus far is not sufficient to override the presumption against inappropriate development in this Green Belt area. Additionally, the site chosen for the building is very open and prominent. Although the building is in a traditional vernacular style, the character and appearance of this sensitive Landscape Protection Area would be harmed by further built development here.

Conclusions and Recommendations: This proposal fails to meet the criteria of Green Belt and Landscape Protection Policies in the Local Development Plan. I therefore recommend REFUSAL for the following reasons, and in consideration of Articles 1 & 8 of the Human Rights Act 1998:

1. The application site lies within an area designated as part of the West Midlands Green Belt; the development proposed is considered inappropriate in this location, as it would harm the openness and visual amenity of the Green Belt. No very special circumstances have been demonstrated by the applicant to justify approval. This is considered to be contrary to the guidance contained in Planning Policy Guidance Note 2, Policy D.39 of the Adopted Worcestershire County Structure Plan, and Policies GB.1, GB.2 and GB.6 of the Adopted Wyre Forest District Local Plan.
2. The application site lies within an area designated as a Landscape Protection Area (District Council definition) and an ‘Area of Great Landscape Value’ (County Council definition). The development proposal is considered inappropriate in this location as it would harm the character of the area by its elevated and prominent hillside location in the river valley, and is thus contrary to Policies SD.2, CTC.1, CTC.2 and CTC.4 of the Adopted Worcestershire County Structure Plan, and Policies LA.1, LA.2, LA.3 and LA.6 of the Adopted Wyre Forest District Local Plan.
WF.391/05

Date Received: 04.04.05
Agent: Jefferson Shard Architects
Ord. Sheet: 7875SE
Policy: D.1, D.18, LB.1, LB.2, LB.5, CA.1 (AWFDLP)
Case Officer: J. Mckenzie-Watts
Ward: Bewdley & Arley

Proposal: Listed Building Consent: Alteration to partly constructed disabled access ramp (Retrospective) at HSBC Bank PLC, 15 Load Street, Bewdley

Applicant: HSBC Bank Ltd.

Site Location and Description: HSBC bank occupies a large imposing early 18th Century Listed Building within the Bewdley Conservation Area. The current application follows a previous approval in November 2002. A minor alteration is proposed to the already partly constructed disabled access ramp.

Planning History: WF.118/02 (Listed Building Consent) – Alterations to internal non-structural partitions – Approved 25th March 2002
WF.903/02 – Construction of disabled access ramp – Approved 21st November 2002
WF.904/02 (Listed Building Consent) – Construction of disabled access ramp – Approved 21st November 2002

Consultations and Representations:
Bewdley Town Council – Recommend refusal because this is an eyesore on a highly sensitive site in the Town Centre, and causes a dangerous and unnecessary narrowing of the pavement. The Council consider that disabled access could have easily been provided with a ramp and sensitive railings rather than this concrete monstrosity.
Highway Authority – No objection
Conservation Officer – I have no objections to these proposals. I do not feel that the minor alterations in the design will have any further impact on the Listed Building. The previous application asked for materials to comply with details on the approved plans, and I would like this condition to be placed on this application, if approved. I do not have any objections over these proposals, and recommend for approval, subject to condition as placed on previous approval (Condition 2).
Disability Action Wyre Forest – Comments awaited
Neighbour / Site Notice – One letter of objection, the present structure looks unsightly, is not in keeping with the area or the building to which it is attached, and is a danger to pedestrians coming round the corner from the High Street direction. It is aesthetically displeasing and spoils the whole appearance of that area.

Officer Comments: Planning approval for the ramp was obtained in November 2002. However, the construction of the ramp has commenced and amendments to the original scheme are necessary, hence the current Listed Building application. The corner of the ramp nearest to the road is to be reduced by approximately 600mm in order that it is not a danger to pedestrians using the footpath. Another 100mm of tactile paving step is to be constructed at footpath level up to the ramp and also a slight alteration to the proposed handrail. Whilst I agree with the two objectors that the ramp is an eyesore at present, it is only partially constructed and therefore is not a true representation of the finished product. The principle of the development has already been established with the previous approval and therefore the current application is only concerned with the amendments to the scheme.
It is my opinion that the current proposal will result in a better designed ramp, which will be more aesthetically pleasing in the street scene and be less of an obstruction on the footpath to users.
Overall, the proposal complies with the Local Plan polices as listed and therefore approval is recommended subject to the conditions below:

Conclusions and Recommendations: I recommend APPROVAL subject to the following conditions:
1. A7 (Listed Building/Conservation Area Consent); 2. A11 (Approved Plans – Drawing Numbers ST/1, EX01 and PL/2 all date stamped 4/4/05); 3. B6 (External Details – Approved Plan)

Reason for Approval
The proposed disabled access ramp is considered to be acceptable in terms of its impact on the character and appearance of this Grade II Listed Building, and the Bewdley Conservation Area. For these reasons the proposal is considered to be in accordance with the policies listed above.
Site Location and Description: The property is a former farm house at the end of an unmade track at Gorst Hill, approximately 5 km south west of Bewdley. The proposal is for an Edwardian style rectangular shaped conservatory to the rear elevation measuring 7.5m x 4.4m approximately.

Planning History:
WF.1020/04 – Conservatory to rear elevation – Refused
WF.632/99 – Extension to form new double garage with entrance hall and office over and utility extension - Approved
WF.560/93 – Double garage/storage over – Approved
WF.184/93 – Double garage/storage over – Refused
KR.44/73 – Alterations and extensions – Approved

Consultations and Representations:
Rock Parish Council – Recommend approval
Highway Authority – No comments
Neighbour – No representations made

Officer Comments: This is the resubmission of a planning application which was refused last year under Ref. No. WF.1020/04. The proposed conservatory is a revised design to that which was submitted previously. It has been reduced in size (from 8.5m x 4.4m) and the design has been revised to harmonise more with the existing dwelling.

Unfortunately this does not alter the fact that Treatus Farm has already been significantly extended and altered from its original structure. Plans relating to the planning history indicate that various single and two storey extensions have been approved, and in terms of footprint the size of the dwelling including the proposed conservatory has almost doubled since 1973. Policy D.17 of the Adopted Wyre Forest District Local Plan requires that extensions be in scale and in keeping with the form, materials, architectural characteristics and detailing of the original building and should be subservient to and not overwhelm the original building, which should retain its visual dominance.

Conclusions and Recommendations: The proposed extension, when taken together with previous extensions, would be disproportionate to the original dwelling. Therefore REFUSAL is recommended for the following reason:
1. The proposed extension, combined with the cumulative footprint and volume of previous extensions, would overwhelm the character and appearance of the original dwelling contrary to Policy D.17 of the Adopted Wyre Forest District Local Plan.
Mr. D. Bishop
Applicant:

already being used by the occupants of the existing flats and to approve the development would result in a serious shortfall in car parking provision. There are also visibility problems with respect to the access approach and that it completely destroys the rhythm and balance of the building. I concur with that view. Finally, the proposal shows ten car parking spaces to the rear of the building (‘1 per flat’). However, this car parking area is mimicking the style (at the front) but ‘shrinking’ the size of the new windows. The Conservation Officer has been consulted because of the existing building’s character and he is of the view that this extra floor is out of keeping with development.

Conclusions and Recommendations:
In view of the above, I recommend that the application be REFUSED for the following reasons:

1. The proposed development is comprised wholly of residential development which is contrary to the aims and provisions of Policy E.6 of the Wyre Forest District Local Plan which clearly states that residential development should be ‘in conjunction with other uses’. Notwithstanding the fact that Ideal Buildings is wholly residential at the present time and that this is an extension to it, there is no reason why the ground floor front section could not incorporate some form of business element in conformity with this policy. There are also serious issues with respect to the design of this extension which incorporates an additional floor by lowering the ceiling heights and mimicking the style (at the front) but ‘shrinking’ the size of the new windows. The Conservation Officer has been consulted because of the existing building’s character and he is of the view that this extra floor is out of keeping and that it completely destroys the rhythm and balance of the building. I concur with that view. Finally, the scheme shows ten car parking spaces to the rear of the building (‘1 per flat’). However, this car parking area is already being used by the occupants of the existing flats and to approve the development would result in a serious shortfall in car parking provision. There are also visibility problems with respect to the access approach to this area (see refusal reason 4 below).

2. To approve the development would be detrimental to the character and appearance of the existing building in that the proposed extension does not respect the balance, rhythm and proportions of the existing building. To approve the development in these circumstances would be contrary to Policies D.1 and D.3 of the Adopted Wyre Forest District Local Plan and is contrary to design guidance contained in the Council’s Supplementary Planning Guidance – ‘Design Quality’.

3. The proposed development, utilising the existing car parking provision serving the residential accommodation within the complex of Ideal Building, will deprive the existing residential units of adequate off street car parking within the curtilage of the application site. The absence of replacement car parking to serve the existing residential apartments would be likely to lead to vehicles being parked on the adjoining carriageway, Mill Street, thereby exacerbating the existing demand for on street parking, contrary to the interest of highway safety. The development is therefore contrary to Policies TR.9 and TR.17 of the Adopted Wyre Forest District Local Plan.

4. Notwithstanding Reason 3 above, the narrow length of the shared driveway between the proposed building and the existing building, together with restricted visibility in each direction onto the adjoining footway, is considered unsuitable to serve the proposed development together with the existing residential accommodation. The development is therefore contrary to the interests of highway safety and Policy TR.9 of the Adopted Wyre Forest District Local Plan.
**List of Applications Pending**

**28 April 2005**

**N.B.** This list includes all applications upon which no decision has been issued, including applications proposed to be determined at this Committee.

