WYRE FOREST DISTRICT COUNCIL

PLANNING (DEVELOPMENT CONTROL) COMMITTEE
11th APRIL 2006

PART A

06/0073/FULL		Proposal:	**Change of use, conversion & internal & external alterations to horticultural buildings (including stone barn) to form nine Class B1 units & shower facilities, erection of cycle shed, bin storage area, new fencing , landscaping & car parking arrangements at YIELDINGTREE NURSERIES WATERY LANE BROOME BELBROUGHTON**
Date Received:	23/01/2006		
Agent:	Huthwaite Building Consultants		
Ord. Sheet:	389611.87503175 277530.454237575		
Policy:	D.1, D.3, D.5, NR.6, NR.9, LB.1, LB.5, E.2, E.9, GB.1, GB.2, GB.6, LA.1, RB; TR.9, TR.17 (AWFDLP); D.28, D.29, D.38, D.39, D.26, D.16, CTC.1, TC.9,SD.4, SD.7, SD.8 (WCSP); PA.1, PA.3, PA.6, PA.14 (RPG11); PPS1, PPG2, PPG4, PPS6, PPS7		
Case Officer:	Paul Wrigglesworth		
Ward:	Blakedown and Chaddesley	Applicant:	The Trustees of J R Bent (deceased)

1. Site Location and Description

1.1 This is the former Yieldingtree Nurseries site which is situated on Watery Lane close to its junction with Egg Lane in the parish of Broome. Egg Lane, links Drayton to the A450 Stourbridge/Worcester Road and this junction lies approximately 300 metres to the south of the Hackmans Gate crossroads.

1.2 The application site occupies approximately 0.67 hectares of the nursery site. Positioned on this land at a level elevated above the lane are a large vacant agricultural building and a detached stone barn with hardstanding areas adjacent.

1.3 The existing large steel frame building is clad with cement fibre sheeting with some blockwork and has a floor space of 1,314 square metres. It is proposed to reclad the building with untreated vertical cedar boarding with colour coated aluminium frames to windows and doors (over 50 of these). The roof would be recladded with colour coated profile steel sheeting. A mezzanine floor is to be introduced to the main part of this building and the building is to be divided into 8 B1 (Business) units.

1.4 The stone barn is to be divided into a further unit and will provide male and female shower facilities.

1.5 Overall the total floorspace to be provided is 1753 square metres. 74 car parking spaces are to be provided together with a cycle shed and bin store, fencing and landscaping.

06/0073/FULL continued

1.6 A Transport Assessment accompanying the application shows a pedestrian /cycle crossing near to the junction of Watery Lane and the A450.

1.7 There is some confusion as to whether the lane from which access is gained is Egg Lane or Watery Lane. For the purposes of this report it will be called Watery Lane, as this is the name provided by the Highway Authority, although residents refer to it as Egg Lane.

2. Planning History

2.1 Numerous applications relating to the various developments when this was a working nursery.

3. Consultations and Representations

3.1 Broome Parish Council – 'The proposed development represents a very large complex for a site in a Green Belt area. We have consulted with a number of the owners of properties affected by the proposal who have understandable concerns over what is proposed. We share most of the concerns raised. We understand a number of people will be making comments in their own right but we include copies of some of the comments as part of our response.

The proposed nine B1 units are large and if fully occupied and manned could easily result in an excess of 150 people working on the site dependent on the nature of the work being carried out. The site plan specifies parking for 74 vehicles and although the supporting traffic analysis anticipates some personnel will access the site by cycling and foot, we believe the majority would require cars for access. Visitors will also access the site and, we assume, light commercial vehicles. If this results in more vehicles than parking areas, there are no suitable areas outside the site to accommodate any overspill.

The supporting traffic analysis suggests that there should not be any traffic problems from the access from Watery Lane (Egg Lane?) to the A450. We do not believe that this analysis fully recognises the nature of the junction, which accesses onto the A450 on a hill in a derestricted area. There is also a considerable amount of traffic joining the A450 from the garden centre not far from the Watery Lane junction on the opposite side of the road. We therefore have a concern that the increased access to and from the A450 may result in safety issues. The Watery Lane access is relatively narrow and is prone to flooding (it is not clear whether the previous usage of the site has made any contribution to the causes of the flooding). If the development is to proceed, we suggest it should be coupled with action to eliminate the flooding. The condition of the road has also been the subject of numerous complaints by the Parish Council regarding potholes and surface damage. The proposed increase in traffic can only serve to worsen this situation.

06/0073/FULL continued

The site is in close proximity to a number of domestic premises and to two in particular. We are unaware whether the classification of B1 usage has any restrictions as to when the units may be occupied and used. Clearly any activity that involved 24-hour operation could be unacceptable to these adjacent properties. If the site requires night time security lighting to be used this will also have an impact on the adjacent properties and wildlife in the area.

The supporting planning statement refers to the remainder of the site being cleared of derelict structures and outside storage. We assume that this action will include the areas still owned by the applicant and not the subject of the Development Plan. The two areas left are liable to become an increasing eyesore if they are not cleared and managed. The Development Plan makes no reference to the potential effect on services. Are the current electricity and sewerage facilities adequate for the proposed development?

The proposed first floor development shows windows that will look directly onto the two neighbouring properties. We believe the arrangement as proposed would cause an unacceptable loss of privacy to both these properties.

Access to the units on the east side of the site is very restricted. It is unlikely that commercial vehicles could gain access without potential damage to the neighbouring boundary.

The application specifies that no trees will be affected by the development. It is unclear whether the proposed changes to the south of Building 1 can be carried out without affecting the trees on the boundary of the adjacent property.

We are also concerned regarding the potential outcome if the development were to proceed and was then found not be a commercial sound venture. Could there then be proposals for further changes of use for the buildings then in place that might be even more acceptable to the area?

We note that the accompanying Industrial Questionnaire supporting the application refers to the use and storage of hazardous substances. We understand that this is an error in the application.'

3.2 Highway Authority – Recommend refusal

3.3 Environment Agency – No comment

06/0073/FULL continued

3.4 Crime Risk Manager – Recommend that vehicle parking area should be within view of the units that the estate uses. The parking area in the main entrance drive is of concern due to the limited surveillance opportunity afforded from the units. I consider this area to be vulnerable to instances of vehicle crime due to lack of surveillance and territoriality and the offender anonymity this provides. I would further suggest that parking for visitors and staff is defined and separated**.**

I have no instructions on the intended lighting scheme. For crime reduction and reduction of the fear of crime I suggest that the security lighting should be designed to deny criminals the advantage of being able to operate unobserved during the hours of darkness. The scheme should limit the entire site with higher lighting levels for vulnerable areas such as parking areas and entrance doors. Lighting columns are preferred for all open areas with high pressure sodium vapour (SONV) as a lighting sources. Of note, low pressure sodium vapour (SOX) is not compatible with quality CCTV systems.

I would expect the building fabric to withstand sustained attack, and for that reason materials to the construction of the units should be carefully considered. Anti ram raiding measures for doors and windows should also be considered. *(Officer comment – other more details comments are also raised).*

3.5 Arboricultural Officer – No objections

3.6 Severn Trent Water Ltd. – No objection subject to condition

3.7 Drainage Officer - The Applicant has not stated the means of disposal for foul and surface water.

Because of its location it is presumed that no public sewerage is available in the vicinity of the site. The Applicant in his e-mail has stated that foul water disposal will be via an existing septic tank up-graded to an effluent treatment plant. The capacity and point of discharge of this system will need to be referred to your Environmental Health team for comment and as discharge will be into an ordinary watercourse, Consent to Discharge will need to be obtained from the Environment Agency pollution control team. All this should be agreed in principle and covered by condition before granting planning permission. The Applicant in his e-mail has stated that surface water disposal will be via existing surface water drainage, by which I assume he means the culverted watercourse that crosses the site frontage. Watery Lane, (as its name would suggest), suffers occasional flooding. This was reported by a resident and has been corroborated by the Highway Authority. Therefore no additional flow should be discharged into this watercourse.

06/0073/FULL continued

The Applicant will need to demonstrate this by providing plans showing all the existing impermeable areas and all the impermeable areas after completion of the development.

As an absolute minimum the Applicant should demonstrate that there will be no increase in total discharge from the site as a result of the proposed development, so as not to exacerbate an existing downstream flooding problem. Where possible the Applicant should incorporate SUDS into the design and endeavour to reduce the discharge from the site, e.g. porous paving, rainwater harvesting, flow attenuation, etc. Finally, it should be borne in mind that the adjacent landowner is responsible for the maintenance of watercourses and it should be confirmed by the Applicant that the existing culvert is in a satisfactory condition and fit for its purpose and will be identified on the property deeds when they are conveyed to the new owner(s).

3.8 Disability Action Wyre Forest – access statement should be submitted

3.9 Environmental Health – Views awaited

3.10 Worcestershire Wildlife Trust – Views awaited

3.11 Neighbour/Site Notice/Advertisement - Objections received from 14 properties. The issues raised are as follows:

- Access – access to the site along Egg Lane is impracticable because – the road has 2 blind bends; it is too narrow, road is in poor condition (pot holes appear continuously, Highway Authority (HA) have received numerous requests to improve lane over many years – HA stated no funds for road improvement; the road floods after each rainfall – blocked drains –water sometimes as high as wheel arches on 4 Wheeled Drive vehicles -mud on road makes it more treacherous; road incapable of handling such a large volume of traffic to satisfy 74 spaces let alone a potential increase on this; visibility at the junction with Egg Lane not shown; borders and verges wearing away; site of many accidents – 12 accidents over last 12 years –5 accidents in last few years – another letter refers to 7 accidents; children, ramblers, pushchairs, occasional wheelchair use lane, husband has Parkinson's disease and we are in the process of purchasing an electric scooter for his use; potential death trap, absolute madness no lighting no pavement, few passing places, horses frequently encountered; lane also used for traffic to Hillpool, Drayton and Sion Fisheries – heavy farm vehicles associated with Yieldingtree Farm are frequently encountered; footpaths cross it, more vehicles more danger. 18,000 sq. ft of offices could accommodate 160 to 180 people.

06/0073/FULL continued

- Traffic generation – Using British Council for Offices Good Practice Design Guide would give 225 people. Local Plan suggests should only have 49 spaces - highly probable that there parking will be woefully inadequate. Policy TR17 sets out maximum spaces in line with PPG13. Large numbers of cars will be seeking to park on Watery Lane and Egg Lane causing obstruction/loss of amenity. Urge you to include Highway Authorities views and include them in Committee report. Wood Ferrier Ltd, traffic consultants have looked at the traffic generation – probable traffic movements are 70 to 80 during the morning peak hour and 45 to 50 during evening peak hour. 400 to 450 movements per day. Contrary to Policy TR.9 – create unacceptable congestion and serious safety problems. Increase in traffic flow by 100% at least. Previously used for business purposes but on a wholly different scale – it didn't involve significant amounts of traffic and the use was in keeping with the rural character of the area. The Transport Assessment states that the Nursery used to generate 600 vehicle trips per day with 90 vehicle trips in the peak period - had this been the case there would have been gridlock on Egg and Watery Lane. We have consulted employees and residents who all feel that this is a gross overestimate – we question how these figures were reached and whether any traffic census was carried out on the lane – we recall 20 cars next to Willow Brook House and a further 5 office staff used to park on the tarmac. Suggested in the report that Barnett Hill Garden Centre could be used for lunch in which case a further 200 to 300 car journeys (on top of 360 to and from work) – distance 0.5 miles each way -too little time to walk and eat within a lunch time –even if pavement were installed not a walk people would make out of choice. Two thirds of site has been sold to adjacent residents and the nearby Blakedown site has been developed for housing – argument that the business would be entitled to continue is inappropriate and misleading-comparison between previous use and proposed is irrelevant. Nursery was 40 acres when it ceased to trade 25 acres sold in 2002 –now pasture land. This leaves 14/15 acres – 40% couldn't support anything other than a modest operation. Company accounts for the last 2 years of trading confirm 151 staff in 1997 and 153 in 1998 –head office in Belbroughton Road where 42 and 40 management and administrative staff based-applicant's figures overstated and not substantiated – 25 cars at yieldingtree site makes sense as even if there were 60 to 80 staff there would have been car sharing in view of the average salary of £100,000 would indicate an inability to buy a car. Supporting document identifies number of employees but these were probably spread over other sites not all at Watery Lane. Linked trips between these sites - no prospect for Blakedown site to reopen. All six satellites closed. Ludicrous to put a pedestrian crossing on a hill where traffic passes art 60mph, close to a junction and near to the bollard at the filter lane for Barnett Hill Garden Centre. Traffic numbers put forward by applicant's transport assessment hypothetical based on traffic numbers for a garden centre. Totally inappropriate to base vehicle trips on lowest potential traffic numbers.

- Junction of Egg Lane and Worcester Road difficult for the few cars that use it – chaos would ensue if up to 74 cars wanted to exit at once; traffic towards junction travelling very quickly – 60 mph speed limit; accident black spot; when adjacent car boot sale operating between 500 and 1000 cars use site daily, similar problems when sales cancelled - traffic turning blocks Egg Lane. I have been twice run into when negotiating this junction. It is not demonstrated that the development would not have a detrimental impact on the A450/lane junction.

- Wrong location – development should be nearer to town centres, no need in our community; development of this size should be confined to inner city areas, PPS 6 (Planning for Town Centres) identifies that offices should be located in the town centres – this is reinforced in the Local Plan 'Development Strategy' – more than adequate existing office space available – development should not be granted planning permission even if it were not in the Green Belt, Paragraphs 2.3 and 2.4 of the Local Plan confirms 'sustainable development is now at the forefront of environment and planning agenda …The overriding aim of the local plan is to seek to encourage sustainable patterns of development' – unsustainable as it is out of scale with locality and no access to public transport or other services. The nearest train and bus stop are in Blakedown 1.5 miles away with limited services. To suggest that the proposed development would use such limited services is ridiculous. Private car only means of access – clearly inappropriate, not suitable for office development on such a vast scale; previously a wholesale nursery which did not attract a significant volume of traffic and its use was in keeping with the rural character of the area. Fails 6 tests of Policy E.9. Surplus employment land is available above the required Structure Plan targets. Government policy to cut transport and parking – this will increase it. Strongly object to the assumption that it will benefit the local community-how? It is 2.5 kilometres to the station and not 1.5 kilometres as the report states. It takes our fit teenager 35 minutes to walk the route. This coupled with a train or bus journey would be a huge incentive to drive. No bus route on A450. Only provision for 12 cycles – suggests hardly anyone is expected to cycle.

- Applicant's report suggests that the development is high tech – the design confirms otherwise – we struggle to get broadband, services and infrastructure very limited – how could a high tech company operate? It stretches the imagination in the extreme to suggest that the Yieldingtree site is in the Technology Belt – where there are hundreds of acres available. Result in reverse commuting.

- PPS7 looks at size of a development and identifies that a scheme should respond to the needs of the community putting much weight on accessibility by walking, cycling and public transport – Yieldingtree has 156 houses, very small population within half a mile - totally out of scale

- Development ignores significant environmental and ecological issues. Policy LA1 confirms that 'development proposals must safeguard, restore, enhance the character of the surrounding landscape' – extensive area of streams referred to by Policy LA5 also relevant. Stream has been illegally culverted. Policy NR6 refers to seeking to open up culverted watercourse where applicable. Such a development would require extensive flood-lighting all around site-impact on wildlife, environmental pollution and nuisance.

- Green Belt – this type of development not being considered by WFDC if it is in the Green Belt; inappropriate development; precedent, grade 1 agricultural land – should be safeguarded to promote development in existing towns. No 'very special circumstances' have been shown. Even if development accords with conversion of rural buildings Policy GB2 confirms must accord with all other policies – scheme detrimental to the landscape character, and the purposes, visual amenity and openness of the Green Belt therefore no need to consider Policy RB1

- Buildings not of a form, bulk and design in keeping with surroundings, require extensive alteration and significant building works, would adversely impact on setting of stone barn and The Manor House, highway problems render it inappropriate, would adversely impact on nearby village town centres and lead to dispersal of activity, fails the policy test in RB1. 439 sq. metres of additional floor space proposed. Building works so major that it is nothing less than a new building in disguise. Building design has form and bulk of an industrial building inappropriate in design terms on most business parks let alone the Green Belt. Building inappropriate in design and function. Existing buildings /hardstandings shabby but do not attract substantial numbers of people/light /noise pollution. Should be interpreted as a new building in the Green Belt and therefore entirely inappropriate.

- Noise of lorry

- No proposals to improve derelict areas surrounding the site (in same ownership)

- No mention of type of hazardous substances being stored , could shower facilities be related to Hazardous substances? (*Officer comment – no hazardous substances are proposed to be stored, this is an error on the*

application forms)

06/0073/FULL continued

- Address is Egg Lane and not Watery Lane
- 100 staff stated on forms – proposal suggest a total of 200 staff being accommodated. At present only 74 parking spaces planned at a future date more parking would be required
- No public transport for people to get to work.
- Were permission to be granted area around warehouses should be cleared.
- Consideration for wildlife is paramount. Within 50m of site there is a badger's sett, roosting owls, nesting Buzzards, foxes, pheasants and 10's if not 100's of varieties of birds. Colony of bats in building and at least one barn owl. No thought been given to environmental matters. No Environmental Impact Assessment has been provided – should be fatal to the application.
- Committee should visit the site to view it in its entirety
- Adverse effect on privacy of adjacent residential property –over 20 windows some at first floor level –destroy privacy. Development could operate 24 hours a day. Windows on our side of the boundary are totally unacceptable. Even with frosted glass we would consider this to be an infringement of privacy. We need our boundary fence to be higher if there is to be a walkway around the building.
- Ill conceived, poor natural light, low headroom, inadequate services, 6 of 9 units no provision for disabled people – no lift to first floor.
- Adverse impact on setting of Listed Building , shed building should be removed, hardstanding areas should be broken up and stone barn (should be listed)should be converted to a small office – enabling development
- Has property been actively and reasonably marketed for 6 months to ensure proper agricultural use - I do not recall any of this marketing.
- Has permission for change of use been requested? If so can it go ahead on agricultural land? I wanted a swimming pool on agricultural land as was told I couldn't go ahead as it was a change of use of agricultural land. How can a major office development be acceptable when a 15 x 20ft pool isn't

06/0073/FULL continued

- The applicant's state that the alternative would be vandalism and dereliction - this does not reflect reality – I have made an offer to acquire the entire site - offer significantly more than agricultural /horticultural land value. I was told that a similar offer was also rejected. Leaving the site would result in natural reclamation – already happening.

3.5 Applicant's supporting statement – The applicant's supporting information is summarised as follows:

- The proposal for reusing the vacant agricultural buildings at Yieldingtree sits four square with Government's PPS1 and the Local Authority's aim in respect of sustainable development; not least in terms of bringing vacant and under-used previously developed land and buildings back into beneficial use. It also contributes to economic development and secure environmental improvement. Also respect the Council's view, which is consistent with the advice attached in PPS7, that wherever possible, priority consideration be given to business and commercial reuse of rural buildings in preference to residential use. It is evident from planning history which relates to this site that the use as an agricultural nursery and the existing buildings are authorised and would be entitled to continue in operation.