**THE FOLLOWING APPLICATIONS WILL HAVE BEEN WITH THE AUTHORITY LONGER THAN 13 WEEKS ON 10 MAY 2005**

<table>
<thead>
<tr>
<th>WF NO.</th>
<th>DATE</th>
<th>ADDRESS OF SITE</th>
<th>DESCRIPTION OF PROPOSAL</th>
<th>APPLICANT</th>
<th>GR. REF</th>
<th>PARISH</th>
<th>CASE OFFICER</th>
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<tbody>
<tr>
<td>WF/0391/03</td>
<td>15/04/2003</td>
<td>Land at rear of 49-71 Shrubbery Street, Kidderminster</td>
<td>Full : Erection of eight, four-bedroomed houses, garaging, estate road/private drive/access to Shrubbery Street</td>
<td>J. Atkinson</td>
<td>838 772</td>
<td>Kidderminster</td>
<td>PW</td>
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<tr>
<td>WF/0508/03</td>
<td>30/05/2003</td>
<td>Car Sales site, 78 Mill Street, Kidderminster</td>
<td>Outline : Erection of two blocks of apartments (total 36) with two ground floor commercial units and associated car parking</td>
<td>Mr. and Mrs. Worton</td>
<td>826 768</td>
<td>Kidderminster</td>
<td>PW</td>
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<tr>
<td>WF/1014/03:D</td>
<td>10/10/2003</td>
<td>The Rock Works and adjacent land, Park Lane, Kidderminster</td>
<td>INCOMPLETE APPLICATION</td>
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<tr>
<td>WF/1023/03:D</td>
<td>10/10/2003</td>
<td>The Old Vicarage, Lea Lane, Cookley</td>
<td>Full : Conversion of existing outbuilding with extension to rear to form ancillary accommodation</td>
<td>Miss Janet Green</td>
<td>841 801</td>
<td>Wolverley and Cookley</td>
<td>PR</td>
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<td>WF/1130/03:D</td>
<td>06/11/2003</td>
<td>Land at Mopsons Cross Lane, Callow Hill, Rock</td>
<td>Full : Change of use of land from agricultural to agriculture and the keeping of horses; erection of barn for storage (retrospective)</td>
<td>Thomas List</td>
<td>750 736</td>
<td>Rock</td>
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<td>WF/0046/04</td>
<td>19/01/2004</td>
<td>Park Hall, Blakedown</td>
<td>Full: Change of use to office from squash court</td>
<td>Russell Stevens Esq.</td>
<td>864 778</td>
<td>Churchill &amp; Blakedown</td>
<td>CE</td>
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<tr>
<td>WF/0288/04</td>
<td>17/03/2004</td>
<td>Mill Road, Stourport on Severn</td>
<td>Full: Erection of six dwelling houses, garaging and vehicular access</td>
<td>Siviter Finance Ltd. and Carpet Mills (Kidderminster)</td>
<td>817 715</td>
<td>Stourport on Severn</td>
<td>JS</td>
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<tr>
<td>WF/0062/04</td>
<td>05/04/2004</td>
<td>The Telephone Exchange, Blackwell Street, Kidderminster</td>
<td>Outline: Erection of 35 apartments and new retail unit and use of ground floor of telephone exchange building as office use; car parking, raised amenity area</td>
<td>Malvern Estates Plc</td>
<td>832 769</td>
<td>Kidderminster</td>
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<td>WF/0328/04</td>
<td>06/04/2004</td>
<td>Elgar House, Green Street, Kidderminster</td>
<td>Full: Change of use of first to third floors (inclusive) to thirty-six residential apartments, alterations to external elevations and associated car parking</td>
<td>Morbaine Ltd.</td>
<td>832 761</td>
<td>Kidderminster</td>
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<tr>
<td>WF/0569/04</td>
<td>01/06/2004</td>
<td>Land off Puxton Drive and Brooklands Drive, Wolverley Park, Kidderminster</td>
<td>Full: Variation of Condition 1(b) and (c) of Planning Permissions WF.833/95 &amp; WF.159/00 to allow a further three years for submission of Reserved Matters and to allow development to be begun no later than 10 years from date of outline permission</td>
<td>A. &amp; J. Mucklow &amp; Co. Ltd.</td>
<td>829 780</td>
<td>Kidderminster</td>
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<td>WF/0689/04</td>
<td>02/07/2004</td>
<td>Land off Kingsway, Stourport on Severn</td>
<td>Full: Proposed modification to condition 16 of planning permission WF.370/03 to complete fill period by 5th October 2005 (formerley 23rd March 2005) and to restore site by 5th October 2006 (formerley 23rd March 2006)</td>
<td>Wyre Forest Golf Club Ltd</td>
<td>805 735</td>
<td>Stourport on Severn</td>
<td>CE</td>
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<td>WF/0735/04:D</td>
<td>14/07/2004</td>
<td>Land to rear of 1 and 3 Fort Mahon Place (fronting Cleobury Road), Bewdley</td>
<td>Full: Erection of two split level bungalows (amendment to WF.504/03 - revised levels and alterations to rear elevation)</td>
<td>Mr. A. Magro</td>
<td>779 752</td>
<td>Bewdley</td>
<td>JS</td>
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<td>WF/0757/04</td>
<td>15/07/2004</td>
<td>Land at 21 Birmingham Road, Blakedown</td>
<td>Full: Erection of 3 no. 3 bed and 4 no. 4 bed dwellings with associated garages, parking areas and access off Swan Close</td>
<td>Hagley Homes</td>
<td>878 783</td>
<td>Churchill and Blakedown</td>
<td>PW</td>
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<td>WF/0750/04</td>
<td>16/07/2004</td>
<td>7 &amp; 8 New Street, Stourport on Severn</td>
<td>Listed Building Consent: Removal of internal partitions; installation of internal partitions; installation of security grilles; installation of CCTV cameras</td>
<td>Wyre Forest District Council</td>
<td>808 713</td>
<td>Stourport on Severn</td>
<td>JMW</td>
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<td>WF/0988/04</td>
<td>14/09/2004</td>
<td>'Brindley Arms', Minster Road, Stourport on Severn</td>
<td>Full: Erection of twenty-eight dwellings (eighteen two-bedroom and ten one-bedroom) and associated roads and sewers</td>
<td>George Wimpey Midland Ltd.</td>
<td>813 718</td>
<td>Stourport on Severn</td>
<td>JS</td>
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<tr>
<td>WF/0932/04</td>
<td>04/10/2004</td>
<td>George Street, Kidderminster</td>
<td>Outline: Residential development of up to fourteen dwellings (demolition of existing garage premises)</td>
<td>Randles Garage</td>
<td>836 764</td>
<td>Kidderminster</td>
<td>PW</td>
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<td>WF/1109/04D</td>
<td>19/10/2004</td>
<td>63 Areley Common, Areley Kings, Stourport on Severn</td>
<td>Full: Demolition of existing garage, storage and ancillary buildings to accommodate new extension to provide additional A1 retail sales area, storage and plantrooms with parking; change of use of ground floor and first floor to provide storage and staff facilities; alterations to shop front; 2.4m high fencing to rear boundary (resubmission of WF.18/04)</td>
<td>Perry's (Trading) Limited</td>
<td>801 699</td>
<td>Stourport on Severn</td>
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<td>WF/1136/04</td>
<td>27/10/2004</td>
<td>Land Oak Service Station, Birmingham Road, Kidderminster</td>
<td>Full: Residential development, comprising of 4 Town Houses and 10 apartments with associated car parking, following demolition of existing buildings and structures</td>
<td>Elmsyne Homes</td>
<td>841 771</td>
<td>Kidderminster</td>
<td>PW</td>
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<td>WF/1150/04</td>
<td>29/10/2004</td>
<td>47/48 Bewdley Road, Kidderminster</td>
<td>Outline: Erection of 13 apartments with associated access improvements and car parking following demolition of 47/48 Bewdley Road and garage buildings fronting Perrett Walk</td>
<td>Mr. P. Smith</td>
<td>824 765</td>
<td>Kidderminster</td>
<td>PR</td>
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<td>WF/1228/04</td>
<td>03/11/2004</td>
<td>Lichfield Basin, Stourport on Severn</td>
<td>Listed Building Consent: Alterations to boundary wall to facilitate improved vehicular access from Severn Road, alterations to boundary wall on Lichfield Street</td>
<td>ISIS Waterside Regeneration (General Partner) Ltd.</td>
<td>811 710</td>
<td>Stourport on Severn</td>
<td>CE</td>
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<td>WF/1169/04D</td>
<td>04/11/2004</td>
<td>82 Castle Road, Cookley</td>
<td>Full: Two storey and single storey rear extensions (resubmission of WF.495/04)</td>
<td>Mr. C. Price</td>
<td>844 799</td>
<td>Wolverley and Cookley</td>
<td>SA</td>
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<td>WF/1170/04D</td>
<td>04/11/2004</td>
<td>80 Castle Road, Cookley</td>
<td>Full: Two storey and single storey rear extensions (Resubmission of WF.512/04)</td>
<td>Mr. M. B. Turley</td>
<td>844 799</td>
<td>Wolverley and Cookley</td>
<td>SA</td>
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<td>WF/1200/04</td>
<td>10/11/2004</td>
<td>Sutton Reservoir, Sutton Park Road, Kidderminster</td>
<td>Outline : Residential development with access off Sutton Park Road</td>
<td>Severn Trent Water Ltd.</td>
<td>813 756</td>
<td>Kidderminster</td>
<td>JS</td>
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<td>WF/1208/04</td>
<td>10/11/2004</td>
<td>Lichfield Basin, Severn Road, Stourport on Severn</td>
<td>Full : Engineering works comprising partial reinstatement of Lichfield Basin; excavation to reinstate canal basin link between Lichfield Basin and existing basin west of Mart Lane (Upper Basin); installation of stop planks; construction of bridge on Mart Lane over new canal link between Lichfield Basin and Upper Basin; formation of new access on Severn Road; alterations of existing access on Severn Road; erection of 109 apartments; erection of 32 town houses; change of use of the Sail House from Offices to form 3 apartments; alterations to roof of the Sail House; cycle and bin stores; formation of car park; associated infrastructure including re-routing of sewer; provision of moorings; hard landscaping, boundary walls, siting of lighting columns; alterations to boundary wall on Lichfield Street</td>
<td>Isis Waterside Regeneration Ltd.</td>
<td>811 710</td>
<td>Stourport on Severn</td>
<td>CE</td>
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<tr>
<td>WF/1196/04</td>
<td>11/11/2004</td>
<td>Wolverley Court Care Home, Wolverley Road, Wolverley</td>
<td>Listed Building Consent : Demolition of single storey extensions, internal alteration to convert building to seven apartments and erection of garages</td>
<td>Mr. A. M. Sadik</td>
<td>830 789</td>
<td>Wolverley and Cookley</td>
<td>PR</td>
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<tr>
<td>WF/1220/04:D</td>
<td>16/11/2004</td>
<td>Stone Barn (Duck House), Elfords, Heightington, Bewdley</td>
<td>Full: Conversion of stone barn to two bedroom residential property with associated parking</td>
<td>Mr. and Mrs. A. Darley</td>
<td>761 713</td>
<td>Rock</td>
<td>JS</td>
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<tr>
<td>WF/1221/04:D</td>
<td>16/11/2004</td>
<td>Stone Barn (Duck House), Elfords, Heightington, Bewdley</td>
<td>Listed Building Consent: Conversion of stone barn to two bedroom residential property</td>
<td>Mr. and Mrs. A. Darley</td>
<td>761 713</td>
<td>Rock</td>
<td>JS</td>
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<tr>
<td>WF/1222/04:D</td>
<td>16/11/2004</td>
<td>Timber Clad Barn, Elfords, Heightington, Bewdley</td>
<td>Full: Reconstruction of barn and conversion to three bedroom property with associated parking</td>
<td>Mr. and Mrs. A. Darley</td>
<td>761 713</td>
<td>Rock</td>
<td>JS</td>
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<td>WF/1223/04:D</td>
<td>16/11/2004</td>
<td>Timber Clad Barn, Elfords, Heightington, Bewdley</td>
<td>Listed Building Consent: Reconstruction of timber frame barn and conversion to three bedroom property</td>
<td>Mr. and Mrs. A. Darley</td>
<td>761 713</td>
<td>Rock</td>
<td>JS</td>
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<td>WF/1237/04</td>
<td>18/11/2004</td>
<td>Lichfield Basin, Stourport on Severn</td>
<td>Conservation Area Consent: Demolition of modern industrial buildings (2 no.), Demolition of boundary wall along Mart Lane.</td>
<td>Isis Waterside Regeneration (General Partner) Ltd.</td>
<td>811 710</td>
<td>Stourport on Severn</td>
<td>CE</td>
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<tr>
<td>WF/1261/04</td>
<td>25/11/2004</td>
<td>Fletcher Business Park, Barracks Road, Sandy Lane Industrial Estate, Stourport on Severn</td>
<td>Full: Development of 15 No. industrial units for B1 use with associated parking and access</td>
<td>Clive Fletcher Developments</td>
<td>821 698</td>
<td>Stourport on Severn</td>
<td>JS</td>
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<tr>
<td>WF/1245/04</td>
<td>26/11/2004</td>
<td>Foley Business Park, Stourport Road, Kidderminster</td>
<td>Full: Erection of 10 No. industrial units with associated parking and new access points off Foley Avenue</td>
<td>Foley Park Estates</td>
<td>820 739</td>
<td>Kidderminster</td>
<td>PR</td>
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<tr>
<td>WF/1269/04</td>
<td>30/11/2004</td>
<td>Land to Rear of 408 Hurcott Road, Kidderminster</td>
<td>Outline: Demolition of No. 408 Hurcott Road erection of 6 houses (all matters reserved except for access)</td>
<td>I. E. Jenns</td>
<td>834 772</td>
<td>Kidderminster</td>
<td>PW</td>
</tr>
<tr>
<td>WF/1271/04</td>
<td>30/11/2004</td>
<td>Land at Thomas Vales Site, Worcester Road, Stourport on Severn</td>
<td>Full: Erection of 30 dwellings, access, landscaping and associated works</td>
<td>Thomas Vale Group plc</td>
<td>815 712</td>
<td>Stourport on Severn</td>
<td>CE</td>
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<tr>
<td>WF/1334/04</td>
<td>22/12/2004</td>
<td>Swancote Farm, Tannwood Lane, Chaddesley Corbett</td>
<td>Listed Building Consent : Internal alterations to all units (1-5); additional windows and rooflights to Units 3, 4 and 5; removal of rooflight in Unit 3</td>
<td>Gilkes Homes Ltd.</td>
<td>901 741</td>
<td>Chaddesley Corbett</td>
<td>JS</td>
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<tr>
<td>WF/0016/05:D</td>
<td>11/01/2005</td>
<td>The Hollies Caravans, Trimpley Lane, Shatterford</td>
<td>Full: Erection of stables</td>
<td>Thomas Smith</td>
<td>791 810</td>
<td>Upper Areley</td>
<td>PR</td>
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<tr>
<td>WF/0027/05:D</td>
<td>14/01/2005</td>
<td>Worcester Cross, Worcester Street and Oxford Street, Kidderminster</td>
<td>Listed Building Consent: Repairs to clocks, addition of anti vandal acrylic covers to clock faces, backlighting to clock faces.</td>
<td>Wyre Forest District Council</td>
<td>834 764</td>
<td>Kidderminster</td>
<td>SA</td>
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<tr>
<td>WF NO.</td>
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<td>DESCRIPTION OF PROPOSAL</td>
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<td>CASE OFFICER</td>
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<td>WF/0037/05</td>
<td>14/01/2005</td>
<td>Station Hill Service Station, Comberton Hill, Kidderminster</td>
<td>Full: Erection of part 2-storey and part 3-storey mixed development comprising 4 x retail units at ground floor and a total of 12 apartments (one and two bed) at upper floors together with associated access and parking</td>
<td>Lockett Property Holdings</td>
<td>836 763</td>
<td>Kidderminster</td>
<td>PW</td>
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<tr>
<td>WF/0050/05:D</td>
<td>20/01/2005</td>
<td>Land off Puxton Drive, Kidderminster</td>
<td>Full: Engineering works for surface water sewer to link to existing main sewer</td>
<td>A. and J. Mucklow and Co. Ltd.</td>
<td>828 779</td>
<td>Kidderminster</td>
<td>JS</td>
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<tr>
<td>WF/0107/05:D</td>
<td>01/02/2005</td>
<td>Flat 1, Kingsford House, Kingsford Stores, Kingsford Lane, Wolverley</td>
<td>Certificate of Lawfulness: Self contained flat within the building known as Kingsford House</td>
<td>A. J. M. Properties</td>
<td>818 807</td>
<td>Wolverley and Cookley</td>
<td>JW</td>
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<tr>
<td>WF/0108/05:D</td>
<td>01/02/2005</td>
<td>Flat 2, Kingsford House, Kingsford Stores, Kingsford Lane, Wolverley</td>
<td>Certificate of Lawfulness: Self contained flat within the building known as Kingsford House</td>
<td>A. J. M. Properties</td>
<td>818 807</td>
<td>Wolverley and Cookley</td>
<td>JW</td>
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<tr>
<td>WF/0109/05:D</td>
<td>01/02/2005</td>
<td>The Timber Chalet, Kingsford Stores, Kingsford Lane, Wolverley</td>
<td>Certificate of Lawfulness: Use of chalet as a single independent dwelling</td>
<td>A. J. M. Properties</td>
<td>818 808</td>
<td>Wolverley and Cookley</td>
<td>JW</td>
</tr>
<tr>
<td>WF/0114/05:D</td>
<td>01/02/2005</td>
<td>91/92 New Road, Kidderminster</td>
<td>Full: New shop front, side and rear extensions (to extend approved A3 (Food and Drink) use area, cellar, garden area (with tables), managers flat, and boundary treatment</td>
<td>Mr. M. Ghoncheh</td>
<td>832 763</td>
<td>Kidderminster</td>
<td>CB</td>
</tr>
</tbody>
</table>
# WYRE FOREST DISTRICT COUNCIL

## PLANNING (DEVELOPMENT CONTROL) COMMITTEE

### MEETING 10 MAY 2005

**List of Applications Pending**

28 April 2005

**N.B.** This list includes all applications upon which no decision has been issued, including applications proposed to be determined at this Committee.

**THE FOLLOWING APPLICATIONS WILL HAVE BEEN WITH THE AUTHORITY LONGER THAN 8 WEEKS ON 10 MAY 2005**

<table>
<thead>
<tr>
<th>WF NO.</th>
<th>DATE</th>
<th>ADDRESS OF SITE</th>
<th>DESCRIPTION OF PROPOSAL</th>
<th>APPLICANT</th>
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<tbody>
<tr>
<td>WF/0131/05:D</td>
<td>07/02/2005</td>
<td>The Royal Forester Public House, Callow Hill, Rock</td>
<td>Full: Ground and first floor extensions to include provision for 7 bedrooms for bed and breakfast use; extended servery/dining area at ground floor; replacement extended cellar area (Resubmission of WF.61/04) (Retrospective)</td>
<td>J. &amp; C. McGaughran T/A The Royal Forester</td>
<td>743 738</td>
<td>Rock</td>
<td>JS</td>
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<tr>
<td>WF/0139/05:D</td>
<td>08/02/2005</td>
<td>B &amp; Q Warehouse, Green Street, Kidderminster</td>
<td>Full: Erection of wooden cabin ('HELPPO' outbuilding) over six car parking spaces for promotional purposes for a 1 year period</td>
<td>B &amp; Q</td>
<td>832 759</td>
<td>Kidderminster</td>
<td>PW</td>
</tr>
<tr>
<td>WF/0041/05</td>
<td>10/02/2005</td>
<td>Wilden Lane, Stourport on Severn</td>
<td>Full: Industrial unit (Use Class B1/B2) with ancillary offices</td>
<td>Wilden Industrial Estates Ltd.</td>
<td>823 724</td>
<td>Stourport on Severn</td>
<td>SA</td>
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<tr>
<td>WF/0149/05:D</td>
<td>10/02/2005</td>
<td>Swancote Farm, Tanwood Lane, Chaddesley Corbett</td>
<td>Full: Revisions to WF.459/04 for conversion of barns to five dwellings. Internal alterations to all units (1-5); additional windows and rooflights to Units 3, 4 and 5; removal of rooflight to Unit 3</td>
<td>Gilkes Homes Ltd.</td>
<td>901 741</td>
<td>Chaddesley Corbett</td>
<td>JS</td>
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<tr>
<td>WF/0154/05</td>
<td>10/02/2005</td>
<td>Victoria Sports Ground, Spennells Valley Road, Kidderminster</td>
<td></td>
<td>INCOMPLETE APPLICATION</td>
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<tr>
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<tr>
<td>WF/0122/05</td>
<td>14/02/2005</td>
<td>Land at Clensmore Street, Kidderminster</td>
<td>Full: Excavation of soil over part of site, regrading of existing embankments and the laying of a hard surfaced area to facilitate the open storage of motor vehicles (retrospective) and the change of use of land to allow the open storage of motor vehicles</td>
<td>Kidderminster Property Investments Ltd. and CMS (Kidderminster) Ltd.</td>
<td>829 774</td>
<td>Kidderminster</td>
<td>PW</td>
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<tr>
<td>WF/0176/05:D</td>
<td>14/02/2005</td>
<td>3 Birmingham Road, Blakedown</td>
<td>Full: Erection of detached garage</td>
<td>Mr. Cox</td>
<td>876 782</td>
<td>Churchill and Blakedown</td>
<td>SA</td>
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<tr>
<td>WF/0191/05:D</td>
<td>16/02/2005</td>
<td>58 Aggborough Crescent, Kidderminster</td>
<td>Full: Two storey extensions to side and rear (re-submission of WF.1291/04)</td>
<td>Mr. K. Lawrence</td>
<td>833 755</td>
<td>Kidderminster</td>
<td>SA</td>
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<tr>
<td>WF/1158/04:D</td>
<td>16/02/2005</td>
<td>Bridge Cottage, Bridge Street, Stourport on Severn</td>
<td>Full: Erection of a rear sitting room extension</td>
<td>Mr. G. Hawkins</td>
<td>807 709</td>
<td>Stourport on Severn</td>
<td>SW</td>
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<tr>
<td>WF/1342/04</td>
<td>16/02/2005</td>
<td>Activity Barn (Barn 2), Park Hall, Blakedown</td>
<td>Full: Conversion of existing barn to create two bedrooomed dwelling with associated parking and brickwalls to garden area.</td>
<td>Russell Stevens Esq.</td>
<td>864 778</td>
<td>Churchill and Blakedown</td>
<td>JW</td>
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<tr>
<td>WF/1343/04</td>
<td>16/02/2005</td>
<td>Activity Barn (Barn 2), Park Hall, Blakedown</td>
<td>Listed Building Consent: Conversion of existing barn with internal and external alterations to create two bedrooomed dwelling with associated parking and brickwalls to garden area.</td>
<td>Russell Stevens Esq.</td>
<td>864 778</td>
<td>Churchill and Blakedown</td>
<td>JW</td>
</tr>
<tr>
<td>WF/0198/05</td>
<td>21/02/2005</td>
<td>Drayton House, Drayton</td>
<td>Listed Building Consent: Replacement of existing door and frame to stair hall, removal of false canopy over doorway to stair hall and the reinstatement of head covering the original canopy, replacement of existing kitchen door and frame, blocking off of kitchen doorway and porch window and the replacement of the existing porch door</td>
<td>Mr. and Mrs. J. G. Whateley</td>
<td>907 762</td>
<td>Chaddesley Corbett</td>
<td>PR</td>
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<tr>
<td>WF/0199/05</td>
<td>21/02/2005</td>
<td>Drayton House, Drayton</td>
<td>Listed Building Consent: Studwork to form plumbing duct/walk in cupboard at first floor, plumbing and waster installations to accommodate new bathroom provisions and refitting bathrooms at first and second floor levels, provision of boxed skirting treatment to accommodate plumbing wastes above floor, with skirting profiles to match existing</td>
<td>Mr. and Mrs. J. G. Whateley</td>
<td>907 762</td>
<td>Chaddesley Corbett</td>
<td>PR</td>
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<tr>
<td>WF/0203/05:D</td>
<td>21/02/2005</td>
<td>The Knowles, Drakelow Lane, Wolverley</td>
<td>Full: Erection of single storey extension to create conservatory and swimming pool</td>
<td>Mr. and Mrs. L. Griffiths</td>
<td>817 806</td>
<td>Wolverley and Cookley</td>
<td>PR</td>
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<tr>
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<td>WF/0215/05</td>
<td>23/02/2005</td>
<td>Dog Lane, Bewdley</td>
<td>Full General Regulations (Regulation 3): Change of use to car park (re-submission of WF.514/04)</td>
<td>Wyre Forest District Council</td>
<td>785 755</td>
<td>Bewdley</td>
<td>JS</td>
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<tr>
<td>WF/0218/05</td>
<td>24/02/2005</td>
<td>The Malt House, Harvington Hall, Harvington</td>
<td>Listed Building Consent: Restoration alterations and conversion of former Malting House to form educational/heritage centre</td>
<td>Harvington Hall Management Committee</td>
<td>877 744</td>
<td>Chaddesley</td>
<td>PW</td>
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<tr>
<td>WF/0226/05</td>
<td>25/02/2005</td>
<td>St. Ambrose's R.C. Primary School, Clarence Street, Kidderminster</td>
<td>Outline: Demolition of school building and erection of dwellings (siting, design, external appearance and landscaping reserved matters)</td>
<td>Birmingham Roman Catholic Diocesan Trustees Registered</td>
<td>838 768</td>
<td>Kidderminster</td>
<td>PW</td>
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<tr>
<td>WF/0228/05</td>
<td>28/02/2005</td>
<td>3 Partridge Grove, Kidderminster</td>
<td>Full: Erection of two storey extension to include first floor granny flat</td>
<td>Martin Stevenson</td>
<td>844 747</td>
<td>Kidderminster</td>
<td>CB</td>
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<tr>
<td>WF/0231/05</td>
<td>28/02/2005</td>
<td>Site of &quot;Save&quot; Petrol Filling Station, Wolverhampton Road, Kidderminster</td>
<td>Full: Erection of 12 No. dwellings and associated parking and landscaping</td>
<td>Cox Homes Ltd.</td>
<td>843 782</td>
<td>Kidderminster</td>
<td>PW</td>
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<tr>
<td>WF/0249/05</td>
<td>02/03/2005</td>
<td>Front garden of 6 Oldnall Road, (boundary with No.5), Kidderminster</td>
<td>Tree Preservation Order: Prune Copper Beech</td>
<td>R. D. Wilbraham</td>
<td>839 759</td>
<td>Kidderminster</td>
<td>AN</td>
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<tr>
<td>WF/0250/05</td>
<td>02/03/2005</td>
<td>8 High Street, Kidderminster</td>
<td>Advertisement Consent: Illuminated fascia sign and non illuminated projecting sign</td>
<td>Vodafone Ltd.</td>
<td>831 767</td>
<td>Kidderminster</td>
<td>SW</td>
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<tr>
<td>WF/0251/05</td>
<td>02/03/2005</td>
<td>Unit 1, Carlton House, Oxford Street, Kidderminster</td>
<td>Full: Change of use from A1 to A2 use</td>
<td>First Personnel Services Plc</td>
<td>832 765</td>
<td>Kidderminster</td>
<td>JMW</td>
</tr>
<tr>
<td>WF/0252/05</td>
<td>02/03/2005</td>
<td>90 Coventry Street, Kidderminster</td>
<td>Full: Reconstruction of roof and increase to existing roof slope (renewal of planning permission WF.592/04)</td>
<td>Mr. B. Murdock</td>
<td>833 767</td>
<td>Kidderminster</td>
<td>CB</td>
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<tr>
<td>WF/0254/05</td>
<td>02/03/2005</td>
<td>Woodland House, New Wood Lane, Blakedown</td>
<td>Full: Erection of single storey extension</td>
<td>Mr. and Mrs. Butterfield</td>
<td>873 778</td>
<td>Churchill and Blakedown</td>
<td>CB</td>
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<tr>
<td>WF/0255/05</td>
<td>02/03/2005</td>
<td>Land to rear of 42 Connaught Avenue, Kidderminster</td>
<td>Full: Erection of two detached bungalows with garages</td>
<td>Norgrove Homes</td>
<td>823 755</td>
<td>Kidderminster</td>
<td>PR</td>
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<tr>
<td>WF/0256/05</td>
<td>02/03/2005</td>
<td>Hillgrove House, Winbrook, Bewdley</td>
<td>Full: Conservatory to rear</td>
<td>Mr. G. Fletcher</td>
<td>782 752</td>
<td>Bewdley</td>
<td>JH</td>
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<td>WF/0260/05</td>
<td>03/03/2005</td>
<td>Land to the rear of &quot;The Old Vicarage&quot;, Habberley Road, Bewdley</td>
<td>Full: Erection of a detached dwelling and associated garaging</td>
<td>Mr. and Mrs. J. Swingler</td>
<td>798 759</td>
<td>Bewdley</td>
<td>PR</td>
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<tr>
<td>WF/0261/05</td>
<td>03/03/2005</td>
<td>128 Coningsby Drive, Kidderminster</td>
<td>Full: First floor extension over existing garage</td>
<td>Mr. and Mrs. Baulk</td>
<td>811 775</td>
<td>Kidderminster</td>
<td>CB</td>
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<tr>
<td>WF/0265/05</td>
<td>04/03/2005</td>
<td>156 Kidderminster Road, Bewdley</td>
<td>Full: Single storey rear extension</td>
<td>Mr. and Mrs. Humphrey</td>
<td>797 758</td>
<td>Bewdley</td>
<td>JH</td>
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<tr>
<td>WF/0266/05</td>
<td>04/03/2005</td>
<td>Shop Unit 6, Warbler Place, Kidderminster</td>
<td>Full: change of use to A1 (shop)</td>
<td>Prism Estates Ltd</td>
<td>842 747</td>
<td>Kidderminster</td>
<td>SW</td>
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<tr>
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<td>WF/0268/05:D</td>
<td>04/03/2005</td>
<td>95 Manor Avenue South, Kidderminster</td>
<td>Full: Two storey side extension</td>
<td>Mr. T. Wormington</td>
<td>811 770</td>
<td>Kidderminster</td>
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<tr>
<td>WF/0269/05:D</td>
<td>04/03/2005</td>
<td>&quot;Woodglade&quot;, Dowles Road, Bewdley</td>
<td>Full: Single storey extensions to side, rear and front</td>
<td>Mr. and Mrs. Ward</td>
<td>781 757</td>
<td>Bewdley</td>
<td>JH</td>
</tr>
<tr>
<td>WF/0235/05:D</td>
<td>07/03/2005</td>
<td>49 Elderfield Gardens, Coventry Street, Kidderminster</td>
<td>Full: Conversion of house into two separate flats (retrospective application) with associated car parking</td>
<td>Keith Jones</td>
<td>837 769</td>
<td>Kidderminster</td>
<td>SA</td>
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<tr>
<td>WF/0270/05</td>
<td>07/03/2005</td>
<td>West Midlands Equine Centre, Debdale Farm, Cookley</td>
<td>Full: Refurbishment of existing barn and stables for use for keeping of horses and construction of new tack room.</td>
<td>West Midlands Equine Centre</td>
<td>838 804</td>
<td>Wolverley and Cookley</td>
<td>PR</td>
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<tr>
<td>WF/0271/05:D</td>
<td>07/03/2005</td>
<td>Land to rear of Champney, off Hoo Road, Kidderminster</td>
<td>Full: Variation of Condition No.3 of Planning Permission Ref. WF.653/01 to allow a further 6 months for the submission of reserved matters for the erection of 16 two/three bedroom dwellings and estate road.</td>
<td>Elmsvyne Ltd</td>
<td>833 749</td>
<td>Kidderminster</td>
<td>PW</td>
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<tr>
<td>WF/0272/05:D</td>
<td>07/03/2005</td>
<td>The Forge, Upper Arley</td>
<td>Full: Erection of detached garage</td>
<td>Mr. P. Elvins &amp; Miss J. Bishop</td>
<td>768 804</td>
<td>Upper Arley</td>
<td>PR</td>
</tr>
<tr>
<td>WF/0277/05:D</td>
<td>08/03/2005</td>
<td>7 Hillary Road, Stourport on Severn</td>
<td>Full: First floor extension to rear</td>
<td>Mr. S. W. Griffiths &amp; H. J. Whitehead</td>
<td>828 732</td>
<td>Stourport on Severn</td>
<td>SW</td>
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<tr>
<td>WF/0278/05:D</td>
<td>08/03/2005</td>
<td>46 Load Street, Bewdley</td>
<td>Listed Building Consent: Formation of new doorway within external wall</td>
<td>Mr. M. Jackson</td>
<td>785 753</td>
<td>Bewdley</td>
<td>SW</td>
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<tr>
<td>WF/0280/05</td>
<td>08/03/2005</td>
<td>Wolverley Court Care Home, Wolverley Road, Wolverley</td>
<td>Full : Change of use of Care Home to six apartments with associated access improvements and erection of garages</td>
<td>Mr. A. M. Sadik</td>
<td>830 789</td>
<td>Wolverley and Cookley</td>
<td>PR</td>
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<td>WF/0281/05:D</td>
<td>08/03/2005</td>
<td>47 Highclere, Bewdley</td>
<td>Full : Single storey extension to front and side</td>
<td>Mr. and Mrs. J. Butler</td>
<td>782 747</td>
<td>Bewdley</td>
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<td>WF/0282/05:D</td>
<td>09/03/2005</td>
<td>54 Brook Street, Kidderminster</td>
<td>Full : Two storey and single storey rear extension</td>
<td>Mr. T. Heeley</td>
<td>827 767</td>
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<td>WF/0283/05:D</td>
<td>09/03/2005</td>
<td>Block 1-14 Trinity Grange, off Birmingham Road, Kidderminster</td>
<td>Full : Erection of bin store extension</td>
<td>Trinity Grange House Management</td>
<td>839 770</td>
<td>Kidderminster</td>
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<td>WF/0284/05:D</td>
<td>09/03/2005</td>
<td>The Dell, Rushock</td>
<td>Certificate of Lawfulness for a proposed operation : Outbuilding in garden</td>
<td>Mr. and Mrs. Hamilton</td>
<td>881 708</td>
<td>Rushock</td>
<td>JW</td>
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<td>WF/0285/05:D</td>
<td>09/03/2005</td>
<td>70 Blackwell Street, Kidderminster</td>
<td>Full : Change of use from A1 to A3 takeaway</td>
<td>Peter Kajia</td>
<td>833 770</td>
<td>Kidderminster</td>
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<td>WF/0286/05:D</td>
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<td>2 Merricks Lane, Bewdley</td>
<td>Full : Single storey extension to side, decking to rear</td>
<td>S. Porter</td>
<td>779 752</td>
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<td>WF/0287/05:D</td>
<td>09/03/2005</td>
<td>Drayton House, Drayton</td>
<td>Listed Building Consent : Alterations to existing cellar</td>
<td>Mr. and Mrs. J. G. Whateley</td>
<td>907 762</td>
<td>Chaddesley Corbett</td>
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<td>WF NO.</td>
<td>DATE</td>
<td>ADDRESS OF SITE</td>
<td>DESCRIPTION OF PROPOSAL</td>
<td>APPLICANT</td>
<td>GR. REF</td>
<td>PARISH</td>
<td>CASE OFFICER</td>
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<td>WF/0291/05</td>
<td>09/03/2005</td>
<td>Land off Kingsway, Stourport on Severn</td>
<td>Full : Application under Section 73 to vary Condition 6 of Permission WF. 370/03 to enable more than 123,000 cubic metres of material to be imported to the site to achieve the final restoration levels of the Academy Golf Course as shown on approved contour plan 4947/05</td>
<td>Wyre Forest Golf Club</td>
<td>804 735</td>
<td>Stourport on Severn</td>
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<td>WF/0289/05:D</td>
<td>10/03/2005</td>
<td>Blakeshall House, Blakeshall, Wolverley</td>
<td>Listed Building Consent : Internal alterations to create two flats</td>
<td>E. Hind</td>
<td>829 813</td>
<td>Wolverley and Cookley</td>
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<td>WF/0292/05</td>
<td>10/03/2005</td>
<td>The Malthouse, Harvington Hall, Harvington</td>
<td>Full : Change of use of former malthouse/store to education and visitor centre</td>
<td>Harvington Hall Management Committee</td>
<td>877 744</td>
<td>Chaddesley Corbett</td>
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<td>WF/0293/05:D</td>
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<td>24 Sandmartin Way, Kidderminster</td>
<td>Full : Erection of single storey rear conservatory</td>
<td>Mr. S. Wyer</td>
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<td>WF/0294/05:D</td>
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<td>'Four Winds', Halls Farm Lane, Trimpley Green, Bewdley</td>
<td>Full : Two storey rear, single storey side and rear extensions, porch, detached double garage and new vehicular entrance (resubmission of WF.1316/04)</td>
<td>Mr. M. Appleton</td>
<td>793 780</td>
<td>Kidderminster Foreign</td>
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PLANNING AND ENFORCEMENT APPEALS

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<th>Proof of Evidence Required By</th>
<th>Site Visit Required By</th>
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<td>WFA.1113, WF.295/04</td>
<td>APP/R1845/A/04/1159240 West Bromwich Building Society</td>
<td>23 High Street Kidderminster (Change of use from A1 (Retail) to A2 (Financial and professional services))</td>
<td>P.I. (25.8.04)</td>
<td>6.10.04</td>
<td>20.5.05</td>
<td>Public Inquiry 21.6.05 (The Earl Baldwin Suite Duke House, Clensmore Street, Kidderminster)</td>
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<td>WFA.1116, WF.654/04</td>
<td>APP/R1845/A/04/1164302 Executors of the late J. Francois</td>
<td>Unit 1 Greenacres Lane W.R. off Dowles Road Bewdley (Demolition of garage/car/vehicle spraying unit and erection of two detached bungalows with garages)</td>
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<td>23.11.04</td>
<td>-</td>
<td>DISMISSED 1.4.05</td>
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<td>WFA.1117, WF.689/04</td>
<td>APP/R1845/A/04/1164602 Wyre Forest Golf Club</td>
<td>Land off Kingsway W.R. Stourport (Modification to condition No.16 of planning permission WF.370/03 to complete fill period by 5.10.05 and restore site by 5.10.06)</td>
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<td>WFA.1118 WFA.1120 WFA.1121 WFA.1122 WFA.1123 WFA.1125</td>
<td>WMR/P/5250/147/23 APP/R1845/A/ 04/1165391 APP/R1845/A/ 04/1166428 APP/R1845/A/ 04/1165217 APP/R1845/A/ 04/1165653 APP/R1845/A/ 04/1168408</td>
<td>Mr. M. Rose Mr. J. Salter Mr. G. Attwood Mr. M. Greaves Mr. &amp; Mrs. Eames Mr. and Mrs. Shimwell</td>
<td>11 Barnetts Close Kidderminster (Tree Preservation Order: Fell conifer) Hillview, Fernhalls Bungalow, Greenway Rock (Extension to front) 29 Back Lane Shenstone (First floor extension over existing extension) 24 Katrine Road Stourport on Severn (Change of use to garden and erection of new fence) 10 Parkes Quay Stourport on Severn (Pitched roof garage with storage) Old Bliss Farm Bliss Gate, Rock (Reconstruction of barn to create dwelling in similar form to that previously approved under WF.49/03)</td>
<td>W.R. (20.10.04) W.R. (21.10.04) HE (17.12.04) W.R. (3.11.04) W.R. (8.11.04) W.R. (23.11.04)</td>
<td>1.12.04 2.12.04 28.1.05 15.12.04 20.12.04 4.10.05</td>
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<td>WFA.1126</td>
<td>APP/R1845/A/ 04/1168359</td>
<td>Mr. D. Round</td>
<td>1 Hextons Farm Cottages, Arley</td>
<td>W.R. (23.11.04)</td>
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<td>WFA.1127</td>
<td>APP/R1845/A/ 04/1168287</td>
<td>Mr. I. Archer</td>
<td>2 Hextons Cottages Arley</td>
<td>W.R. (23.11.04)</td>
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<td>WF.725/04</td>
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<td>Vodafone</td>
<td>Scout Camp Kidderminster Road Bewdley</td>
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<td>WF(T)92</td>
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<td>(Erection of 8.15 m high wooden telegraph pole style monopole, 3 antennas, radio equipment housing and ancillary development)</td>
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<td>APP/R1845/A/ 04/1168906</td>
<td>Hutchison 3G UK Ltd.</td>
<td>Low Habberley Farm Kidderminster</td>
<td>W.R. (3.12.04)</td>
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<td>WF(T)93</td>
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<td>(Erection of 15m tower, 3 antennas, 2 x 600mm dishes, equipment housing and ancillary development)</td>
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<td>WFA.1132 APP/R1845.A. T-Mobile (UK) Ltd. 04/1170194</td>
<td>Stourport Workmen's Club Lickhill Road Stourport on Severn <strong>(Erection of 6m flagpole antenna and associated equipment cabinets)</strong></td>
<td>W.R. (15.12.04)</td>
<td>26.1.05</td>
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<td>WFA.1133 APP/R1845/A Messrs. Calder and 47 Manor Road Warrington</td>
<td>Stourport on Severn <strong>(Erection of one detached dwelling, alterations to access and associated car parking)</strong></td>
<td>W.R. (15.12.04)</td>
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<td>Site Visit 5.4.05 11.4.05</td>
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<td>WFA.1134 APP/R1845/A Mr. Chance Adj. 36 Franche Road Wolverley</td>
<td>Adj. 36 Franche Road Wolverley <strong>(Erection of detached dwelling with associated access/ driveway, new drop kerb and hardstanding for No. 36)</strong></td>
<td>W.R. (16.12.04)</td>
<td>27.1.05</td>
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<td>WFA.1135 APP/R1845/A Mr. W. North The Croft Blakeshall Wolverley</td>
<td>The Croft Blakeshall Wolverley <strong>(Extensions and alterations)</strong></td>
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<td>WFA.1136 APP/R1845/A</td>
<td>04/1170699</td>
<td>Mr. W. Mullen</td>
<td>1 The Croft, Kidderminster (Relocation of side garden fence and use of amenity land to garden)</td>
<td>W.R. (22.12.04)</td>
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<td>WFA.1137 APP/R1845/A</td>
<td>04/1171464</td>
<td>Mr. &amp; Mrs. Payne</td>
<td>Land adjacent to 34 Bowpatch Road Stourport on Severn (Change of Use of Land to private residential curtilage, erection of fence and gates, laying of hardstanding in association with creation of new access (retrospective))</td>
<td>W.R. (7.1.05)</td>
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<td>05/1172220</td>
<td>Mr. B. Adams</td>
<td>The Alms House Worcester Road Harvington (Erection of first floor extension over ground floor swimming pool)</td>
<td>P.I. (18.1.05)</td>
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<td>Public Inquiry 7.2.06 (The Earl Baldwin Suite Duke House, Kidderminster)</td>
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<td>WFA.1139 APP/R1845/A</td>
<td>05/1172915</td>
<td>Mr. M. J. Crump</td>
<td>11 York Street, Stourport on Severn (Retention of white double glazed windows)</td>
<td>W.R. (20.1.05)</td>
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<td>Mr. &amp; Mrs. D. Hadley</td>
<td>216 Sutton Park Road Kidderminster</td>
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<td>04/2000589</td>
<td>Mr. Payne</td>
<td>Land Adj. 34 Bowpatch Road Stourport on Severn</td>
<td>W.R. (3.2.05)</td>
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<td>Midland Management Limited</td>
<td>Former Bewdley Service Station Kidderminster Road Bewdley</td>
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<td>WFA.1145 APP/R1845/A 05/1175297</td>
<td>Mr. I. E. Jenns</td>
<td>Land rear of 408 Hurcott Road, Kidderminster (Demolition of No. 408 and Erection of 6 houses)</td>
<td>W.R. (23.2.05)</td>
<td>6.4.05</td>
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<td>WFA.1146 APP/R1845/A 05/1176426</td>
<td>Mr. N. Price</td>
<td>Redundant Farm Building Park Attwood Farm, Trimley Lane, Shatterford (Conversion of existing barns to create residential dwelling)</td>
<td>W.R. (14.3.05)</td>
<td>25.4.05</td>
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Appeal Decision

Site visit made on 15 March 2005

by K G Smith BSc(Hons) MRTPI

an Inspector appointed by the First Secretary of State

Appeal Ref: APP/R1845/A/04/1164302
Unit 1, Greenacres Lane, Off Dowles Road, Bewdley DY12 2RE

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant outline planning permission.
- The appeal is made by The Executors of the late J Francois against the decision of Wyre Forest District Council.
- The application Ref WF.654/04, dated 21 June 2004, was refused by a notice dated 24 August 2004.
- The development proposed is the demolition of a garage/car spraying unit and the erection of 2 detached bungalows with garages.