- PPG2 and Policies GB.1 and GB.5 support the reuse of vacant buildings in the Green Belt and since they are already there, they will therefore not prejudice the openness of the Green Belt which is its most important attribute. Paragraph 7.64 of the Adopted Wyre Forest District Local Plan specifically acknowledges the contribution that can be made by the reuse of long established lawful buildings to the provision of valuable employment opportunities within the Green Belt.

- The alternative to reuse would be to leave the buildings and the rest of the site vacant for a long period of time and thereby prone to vandalism and dereliction. It is a particular concern with such a large rural site which is almost impossible to secure. The development would not have materially greater impact than the authorised use on the openness of the Green Belt and the purpose of including land within it. Indeed, the proposal would bring about a reduction to the impact of the openness of the Green Belt in three respects:

- As part of the proposal to improve visual appearance of the building (as recommended in Paragraph 3.8 in PPG2 footnote) it is proposed to reduce the footprint of the building by approximately 161 square. metres.

06/0073/FULL continued

- The areas around the building which is for car parking represents a substantial reduction on the areas previously used for parking (cars and HGVs) and outside storage in association with horticultural activities; particularly despatch operations. This is evident from the aerial photographs supplied.

- The remains of existing structures associated with the horticultural activity will be removed.

- The above elements will have a positive effect on the visual amenity of the Green Belt, the importance of which is stressed in PPG2 and Policy GB.6. Indeed, the footnote of PPG2, paragraph 3.8, encourages Local Planning Authorities to seek improvements to the external appearance of buildings in the Green Belt which currently have adverse effects on the landscape in terms of visual amenity.

- The buildings themselves are of permanent and substantial construction and capable of conversion without major reconstruction. The main building is a steel portal framed building with blockwork and profiled fibre cement elevations and large full height roller shutter doors beneath the pitch roof with profile fibre cement cladding. The effect on visual amenities could be improved by recladding the existing elevations with a combination of untreated vertical Cedar boarding and colour coated aluminium glazing with colour coated profile steel used to clad the roof.

- The stone barn is likewise a permanent and substantial construction. In accordance with Policy RB.1 the elevations will remain largely unaltered. There is no need to extend the barn to secure this use.

- The proposals are also consistent with the Council's policies dealing with development in the countryside. The reduction in the operational space around the buildings, in comparison with the authorised use, will also have a beneficial effect on the quality and character of the surrounding countryside (RB.3).

- The authorised use represents a substantial source of local employment. It would clearly support the Council's employment objectives with respect to encouraging a diverse economy and ensuring high design standards in environmental enhancements (Wyre Forest District Council Local Planning Objectives 9 and 10). Indeed, the Council recognises the value in reuse and adaptation of existing rural buildings in meeting the needs of development, reducing the demand for new buildings in the countryside, the provision of jobs and securing the future of buildings which would otherwise become vacant or derelict.

06/0073/FULL continued

- This approach is also consistent with Government Planning Policy Guidance in respect of employment development in terms of the state of preference to see buildings used for appropriate uses rather than stand empty (PPG4, paragraph 19). To bring the application site back into employment use would clearly assist in improving the range of employment opportunities available within the District and assist with improving the balance, within the District, between housing and employment and thereby reducing the overall need for outcommuting (reference RPG11, Policy PA.1(c))

- The intention to provide workspace that would appeal to high technology occupants with small units available on flexible terms designed to appeal to the more local market. This is consistent with the objectives of Regional Planning Guidance, in particular, in encouraging new high growth employment sectors while diversifying the economy with particular emphasis on higher value business (RPG11, paragraphs 7.2 and 7.6). The speculative provision of workspace for small firms is also supported by Central Government where small firms would otherwise be unable to commit to building their own premises (PPG4, paragraph 24).

- These proposals at Yieldingtree would make a valuable contribution to the portfolio of sites and premises located within the Birmingham to Worcestershire Central Technology belt.

- To support at national, regional and local level in terms of planning policy and economic development objectives, for the reuse of rural buildings for this type of employment is qualified by the need to ensure that satisfactory arrangements can be made in respect of transport. The accompanying Transport Assessment prepared by DLP (Transportation) Ltd. clearly demonstrates this to be the case. *(Officer comment: Accompanying the application is a Transport Assessment for the site prepared by Development Land and Planning (DLP) Consultants Limited. This has been forwarded to the Highway Authority and their views on this are awaited*).

06/0073/FULL continued

DEVELOPMENT PLAN

The following is a summary of the main elements of the key policies relating to the principle of allowing development of this type and in this context:

Regional Planning Guidance for the West Midlands RPG11 (Regional Spatial Strategy RSS)
Policy PA1 (Prosperity for all) – states that economic growth should be focused on the major urban areas. Development on the edge of major urban areas or on Greenfield sites should be developed where there are no suitable alternatives on previously developed land and buildings within urban areas, the development should be capable of being served by rail or high quality public transport within easy access of centres and facilities and the development respects the natural environment, built environment and historic heritage.

Policy PA3 (High Technology Corridors) – three high tech corridors are identified one being the Birmingham to Worcester(Central Technology Belt) Overall, corridor developments should be at key nodes well served by public transport, where there is a high quality environment and supporting infrastructure, including higher education, research facilities. Leisure and cultural facilities and attractive housing.

PA6 (Portfolio of Employment Land) – Local Authorities and other Agencies should aim to provide a range and choice of readily available employment sites.

Policy PA14 (Economic Development and the Rural Economy) - states that development plans should ensure that most economic development is concentrated in towns and other large settlements accessible to their rural hinterlands; priority should be given to economic activity with strong links to the rural area and to sustainable new activity which will strengthen the rural economy.

Worcestershire County Structure Plan
Policy D28 - does not permit new buildings for business purposes or for the expansion of existing businesses in the Green Belt except in certain identified settlements.

Policy D29 - allows the change of use of a building for employment purposes provided that the building to be reused is permanent and substantial and can be converted without major or complete reconstruction, where the effect on the purposes of the Green Belt is no greater than the existing development and the proposal will not generate trips by heavy goods vehicles on unsuitable roads.

06/0073/FULL continued

Policy D38 - sets out the purposes of the Green Belt, including, preventing merger of towns and villages; safeguarding the countryside from encroachment and assisting in urban regeneration by encouraging the recycling of derelict and other urban land.

Policy D.39 - states that there is a presumption against allowing inappropriate development and that development will only be permitted in these circumstances where very special circumstances exist which outweigh the harm to the Green Belt.

Policy D26 - states that the preferred location for new office development is within town centres and where a suitable site is not available a sequential approach to location should be adopted and only then where the location is accessible by a choice of means of transport. The applicant should demonstrate that this approach has been followed. Local Authorities should follow this approach when identifying sites in Local Plans.

Policy D16 - sets out the criteria for the conversion of Rural Buildings, including whether general design is in keeping with its surroundings, whether the building is permanent and substantial, whether it is inappropriate development; the effect of the building on its character and setting. Extensive or damaging alterations will not be allowed.

Policy CTC.1 - states amongst other things that proposals must demonstrate that they are sympathetic to the landscape character, development which adversely affects landscape character will not normally be allowed.

Policy SD.8 - makes it clear that in all instances the development should be of an appropriate scale to the location and that a choice of modes of travel should be available.

Policy SD.7 - Sequential approach to the location of development (similar to D26)

Policy SD.4 - emphasises that development will normally only be permitted where they are located so as to minimise the need to travel and where the development provides for access from different modes.

06/0073/FULL continued

Adopted Wyre Forest District Local Plan

Policy E.9 - states that proposals for employment development in the Green belt (other than identified Major Development Sites) involving new buildings, or extensions will be regarded as inappropriate development and will not be allowed. The re-use of existing buildings for small scale industrial or commercial development will be allowed provided that it doesn't affect the visual amenity of the Green belt or have a greater impact on the openness of the Green Belt than the present or last use, is environmentally and ecologically acceptable; adequate services are available; it doesn't affect residential amenity; the buildings are of a sufficient scale to accommodate the proposed development without the need for extensions; traffic is kept to a minimum and can be safely accommodated on local roads with safe, direct, easy access to the lorry route network, the development accords with RB policies (see below) and the proposals can be accommodated within the existing operating curtilage.

Policy GB1 - sets out the development permitted in the Green Belt and states that other development will not be allowed except in very special circumstances. The conversion of rural buildings in accordance with Policy RB1 is one of the allowed developments.

Policy GB2 - states that development must be capable of implementation without detriment to the landscape character, and the purposes, visual amenity and openness of the Green Belt.

Policy GB6 - states that development must not be detrimental to the visual amenity of the Green Belt, by virtue of their siting, materials or design.

Policy RB1 - sets out the criteria for the conversion of rural buildings. Amongst other things it is clearly stated that the buildings must be of permanent and substantial construction, suitable for re-use without extensions or extensive alterations or the addition of new buildings within the curtilage; structurally sound and in a condition capable of re-use without significant building works or complete reconstruction; capable of conversion without significant detrimental effect on the fabric, character or setting of the building; provided with satisfactory access arrangements.

Policy RB2 - allows conversion to business or commercial use in preference to residential conversion unless this is not practical.

Policy RB4 - is concerned with ensuring that the operational space around the building is not detrimental to character of the countryside or the setting of the buildings.

Policy LA1 - seeks to ensure that development proposals are appropriate to and integrate with the landscape and, amongst other things, taking account of the sensitivity of the landscape and its capacity to accommodate the development.

Policy TR.9 – it must be demonstrated that the road network is capable of accommodating the type and scale of traffic likely to be generated with regard to safety and capacity. Proposals which lead to the deterioration in highway safety will be refused.

In addition to the Development Plan, Government Guidance and particularly in PPS 1 (delivering Sustainable Development), PPG2 (Green Belts), PPG4 (Industrial and Commercial Development and small Firms) and PPS7 (Sustainable Development in Rural Areas) also contain important advice.

4. Officer Comments

4.1 It is felt that the main considerations in determining this application are, whether or not:

- the development is 'appropriate' in principle, in terms of Green Belt Policy;
- the development on this scale is acceptable in terms of location;
- the impact of the development on the landscape is acceptable;
- the development is acceptable in terms of its relationship with the adjacent Listed building;
- the scheme is acceptable in terms of its impact on residential amenity
- the proposal is acceptable in terms of the highway network

GREEN BELT ISSUES

4.2 The proposal involves the conversion, with significant alterations, of a large redundant horticultural building and a smaller stone barn located in a rural setting within a Green Belt area.

06/0073/FULL continued

4.3 The first consideration is whether or not the development is appropriate in terms of Green Belt Policy. Policy GB1 permits the conversion of rural buildings provided that it is in accordance with the reuse and adaptation of rural building (RB) policies. . However, the proposal fails to comply with the conversion criteria set out in Policy RB1 because the work involves extensive alterations. Although the framework for this building will remain, it will be reclad and many new openings will be introduced. Furthermore the building is being remodelled (albeit by making the footprint smaller by removing two sections) and extensive mezzanine flooring is being introduced. The building is not substantially built and because of this, it is clearly not capable of being re-used in its present form for the type of operation proposed without major alterations. The proposed changes will result in a building which will have the external appearance of a completely new and different type of building, albeit one with an almost identical silhouette.

4.4 The existing building is of no architectural merit, as it is essentially a utilitarian structure, yet it is of a style, which is typically associated with the rural landscape. It is submitted that the changes will have a significant impact on the character of this building which will have a detrimental impact on the setting of the building in the landscape and on the adjacent Listed Building (for further explanation on these points see below). In this respect the proposal is contrary to Policy RB.1 iv).

4.5 The different emphasis as described in PPS7 (Sustainable development in Rural Areas) is noted but the development proposed fails to comply with the criteria for the 'Reuse of building in the Countryside' in Paragraph 17 of that document.

4.6 The premises would also fail to meet criteria RB.1 v) in that the Highway Authority is recommending refusal to this development (see below).

4.7 Policy E.9 of the adopted Local Plan deals with employment uses in the Green Belt. This Policy makes it clear that small-scale industrial development is acceptable subject to compliance with the criteria. In terms of floor space the scheme involves 1753 sq. metres of floor space (which makes this a major application); consists of 9 separate planning uses and offers 74 car parking spaces. This is not judged to be 'small scale' development and the criteria need not be applied. Notwithstanding this, the development fails to meet the criteria for the reasons already given above or those that will become apparent below.

06/0073/FULL continued

4.8 The development does not comply with the conversion criteria Policy RB1 or Policy E.9 and it has not been identified in Policy GB.4 as a Major Development site. As such, the development is contrary to Policy GB1. The development is therefore 'inappropriate development' in the Green Belt and harmful by definition (PPG2 paragraph 3.2). The proposed development is also considered to have an adverse impact on the visual amenity of the Green Belt. No very special circumstances have been submitted with the application (presumably because the applicants feel that the development is compliant) to outweigh this harm, and the development is therefore judged to be contrary to Green Belt Policy.

THE LOCATION OF DEVELOPMENT OF THIS SCALE

4.9 As has been mentioned, this is not a small-scale change of use but one that is going to attract a significant amount of traffic. In location terms development of this scale for employment use is not appropriate in the Green Belt. The Structure Plan and the Local Plan make it clear that office uses should be focused on town centres. Policy D26 of the Structure Plan states that the preferred location for new office development is within town centres and where a suitable site is not available a sequential approach to location should be adopted and only then where the location is accessible by a choice of means of transport. The applicant should demonstrate that this approach has been followed. The application fails this sequential test because there are sites available closer to the town centre which could be used for office purposes and notwithstanding this, the site is not accessible by a range of alternative means of transport. The nearest railway station is at Blakedown 1.6 miles and there is no regular bus route. No sequential approach has been followed and the site is judged to be an unsustainable location and clearly contrary to policies within the Regional Spatial Strategy, Policy D26 of the Structure Plan and the adopted Wyre Forest District Local Plan.

IMPACT ON THE LANDSCAPE

4.10 The site is visible from Watery Lane on the approach from the Stourbridge/Worcester Road and is particularly prominent from the footpath which crosses Egg Lane on the way to Yieldingtree Farm. The conversion will result in a building, which will have the appearance of an office building more appropriate to a business park and one which would be completely out of keeping with this rural setting. The incongruity of the building will be enhanced after darkness when light will be emitted from all openings. Although the area around the building has been used previously as hardstanding, the use proposed demands a large number of car parking spaces and these areas will also detract from the character of the landscape and particularly when the hardstanding has been renewed, car parking spaces demarcated and generally tidied in a typically urban manner. It is noteworthy also that the Crime Risk Manager is suggesting that these car parking areas should be illuminated and although there is no proposal as such for this it would be unreasonable not to permit these areas to be lit at night which would further detract from the rural setting.

06/0073/FULL continued

AFFECT ON LISTED BUILDING

4.11 The Conservation Officer has commented on this proposal as follows:

'*This application lies in very close proximity to a very fine Listed Building, and any development should have regard to the impact on that building.*

The site currently is vacant, but contains a large warehouse, of clearly agricultural design and usage, and a small stone barn to the west of the site.

Whilst the works to the stone barn, for the most part, are reasonable, the proposals for the other, main structure, I do not find acceptable. The building, as stated above, is clearly of agricultural status (a use that fits with the surrounding countryside and setting), and is not of any architectural merit. The proposals seek to use the building, with some considerable alterations, including the insertion of large amounts of fenestration, doors, and over-cladding, to produce a massive office building. It is my opinion that this fundamental change of character of the building will have a detrimental impact on the setting of the Listed Building to which it lies so close to, and due to its proximity, (bearing in mind that hedges, etc cannot be guaranteed) will also have a severe detrimental impact on the character of the Listed Building.

I cannot support this application, as I am of the opinion that the proposals would have a detrimental impact on the setting of the LB, contrary to policy LB.1 of the Adopted Local Plan (Jan 2004)'

4.12 I would concur that this development could potentially have a serious effect on the setting of the Listed Building.

IMPACT ON RESIDENTIAL AMENITY

4.13 The main impacts associated with the proposed development arise from. overlooking and loss of privacy. Loss of privacy and overlooking are potentially very serious issues in this case because the scheme proposes windows at ground and first floor levels in the side elevations of the new structure at close proximity to neighbouring property. On the one side is a bungalow located at a lower level. Part of the side elevation of the building lies within only one metre of this boundary. There are some evergreen trees here but these cannot be relied upon to provide long term screening and could all too easily be damaged in the building works should planning permission be granted. Similarly on the opposite side of the building, first floor windows lie approximately 8 metres from the evergreen treed garden boundary of The Manor House. In both cases and especially with respect to the bungalow this is not an adequate distance and serious loss of amenity will arise.

06/0073/FULL continued

4.14 Other impacts, such as noise and disturbance have been looked at but are not considered to be so serious as to warrant a refusal as hours of operation could be controlled by condition should the application be approved.

IMPACT ON THE HIGHWAY NETWORK

4.15 As previously stated the applicant's have submitted a Transport Assessment and the neighbours have commissioned Woods Ferrler llmited to examine this assessment. Provided below are the summary findings of both reports:

Applicant's Transport Assessment

This report demonstrates that the proposed redevelopment will comply with planning policy contained within the Adopted Wyre Forest District Local Plan by

- including cycle facilities in line with Policy TR.6
- including a pedestrian/cycle access that is physically separated from the vehicular access which is in accordance with Policy TR.7
- demonstrating that the proposed redevelopment will not have a detrimental impact upon the operational performance of the A450 which is in accordance with Policy TR.9
- providing adequate parking in accordance with parking standards contained within Policy TR.17
- providing a Transport Assessment in lien with Policy TR.18
- indicating that the operators of the proposed redevelopment will implement a Travel Plan in accordance with Policy TR.19

The Transport Assessment concludes that the proposed redevelopment can be delivered in a desirable and sustainable manner and that there are no highway or transport reasons to object to this planning application.

Comments on this Transport Assessment by Woods Ferrier Ltd.

- There are serious concerns about the proposed B1 use at Yieldingtree.

- The planning application's supporting Transport Assessment exaggerates the amount of traffic generated by the previous use. In reality the nursery use would have generated very little traffic. The now much smaller site could not accommodate the same operation as previously.

06/0073/FULL continued

- The Transport Assessment under-estimates the traffic that a B1 use would generate. Also, the background traffic counts used in the Transport Assessment do not take the car boot sales into account.

- There would be no alternative to the car for those commuting to the new B1 use. The site is not in a sustainable location. The existing road junction and Egg/Watery Lane are not suitable for the increase in traffic that would occur.

- Inadequate visibility and parking at the site would lead to further problems. The Transport Assessment makes exaggerated representations, and avoids important issues. Overall, the proposed B1 development is not appropriate at the application site.