Decision

1. I dismiss the appeal.

Reasons

2. Policy NR.5 of the adopted Wyre Forest District Local Plan seeks to apply the precautionary principle with regard to areas that are at risk from flooding. The site is categorised as being in a Flood Zone 3 (i.e. a High Risk zone) but, as the area is developed, it falls within the PPG25 category of Flood Zone 3a, which may be “…suitable for residential …development provided the appropriate standard of flood defence …can be maintained for the lifetime of the development”.

3. The Environment Agency (EA) states that, in the 1% Annual Probability Flood (1%APF), the proposed bungalows would not flood internally but the access would. The Executors argue that the chance of part of Greenacres Lane flooding in a 1:100 year flood event would be insufficient reason to prevent the proposed development.

4. The EA’s evidence is that the 1%APF would result in water up to 0.43m deep on the access route, with 35m of the route being affected, albeit that its evidence on past events at this site is unsupported by any aerial photographs or details of actual depths and dates of flood water; and it is countered by local residents who have lived in Greenacres Lane for a considerable number of years. Nevertheless, the EA’s evidence also looks to the future and the effects of climate change, and its modelling work has led to the conclusion that the floodwater depth on the access could exceed 1.1m. Thus, while the residents state that the access to the appeal site (which is in separate ownership) has never flooded, I am satisfied that the best available evidence points to the flooding levels in this locality becoming significantly worse. The Executors’ claim that the flood water would be slow-moving is not something that could be guaranteed but, even if it could, the dangers from flooding indicated in the EA’s Press Release persuade me that it could still pose serious risks to life.
5. I acknowledge that there are properties lower down the lane, nearer the river, whose occupants would need assistance at times of flooding, such that the rescue services would be likely to be on hand in any event should the bungalow residents need help. However, I can see no justification for placing greater burdens on such services. Also, while I accept that the garage unit at the appeal site could be brought back into use and it would accommodate more people than the proposed dwellings, I am satisfied that a residential use - which could involve elderly people, and children, and flooding during the night - would be more risk-sensitive than an employment use.

6. Thus, the proposed development would conflict with Policy NR5 of the adopted local plan and with the guidance in PPG25. I have considered all other matters raised but they do not outweigh the factors that have led me to my conclusion.

(Signature)
Appeal Decision

Site visit made on 06 April 2005

by R J Yuille MSc DipTP MRTP

an Inspector appointed by the First Secretary of State

Appeal Ref: APP/R1845/A/04/1165217
Land adjoining 24 Katrine Road, Stourport-on-Severn, DY13 8QB

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
- The appeal is made by Michael Greaves against the decision of Wyre Forest District Council.
- The application Ref WF.790/04 (DD), dated 27/07/04, was refused by notice dated 21/09/04.
- The development proposed is the change of use to garden and the erection of a fence.

Decision

1. I allow the appeal and grant planning permission for the change of use to garden and the erection of a fence on land adjoining 24 Katrine Road, Stourport-on-Severn, DY13 8QB in accordance with the terms of the application, Ref WF.790/04 (DD), dated 27/07/04, and the plans submitted therewith, subject to the following conditions:

1) The development hereby permitted shall begin before the expiration of five years from the date of this decision.

2) Within three months of the date of the erection of the fence hereby permitted, that fence shall be stained in a colour that has first been agreed in writing by the Local Planning Authority; thereafter the fence shall be maintained in that colour.

3) The development hereby permitted shall not commence until details of all proposed planting and the time of planting have been submitted to and approved in writing by the Local Planning Authority. All planting shall be carried out in accordance with the approved details and at the approved times.

Reasons

2. The open grassed area that is the subject of this appeal is located in an established residential neighbourhood between No 24 Katrine Road and a footway running through to Buttermere Road. It is proposed to change the use of this area to a private garden, to enclose part of it within a 2m high wooden fence and to landscape the remainder. The gist of the most relevant development plan policies (Policies L.R.2 and D.3 of the adopted Wyre Forest District Local Plan) is that development should not have an adverse impact on the provision of amenity space and should have regard to the local distinctiveness of the area. The main issue in this appeal is whether the proposed development meets those tests.

3. While the Local Planning Authority refers to the appeal site as amenity space it is clear from my site inspection that its principal function is to provide an element of green space in the area. Like the officers who recommended the grant of planning permission for the
proposed development I consider the appeal site to be inconspicuously located, being most visible from the footway running alongside it. For much of its length the proposed fence would be set well back from the footway and would not, therefore, detract unacceptably from the spacious feel of the area. It would not, therefore, have an adverse effect on the provision of amenity space.

4. I saw on my site inspection that in the vicinity of the appeal site there are numerous fences, hedges and landscaped areas set close to footways. It follows that the appeal scheme would not, in principle, be out of keeping with the character of the area. The success or failure of such a scheme will, of course, depend on details such as the colour in which the proposed fence is to be stained and the nature of the landscaping proposed. However, I am satisfied that such matters could be dealt with by the imposition of planning conditions. With such conditions in place I consider that the proposed fence would blend with existing fences in the area and landscaping could be provided that would soften its appearance. I am satisfied, therefore, that the appeal scheme would complement the local distinctiveness of the area.

5. I conclude, therefore, that the proposed fencing and landscaping would not have an adverse effect on the provision of amenity space or fail to respect the distinctiveness of the area.

6. The footway in question is short, well lit and open. With the implementation of the appeal scheme clear views along its length would be maintained, as would much of its sense of openness. The proposed scheme would not, therefore, lead to the creation of an intimidating and insecure alleyway. The proposed fence, being set back behind landscaping, would not provide a ready target for graffiti or vandalism. There is some dispute as to whether a Stopping Up Order relating to the land needs to be applied for and confirmed but, like the Local Planning Authority, I regard this as a matter to be resolved between the appellant and the Highway Authority.

7. I have given reasons for the planning conditions which I consider should be imposed. An additional condition favoured by the Council requiring development to be carried out in accordance with submitted plans and drawings is, in my view, unnecessary as this requirement would be contained in the terms of any planning permission.

8. For the reasons given above and having regard to all other matters raised, I conclude that the appeal should be allowed.

Inspector
Appeal Decision

Site visit made on 05 April 2005

by David Baldock MA DipTP DMS MRTPA
an Inspector appointed by the First Secretary of State

Appeal Ref: APP/R1845/A/04/1165653
10 Parkes Quay, Stourport on Severn, DY13 9HJ
- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
- The appeal is made by Mr and Mrs Eames against the decision of Wyre Forest District Council.
- The application Ref WF.764/04, dated 21st July 2004, was refused by notice dated 26th August 2004.
- The development proposed is the erection of single car garage with pitched tiled roof and storage area.

Decision

I allow the appeal and grant planning permission for the erection of a single car garage with pitched tiled roof and storage area at 10 Parkes Quay, Stourport on Severn, DY13 9HJ in accordance with the terms of the application, Ref WF.764/04, dated 21st July 2004, subject to the following conditions:

1) The development hereby permitted shall begin before the expiration of five years from the date of this decision.

2) No development shall take place until samples of the materials to be used in the construction of the external surfaces of the building hereby permitted have been submitted to and approved in writing by the local planning authority. Development shall be carried out in accordance with the approved details.

3) The development shall be carried out strictly in accordance with the 1:50 scale plan showing the proposed garage and including the proposed front and side elevations, except as required by condition 4.

4) No roof light shall be fitted in the front elevation or any other part of the building hereby approved at any time throughout the life of the development except as may be agreed in writing by the local planning authority.

Reasons

1. The appeal building is a modern two storey dwelling facing the Staffordshire and Worcestershire Canal in the Stourport on Severn Conservation Area No 2. It is at the northern end of a small group of dwellings, some three storey, which were permitted in 1995. Adjoining to the north is a group of listed buildings, Nos 11-14 Parkes Quay, which were formerly canal workshops that have been converted into residential use.

2. The Council has referred to a number of policies in the 2004 Wyre Forest District Local Plan. The most important in relation to this development are CA1, LB1 and LB5. These refer to the importance of harmonising with the special character and appearance of the area, paying particular regard to the Conservation Area Character Appraisal, and
harmonising with affected listed buildings and their setting. These principles accord with national policy and the test in s72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 whereby special attention must be paid to the desirability of preserving or enhancing the character and appearance of the area.

3. One of the Council’s arguments is that the land affected by the development may remain part of the curtilage of the adjoining listed building(s). This seems to be at least partly on the basis of the effect on the need for planning permission for the development. In my view the appeal site is part of the setting of the listed buildings but not their curtilage. However this is not relevant to what is important here, that is the effect on the visual and historic character of the area. Policy LB1 applies equally to “curtilage” and “setting”.

4. This is a prominent site in views from the east, such as from Lion Hill and the canal towpath. In my judgement the small extension has been carefully designed to relate to the group of buildings to which it would be attached. Relevant features include the matching roof pitch, recessed garage door, use of blue brick detailing and stained timber panel. With the exception of the proposed roof light, which I refer to later, I consider the overall design of the addition is entirely appropriate to the buildings to which it would be joined.

5. The extension would take the modern development a little closer to the listed buildings but in my view a reasonable gap would remain, so that the juxtaposition would remain harmonious. There are views from the east towards the Hall and Nos 8a and 8b Parkes Passage. The view of the gable of the Hall would be largely unaffected. What would be obscured includes a small timber shed and an outbuilding at No 8b with a corrugated metal roof. There is a retaining wall surmounted by a fence at the rear of the appeal site but I do not consider that obscuring these would be detrimental. Overall there would not be a harmful impact on the setting of the listed buildings or views within the Conservation Area, so that the character and appearance of the Conservation Area would be preserved.

6. The Council has commented on the detailing of the garage, mentioning specifically the cedar panelling and rooflight. As to the former, this may be one reason for the Council’s comment that this modern development “has not stood the test of time”. These reservations may be understandable but wood panelling has been used both in the new dwellings and the conversion of the listed buildings. It is not a feature I welcome, but the small addition proposed would not be harmful. However I do regard the Velux as inappropriate in the prominent roof of the extension. I realise there are small glazed lights in the roof of No 11 but this feature would be undesirable in the context of the style and design of the appeal building. There may be scope for a small rooflight in the rear elevation, which can be agreed with the Council. I shall therefore allow the appeal and grant planning permission subject to conditions to ensure that the details of the development conform with the submitted proposals but excluding the rooflight.

[Signature]

INSPECTOR
Appeal Decision

Site visit made on 05 April 2005

by David Baldock MA DipTP DMS MRTPI
an Inspector appointed by the First Secretary of State

Appeal Ref: APP/R1845/A/04/1168408
Old Bliss Farm, Bliss Gate, Rock DY14 9YG

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
- The appeal is made by Mr and Mrs R M Shimwell against the decision of Wyre Forest District Council.
- The application Ref WF.695/04, dated 2nd July 2004, was refused by notice dated 24th August 2004.
- The development proposed is reconstruction of barn in residential form.

Summary of Decision: The appeal is dismissed.

The development plan

1. The Worcestershire Structure Plan was adopted in 2001. The main relevant policies are summarised below.

| D10 | Housing not permitted in the open countryside unless in accordance with one of the exceptions. These include an environmentally acceptable re-use of a rural building of substantial and permanent construction which can be achieved without major or complete reconstruction. |
| CTC4 | In the Area of Great Landscape Value priority to the protection and conservation of the landscape. |

2. The Wyre Forest District Local Plan was adopted in 2004. The main policies referred to are summarised in the table.

| H2 | New residential development is not permitted outside the locations identified (which do not apply here) unless in accordance with policy H9 |
| H9 | The re-use of rural buildings for residential purposes is acceptable subject to being in accordance with other policies including RB1 |
| RB1 | Sets criteria for rural conversions, including that the building is permanent, substantial and structurally sound and capable of re-use without significant building works or complete reconstruction |
| LA1 | Development proposals must safeguard, restore or enhance the landscape. |
| LA2 | Development will not normally be permitted that would have a significant adverse effect on the character and quality of the designated Landscape Protection Area |
Background

3. The appeal development relates to what was once part of agricultural buildings. Planning permission for conversion and change of use was granted in June 2003. A structural engineer’s report at the time stated that the main barn was “in reasonably sound structural order” and expressed the opinion that the building “lends itself to conversion to a habitable dwelling”. Conditions 17 and 18 of the permission require the submission of details of refurbishment and repairs to be carried out and preclude demolition of any part of the building without consent. The reasons for condition 18 are related to the principles in policies D10 and RB1. The plans as approved appear to show the dwelling achieved almost wholly within the existing built form.

4. Photographs taken in 2003 show the main tiled barn as a complete structure together with various small attachments.

5. What I saw on my site visit consists mainly of the remaining part of the original structure, although there has been some new work. There is no longer what would amount to a building on the site. There is no roof or roof structure (although some timbers have been kept). There are some walls but overall very substantial new construction would be needed to create a dwelling. That would be my conclusion even if all that were present were original. The fact that some of the visible structure is new makes the evidence even more compelling.

Main Issue

6. In accordance with s38(6) of the Planning and Compulsory Purchase Act 2004 the appeal should be determined in accordance with the development plan unless material considerations indicate otherwise. The proposal amounts to the erection of a new dwelling in the countryside which would not conform with Structure Plan policy D10 and Local Plan policy H2. On its facts this is not within Local Plan polices H9 or RB1. The main issue is therefore whether there are grounds for an exception to the policies resisting the erection of new dwellings in the countryside. Although landscape policies have also been mentioned, the scale and position of the proposed building would not have much effect on the landscape.

7. The case in support of an exception is essentially the personal hardship that would be caused, that the result would resemble what was permitted in 2003, and that the Council has some responsibility for the outcome because of visits by its building control officers. There has also been reference to an example elsewhere where the Council took a more flexible approach. The information provided by the Council demonstrates that the circumstances there are not comparable to those at the appeal site.

8. I am unable to say whether the 2003 structural report was accurate and sufficiently frank but it is difficult to reconcile this with what occurred on site subsequently. This report and the terms of the planning permission are fundamental to what has taken place. The basis on which permission was given was clear, albeit that the appellants were not the applicants. Argument directed at subsequent events is largely secondary to this. Furthermore, while I can understand that the appellants were unfamiliar with supervising contractors, that is not a good reason to set aside what are fundamental provisions of the development plan. These make a well-defined distinction between conversion and new building.
9. The Council has commented on the visits by its building control officers. It would seem reference was made to planning requirements, since this was a reason for the photographic record made on 19th December 2004. I am unable to conclude on the evidence provided that the Council as a whole behaved unreasonably or negligently. What is also unclear is how the outcome would have differed had the appellants been more aware of the constraints at an earlier stage.

10. I have considered all the background circumstances but taken together these do not amount to grounds to make an exception to the clear thrust of the development plan policies. Thus for the reasons given above and having regard to all other matters raised, I conclude that the appeal should be dismissed.

Formal Decision

11. I dismiss the appeal.

[Signature]

INSPECTOR
Appeal Decision

Site visit made on 06 April 2005

by David Baldock MA DipTP DMS MRTPI
an Inspector appointed by the First Secretary of State

Appeal Ref: APP/R1845/A/04/1168359
1 Hextons Farm Cottages, Arley DY12 1SN
• The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
• The appeal is made by Mr D Round against the decision of Wyre Forest District Council.
• The application Ref WF.724/04, dated 12th July 2004, was refused by notice dated 24th August 2004.
• The development proposed is erection of two storey rear extension.

Summary of Decision: The appeal is dismissed.

Appeal Ref: APP/R1845/A/04/1168237
2 Hextons Farm Cottages, Arley DY12 1SN
• The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
• The appeal is made by Mr I Archer against the decision of Wyre Forest District Council.
• The application Ref WF.725/04, dated 12th July 2004, was refused by notice dated 24th August 2004.
• The development proposed is erection of two storey rear extension.

Summary of Decision: The appeal is dismissed.

Main Issues

1. The development plan includes the Wyre Forest District Local Plan. The main relevant policies are summarised in the table.