- The proposed development would be detrimental to the amenities of the local residents and all users of the public highway in the area. The proposed B1 development would not be in the interests of the free and safe flow of traffic and users of the public highway both vehicular and pedestrian.

Response from Highway Authority on Transport Assessment
Watery Lane, between its junction with the A450 and the entrances to the application site, is unsuitable to serve as a means of access to any further development. The lane is narrow, lacks footways and is bounded by narrow banked verges and hedges. Visibility along the route is also restricted due to the vertical and horizontal alignment of the lane. The lane also lacks suitable surface water disposal arrangements.

At the time of my inspection, a number of local residents were walking in the carriageway and several equestrians passed by.

I understand the nursery ceased to operate in May 2000 and has been unused since then. The Transport Assessment (TA) states that around 70/80 staff were employed when the site was in full use.

The TA constantly refers back to the previous use and claims the proposed B1 business use would generate less vehicle trips than the nursery. It is very difficult to quantify this as the nursery was last in use some 6 months ago. The Highway Authority would much prefer, in cases such as this, to compare the 'now' situation with the proposed usage - and it is clear there will be a considerable increase in vehicle trips at the A450/Watery Lane junction.

06/0073/FULL continued

I note the proposal is for 1644 sq.m, GFA of B1 use and the developer is offering 68 parking spaces with an additional 6 disabled parking spaces. The Worcestershire County Council parking standards would require 66 parking spaces and 3 disabled spaces.

In essence the main concerns of the Highway Authority are:

i) Watery Lane is narrow with no passing bays.
ii) Visibility along Watery Lane is restricted.
iii) Watery Lane is used by both pedestrians and equestrians.
iv) High vehicle speeds on the A450, with overtaking in the area of the junction of Watery Lane.
v) The site is not in a sustainable location, the majority of trips would be made by car, the nearest rail station being at Blakedown some 2 km away and the nearest bus stop again being around 2 km away.
vi) The Highway Authority is minded that walking to the site would be very unattractive and not easily achievable.
vii) The TA mentions a pedestrian crossing across the A450, to the north of Egg Lane, the Highway Authority is concerned of the implications of this crossing on the existing traffic flows on the A450.

The Highway Authority recommends that the application should be refused (see recommended Reasons 7 and 8 below).

OTHER ISSUES

4.16 Other matters including issues relating to wildlife, drainage and access for the disabled have been raised, but I am satisfied that these could be adequately dealt with by conditions, including some requiring additional information/drawings for subsequent approval, should Members be minded to grant planning permission.

4.17 Some residents have also raised concerns about the intentions of the applicant's relating to other areas of their land ownership which adjoin, but fall outside the application site boundary. It is somewhat surprising that this other land is not included as part of a comprehensive scheme and it may indicate that further applications are to follow. However, this is mere speculation and Members are advised to focus on the application as it stands, as any other application, should it arise, can be dealt with on its merits.

06/0073/FULL continued

4.18 Finally, the precedent that an approval could set for other sites is a material consideration. Many farms have buildings of this type, although usually smaller, and there are also examples of more isolated agricultural buildings which could be converted to similar uses with extensive alterations similar to those proposed in this application. To approve this proposal would in my view set a very serious precedent which would have implications for many other sites and would further erode the potency of policies in the Development Plan which seek to protect the Green Belt and direct this type of development to sustainable locations involving the regeneration of suitably allocated vacant sites allocated within towns and cities served with alternative modes of transport.

5. Conclusions and Recommendations

5.1 The scale and intensity of the use is considered to be unacceptable for this quite isolated Green Belt location. The development is judged to be inappropriate development within the Green Belt and would have an adverse impact on the visual amenity of the Green Belt. The proposal would harm the setting of the adjacent Listed Building and the amenity of the adjoining property. The development is also contrary to highway safety and to approve the development in the absence of very special circumstances would set a very real precedent which would undermine Green Belt policy and would have widespread implications for other sites in the District.

5.2 The arguments put forward by the applicants have been carefully considered, including the need to find a suitable alternative use for the site, but they do no outweigh the harm as described above.

5.3 The application is therefore recommended for **REFUSAL** for the following reasons:

1. The application site is located in the Green Belt. The proposed development fails to comply with criteria in Policy RB.1 of the Adopted Wyre Forest District Local Plan and, as such, it constitutes inappropriate development within the Green Belt. No very special circumstances have been demonstrated to outweigh the harm by reason of inappropriateness.

2. The proposed development would be contrary to Policies GB.1 and RB.1 of the adopted Wyre Forest District Local Plan, Policies D.16, D.29 and D.39 of the Worcestershire County Structure Plan together with advice contained within PPG2.

06/0073/FULL continued

3. The proposed employment development is not considered to be 'small scale' and is inappropriately located as it is not within a town or judged to be readily accessible by different modes of transport. In addition, no sequential test has been undertaken. Consequently to approve the development would be contrary to policies E.9 of the adopted Wyre Forest District Local Plan, Policies D26, SD7 and SD.8 of the County Structure Plan and , Policies PA1 and PA 14 of the Regional Spatial Strategy (RPG11).

4. The development would seriously harm the visual amenity and character of the area by reason of its incongruity brought about by the proposed introduction of a commercial complex together with extensive car parking into an attractive rural landscape. To approve the development in these circumstances would be contrary to Policies GB.2, GB.6, RB.4, D.3, D.5 and LA.1 of the adopted Wyre Forest District Local Plan and Policy CTC.1 of the County Structure Plan.

5. The development would result in a serious impact on the privacy of adjacent residential property by reason of the introduction of windows facing towards these properties sited at close quarters. To approve the development would be contrary to Policy D1 of the adopted Wyre Forest District Local Plan.

6. The proposals seek to use the principal building, with some considerable alterations, including the insertion of large amounts of fenestration, doors, and over-cladding, to produce a large office building, and this fundamental change of character of the building will have a serious detrimental impact on the setting of the neighbouring Listed Building, The Manor House. To approve the development would be contrary to Policies LB.1 and LB.5 of the adopted Wyre Forest District Local Plan, Policy CTC 9 of the Worcestershire County Structure Plan and Policy QE.5 of the Regional Spatial Strategy.

7. Highway reason relating to increased traffic

8. Highway reason relating to unsuitability of road network.

(Full wording of highway reasons for refusal to be provided on 'Addenda and Corrections' sheet)

06/0146/FULL		Proposal:	**Forty Five sheltered apartments (31 x 1 bed & 14 x 2 bed) for the elderly with communal facilities with access, parking & landscaping at FORMER SHELL GARAGE VALE ROAD STOURPORT-ON-SEVERN**
Date Received:	10/02/2006		
Agent:	Planning Issues		
Ord. Sheet:	381225.0165947 271492.912369825		
Policy:	H.1, H.2, H.4, H.5, H.10, D.1, D.2, D.3, D.4, D.10, D.11, D.13, NR.8, NR.9, NR.11, TC.2, LA.6, TR.6, TR.9, TR.17, IMP.1, CA.1, CA.2, CA.6, HL.1, NC.2, NC.3, NC.6 (AWFDLP) CTC.5, CTC.20, D.6, D.9,IMP.1, SD.3,4,5,6 (WCSP); CF.2, CF.3, CF.4, CR.5, QE.1, QE.3, QE.5 (RPG11); PPS.1, PPG.3, PPS.3, PPS6, PPG.15, PPG17, SPG Design Quality		
Case Officer:	Julia Mellor		
Ward:	Mitton	Applicant:	Churchill Retirement Living Ltd

1. **Site Location and Description**

1.1 The application site is of an irregular shape and has an area of 0.228 Ha. It is located between Vale Road which lies to the east, the Staffordshire and Worcestershire Canal which lies to the west, the Esso Petrol Filling Station which lies to the north and the war memorial gardens which lie to the south. The site currently accommodates the St. Johns Shell Petrol Filling Station.

1.2 The application site has common boundaries with the Stourport on Severn Conservation Area (No. 2) and the Staffordshire and Worcestershire Canal Conservation Area.

1.3 The application seeks consent for a total of 45 sheltered apartments (31 x 1 bed and 14 x 2 bed) which would be accessed via a single point of access from Vale Road leading to an internal courtyard car park of 14 spaces.

1.4 The application has been submitted together with a design statement, an arboricultural report and an affordable housing report.

1.5 The submitted plans indicate the development of a single block in a 'U' shape layout with the main frontages to Vale Road, the canal and the war memorial gardens.

1.6 The development would be three storey in height reaching approximately 7.5m to eaves and 11.1m to the ridge.

1.7 The layout shows the provision of 2 sitting out areas for residents and a new stepped access to the canal towpath. A number of the existing canal side trees are proposed to be removed. However, the submitted landscaping scheme includes the provision of new tree and shrub planting.

06/0146/FULL continued

2. **Planning History** (Since 1990)

2.1 WF.438/90 – Alterations to workshop and erection of car wash : Approved 17.7.90

2.2 WF.785/93 – Garage use, service, repairs and supply and fitting of exhaust and tyres : Approved 14.12.93

2.3 WF.48/01 – Display of one wall unit (internally illuminated at night only) : Refused 12.9.01

2.4 WF.284/04 – Change of use to car sales area on part of site : Approved 18.6.04

3. **Consultations and Representations**

3.1 Stourport-on-Severn Town Council – Awaiting comments

3.2 Highway Authority – Awaiting detailed comments

3.3 Environmental Health - No objections subject to conditions

3.4 Environmental Agency – No objections subject to conditions

3.5 Disability Action Wyre Forest –
1. An access statement should be provided.
2. We are concerned that only 12 car parking spaces are included with this development. A reasonable proportion of car spaces designed to meet the needs of disabled residents or visitors should also be included. If it is intended that the nearby public car park facility will cater for some of the car parking needs of this development the safe crossing of Vale Road needs to be included within the proposals. We are also concerned that although the car parking spaces are concealed within a court yard and will as claimed be more secure, this will also mean that it will not be possible to have any indication that there are any spare spaces available on site without first entering the courtyard. In a situation where spaces are very limited this is likely to lead to a large number of unnecessary traffic movements on and off Vale Road.
3. Only one passenger lift has been provided. It is likely to receive heavy usage. Breakdown in maintenance work will cause serious difficulties with only one lift. We are also concerned that lift car size as shown is totally inadequate and minimum lift car size of 1.4m x 1.1m is required to satisfy Part M of the Building Regulations, to accommodate a wheel chair user with an accompanying person. There should also be clear manoeuvring space in front of the lift.
4. Corridor widths appear to be very tight, it is likely that when hand rails are added there will be insufficient space for wheelchair manoeuvring and for

06/0146/FULL continued

others to pass.

5. Only one disabled toilet is provided for general use and the size as shown does not satisfy the requirements of Parts M of the Building Regulations. Furthermore, where the disabled toilet is the only toilet for general use as this is then it is also recommended that it should be of greater width to accommodate a standing height wash basin in addition to that provided for wheelchair use.
6. We are disappointed that none of the apartments are indicated as being to wheelchair standards, whereas we believe that it would be quite reasonable for a development of this size, type and good accessible location to include a reasonable number of such units. In addition the apartments appear to be generally quite cramped inflexible and unlikely to be easily adapted for wheelchair use. It would seem reasonable for some information to be provided as to how the units might be adapted to the changing needs of residents including that for wheelchair use.
7. Is it intended that access to a refuse chute system will be available at first and second floor level or will residents be expected to go to the ground floor?
(Comments from the Council's Access Officer will be reported on the 'Addenda and Corrections' sheet)

3.4 British Waterways - No objections to the proposed development subject to consideration of the following comments:

British Waterways welcomes the orientation of the development towards the canal and the intention to connect the canal and towpath to the site, both visually and through a proposed access onto the canal, in order to take advantage of the canal as a sustainable transport route and as a recreational area of open space.

British Waterways would request to be consulted at the detailed design stage regarding the:

- proposed access steps to the towpath
- proposed metal railings and retaining wall
- proposed landscaping adjacent to the canal

British Waterways request this in order to assess any potential impact upon the towpath and the visual impact upon the canal corridor. British Waterways would welcome landscaping proposals which included planting to encourage wildlife, such as insects and bats along the canal corridor.

06/0146/FULL continued

British Waterways would request that the development seeks to contribute to and enhance the canal environment in this area given:

- The increase in footfall from the development provides an increase in use and as such increased maintenance costs.
- The towpath provides a sustainable transport route for walking and cycling which is to be encouraged.
- PPG 17 recognises the canal as a form of open space and as such this development should contribute to the enhancement/maintenance of such areas.
- The canal as a conservation area
- Waterside developments should seek to enhance and incorporate the waterside.
- "A Framework Document for British Waterways" DETR 1999 and "Unlocking the Potential - A New Future for British Waterways" details the Government's requirement for British Waterways to encourage the use of planning agreements as a tool to secure waterway improvements and promote more sustainable transport choices.

3.5 Forward Planning Manager - THE PRINCIPLE OF RESIDENTIAL USE: first and foremost the District Council does not have any firm proposals for the site i.e. it is not allocated for any particular use or development. However, being located within the Town Centre Inset 4 (Stourport-on-Severn) the site is subject to certain provisions within Policy TC.2.

The final paragraph of Policy TC.2 and specifically clause (i) provides the basis for considering residential development at the application site. For the avoidance of doubt, clause (ii) and (iii) do not apply at this location. The provisions of clause (i) only relate to proposals involving upper floors (above retail and business uses) and make no provision for the residential use of the ground floor which is effectively safeguarded for other uses.

Whilst some residential development within and around the town centre is encouraged through numerous policies in the Adopted Local Plan, a major consideration in the preparation of the Plan was the anticipated over provision of housing in the District. You will be aware that the District is facing an oversupply of housing compared with the Worcestershire County Structure Plan requirement for about 3,000 dwellings in the Plan period to 2011.

06/0146/FULL continued

It is of particular note that this scheme is entirely residential (including the ground floor). Policy H.2 (Residential Locations) sets out nine criteria explaining where residential development will generally be allowed. It is specifically clause (vii) of Policy H.2 that relates to sites such as the application site. The Policy effectively states that residential development will generally be allowed (subject to detailed proposals) 'within areas defined on the Proposals Map for mixed uses in accordance with either Policy E.5 or TC.2.' The final paragraph of Policy H.2 confirms that 'Residential Development outside of the locations identified above [clauses i-viii of Policy H.2] will not be permitted unless it is in accordance with Policies H.9 or GB.1'. Neither Policy H.9 nor GB.1 are applicable in this case.

It follows that any proposals for residential development involving the application site must accord with the specific provisions of Policy TC.2(I). Given that reference to residential development in Policy TC.2(i) is limited to above retail or business premises, the proposed residential use of the ground floor would be inconsistent with Policy H.2 and Policy TC.2 of the Adopted Local Plan.

AFFORDABLE HOUSING PROVISION: the delivery of affordable housing is a key issue for the District Council. Policy H.10 of the Adopted Local Plan is clear in stating that the starting point for negotiations on all housing sites (of more than 15 units or 0.5 ha) is for 30% of housing to be affordable. I note that the proposals are for 45 apartments but make no provision for affordable housing. I note that the applicants seek to justify this on the basis of the particular housing format [sheltered housing] and a number of appeal decisions. However, without delving into the specifics of each individual appeal, this approach would appear contrary to the Adopted Local Plan Policy H.10, which clearly identifies 'levels of housing need' and 'economic site constraints' as the main considerations. I understand that the applicants are trying to argue that the site is too small to accommodate affordable housing i.e. that if the 50 dwellings/ha requirements of the Local Plan were rigorously applied then the capacity of the site would be just 11 units. However, the densities of Policy H.5 are (subject to design) intended to be applied as a minimum. It seems to me, that the applicants have demonstrated how the site can accommodate enough units (i.e. 30 over the 15 threshold) to trigger the affordable housing requirements.

3.6 Conservation Officer - This site lies on the boundary of the Stourport-on-Severn #2 Conservation Area, and the Western edge of the site lies within the Staffs and Worcestershire Canal Conservation Area. Furthermore, the site is clearly seen from both Conservation Areas, and gives prominent views into both Conservation Areas, from the east (especially the car park), and the north (looking back down Vale Road). The land adjacent to the site in question, consisting of the green area/ garden to the front of the church hall, and the war memorial is recognised as being an important space within the

06/0146/FULL continued

General points to be noted about the application are that there are several important elevations that are missing from the application, namely both the north and south elevations of the western block. Whilst these are at the back of the site, due to the surrounding townscape, these elevations will still be on view, and will be clearly visible from places within the adjacent Conservation Areas. These elevations need to be submitted.

Further points are that the application seeks the approval of type materials during the life of the application. The palate of materials that are suggested take little reference to the character and appearance of the majority of the surrounding architecture, save for more modern developments that again have little in common with the built fabric of Stourport-on-Severn. The proposal for "canal-style warehouse" features, such as timber-cladded gables are only present in one other site in the vicinity – that of Parkes Quay, which has little if anything in common with the rest of Stourport. The use of concrete tiles I do not find acceptable in this location. It is my preference that natural materials, such as clay plain tiles and/or slate, should be used in this location. The use of buff bricks, whilst can be found in some elements of Stourport, I do not find acceptable. This detailing is more of an exception than the norm, and again does little to reflect the character and appearance of the local architecture.

The East elevation has obviously been designed as the principle elevation, facing out to Vale Road. I feel that the elevational treatment for the most part is good, creating a strong rhythmic element to the architecture, whilst at the same time introducing features to break up the monotony of large roofs. However, I do have considerable concern over the proposed material palate that is proposed.

The South elevation will present a dominant elevation, when viewing from Lion Hill, and the junction of Vale Road, Lion Hill and Mitton Street, and from the Lower Mitton Bridge. The most prominent element of this elevation will be the end to Vale Road. Whilst this has some interest, in the stepping-back of the 3 elements of the main façade, and the use of minimal features, including 3 small narrow windows and 3 blank windows, I feel that this will present a nearly dead elevation (or part elevation), which I feel, in view of its proximity to the Conservation Area boundary, and land that is recognised as being important space within that Area, will not be of benefit to the views out of the Conservation Area. Furthermore, the use of a flat roof for the corridor, which due to its height, will be prominent and highly visible over the height of the adjacent building (bearing in mind that this hall is only 1 to 1 ½ storey high). This type of design is not compatible with views out of the Conservation Area, and I cannot lend this element any support. Furthermore, this tower for the corridor has little in the way of architectural detail, and presents a large blank wall for the most part, save for a small narrow window at ground floor level, which will not be seen from anywhere apart from within the site itself.

06/0146/FULL continued

The flat roof of the corridor running along the Vale Road elevation can also be seen from this point, and, whilst this is minimal, still presents an alien feature that is not compatible with desired views out of the Conservation Area. Furthermore, the flat roof will be clearly visible from Lower Mitton Bridge, as will most of the western part of this building. Due to the size of the building, and the surrounding features, both natural and man-made, the building will alter the views from the 2 conservation areas, to their detriment, and in contrast to the character appraisal and synopsis of these Areas.