<table>
<thead>
<tr>
<th>Reference</th>
<th>Policy Description</th>
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<tbody>
<tr>
<td>D3</td>
<td>Existing trees should be incorporated in new development</td>
</tr>
<tr>
<td>D4</td>
<td>Retain trees of amenity value</td>
</tr>
<tr>
<td>D17</td>
<td>Extensions to respect and be subservient to the original building</td>
</tr>
<tr>
<td>GB1</td>
<td>Appropriate development in the Green Belt includes extensions to dwellings which are not disproportionate as compared to the original dwelling. Inappropriate development only permitted in very special circumstances.</td>
</tr>
<tr>
<td>LA1</td>
<td>Development must safeguard or enhance the landscape.</td>
</tr>
<tr>
<td>LA2</td>
<td>In the landscape protection area development having a significant adverse effect will not be permitted.</td>
</tr>
</tbody>
</table>
2. The proposals are for joint two storey rear extensions to these semi-detached cottages. Although there are minor differences in circumstances, the considerations on each appeal are very similar. The main issues are:
   (a) Whether the extensions would be disproportionate and therefore inappropriate in the Green Belt;
   (b) The effect on an adjoining oak tree and the weight to be given to any harm caused;
   (c) If inappropriate development, whether there are very special circumstances.

Issue (a)

3. There have been two storey extensions to the main front part of the cottages. The Council calculates that the floor areas have been increased by 70% and 64% respectively. These represent significant additions, albeit that, like the proposed extensions, these have been designed to complement the original building. The proposed extensions would project some 7.7m to the rear of the building and add a further 85/95% to the floor area. As a cumulative proportion, that is very substantial and because this is an outward projection there would be a significant effect on openness. There are some points in favour of the development. To a degree, as a joint development the effect would be mitigated to some extent. Also, there are some brick and tiled outbuildings evidently present for a very long time that would need to be removed. Nevertheless, overall, I conclude that the extensions would be disproportionate and therefore are inappropriate development in the Green Belt.

Issue (b)

4. There is an oak tree in the garden of No 2. As a result of the Council’s concern about the effect on this a report has been received from an arboricultural contractor. The tree already overhangs No 2 so that branches have to be removed to avoid damage to the structure. Further tree surgery would be necessary if the extension was built and the excavation of the foundations might damage the roots. In my view the tree is too close to the extension but it is also unsatisfactorily close to the house at present. Whereas it may be possible to retain it now and if the extension were built, it is certainly possible that the tree will have to be removed at some time. In the circumstances, however, the possible damage to the health and condition of the tree would not of itself be sufficient grounds to refuse planning permission.

Issue (c)

5. In support of the appeals the appellants refer to the remoteness of the site and the suitability of the design of the extensions. While both points are correct they do not show very special circumstances to outweigh the strong presumption against inappropriate development in the Green Belt.

6. For the reasons given above and having regard to all other matters raised, I conclude that the appeals should be dismissed.

Formal Decision

7. I dismiss the appeals.

[Signature]

INSPECTOR
Appeal Decision

Site visit made on 05 April 2005

by David Baldock MA DipTP DMS MRTPI

an Inspector appointed by the First Secretary of State

Appeal Ref: APP/R1845/A/04/1170247
47 Manor Road, Stourport on Severn DY13 9DW

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
- The appeal is made by Messrs Calder and Warrington against the decision of Wyre Forest District Council.
- The application Ref W71/04, dated 7th September 2004, was refused by notice dated 19th October 2004.
- The development proposed is erection of one detached dwelling with car parking.

Decision

The appeal is dismissed.

Reasons

1. The appeal development involves the erection of a dwelling by dividing the land occupied by No 47 Manor Road, a grade II listed building. The most relevant policies in the Wyre Forest District Local Plan are LB1 and LB5. These emphasise the importance of the effect on the curtilage and setting of a listed building. Criteria are defined, to be met if harm is to be set aside. To be acceptable, development should harmonise with the building.

2. No 47 occupies a large plot between Manor Road and the Staffordshire and Worcestershire Canal. The building is near Manor Road, in the south-west corner. My assessment is that the principal outlook and prime elevation of No 47 is that facing south-east, looking towards the proposed dwelling. This elevation contains four cast-iron Gothic lattice casement windows and a central doorway and porch, all mentioned in the list description.

3. In my view the location of the proposed dwelling would be harmful to the listed building. It would be visible in the prime view of the building and be unrelated to it. These deficiencies are fundamentally the result of the siting of the new building fairly close to and at 90° to the existing building. Although views from Manor Road are limited by vegetation, the effect would be cramped and uncoordinated. Furthermore, in assessing harm to the heritage, it is relevant to have regard to views of the listed building from the appeal land. There would also be an adverse effect on the setting seen from No 47, both from inside and from land retained with it. My conclusions therefore fully endorse the representations of English Heritage in its letter dated 20th September 2004. The appellant points out that the building is set back in relation to the wall of No 47 nearest the highway. While it is probably true that without the set back the development would be more unacceptable, this does not overcome the harm.
4. I have also had regard to the details of the new dwelling. This would have simple details and small cottage-style casement windows. However my objections are not primarily concerned with the details. I note that a dwelling was permitted in 1997 but not implemented. No further information about this is provided. This does not outweigh the conflict with the development plan and with the objectives of national policy in PPG15. Nor is a compelling need for the development demonstrated so as to satisfy the criteria for an exception in policy LB1.

[Signature]

INSPECTOR
Appeal Decision
Site visit made on 31 March 2005
by R G Gardener BSc(TownPlan) MRTPi
an Inspector appointed by the First Secretary of State

Appeal Ref: APP/R1845/A/04/1170347
Land at 36 Franche Road, Wolverley, nr. Kidderminster DY11 5TP

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
- The appeal is made by Mr Chance against the decision of Wyre Forest District Council.
- The application Ref WF.1069/04, dated 6 October 2004, was refused by notice dated 23 November 2004.
- The development proposed is a dwelling, access and parking.

Decision

1. For the reasons given below, I allow the appeal, and grant planning permission for dwelling, access and parking on land at 36 Franche Road, Wolverley, nr. Kidderminster DY11 5TP in accordance with the terms of the application, WF.1069/04, dated 6 October 2004, excepted as amended by this decision, and the plans submitted therewith, subject to the conditions set out in the schedule below.

Reasons

2. The proposal is to erect a detached house alongside an existing semi-detached property, one half of 2 pairs of similar houses of a pleasant and distinctive style. The Council describes them as having a cottage style, which is apt. They are part of a more extensive and cohesive inter war development which continues behind. Sebright Walk, a footpath which runs alongside the appeal plot, connects the main body of the estate to Franche Road. I share the Council’s view that this area has a character and appearance which should be respected and protected from harmful development. However, of this estate only the 2 pairs are apparent on Franche Road which is otherwise comprised of houses of a mixture of styles, periods and finishes.

3. Local planning policies and guidance require that new development complements and respects adjacent development so that it has regard to local distinctiveness, townscape and buildings and spaces. This small group is distinctive within the varied Franche Road street scene, as well as forming part of the larger whole I have referred to. Part of its character is undoubtedly the relatively wide plots which give it a spacious feel. However, in order to help meet the Council’s housing requirement, residential development within such locations is generally to be allowed unless it would be harmful to local character.

4. The proposal would undoubtedly reduce to a considerable extent the gap which exists between the existing house and its neighbour. The consequence inevitably is that the frontage would be less spacious. However, this gap is unusually wide both because of the plot itself and because it includes Sebright Walk. In my opinion, the infilling which would
follow would not appear unduly cramped and sufficient space would remain for the overall character of the group to be maintained and respected. I acknowledge that as a detached house it would be different to its neighbours and that there are features of the proposal which would set it further apart but overall its design adequately mimics without slavishly following that of the original houses. In my opinion it would be a fitting companion if careful attention is paid, for instance, to materials and frontage treatment.

5. Having taken these and all other matters raised into consideration, I have concluded that planning permission should not be withheld.

Conditions

6. The Council has put forward an extensive list of conditions it would wish to see imposed. I have taken them on board unless the subject matter is unnecessary in this case or is met by other legislative requirements. I note that there is a public sewer which crosses the site which may need to be diverted if the development is to take place. This situation will need to be safeguarded.
Schedule of conditions

1) The development hereby permitted shall begin before the expiration of five years from the date of this decision.

2) No development shall take place until samples of the materials to be used in the construction of the external surfaces of the dwelling hereby permitted, including joinery items, have been submitted to and approved in writing by the local planning authority. The development shall be carried out in accordance with the approved details.

3) No development shall take place until there has been submitted to and approved in writing by the local planning authority a plan indicating the positions, design, materials and type of all boundary treatments, including as appropriate the retention or replacement of existing hedgerows. The boundary treatment shall be completed before the building is first occupied. The development shall be carried out in accordance with the approved details and the boundary treatment shall thereafter be retained unless otherwise agreed in writing by the local planning authority.

4) Any trees or plants planted in accordance with the agreed boundary treatment pursuant to Condition 3) which within a period of 5 years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species, unless the local planning authority gives written approval to any variation.

5) No development shall take place within 2.5 metres either side of the public sewer which crosses the site unless and until measures have been put in place for the diversion and/or treatment of the sewer in accordance with a scheme which shall first be submitted to and approved in writing by the local planning authority before the development commences.

6) The dwelling shall not be occupied until the accesses and turning areas shown on the approved plan to serve both the existing and proposed dwellings have been properly consolidated, surfaced, drained and otherwise constructed in accordance with details which shall first have been submitted to and approved in writing by the local planning authority. These areas shall thereafter be retained and kept available for those purposes at all times.

7) The integral garage shall not be used for any purpose other than those ancillary or incidental to the enjoyment of the new dwelling house and shall not be used for living accommodation.
Appeal Decision

Site visit made on 05 April 2005

by David Baldock MA DipTP DMS MRTPI
an Inspector appointed by the First Secretary of State

Appeal Ref: APP/R1845/A/04/1170467
The Croft, Blakeshall, Wolverley DY11 5XR

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
- The appeal is made by Mr W North against the decision of Wyre Forest District Council.
- The application Ref WF.889/04, dated 17th August 2004, was refused by notice dated 21st September 2004.
- The development proposed is two storey rear extension and further minor extensions and alterations.

Decision

I allow the appeal and grant planning permission for a first floor pitched roof extension only to form a shower room and dressing room above the ground floor dining area at The Croft, Blakeshall, Wolverley DY11 5XR but otherwise in accordance with the terms of the application, Ref WF.889/04, dated 17th August 2004, and the plans submitted therewith, subject to the following conditions:

1) The development hereby permitted shall begin before the expiration of five years from the date of this decision.

2) The materials to be used in the construction of the external surfaces of the extension hereby permitted shall match those used in the existing building.

Procedural matters

1. The original application included new bay windows, an inglenook fireplace, chimney, WC/porch and dining area. These were subsequently approved under application WF515/04 and have been constructed. The appeal now concerns only a first floor pitched roof extension to form a shower room and dressing room above the permitted ground floor dining area.

Reasons

2. The site is in the Green Belt. The Council’s refusal refers to a number of policies in the adopted local plan but the fundamental point is whether the extension would be disproportionate and therefore inappropriate development in the Green Belt. There is no guidance within the local plan as to what is disproportionate, in relation to the original dwelling, and the issue must be decided on its merits having regard to the objectives of the policy.

3. There is a disagreement in the evidence as to what was the original dwelling. The evidence for this derives from plans of the existing dwelling in the first application for an extension made in 1970. From the documents provided I believe that the appellant’s interpretation is
correct. This is an important point, since the Council calculated the appeal scheme as resulting in an increase in volume from 91% as existing to 108%. The appellant’s comparable calculation, based on floor area, is 56% and 63.5% respectively.

4. The proposed extension would be closely related to the form of the existing building, sitting in the position of an indent within the linear outline of the structure above the permitted dining area extension. An overall increase in area of 63.5% is very substantial but does not in my view go so far as to be disproportionate, having regard also to the particular character of what is proposed. In reaching that view, it is relevant that the Council was apparently prepared to permit the other extensions in application WF515/04 when under a misapprehension of what was “original”. While it is the case that, with the appeal development completed, the original dwelling will have been considerably enlarged, this would not breach the limit prescribed in policy so as to be disproportionate.

5. The appeal will therefore be allowed subject to a condition to require the materials to match the existing building.

[Signature]

INSPECTOR
AGENDA ITEM NO. 8

WYRE FOREST DISTRICT COUNCIL

PLANNING (DEVELOPMENT CONTROL) COMMITTEE
10TH MAY 2005

RESPONSIBLE OFFICER: Head of Planning, Health and Environment

CONTACT OFFICER: Clare Eynon – Extension 2515 : Duke House, Clensmore Street, Kidderminster

APPENDICES: None

Planning application for conversion of existing outbuilding with extension to rear to form ancillary accommodation at The Old Vicarage, Lea Lane, Cookley (WF 1023/03)

1. PURPOSE OF REPORT

1.1 To ask Members to consider whether planning permission should be granted in the absence of a Section 106 obligation to tie the annex to the property and to ensure that it is occupied by a relative of the applicant.

2. RECOMMENDATION

2.1 The Committee is invited to consider whether to approve the application in the absence of a Section 106 agreement or to refuse the application for the reason set out in paragraph 4.2 below

3. BACKGROUND

3.1 A planning application was submitted in October 2003 for the conversion of an existing outbuilding with extension to form ancillary accommodation (WF: 1023/03). The applicant had advised officers that the accommodation would be occupied by the applicant’s mother and her carer. The application was first reported to the Planning (Development Control) Committee on 9th December 2003 where consideration of the application was deferred to enable a site visit. At the subsequent Planning (Development Control) Committee in February 2004, although there was a recommendation of refusal it was resolved to give delegated powers to the Head of Planning, Health and Environment to approve the application subject to a Section 106 agreement which would control the occupation of the annex. After that meeting despite the applicant’s initial agreement to enter into such an...
obligation there was no response from the applicant to correspondence from both the Case Officer or Legal and Democratic Services.

3.2 This issue was reported back to the Planning (Development Control Committee on 20th May 2004 where the application was recommended for refusal due to the absence of the Section 106 agreement. The Committee however resolved to endorse the previous decision to give delegated powers to approve subject to a Section 106 agreement to allow the applicant further time to complete the agreement.

3.3 It is with regret that officers advise that the applicants mother has since died and the circumstances are no longer as originally put to the Planning (Development Control) Committee. In the absence of any other contact from the applicant, she has been contacted and been invited to withdraw the application. The applicant was given a date of 16th March 2005 to respond to the latest correspondence but no response has been received.

4. KEY ISSUES

4.1 In view of the above Members must now consider how to proceed with determining the application. As the application has not been withdrawn and there has been no progress to finalise the Section 106 agreement, Members must decide whether to approve the application in the absence of the agreement or alternatively to refuse the application as originally recommended by the Case Officer.

4.2 The reason for refusal as recommended by the Case Officer (as updated with the current Adopted Local Plan policies) is as follows:

“The application site lies within an area designated as part of the West Midlands Green Belt. The proposed development is considered inappropriate and as such would harm the Green Belt by definition. The proposed extension and conversion of the domestic outbuilding would be uncharacteristic of the original building and would harm the visual amenity and openness of the Green Belt. It is therefore considered to be contrary to Policies GB1, RB1 of the Adopted Wyre Forest District Local Plan and Policy D39 of the Adopted Worcestershire County Structure Plan.”

5. FINANCIAL IMPLICATIONS

5.1 There are no financial implications.

6. LEGAL AND POLICY IMPLICATIONS
6.1 If Members resolve to refuse the application for the reason set out in paragraph 4.2 above, the applicant does have a right of appeal.

6.2 If Members resolve to approve the application in the absence of a Section 106 obligation this could set a precedent for other similar development within the District which would be contrary to the provisions of the Development Plan.

7. CONCLUSION

7.1 Due to the time that has now lapsed since the application was originally submitted, the changed circumstances and the applicant’s failure to respond to correspondence, it is considered appropriate that a decision is now made on the application.

8. CONSULTEES

8.1 Head of Legal and Democratic Services.

9. BACKGROUND PAPERS

Planning (Development Control) Committee – 9 December 2003
Planning (Development Control) Committee – 10 February 2004
Planning (Development Control) Committee – 20 May 2005

22nd April 2005
Implementation of Part 8 of the Anti-Social Behaviour Act 2003
The High Hedges Regulations

1. PURPOSE OF REPORT

1.1 This report seeks Members’ approval for dealing with complaints received in connection with the High Hedges Regulations, as set out in the attached Development Control Practice Note 16 - High Hedges.

2. RECOMMENDATION

2.1 The Committee is asked to RECOMMEND to Council:

i) That Council agrees the fee of £300 per application (complaint) received under the High Hedges legislation, for a period of 12 months and that this fee be reviewed on an annual basis;

ii) That delegated authority is given to the Head of Planning, Health and Environment to determine applications received under the High Hedges legislation;

iii) That Development Control Practice Note 16 - High Hedges be published and adopted, and that delegated authority be given to the Head of Planning, Health and Environment to make further changes to the Practice Note upon receipt of ODPM guidance;

iv) That issues relating to enforcement or potential prosecution, for failure to comply with the hedgerow Remedial Notices, be reported to the Council’s Planning (Enforcement) Committee for consideration.

3. BACKGROUND
3.1 Part 8 of the Anti-Social Behaviour Act 2003 gives Local Authorities powers to deal with complaints about high hedges. The legislation is set to come into effect on 1st June 2005 and has been introduced to help home owners’ combat problems with high hedges. High hedges have become more of a problem over the last quarter of a century with the increase in housing densities, and also the introduction and availability of cultivated fast growing tree and shrub species at garden centres.

3.2 Whilst the final form of the regulations has not yet been issued based on the consultation draft and information available from ODPM the implementation of the High Hedges Regulations can be divided into 4 key stages:

- the submission of complaint by householder;
- the Local Authority’s consideration of the merits of the complaint as to whether it should be investigated;
- the Local Authority’s subsequent decision: and finally
- the post decision processes that are available to the complainant, hedge owner and the Local Authority.

3.3 It should be noted that when a Local Authority receives a complaint it doesn’t automatically have to proceed with investigating it. The complainant must demonstrate to the Local Authority that they have tried and failed all appropriate methods of resolution with the hedge owner.

3.4 For a hedge to qualify for investigation it also has to meet certain criteria. These are:

- the hedge must be over 2m tall;
- there must be two or more trees roughly in a straight line; and
- it must be wholly or predominantly comprised of evergreen or semi-evergreen trees or shrubs.

The legislation is aimed solely at high hedges that affect domestic property. The ‘Act’ defines a domestic property as “a dwelling with an associated garden or yard”.

3.5 If the Council decide to proceed and investigate a complaint, they will now have to evaluate the hedge and assess its effect on the complainant’s property. There are a number of factors, both for and against hedges, which should be taken into consideration. The main issues that are likely to be cited are: privacy, shelter, barrier from noise or smells, damaging plants, obstruction to sunlight / daylight, blocking of views, oppressive / disproportionate to the size and setting of the property. This is not an exhaustive list of factors that may need to be considered, but the Council should consider and give appropriate weighting to all issues / concerns that are raised.

3.6 The final decision, based on the submitted information will determine two matters; firstly, whether the height of the hedge is adversely affecting the complainant’s reasonable enjoyment of their property; and secondly the extent of any remedial action required to allow the complainant reasonable enjoyment of their property. If the hedge is adversely affecting the complainants reasonable enjoyment of their property, it may be that a Remedial Notice will need to be served. This is a legal notice that contains the details of any initial action required, and also of any preventative action that may need to be carried out to ensure that the hedge does not cause similar problems in the future.

3.7 As stated in the attached Practice Note, it is proposed that the High Hedges applications will be determined under delegated powers. In the event that the
complainant or hedge owner is a Member or employee of Wyre Forest District Council, or that the hedge is on land owned by the Council, the applications will be reported to the Planning (Development Control) Committee for a decision.

3.8 Under the ‘Act’ both the hedge owner and complainant have a right of appeal to the Secretary of State against the decision of the Local Planning Authority.

3.9 If the hedge owner fails to comply with the Remedial Notice the Local Authority must consider whether to take enforcement action. Failure to comply with the requirements of a Remedial Notice is a criminal offence and the hedge owner may be liable, on conviction in the magistrate's court, to a ‘level three’ fine (up to £1000).

4. KEY ISSUES

4.1 Part 8 of the Act is set to come into force on 1st June 2005. The High Hedges Regulations have yet to be published. Local Authorities will be expected to take action on regulating the height of nuisance hedges.

4.2 As Wyre Forest District has several areas of relatively high housing density, there is potential for a great number of ‘High Hedge’ complaints. Already the planning section has received a substantial number of enquiries regarding the status of the legislation, and possibility for Council intervention.

4.3 The Practice Note on High Hedges, which is attached to this report, sets out the key stages associated with the implementation of the ‘Act’.

5. FINANCIAL IMPLICATIONS

5.1 There is already a cost implication to local authorities because they are the authority of first recourse by people affected by high hedge disputes.

5.1 The draft High Hedges Regulations provide an opportunity for the District Council to recover the financial costs associated with processing such applications by charging a fee per application. The Regulations do not set down a maximum fee that the Council could charge. However, the draft regulatory impact assessment has estimated that the average cost per case to the Local Authority would be between £280 - £320. This is based on the assumption that it takes 8 hours of officer time to determine a complaint.

5.2 In determining a suitable fee for each complaint Officers have approached neighbouring authorities for information regarding the likely fees to be set by them. Responses received are:

- **Wychavon District Council** £320
- **Worcester City Council** £300
- **Bromsgrove District** £200 - £320
  (concessionary rate £200 for complainants on benefits)
- **Redditch Borough Council** £135
(in line with a planning application, however, likely to suggest higher rate in line with neighbouring authorities.)

**Malvern Hills District Council**  £135
(however may be free for the first six months, subject to council member consideration).

**Bridgnorth**  Undecided

**South Staffordshire Council**  £300 plus

5.3 Aside from the financial cost of investigating and judging complaints, there would also be the cost in terms of staff time. Dealing with such complaints will not only increase the workload of the case officer but also that of administration staff, in registering and processing the complaint, and also legal staff, in making and serving the Remedial Notices.

5.4 It is estimated from calls already received by the planning section that the initial annual case load of High Hedge complaints will be around 30 – 50. This figure should then decrease in subsequent years to around 10 – 15 cases a year. In line with the draft regulatory impact assessment and fees proposed by neighbouring authorities it is proposed that Wyre Forest District Council charge £300 per application. Based on an average application fee of £300 this would create an income to the Council of between £9000 - £15000 in the first year, reducing to a recurring annual income of between £3000 and £4500. This application fee should then be reviewed on an annual basis.

5.5 The fee associated with the complaint would also take into consideration the potential time and resource implication for dealing with appeals, which are likely to be numerous in view of the nature of the applications.

6. **LEGAL AND POLICY IMPLICATIONS**

6.1 As the High Hedge legislation is only to be introduced on the 1st June 2005 the Council has no policy currently in force.

6.2 The Council’s Legal and Democratic Services division will be responsible for creating and serving any Remedial Notices (with advice from the Arboricultural Officer as to the requirements of the notices) and therefore its implementation will have resource and staff time implications on that section.

6.3 The Council’s Planning Enforcement Team are to be responsible for monitoring and enforcing the requirements of Remedial Notices. Remedial Notices are likely, not only to require an initial reduction in hedge height, but also a perpetual maintenance of the hedge within given parameters, (i.e. the hedge must be maintained at a specific height by annual pruning/ trimming).

7. **RISK MANAGEMENT**
7.1 Subject to satisfying certain criteria anyone affected by a high hedge can require the authority to investigate the complaint after 1st June 2005. Unless the authority refuses to do so on valid grounds, such a refusal could result in a complaint to the Ombudsman.

7.2 Once a complaint has been investigated, the authority will have to adjudicate upon it. If the authority refuses to issue a Remedial Notice, the complainant can appeal if he feels aggrieved by the refusal.

7.3 If the authority issues a Remedial Notice, the complainant can again appeal if he feels that the requirements of the notice do not go far enough and the hedge owner can appeal if he feels the requirements go too far or he is not given sufficient time to comply with the Notice.

7.4 The right of appeal for each party addresses the rights of both complainant and hedge owner under the Human Rights Act.

7.5 Hedge complaints arouse strong emotions and it is felt that the appeal procedure will be frequently invoked.

8. CONCLUSION

8.1 The implementation of the High Hedges regulations will not create any benefits for the District Council itself, however there will be benefits to successful complainants, as they will be able to undertake their right to reasonable enjoyment of their property.

9. CONSULTEES

9.1 Head of Legal and Democratic Services

10. BACKGROUND PAPERS

High Hedges Consultation ‘Implementing Part 8 of the Anti-Social Behaviour Act, ODPM

High Hedges Complaints Prevention and Cure (consultation draft), ODPM

Hedge height and light loss, ODPM

High hedges: complaining to the Council, ODPM

‘Over the garden hedge’ ODPM

25th April 2005
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INTRODUCTION

The High Hedge Regulations are being introduced to help home owners’ combat problems associated with high hedges. High hedges have become more of a problem over the last quarter of a century with the increase in housing densities, and also the introduction and availability of cultivated fast growing tree and shrub species at garden centres.

Hedges have many benefits as a garden boundary. A hedge is a useful weather and dust filter, is inexpensive to create and long-lasting, can encourage wildlife and can be a feature of beauty and interest in its own right. It also offers privacy and security. But problems can occur if a hedge is allowed to grow unchecked.

When there is a hedge dispute between neighbours the best way to settle the dispute is through communication and negotiation. However, if resolution through negotiation is not possible then under this ‘Act’ the complainant will be able to apply to the Council for them to investigate the problem.

LEGISLATION

Part 8 of the Anti-social Behaviour Act 2003 gives Local Authorities powers to deal with complaints about high hedges. The legislation comes into effect on 1st June 2005.

The associated guide to best practice (High Hedges Complaints: Prevention and Cure – Consultation Draft) sets out the Government’s policy advice on administering complaints about high hedges in England. It outlines the law and suggests ways in which local authorities can run the system in line with good administrative practice. In addition, it offers advice on the steps people can take to avoid more hedge problems in the future and, where they do arise, how they might settle the matter amicably. This document can be inspected at Duke House reception or can be viewed on the ODPM website (www.odpm.gov.uk). Copies are also available at a charge from Duke House.

The ODPM has also produced useful leaflets on high hedges: ‘Over the Garden Hedge’ and ‘High Hedges – Complaining to the Council’. Copies of these leaflets are available from Duke House.
STAGES ASSOCIATED WITH HIGH HEDGES REGULATIONS

The implementation of the High Hedges Regulations can be divided into 4 key stages:

i) Submission of complaint by the householder;
ii) the Local Authority’s consideration of the merits of the complaint as to whether it should be investigated,
iii) the Local Authority’s subsequent decision, and finally,
iv) the post decision processes that are available to the complainant, hedge owner and the Local Authority.

This Practice Note sets out the issues which the Local Authority must consider for each of these four stages. Appendix 1 summarises the key processes carried out by Wyre Forest District Council from initial receipt of complaint through to monitoring and enforcement.

Stage 1 – Submission of Complaint;

For a hedge to qualify for investigation by the Local Authority it has to meet certain criteria, these are;

- The Hedge has to be over 2m tall.
- There must be a line of two or more trees or shrubs;
- The Hedge must also be wholly or predominantly comprised of evergreen or semi-evergreen trees or shrubs.

The legislation is aimed solely at high hedges that affect domestic property. The ‘Act’ defines a domestic property as “a dwelling with an associated garden or yard”.

If a complaint meets all of the above criteria then the Complainant is able to submit a complaint to the Council for consideration as to whether the hedge is having a detrimental affect on the complainant’s property.
Stage 2 – Consideration of Merits of Complaint

When a Local Authority receives a complaint / enquiry they don't automatically have to proceed to investigate. Local Authorities are encouraged to discuss any complaints with the complainant prior to any official proceedings.

The main points that should be discussed are:

- That the hedge in question, and associated problems, falls within the scope of the ‘Act’.

- Is there more that the complainant could have done to settle the dispute without involving the Local Authority? Mediation, negotiation etc.

- If the Local Authority has considered an earlier complaint from the complainant, whether there has been a subsequent change in circumstances to warrant a new investigation.

Depending on the level of contact between the complainant and the owner of the hedge, and whether the Local Authority considers that more could have been done to resolve the dispute, the Council should inform both the complainant and hedge owner of alternative methods of conflict resolution, such as mediation through a professional mediation service. A good source of this information is the “Over the garden hedge” leaflet which is available from Duke House or the ODPM website (www.odpm.gov.uk).

If the Council considers that all appropriate methods of resolution have been tried, and failed, investigation of the formal complaint will commence. If the Council is not satisfied that all methods of resolution have been tried then the Complainant will be advised of this in writing and the application fee refunded, or part thereof depending on the amount of Officers’ time spent investigating the complaint. The arrangements for refunding fees is set out in Appendix 2.

Information to accompany Complaint

The minimum information that should be submitted along with a formal complaint is;

- The name, address and other contact details for the Complainant;

- Confirmation that the address relates to a domestic property;

- The name and address of the occupier of the land where the hedge is situated, together with similar details for the owner of the land in question (if different and if known);

- A location plan showing the hedge, the garden and any windows that might be affected;

- Photographs of the hedge with a figure for scale;
• Its approximate height;

• Confirmation that the hedge comprises predominantly evergreen or semi-evergreen species;

• Details of the steps taken to settle the dispute by negotiation, with copies of relevant correspondence or other related documentation;

• Details of how the height of the hedge is adversely affecting the complainant’s amenity. It will help the Council if this does not just list the problems caused by the hedge but explains their impact on the complainant and their severity, in factual terms (for example, the hedge blocks light to our living room which means that we need to keep electric lights on all day during the winter).

Assessment of impact on Complainant’s property

If the Council decides to proceed and investigate a complaint, the relevant Officers will evaluate the hedge to assess its effect on the complainant’s property. The Council will take this opportunity to request representations from all concerned parties, and any issues raised will be taken into account when determining any appropriate action.

There are a number of factors, both for and against hedges, which should be taken into consideration; the main issues that are likely to be cited are;

• Privacy – A hedge may have originally been planted to afford a measure of privacy to the hedge owner.

• Shelter – Especially on exposed sites, a hedge may have been planted to act as a windbreak.

• Barrier to Noise, Smell and Smoke – A hedge could have been planted to form a barrier from noisy neighbours, or the smell and smoke from bonfires or barbecues.

• Damage to Plants – Hedges may be responsible for damaging plants, either through shade or moisture competition, and therefore having a detrimental affect on the neighbouring property’s amenity.

• Overhanging Branches – The ‘Act’ only deals with the height of hedges and not any encroachment onto property. However, the exception might be where the hedge is so high that someone could not reasonably be expected to exercise their rights to trim branches that overhang their property. As a result, they are unable to mitigate the adverse effects of the hedge.

• Obstruction to Sunlight / Daylight – Probably the most common complaint. Tall hedges can block a considerable amount of sunlight and/or daylight. The Building Research Establishment has devised a set of guidelines and
calculations to determine the amount of shading and light obstruction caused by a hedge. These guidelines will be used by Officers when considering high hedge complaints. A copy of this document is available for inspection at Duke House or can be viewed on the ODPM website. Copies are also available at a charge from Duke House

- Blocking of Views – A complainant may hold that the hedge is blocking out a picturesque view. However, there is no general right to a view in law, as such this should not be a decisive factor but merely a consideration.

- Oppressive / Disproportionate – A large hedge might be out of proportion for its setting, dominating a neighbouring property and affecting its overall amenity. It can lead to feelings of confinement and oppression.

The above is not an exhaustive list of factors that may need to be considered, but the Council will consider and give appropriate weighting to all issues/ concerns that are raised.

**Stage 3 – the Local Authority’s Decision;**

Once the Local Authority has considered all of the submitted issues, a decision will be made. The final decision will require determination of two matters:

i) whether the height of the hedge is adversely affecting the complainant’s reasonable enjoyment of their property; and

ii) the extent of any remedial action required to allow the complainant reasonable enjoyment of their property.

Under the Scheme of Delegation the Head of Planning, Health and Environment has delegated powers to determine applications received under the High Hedge Regulations. If the complainant or hedge owner is a Member or employee of the Council, or if the hedge is owned by the Council, the application will be reported to the Planning (Development Control) Committee.

If the hedge is found to adversely affect the complainant’s reasonable enjoyment of their property a **Remedial Notice** will need to be served. This notice is a legal notice that is served on the property (not the owner or occupier) that contains the details of any initial action required, and also of any preventative action that may need to be carried out to ensure that the hedge does not cause similar problems in the future.

The ‘Act’ also states that any Remedial Notice should include the following relevant details;

- It must describe the hedge it relates to;

- State that a complaint has been made to the Council about the hedge and that the Council have decided that the height of the hedge is adversely affecting the complainant’s reasonable enjoyment of his property;

- It must specify the property affected by the hedge;
• Explain what action must be taken in relation to the hedge in order to remedy the adverse effect and, if necessary, to prevent it recurring (“initial action”) and by when (“the compliance period”);

• What further action, if any, is required to prevent longer-term recurrence of the adverse effect (“preventative action”);

• What date the notice takes effect (“the operative date”, must be at least 28 day after the serving of the notice); and

• The consequences of failure to comply with the requirements of the notice.

The Remedial Notice must be clear and concise so that there can be no ambiguity on the hedge owners’ part, with regard to their obligations and responsibilities regarding not only the required works, but also the required time scale for these operations to be carried out.
Stage 4 - Post Decision Processes

Once a decision has been made and a Remedial Notice served (if considered necessary) this doesn't necessarily mean the end of the Local Authority’s involvement in the case. There are three main areas for future involvement in any particular case. These are:

- Withdrawing / Relaxing Remedial Notice.
- Appeal by either the complainant of hedge owner.
- Enforcement action for not complying fully with remedial notice.

Withdrawing or Relaxing requirements of remedial notice

There may be circumstances when the requirements of the Remedial Notice are considered excessive by the owner and Complainant. If all interested parties agree a different solution to that specified in the Remedial Notice, the Local Authority may relax /alter the notice accordingly. This may need a separate application by both of the parties, but if all parties are in agreement then there may be no grounds for refusal.

Similarly the hedge owner may apply for an extension to the amount of time given to comply with the Remedial Notice (the ‘Compliance period’). The Council will not allow such an extension unless there are exceptional circumstances, such as enforced absence, (i.e. hospitalisation, employment commitments etc.).

In addition, there may have been a change in the circumstances pertaining to the original Remedial Notice, and as such there may be reason to alter the notice. If this is the case a fresh application should be submitted with the new relevant information included.

Rights of Appeal

Under the ‘Act’ both the hedge owner and complainant have a right of appeal to the Secretary of State against the decision of the Local Authority.

Appeals can be made against the following:

- the issue of a remedial notice,
- the requirements of the remedial notice
- the withdrawal of a remedial notice, or,
- any waiver of relaxation of the remedial notice.
In addition the Complainant can appeal against the Local Authority’s decision that:
- the hedge is not adversely affecting their reasonable enjoyment of their property, or,
- the decision not to require remedial action even though they have accepted that the height of the hedge does cause an adverse affect.