The West elevation will, in my opinion, have the most dramatic impact on the Canal Conservation Area. The proposed height of the building (11m high, consisting of 7.5/ 8.2 m high wall and a 4m high roof), and the proximity of the building to the canal (ranging from 5 - 6 metres) will completely alter the character of the Conservation Area at this point. The synopsis of character for this Area within the Adopted Local Plan (Appendix 7) states that there are many trees and shrubs along the canal side that add to the character of the Conservation Area. This is further strengthened by the Appraisal for Area #2, which states that there is a "harmoniously linked view from Lower Mitton Bridge looking north along the southern limit of the Staffordshire and Worcestershire Canal Conservation Area, which appears as a green corridor". Furthermore, Paragraph 4.1 of the same Appraisal states that the Staffordshire and Worcestershire Canal Conservation Area runs into the northern par t of the [Stourport-on-Severn Conservation] Area [#2], bringing a tranquil and green corridor into the vicinity and extending northwards. The removal of this soft, and for the most part self-seeded and "wild" landscaping and the replacement of this with a large wall, part of which will have a flat roof, will have a very domineering and detrimental impact on the Conservation Areas. Views from Lower Mitton Bridge along the canal will be altered dramatically, with no benefit to the Areas, and will in fact detract seriously from the character at this point, removing the green link between the Conservation Areas, the canal, and the town itself.

The North elevation will be prominent from several areas, including the car park opposite, which will afford views into and over 2 Conservation Areas, and from Vale Road. Whilst the vehicular traffic will be travelling away from this elevation, this will still be highly prominent from pedestrian traffic, and from other sites within the vicinity. The main part of this elevation, forming the gables of both the Vale Road façade and the building creating the inner courtyard, is again lacking in any reasonable detail, with only four windows, 2 of which are very narrow, and 2 large dummy windows. This will give a result of producing a near blank elevation with little character or interest. The use of a flat roof again to link these two buildings together, uses an element that is alien and is not a feature that is particularly attractive or desirable in this location.

06/0146/FULL continued

There is concern over the proposed landscaping treatment along side the Canal Conservation Area (especially noting that this element of the scheme lies within the Area itself). The proposals are for introducing a 900mm metal railing to the boundary of the site, on top of the bank. Currently there are the remnants of a sandstone wall at this location, which starts at the Black Star Public House. For the most part, along the edge of the site, this is limited to a dwarf wall, of up to about 1m high, rising towards the public house. This needs to be retained, and repaired/ reinstated, as a traditional boundary treatment between the town and the canal. Such walls are prevalent along the canal, and are a well-recognised feature of the area. The use of railings at this location does not fit in with any other development along the canal, and will not improve or enhance the Conservation Area, nor create or assist in creating any visual linkages between the site in question and its surroundings. Furthermore, the repair/ reinstatement of the canal wall needs to be done with considerable sympathy, and with knowledge of the appropriate materials (i.e. not with cement, but with a hydraulic lime mortar, and with appropriate sandstone that has been finished in an appropriate manner).

Whilst I support the principle of the scheme, and that in general terms I feel that the site will benefit from the principle of the proposals, it is my opinion that there are several elements within the scheme that need improving or altering. As a result, the scheme will produce something that will be of detriment to the surrounding townscape, and will have a detrimental impact on the adjoining two Conservation Areas, and thus is contrary to Policy CA.1 of the Adopted Local Plan, and with the guidance afforded in PPG15. I am not prepared to accept the scheme in its current state, and with the lack of detail that is required.

Recommendation:
In its current form, I strongly recommend the application for refusal, on the grounds that there is insufficient detail within the application to enable a true assessment of the proposals, due to the lack of submitted drawings, and also that there are elements within the application that I feel will not be of benefit to, or improve or enhance the adjacent Conservation Areas, including views in to and out of these Areas; I find that the application is thus contrary to PPG15 and to the Adopted Local Plan Policy (CA.1). The materials suggested within the application are also for the most part inappropriate, and need considerable rethinking.

3.7 Housing Services Manager -
1. The site is for more than 15 units and so is covered by Local Plan Policy H.10.

2. From a wider perspective the aim of government policy is to provide mixed and sustainable communities. Building 45 flats of one tenure on a single site is contrary to this, so it is reasonable and logical to incorporate mixed tenure.

06/0146/FULL continued

3. There is a significant demand in Wyre Forest and the whole of the South HMA for affordable homes for rent. Demand levels are proven and to provide 30% affordable housing is still only a minority percentage of the whole site.

4. This site is ideal for affordable sheltered housing.

5. Shared Equity Sheltered Housing would be a reasonable compromise and I see no reason why this should not be achieved.

3.8 The Ramblers' Association – Whilst footpath 584 passes to the west of the property the development would appear to have no impact upon the same; however I would ask you to remind the applicants/developer that no development should be allowed to obstruct public rights of way – either during or after development.

3.9 Inland Waterways Association (IWA) – IWA not only welcomes the development of the site but also congratulates the applicant on their research and the resultant sympathetic design. IWA therefore has no objection to the proposals and, other than drawing the Council's attention to the risks associated with the work being carried out immediately adjacent to the high canal side retaining wall located adjacent to the heavily used visitor moorings, therefore supports the application. Under the circumstances we would ask that arrangements be put in place to ensure that the tow path is fully open throughout the duration of the works and appropriate protection is put in place to protect its users and the visiting boaters who moor overnight below the site.

3.10 Severn Trent Water Ltd. – No objection subject to condition requiring details of drainage.

3.11 Arboricultural Officer – The trees on site are not afforded statutory protection by a Tree Preservation order and are not within a Conservation Area. An Arboricultural Assessment was submitted in support of the application. I concur with the general sentiments of the report and do not have any objection to the removal of the trees proposed. I have some concern that the development allows little available space to allow for suitable landscaping and particularly the lack of available tree planting. This is of main concern along the frontage and a canal side which is currently presently screened by trees.

06/0146/FULL continued

3.12 Crime Risk Manager (West Mercia Constabulary) – I recommend that the principles and guidance of the secured by design award be enforced to ensure that the recognised minimum standards of physical security and design are achieved. The award will further assist in reducing the opportunity for crime and the fear crime, creating a safer and more secure environment. Door and window standards should comply with British Standards specification for enhanced security performance. A lighting scheme controlled by dusk to dawn sensors should be designed to cover the high risk areas including all communal areas, footpaths and car parking ensuring that there is illumination through the area. Planting should be designed to not impede natural surveillance or create potential hiding places. As a general recommendation shrubs should be selected which have a mature growth height of no higher than 1m, and trees should have no foliage below 2m. This affords a 1m clear field of vision.

3.13 Worcestershire Wildlife Trust – Awaiting comments

3.14 Staffordshire and Worcestershire Canal Society – Awaiting comments

3.15 Worcestershire County Council (Education) – Awaiting comments

3.16 Neighbour/Site Notice/Advertisement – No representations received

4. Officer Comments

DETAILS OF THE PROPOSED SHELTERED SCHEME

4.1 The Agent on behalf of the applicants has advised that the provision of 45 category II sheltered apartments for the elderly are designed to meet the needs of independent retired people and would provide self contained apartments for sale. Features of the scheme include:

- A visiting lodge manager who would live in close proximity to the site
- Communal owners lounge (for coffee mornings/bridge evenings/residents meetings)
- A guest suite
- A communal laundry facility
- Emergency alarms fitted in each apartment and in communal areas
- One communal lift wide enough to accommodate a wheelchair
- Communal landscaped garden areas

06/0146/FULL continued

4.2 In addition it has been advised that the apartments are sold with a lease containing an age restriction which ensures that only people of 60 years or over, or those or over with a partner of at least 55 can live in the development. The accommodation will be managed by the Peverel Group, a company which specialises in the management of retirement developments, with approximately 1500 retirement developments throughout the United Kingdom.

4.3 The main considerations in the determination of this application are as follows:

- Proposed land use
- Proposed design
- Affordable housing
- Highways and Access
- Off site contributions

PROPOSED LAND USE

4.4 To reiterate the advice from Forward Planning, the application site is not allocated for any particular use of development within the Adopted Local Plan. It is however, located within the inset area for Stourport on Severn and therefore is subject to Policy TC.2.

4.5 The policy states that within the Town Centre inset areas residential development, will be allowed only above retail and business premises. Therefore the current scheme which proposes residential uses at ground floor is contrary to the Adopted Local Plan.

4.6 In support of the application, the Agent on behalf of the applicant advise that national planning guidance, PPS.1 and PPG.3 encourage the re-use of previously developed land for high density housing in locations with good transport links. Furthermore, they consider that the presence of a sheltered housing scheme will add to the vitality and viability of the town centre and reduce the need to travel.

4.7 Whilst it is accepted that the proposed development would indeed result in developing a brown field site in a central location, it is considered that a development solely for housing would harm the Council's aspirations for mixed use development on town centre sites, and would potentially have adverse impact on the vitality and viability of Stourport on Severn.

06/0146/FULL continued

PROPOSED DESIGN

4.8 The Agent has submitted a design statement which indicates the following:- "*Further south from Vale Road is Lion Hill where the buildings are in character with the older traditional parts of Stourport on Severn, with buildings (predominantly 3 storey) positioned close to the back of the footpath and facing the road where they help to reinforce the line of the road, provide an active frontage and provide a sense of enclosure to the street. Vale Road would benefit from this type of development providing some of the character of Stourport on Severn currently missing from Vale Road.*

Whilst the site has a 40m boundary with the canal to the west, there are currently no buildings on site which address this 'potential' frontage. New development could be designed to provide an active frontage along the canal which would act to 'police' the towpath and provide an attractive backdrop to this conservation area.