Appeals must be received by the Planning Inspectorate within 28 days, starting from:
- the date the Remedial Notice is issued;
- the date of the Council’s notification to the parties that it has decided to take no action in relation to the hedge; or
- The date that the Council notifies the parties it has decided to withdraw a remedial notice or to waive or relax its requirements.

The full procedure for appeals is set out in the best practice guide (High Hedges Complaints: Prevention and Cure – Consultation Draft).

**Enforcement**

There may be a need to enforce against failure to comply with a Remedial Notice. Failure to comply with a Remedial Notice is a criminal offence.

If the hedge owner fails to comply with the requirements of a Remedial Notice they may be liable, on conviction in the magistrate’s court, to a ‘level three’ fine (up to £1000). They could also, in addition, or instead of, be ordered to comply with the notice within a set period of time or face another ‘level three’ fine. If the required works are still not carried out daily fines of up to one twentieth of a ‘level three’ fine could be imposed.

Separate prosecution may be sought for each contravention of the Remedial notice. For example, a prosecution may be brought for failure to comply with the works required under the ‘initial action’ requirements, and a separate prosecution may then be brought for failure to comply with the ‘preventative action’.

Although the above court actions can be brought against the hedge owner by the Council, it may be that an informal chat, stern letter, or formal warning is all that is required to ensure compliance. If this is the case then this should be encouraged prior to any legal proceedings. Where formal enforcement action is considered expedient, these cases will be reported to the Planning (Enforcement) Committee.
APPENDIX 1

Consideration of High Hedge Complaints:

- On receipt of a completed high hedge complaint form the Technical Support Unit will check the relevant information is enclosed and completed to the required standard. If the form and information is considered complete it will be passed to the Arboricultural Officer (or in their absence an Enforcement Officer), who will ascertain from the details submitted (photograph/plan) that the complaint meets the necessary requirements.

- The Technical Support Unit will then create a file and associated correspondence to send to the hedge owner. The Technical Support Unit will also update the history card and enter details of the complaint onto the GIS system. The complaint file will then be passed to the Arboricultural Officer (or in their absence an Enforcement Officer) for consideration.

- The Arboricultural Officer will aim to visit the site and undertake an inspection of the hedge within 14 days of receipt of the file. Information will be collected and assessed in accordance with OPDM recommendations. The pro-forma check list will be completed.

- Upon receipt of information relating to the complaint from the Complainant and the hedge owner and in consideration of the information gained from the site visit the Arboricultural Officer will make recommendations regarding a Remedial Notice to the Development Control Manager.

- In the event that the complainant or hedge owner is a Member or employee of Wyre Forest District Council, or that the hedge is owned by the Council, then the Arboricultural Officer will produce a report to be considered by the Planning (Development Control) Committee.

- The file will be passed to the Development Control Manager for authorisation for the serving of a Remedial Notice or not. The file will be passed to the Technical Support Unit to arrange for a Memo to be sent to the Legal & Democratic Services section to prepare and issue the authorised Remedial Notice.

- Once a Remedial Notice is served the Legal & Democratic Services section will inform Land Charges of the relevant information to be disclosed on any future formal land searches. Legal & Democratic Services section will provide copies of the Remedial Notice to the Technical Services Unit to be placed on the Complaint file and the Enforcement Section for monitoring compliance.

- Technical Services Unit will update the GIS record with respect to the relevant Remedial Notice information.

- Both the complainant and the hedge owner have 28 days to appeal to the Secretary of State regarding the content of the Remedial Notice. In the event that an appeal is made the Technical Support Unit will complete the relevant forms supplied by the Planning Inspectorate and obtain appropriate information from
the completed complaint file. Action in respect of the Remedial Notice will be held in abeyance until the appeal is decided.

- The Enforcement Section will monitor the progress of the initial and preventative action in relation to the Remedial Notice, to ensure the works specified in the Notice are complied with and in accordance with the specified time period.

- Failure by the hedge owner to comply with the Remedial Notice will initiate the Enforcement section negotiating a resolution and ultimately collating appropriate evidence to secure a prosecution.
APPENDIX 2

Arrangements for refunding of fees

Government advice with respect to consideration of high hedge complaints, recommends continuing dialogue between all parties, to attempt to resolve the issue at the earliest opportunity.

Complaints made in respect of high hedges may be resolved, to the mutual satisfaction of both parties, prior to full consideration on the application and a formal decision is made. In such events the following refund may be payable to the complainant by the authority:

1. In the event that the compliant is not registered, due to insufficient information being provided, (such as failure to provide enough evidence of prior negotiation), then the full complaint fee will be refunded.

2. In the event that the complaint is registered and the authority has not made the site visit in respect of evaluating the hedge, then 50% of the complaint fee will be refunded to the complainant.

3. In the event that the complaint is registered and the authority has made the site visit in respect of evaluating the hedge, then there will be no refunded of the complaint fee.

4. The complainant may wish to attempt to recover the cost of the complaint fee from the hedge owner in the small claims court, in the event that a Remedial Notice is served. The local authority will provide a copy of all relevant documentation for use in this respect for fee of £12.50, per copy. However, the local authority will not provided additional information other than that which allowed it to formulate its decision with respect to the Remedial Notice.

Produced by the

DEVELOPMENT CONTROL MANAGER
WYRE FOREST DISTRICT COUNCIL
1. PURPOSE OF REPORT

1.1 To seek approval to an application for a Footpath Diversion Order under Section 257 of the Town and Country Planning Act 1990 and to authorise the Head of Legal and Democratic Services to make such Order.

2. RECOMMENDATION

2.1 Authority be delegated to the Head of Legal and Democratic Services to take such steps as are necessary to make and (if unopposed) confirm a Footpath Diversion Order in relation to footpath 116 (part) (Rock) at The Snead Abberley.

3. BACKGROUND

3.1 Details and reasons for the application are as follows:

3.1.1 The diversion is required to enable the construction of a Menage and Outbuildings at The Snead, Abberley, in accordance with Planning Permission WF.533/04 dated 4th February 2005.

3.1.2 The footpath to be diverted is situated on land which is wholly within the ownership of Mr. & Mrs. Annetts, the Applicants. The Applicants declare in their application that there are no other owners or lessees who have an interest in the land, or who are affected by the proposal.

3.1.3 Drawing Number 1 is attached which shows the location of the existing footpath route.

3.1.4 Drawing Number 2 is attached which shows in greater detail the existing footpath by a continuous black line between Point A and Point C and proposed diversion by a broken black line from point A to Point B. The diverted footpath rejoins the existing route at Point B. It is proposed that the footpath will be gravel surfaced.

3.2 The Council has the power to determine such applications where it is satisfied that it is “necessary to do so in order to enable development to be carried out in accordance with planning permission granted under Part III of the TPCA 1990”.

4. KEY ISSUES
4.1 Initial consultation with The Ramblers Association and Worcestershire County Council has already been undertaken by the applicant’s solicitors. Worcestershire County Council has no objection providing the new route is at least 2 metres wide, 2.5 metres on any enclosed area. The local branch of The Ramblers’ Association have raised some queries regarding the application but these have been addressed by the applicant’s solicitors with The Ramblers Association, who have made no subsequent comment.

4.2 If formal objections are received which cannot be resolved once the Order is made, it will be necessary to refer the matter to the Secretary of State for confirmation.

5. **FINANCIAL IMPLICATIONS**

5.1 The applicant has signed an agreement to indemnify the Council against all costs that may be incurred by it in full, as follows:

   (a) Advertising costs as required;
   (b) A charge to cover administrative costs for making the Order;
   (c) Any compensation which may be payable by the Council as a result of the new route of the path;
   (d) Any expenses which the Council may incur in bringing the new path into a satisfactory condition for use by the public; and
   (e) The cost of any signposting and waymarking, which the Council considers necessary.

5.2 There will be no financial implications for the Council in dealing with this application.

6. **LEGAL AND POLICY IMPLICATIONS**

6.1 Section 257 of the Town and Country Planning Act 1990 empowers the Council to make an Order authorising the stopping up or diversion of a footpath, if it is necessary to do so to facilitate development for which planning permission has been given.

6.2 A series of protections exist for members of the public – the statute contains an obligation on the Council to advertise the diversion at several stages of the procedure, to consult with statutory bodies and others, and the public have an opportunity to object to any such diversion or stopping up. Ultimately (if there is an objection which is not withdrawn) the Order can be referred to the Secretary of State for a decision.

7. **RISK MANAGEMENT**

There are no risk management issues arising from this report.

8. **CONCLUSION**
8.1 It is considered that the diversion is necessary to enable this development to take place.

8.2 that the Committee resolve that the Head of Legal and Democratic Services make an Order and confirm the Order if it is unopposed.

9. **CONSULTEES**

9.1 Head of Planning Health and Environment

9. **BACKGROUND PAPERS**

10.1 Copy Planning Permission

10.2 Copy draft Order relating to the proposed Order

28.04.05
# SECTION 106 OBLIGATION MONITORING

**NOTE:** THIS LIST IS NOT EXHAUSTIVE BUT DETAILS THE MOST ‘CURRENT’ OBLIGATIONS WHICH REQUIRE MONITORING

<table>
<thead>
<tr>
<th>Application Number</th>
<th>Site</th>
<th>Provisions</th>
<th>Performance</th>
</tr>
</thead>
</table>
| WF 1208/04         | Lichfield Basin Stourport on Severn | • Affordable housing – 18 units  
• £50,000 towards street lighting and works to the Ginnell | Draft with applicants solicitors                  |
| WF 1245/04         | Foley Park Estate Stourport Road    | • £10,000 towards upgrading/enhancement of the Sustrans network | Awaiting contact from applicant’s agent   |
| WF.1150/04         | 47/48 Bewdley Road Kidderminster    | • Education contribution                                  | Draft with applicants solicitors         |
| WF.1255/04         | Oldington Sports Ground Stourport Rd, Kidderminster | • Contribution towards Sports facilities on land off Kingsway | Agreement completed                     |
| WF .0062/04        | Telephone exchange Blackwell St, Kidderminster | • Affordable housing  
• Education Contribution | Draft with applicants solicitors                       |
<p>| WF.757/04          | 21 Birmingham Road, Blakedown       | • Education contribution                                  | Draft with applicants solicitors         |</p>
<table>
<thead>
<tr>
<th>Application Number</th>
<th>Site</th>
<th>Provisions</th>
<th>Performance</th>
</tr>
</thead>
<tbody>
<tr>
<td>WF.1136/04</td>
<td>Land Oak Service Station, Kidderminster</td>
<td>• Education contribution</td>
<td>Draft with applicants solicitors</td>
</tr>
<tr>
<td>WF.932/04</td>
<td>Randles Garage, George Street, Kidderminster</td>
<td>• Education contribution</td>
<td>A draft has been requested from the County Council</td>
</tr>
<tr>
<td>WF.941/04</td>
<td>Sion Gardens, Stourport on Severn</td>
<td>• Education contribution</td>
<td>Agreement completed</td>
</tr>
<tr>
<td>WF.820/04</td>
<td>Adjacent 67 Great Western Way, Stourport on Severn</td>
<td>• Open space contribution</td>
<td>Agreement completed</td>
</tr>
<tr>
<td>WF.577/04</td>
<td>The Old Rover Works, Wolverley</td>
<td>• Prevent tipping</td>
<td>Agreement Completed</td>
</tr>
<tr>
<td></td>
<td></td>
<td>• ensure business tied to dwelling</td>
<td></td>
</tr>
<tr>
<td>WF 328/04</td>
<td>Elgar House, Kidderminster</td>
<td>• Affordable Housing</td>
<td>Draft with applicant’s solicitors</td>
</tr>
<tr>
<td>WF 459/04</td>
<td>Swancote Farm, Chaddesley Corbett</td>
<td>• Education contribution</td>
<td>Agreement Completed</td>
</tr>
<tr>
<td>WF 0046/04</td>
<td>Park Hall, Blakedown</td>
<td>• Restrict business use of building</td>
<td>Draft with applicant’s agent</td>
</tr>
<tr>
<td>WF 1330/03</td>
<td>The Piano Building, Kidderminster</td>
<td>• Education contribution</td>
<td>Agreement Completed</td>
</tr>
<tr>
<td>WF.1326/03</td>
<td></td>
<td>• Facilitate footbridge</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>• Highway contribution</td>
<td></td>
</tr>
<tr>
<td>WF 1303/03</td>
<td>Save Petrol Station, Wolverhampton Road</td>
<td>• Education contribution</td>
<td>Completed 14th June 2004</td>
</tr>
<tr>
<td>Application Number</td>
<td>Site</td>
<td>Provisions</td>
<td>Performance</td>
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<tr>
<td>WF.288/04</td>
<td>Mill Road, Stourport on Severn</td>
<td>Education contribution</td>
<td>Draft with applicant’s solicitors</td>
</tr>
<tr>
<td>WF.1202/03</td>
<td>James Place, Pound Bank, Rock</td>
<td>Prevent implementation of WF.37/98</td>
<td>Agreement Completed</td>
</tr>
<tr>
<td>WF.1023/03</td>
<td>The Old Vicarage, Cookley</td>
<td>To tie annex to main dwelling</td>
<td>Awaiting response from applicant</td>
</tr>
<tr>
<td>WF.1228/03</td>
<td>The Knowles, Drakelow Lane, Wolverley</td>
<td>Prevent implementation of previous permission</td>
<td>Agreement Completed</td>
</tr>
<tr>
<td>WF.761/03</td>
<td>Great Western Way, Stourport on Severn</td>
<td>Open space contribution</td>
<td>Agreement Completed</td>
</tr>
<tr>
<td>WF.1325/03</td>
<td>Ferndale Service Station, Kidderminster</td>
<td>Education contribution</td>
<td>Agreement Completed</td>
</tr>
<tr>
<td>WF.391/03</td>
<td>Land rear of 49-71 Shrubbery St, Kidderminster</td>
<td>Play areas</td>
<td>Draft with applicants</td>
</tr>
<tr>
<td>WF.92/03</td>
<td>Organshill Farm, Rock</td>
<td>Limits occupation of dwelling</td>
<td>Application withdrawn</td>
</tr>
<tr>
<td>WF.231/03</td>
<td>Hunters Lodge, Blakedown</td>
<td>Amendment to permitted use</td>
<td>Agreement completed</td>
</tr>
<tr>
<td>WF.508/03</td>
<td>78 Mill Street, Kidderminster</td>
<td>Provision of affordable housing (12 units)</td>
<td>Draft with applicants</td>
</tr>
</tbody>
</table>
### Section 106 Obligation Monitoring as at 28th April 2005

<table>
<thead>
<tr>
<th>Application Number</th>
<th>Site</th>
<th>Provisions</th>
<th>Performance</th>
</tr>
</thead>
<tbody>
<tr>
<td>WF.1164/02 &amp; 1165/02</td>
<td>Church House, Rectory Lane, Rock</td>
<td>To ensure Hall is not used whilst Church is in use</td>
<td>completed</td>
</tr>
<tr>
<td>WF.1262/02</td>
<td>Lion Square, Kidderminster</td>
<td>• Sustainable Transport &amp; Environmental Improvements</td>
<td>£10,000 to be paid</td>
</tr>
<tr>
<td>WF.566/02</td>
<td>The Piano Building</td>
<td>• Cinema</td>
<td>Secure operator; contract let before demolition</td>
</tr>
<tr>
<td></td>
<td></td>
<td>• River Stour</td>
<td>Secure maintenance</td>
</tr>
<tr>
<td></td>
<td></td>
<td>• Car Park Agreement</td>
<td>Revisions</td>
</tr>
<tr>
<td>WF.736/01</td>
<td>Folkes Forge</td>
<td>• SUSTRANS</td>
<td>£15,000 to be paid</td>
</tr>
<tr>
<td>WF.293/02</td>
<td>Former Cattle Market, Comberton Hill, Kidderminster</td>
<td>• Affordable Housing</td>
<td>30% provision</td>
</tr>
<tr>
<td></td>
<td></td>
<td>• Play Area</td>
<td>£50,000 contribution off site</td>
</tr>
<tr>
<td></td>
<td></td>
<td>• Highway Improvement</td>
<td>£50,000 contribution to works</td>
</tr>
<tr>
<td></td>
<td></td>
<td>• Landscape Maintenance</td>
<td>Management Comp for non adopted areas</td>
</tr>
<tr>
<td>WF.832/02</td>
<td>Former College, Hoo Road</td>
<td>• Link Agreement</td>
<td>To original S106</td>
</tr>
<tr>
<td>Application Number</td>
<td>Site</td>
<td>Provisions</td>
<td>Performance</td>
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<tr>
<td>WF.897/00</td>
<td>Horsefair</td>
<td>• Play Area</td>
<td>£50,000 contribution</td>
</tr>
<tr>
<td></td>
<td></td>
<td>• Public Art</td>
<td>£12,000 contribution</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>Received 10th March 2004</td>
</tr>
<tr>
<td>WF.265/01</td>
<td>Clows Top Garage</td>
<td>• Drainage</td>
<td>Connection to mains system</td>
</tr>
<tr>
<td></td>
<td></td>
<td>• WCC Land</td>
<td>Comprehensive redevelopment</td>
</tr>
<tr>
<td></td>
<td></td>
<td>• Corner Land</td>
<td>Lay out &amp; Landscape</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>Completed</td>
</tr>
<tr>
<td>WF.890/02</td>
<td>Bayhorse Farm, Drakelow Lane</td>
<td></td>
<td>Prevents disposal of annex as separate dwelling</td>
</tr>
<tr>
<td>WF.1042/01</td>
<td>Chaddesley Wood Farm</td>
<td>• Revocation of Permission</td>
<td>Not to implement permission granted under WF.268/97</td>
</tr>
<tr>
<td>WF.382/02</td>
<td>New Forest Close, Far Forest</td>
<td>• Removal of Condition</td>
<td>£5,000 paid in lieu of footpath for sustainable transport</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>Received £5000 Sept 2002</td>
</tr>
<tr>
<td>WF.1129/01</td>
<td>The Old Rover works, Wolverley</td>
<td>• Live-work Unit</td>
<td>No separation / sub division of site; use to remain in Class B1; no occupation until tipping on adj. ‘Green Land’ ceased.</td>
</tr>
<tr>
<td></td>
<td></td>
<td>• Tipping</td>
<td>To cease on ‘Green Land’ after the first occupation of the Live-work unit.</td>
</tr>
<tr>
<td>WF.43/00</td>
<td>Swan Centre Multi Storey Car Park, Blackwell Street, Kidderminster</td>
<td>• Sustainable Transport</td>
<td>£50,000 payable within one month of commencement of development</td>
</tr>
<tr>
<td>Reference</td>
<td>Location</td>
<td>Category</td>
<td>Amount and Conditions</td>
</tr>
<tr>
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</tr>
<tr>
<td>WF.472/98</td>
<td>Timber Lane, Stourport on Severn</td>
<td>Open Space</td>
<td>£153,074.10 on completion of 50th unit. Laying out and transfer of land before occupation of last house</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Play Area</td>
<td>£38,822.21 as soon as laid out, i.e. before last unit occupied</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Affordable Housing</td>
<td>10% of total numbers of dwellings; 50% to be provided by occupation of 100th house, remainder by occupation of 150th house</td>
</tr>
<tr>
<td>WF.546/01</td>
<td>Fathers &amp; Sons, Worcester Rd, Stourport</td>
<td>Affordable Housing</td>
<td>£100,000 payable 14 days after sale/occupation of 47th unit or 36 months after development first started whichever soonest. Cheque received 16th February 2004 - £100,000 Expenditure agreed at HHRA Policy and Scrutiny Panel (April 2005) on three Existing Satisfactory Dwellings (ESD’s) in Stourport on Severn</td>
</tr>
<tr>
<td>WF.526/00</td>
<td>Oldington Sports Ground (Brintons)</td>
<td>Playing Pitches</td>
<td>£215,000 to be paid for upgrading of pitches on land at Kingsway within fourteen days of development or disposal of land which would affect the playing pitches unless equivalent provision made elsewhere on site</td>
</tr>
<tr>
<td>WF.760/01</td>
<td>Plot 2A, Foley Business Park, Stourport Road, Kidderminster</td>
<td>Sustrans Network</td>
<td>£10,000 to be paid on commencement of development for upgrading Sustrans or other alternative means of transport £10,000 received Dec 2002</td>
</tr>
<tr>
<td>Application Number</td>
<td>Site</td>
<td>Provisions</td>
<td>Performance</td>
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</tr>
<tr>
<td>WF.603/99</td>
<td>Sainsburys, Kidderminster</td>
<td>• Town Centre Improvements&lt;br&gt;£100,000 to be paid on commencement of development for matters on Town Centre Strategy (attached to Agreement)</td>
<td>£100,000 received in 2001/02 - £5000 p.a. to be used in respect of Kidderminster Town Centre Improvements as part of Environmental Improvements and Conservation Budget (Prog Area B3) - £2700 spent in 2002/03 to date</td>
</tr>
<tr>
<td>WF.663/01</td>
<td>The Snead, Abberley</td>
<td>To prevent the implementation of a co-existing permission</td>
<td>Properties under construction 19.6.02 Paid 30/04/03 receipt no. 176653</td>
</tr>
<tr>
<td>WF.67/01</td>
<td>Habberley Road, Bewdley (Number 3)</td>
<td>• Open Space&lt;br&gt;£5,000 prior to occupation of 6th unit for use in Bewdley area&lt;br&gt;• Affordable Housing&lt;br&gt;Two units prior to occupation of 6th unit; constructed and ready for occupation</td>
<td>Handed over to Bromford Corinthia Housing Association in accordance with Section 106</td>
</tr>
<tr>
<td>WF.1051/00</td>
<td>Kidderminster College, Hoo Road, Kidderminster</td>
<td>• Play Area&lt;br&gt;£11,419.34 prior to occupation of 120th unit; to provide, then maintain for twelve months, then pay commuted sum&lt;br&gt;• Affordable Housing&lt;br&gt;Eight units on occupation of 50th unit; eight units on occupation of 120th unit</td>
<td></td>
</tr>
<tr>
<td>Application Number</td>
<td>Site</td>
<td>Provisions</td>
<td>Performance</td>
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</tr>
<tr>
<td>WF.950/00</td>
<td>Kidderminster College, Market Site, Kidderminster</td>
<td>• Highway Improvements £80,000 to Worcestershire County Council on occupation of 25&lt;sup&gt;th&lt;/sup&gt; unit or provisional completion under 278 Agreement</td>
<td>Paid to Worcestershire County Council 2&lt;sup&gt;nd&lt;/sup&gt; October 2003</td>
</tr>
<tr>
<td>WF.450/96</td>
<td>KTC.1</td>
<td>• Sustainable Transport £75,000 for sustainable transport prior to first use of site Green Travel Plan within three months of occupation</td>
<td>Received £75,000 on 9/5/03</td>
</tr>
<tr>
<td>WF.31/01</td>
<td>Habberley Road, Bewdley (Number 2)</td>
<td>• Public Art Paving, Brinton Bell, plaques (Unit 19), northern elevation of Town Hall, commemoration of former chimney no later than practical completion of Phases II – IV</td>
<td>See 97/00 (number 1). Handed to Bromford Corinthia Housing Association</td>
</tr>
<tr>
<td>WF.525/98</td>
<td>Yew Tree House, Shenstone</td>
<td>Redefined original Agreement for Affordable Housing for six flats and one dwelling</td>
<td></td>
</tr>
<tr>
<td>WF.25/00</td>
<td>Gladderbrook Farm, Heightington</td>
<td>Limited occupation of conversion from barn to one bedroom dwelling</td>
<td></td>
</tr>
<tr>
<td>WF.908/98</td>
<td>West Midland Safari Park</td>
<td>Linked new dwelling to farm</td>
<td>Implementation of site management agreement</td>
</tr>
<tr>
<td>Application Number</td>
<td>Site</td>
<td>Provisions</td>
<td>Performance</td>
</tr>
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</tr>
<tr>
<td>WF.208/00</td>
<td>New Forest Close, Far Forest</td>
<td>• Play Area</td>
<td>Not less than £35,000 on completion of play area after twelve months maintenance</td>
</tr>
<tr>
<td></td>
<td></td>
<td>• Highways</td>
<td>£37,025 on commencement of development</td>
</tr>
<tr>
<td>WF.97/00</td>
<td>Habberley Road, Bewdley (Number 1)</td>
<td>• Play Area</td>
<td>£30,000 before occupation of 30th unit for upgrading of facilities in Bewdley area</td>
</tr>
<tr>
<td></td>
<td></td>
<td>• Affordable Housing</td>
<td>To be constructed and ready for occupation before occupation of 30th unit</td>
</tr>
<tr>
<td></td>
<td></td>
<td>• Highways</td>
<td>£60,800 to Worcestershire County Council on occupation of 15th unit</td>
</tr>
<tr>
<td>WF.339/99</td>
<td>86/87 Blackwell Street/ Waterloo Street, Kidderminster</td>
<td>• Parking Improvements</td>
<td>£20,000 on commencement of development for car parking improvements in vicinity of development</td>
</tr>
<tr>
<td>WF.627/98</td>
<td>Round Hill Wharf, Park Lane, Kidderminster</td>
<td>• Play Area</td>
<td>£10,000 for upgrading in Brinton Park before occupation of 30th unit</td>
</tr>
<tr>
<td></td>
<td></td>
<td>• Affordable Housing</td>
<td>Eight units no later than occupation of 30th unit</td>
</tr>
<tr>
<td>WF.878/99</td>
<td>Woodhouse Farm, Pound Green, Bewdley</td>
<td>Limits on aviation activities</td>
<td></td>
</tr>
<tr>
<td>WF.975/99</td>
<td>Triangle Fields, Far Forest</td>
<td>Agricultural tie for conversion</td>
<td></td>
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<tr>
<td>Application Number</td>
<td>Site</td>
<td>Provisions</td>
<td>Performance</td>
</tr>
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</tr>
<tr>
<td>WF.450/96</td>
<td>Tesco, Kidderminster</td>
<td>Car Park Agreement</td>
<td></td>
</tr>
<tr>
<td>WF.722/99</td>
<td>Stoney Lane, Kidderminster</td>
<td>• Play Area: £50,000 for upgrading facilities in Kidderminster area on occupation of 30th unit</td>
<td>£50,000 received in 2001/02.</td>
</tr>
<tr>
<td></td>
<td></td>
<td>• Affordable Housing: Three after thirty dwellings occupied</td>
<td>Handed to Spa H.A.</td>
</tr>
<tr>
<td>WF.222/94</td>
<td>Stourvale Works, Kidderminster</td>
<td>• Play Area: £11,648 on transfer</td>
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<tr>
<td></td>
<td></td>
<td>• Open Space: £25,821 transfer of 100th dwelling</td>
<td></td>
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<td></td>
<td>• Nature Reserve: £6,000 on transfer</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>• Pedestrian Access: £50,000 prior to commencement for enhanced access for pedestrians to the site or adjacent land</td>
<td>£50,000 received in 2000/01</td>
</tr>
<tr>
<td>WF.156/98</td>
<td>Watery Lane, Stourport on Severn</td>
<td>• Affordable Housing: Six units within three years of occupation of first house; transfer to Housing Association</td>
<td>Handed to Evesham and Pershore H.A.</td>
</tr>
<tr>
<td></td>
<td></td>
<td>• Public Open Space: £25,608.48 maintenance to be paid within 28 days of Agreement; layout within twenty-four months of first house or disposal of 30th house (whichever is the sooner). Maintain for twelve months</td>
<td>£25,608.48 received in 1998/99</td>
</tr>
<tr>
<td>Application Number</td>
<td>Site</td>
<td>Provisions</td>
<td>Performance</td>
</tr>
<tr>
<td>--------------------</td>
<td>------</td>
<td>------------</td>
<td>-------------</td>
</tr>
<tr>
<td></td>
<td></td>
<td>• Play Area</td>
<td>£6,162 received in 1998/99</td>
</tr>
<tr>
<td>• Play Area</td>
<td></td>
<td>Layout within twenty-four months of occupation of first house or disposal of 30th house (whichever is the sooner). Maintain for twelve months. Play Area Maintenance of £6,162 to be paid 28 days after Agreement signed</td>
<td></td>
</tr>
<tr>
<td>WF.833/95</td>
<td>Land at Puxton Marshes, Kidderminster</td>
<td>• Nature Reserve</td>
<td>Annual Debtor Account raised by Cultural, Leisure and Commercial Services. Income credited to Parks and Open Spaces. WF.159/00 varied condition to allow a further 3 years for Reserved Matters application to be submitted. Now received</td>
</tr>
<tr>
<td>• Nature Reserve</td>
<td>Transfer land; payment of £106,435 in instalments for maintenance and management on completion of Agreement (7 instalments from September 1998) (£29,364 initial payment; £11,958 first annual; £12,264 second annual; £12,632. £13,011, £13,402, £13,804 annually in subsequent years)</td>
<td></td>
<td></td>
</tr>
<tr>
<td>WF.433/95</td>
<td>Crossley Park, Kidderminster</td>
<td>Novation Agreement releasing Neldran from Obligation</td>
<td></td>
</tr>
<tr>
<td>WF.433/95 WF.108/96</td>
<td>Crossley Park, Kidderminster</td>
<td>Variation Agreement to provide bus service to Crossley Park for five years from first opening of first unit</td>
<td></td>
</tr>
<tr>
<td>WF.352/97</td>
<td>Rear of 220-235 Marlpool Lane, Kidderminster</td>
<td>• Private Open Space</td>
<td>Establish Management Company for maintenance of open space; to keep open space free from structures etc.</td>
</tr>
<tr>
<td>Application Number</td>
<td>Site</td>
<td>Provisions</td>
<td>Performance</td>
</tr>
<tr>
<td>--------------------</td>
<td>------</td>
<td>------------</td>
<td>-------------</td>
</tr>
<tr>
<td>WF.388/97</td>
<td>Crossley Park, Kidderminster</td>
<td>Limited use of DIY (B &amp; Q) building to bulky goods relating to DIY/Garden Centre and no subdivision for five years from first occupation</td>
<td></td>
</tr>
<tr>
<td>WF.710/96</td>
<td>Barns Hill Farm, Rock</td>
<td>Agricultural occupancy/sole limitations</td>
<td></td>
</tr>
<tr>
<td>WF.883/96</td>
<td>The Lea School, Kidderminster</td>
<td>• Private Open Space</td>
<td>Establish Management Company for maintenance of open space; keep open space free from structures etc.</td>
</tr>
<tr>
<td>WF.624/94</td>
<td>Drakelow Depot, Wolverley</td>
<td>Use of underground tunnel complex for document storage purposes</td>
<td></td>
</tr>
<tr>
<td>WF.253/95</td>
<td>Honeybrook Stables, Bridgnorth Road, Kidderminster</td>
<td>Revocation of Permissions WF.760/79, WF.111/87 and WF.192/92</td>
<td></td>
</tr>
<tr>
<td>WF.427/93</td>
<td>Bellmans Cross, Shatterford</td>
<td>Limit occupation to family members of Bellmans Cross Inn</td>
<td></td>
</tr>
<tr>
<td>WF.715/93</td>
<td>Sainsburys, Crossley Park, Kidderminster</td>
<td>Landscaping</td>
<td></td>
</tr>
<tr>
<td>WF.974/87</td>
<td>Former Power Station Site, Worcester Road, Stourport on Severn</td>
<td>• Open Space and Play Area</td>
<td>£37,079 for maintenance for the first five years</td>
</tr>
</tbody>
</table>
Office of the Deputy Prime Minister (ODPM)  
– Planning Performance Statistics

1. PURPOSE OF THE REPORT
1.1 To inform Members of the published performance statistics relating to Development Control.

2. BACKGROUND
2.1 The O.D.P.M produce quarterly statistics relating to numbers, types and speed of decision reached by Local Planning Authorities. At the Committee meeting in February 2005, Members were advised of the statistics for the period July to September 2004, published in the Information Bulletin released on 10th December 2004. This report provides the statistics for the period October to December 2004 and is based on the latest Information Bulletin released on 18th March 2005.

3. PERFORMANCE
3.1 Against a background of 77% of all planning decisions nationally being determined within the statutory 8-week period, I have reproduced below the figures for the Worcestershire Districts. Members will note that the Authority continues to perform well and in line with the Government's target.

3.2 In the fourth quarter of 2004 the number of planning applications received nationally was the largest number of applications received for that quarter since 1988 and is 3% higher than in the corresponding period last year.
### OCTOBER –DECEMBER 2004

<table>
<thead>
<tr>
<th>Decisions</th>
<th>weeks</th>
<th>Decisions</th>
<th>weeks</th>
<th>Decisions</th>
<th>weeks</th>
</tr>
</thead>
<tbody>
<tr>
<td>Bromsgrove</td>
<td>33</td>
<td>42</td>
<td>286</td>
<td>79</td>
<td>1149</td>
</tr>
<tr>
<td>Malvern Hills</td>
<td>20</td>
<td>50</td>
<td>400</td>
<td>52</td>
<td>1098</td>
</tr>
<tr>
<td>Redditch</td>
<td>32</td>
<td>47</td>
<td>146</td>
<td>57</td>
<td>501</td>
</tr>
<tr>
<td>Worcester</td>
<td>25</td>
<td>92</td>
<td>211</td>
<td>97</td>
<td>672</td>
</tr>
<tr>
<td>Wychavon</td>
<td>42</td>
<td>52</td>
<td>528</td>
<td>70</td>
<td>1511</td>
</tr>
<tr>
<td>WYRE FOREST</td>
<td>15</td>
<td>40</td>
<td>267</td>
<td>73</td>
<td>875</td>
</tr>
</tbody>
</table>

**Summary by Main Class of Development**

<table>
<thead>
<tr>
<th>Class</th>
<th>Total in this Quarter</th>
<th>% of Decisions within 8 Weeks</th>
</tr>
</thead>
<tbody>
<tr>
<td>Major Development</td>
<td>3</td>
<td>33</td>
</tr>
<tr>
<td>Minor Development</td>
<td>57</td>
<td>70</td>
</tr>
<tr>
<td>Other Development</td>
<td>205</td>
<td>85</td>
</tr>
<tr>
<td><strong>ALL CLASSES</strong></td>
<td>265</td>
<td>81</td>
</tr>
</tbody>
</table>

3.3 At the meeting in February 2005, it was noted that the performance for minor applications had continued to improve and that performance on ‘other’ applications had dropped by 1% but was still above the national targets. Members were also advised that performance had dropped for major applications. The new figures for the period ending December 2004 show that performance for ‘other’ applications has improved and that performance on minor applications has dropped by only 6% but is still above the national targets. For major applications, performance has continued to drop. The reason for this is mainly due to delays associated with Section 106 agreements.

3.4 In view of the drop in performance on major applications a report was taken to the March Planning (Development Control) Committee to consider changes to the way in which applications requiring Section 106 obligations are handled. At that meeting it was resolved to recommend to Council that delegated authority be given to the Head of Planning Health and Environment (in consultation with the Head of Legal and Democratic Services) to refuse applications where Section 106 agreements are not completed within a specified time period. Without such changes to the way in which major applications are dealt with it is unlikely that performance will improve in this area.

4. **RECOMMENDATION**

4.1 That this Report be noted.

Consultees: None

Background Papers: Review of procedure for determining planning applications requiring a Section 106 obligation (March 2005)