The relationship of the site to the canal provides the opportunity to provide a character for the site which relates the building to its location and provides a sense of identity to the development."

4.9 In response to the above description of the site's surroundings the Agent has advised that:

"a three storey building has been designed, positioned close to the back of footpath facing Vale Road reinforcing the line of the road, providing an active frontage and helping to provide a sense of enclosure to the street.

The building has been designed with canal warehouse features such as timber clad projections, arch window heads, regular spaced windows and exposed steelwork. This provides the building with an identity which relates the building to its canalside location.

The building has been positioned away from the southern boundary to allow a sitting out area to be provided with a south facing aspect.

The building footprint, and elevational treatment has been carefully designed to make adequate provision for the functional arrangement of the sheltered housing development, whilst taking advantage of the opportunity to provide good living conditions and an attractive amenity for its future occupants. The new building is designed to make a positive contribution to the street and wider aspect of the locality. Using appropriate massing, scale, materials and style a suitable building has been designed in a well conceived attractively landscaped setting."

06/0146/FULL continued

4.10 In response it is considered that the elevation to Vale Road is overall pleasing. Whilst the elevation is dominated by brick it is broken up with well proportioned windows, balconies at first and second floor and protruding gables. It is considered that elements of the proposed design can be seen on the warehouse building further northwards which fronts Foundry Street and also has a frontage to the canal adjacent to the pedestrian footbridge.

4.11 The remaining elevations follow the same theme, all being 3 storey in height with brick frontages broken up by windows and balconies with long rooflines.

4.12 Whilst the overall presentation would be acceptable there has however been significant objection from the Conservation Officer. In general there are objections to the missing elevations (these have been requested); poor choice of materials; and the number of variations of types of windows. There are however more specific objections which are summarised below:

South elevation (facing war memorial gardens)
- Inactive Frontage
- Undesirable flat roof, blank faced tower accommodating the proposed corridor

East elevation (facing Vale Road)
- The flat roof between the two gable ends which will be visible from the Conservation Area

West elevation (facing canal)
- Massing and height of the block and its proximity to the canal will have a domineering and detrimental impact upon the character of the Conservation Area

North elevation (towards Esso filling station)
- Lack of detail
- Undesirable use of flat roof

4.13 Whilst many issues raised by the Conservation Officer could be resolved by appropriate conditions, there are overriding matters regarding the main principles of the design which it is considered would be detrimental to the character and appearance of the adjacent Conservation Areas.

AFFORDABLE HOUSING

4.14 The scheme proposes a total of 45 units which is above the threshold for affordable housing according to Policy H.10 of the Adopted Local Plan.

06/0146/FULL continued

4.15 The provision of affordable housing therefore is a material consideration. Policy H.10 indicates that the District Council will seek the provision of up to 30% of dwellings to be affordable taking account of levels of housing need and economic constraints. Furthermore Circular 6/98 provides greater information on factors which should be considered when assessing the level of affordable housing provision. These factors being:

- Site size
- Suitability
- Economics of Provision
- The need to achieve a successful housing development

4.16 The proposed scheme offers no affordable housing provision. The justification for the lack of provision is found within the Agent's affordable housing report.

4.17 To summarise, the Agent considers that the provision of category II sheltered units will be meeting a housing need:

- It will meet the growth in the elderly population – the mid 2003 census indicated 20% of the population of Wyre Forest is of retirement age or over
- It would help reduce the demands on health and social services by occupiers living within a single site
- There is currently no supply of private category II sheltered housing in Stourport on Severn
- The Housing Strategy 2004-07 identifies as a priority maintaining the independence of older people through housing, and also identifies a major increase of 7300 people in the 65 and over age group by 2021

4.18 The Agent considers that the site is not of a sufficient size and unsuitable for affordable housing;

- It is our stand point that if a development proposal exceeds the threshold to trigger affordable housing this simply renders it suitable for consideration not necessarily suitable for provision of affordable housing.
- The threshold is only the starting point
- If conventional general needs residential development were to be provided, it would not achieve the threshold requirement for affordable housing
- The site is too small to accommodate a reasonable mix of types and sizes of houses as required by Circular 6/98

4.19 The Agent has also advised that the site is not suitable to accommodate a mix of tenures.

- It is generally accepted that it is not practically or sociably viable to mix other forms of housing within a sheltered housing block.

06/0146/FULL continued

- Even mixing affordable sheltered housing within an open market sheltered scheme is probably problematic bearing in mind the implications of communal facilities and ongoing service, maintenance and management arrangements
- There is a need to ensure that as higher number of units as possible is accommodated on site to keep service charges as low and therefore reasonable as possible.
- It is unreasonable for service charges not to be divided equally between units as it would cause resentment between residents
- To keep service charges and management issues separate, the affordable housing units would need to be separate and free standing, i.e. with separate amenity spaces, access points and parking areas. The site is not capable of accommodating a free standing affordable housing element as well as the sheltered proposal.
- No local authority has proved that a mixed tenure sheltered scheme on a small site is feasible and there are no known examples.

4.20 The Agent also considers that there would be <u>economic constraints</u>

- To require affordable housing on the site in addition to sheltered housing would reduce the sheltered housing proposal thereby making it economically unviable to residents in terms of management and service charges and, as such, render the development unsuccessful.
- There are particular additional costs associated with the development of a Category II Sheltered Housing Scheme which are not borne by other developers. About 20% of the proposed development could be classed as non-saleable floor area and of this the equivalent floor area of four apartments could be attributed to the necessary communal facilities.

4.27 Whilst the justification summarised above has been considered and substantiated by Appeal decisions, there is a contrary view which is evidenced again by support at Appeal. In contrast the Local Planning Authority considers:

- there is a need for affordable housing in the area including affordable sheltered housing;
- the proposal exceeds the threshold of Policy H.10 in paragraph 10 (i) of Circular 6/98
- the location of the site is close to the town centre and is appropriate for the inclusion of some form of affordable housing
- whilst the applicants consider that a scheme of mixed tenures would cause management difficulties and result in resentment over service charges, insufficient evidence has been submitted to demonstrate that the provision of some form of affordable housing would prejudice the provision of sheltered housing on the site (albeit that it may require an alternative

layout)

06/0146/FULL continued

HIGHWAYS AND ACCESS

4.28 The scheme proposes a single point of access off Vale Road with the provision of 14 spaces in a central courtyard area to serve the proposed 45 flats.

4.29 The proposed parking provision is one space short of the Adopted Wyre Forest District Local Plan Parking Standards of one car space per three units. However, it is not considered that a reason for refusal on parking grounds could be substantiated in light of the location of the site adjacent to the town centre, and its close proximity to Vale Road car park.

4.30 In addition, the Agent on behalf of the applicant, has found from recent research the average age of occupancy is 76 and that within six months of occupation those people who move into the development with a car have generally sold it due to lack of need and proximity to services.

OFF SITE CONTRIBUTIONS

4.31 In response to representations received during the consultation process, the applicant has been asked to consider off-site contributions towards:

- the maintenance of the Canal environment, given the potential increase in footfall from the development (requested by British Waterways)
- public realm works as part of the Stourport Pride initiative including the provision of a pedestrian crossing across Vale Road (also requested by the Highway Authority)

4.32 To date no reply has been received from the Agent acting on behalf of the applicant.

5. Conclusions and Recommendations

5.1 Whilst some elements of the scheme can be supported, there are overriding material considerations which conflict with Development Plan policy. In view of this, I recommend **REFUSAL** for the three reasons as follows:

1. The provision of residential uses at ground floor would be contrary to Policies TC.2 (i) and H.2.of the Adopted Wyre Forest District Local Plan and would conflict with the Council's aspirations for a mixed use approach for Town Centre Inset areas. To approve the development would be contrary to the above policies and the aims of Policy SD. 5 of the Worcestershire County Structure Plan, PPG3 (2000), PPS6 (2005) and Policy UR3 of the Regional Spatial Strategy (RPG11 2004)

06/0146/FULL continued

2. The number of units exceeds the threshold for the provision of affordable housing. It is considered that the applicants have failed to adequately demonstrate that a proportion of affordable units of some form could not be accommodated physically or financially on this site. Therefore to approve the proposed development would be contrary to Policy H.10 of the Adopted Wyre Forest District Local Plan, Policy D.6 of the Worcestershire Country Structure Plan, Policy CF.5 of the Regional Spatial Strategy (RPG11) and the aims of PPG3 (2000) and PPS3 (Consultation Paper 2005)

3. The site adjoins the Stourport on Severn Conservation Area (No.2) and the Staffordshire and Worcestershire Canal Conservation Area. By virtue of several detailed matters of the design of the development, but most notably the design, height and massing of the proposed west wing together with its proximity to and site level above the canal, it is considered that the proposal would be detrimental to the character and appearance of the two Conservation Areas and would detract from views out of the canal conservation area; particularly from Lower Mitton Bridge northwards along the canal corridor. It is therefore considered that the proposal is contrary to Policies D.1, D.2 CA.1 CA.6 of the Adopted Wyre Forest District Local Plan and the Staffordshire and Worcestershire Canal Conservation Area Description at Appendix 7, Policy CTC.19 of the Worcestershire County Structure Plan, advice in PPG15: Planning and the Historic Environment (1994), and Policies QE1, QE2, QE4, QE5 and QE6 of the Regional Spatial Strategy (RPG11 2004).

WYRE FOREST DISTRICT COUNCIL

PLANNING (DEVELOPMENT CONTROL) COMMITTEE
11th APRIL 2006

PART B

06/0064/RESE		Proposal:	**Erection of 14No. New dwellings with associated parking & access off Cherry Orchard at FORMER RANDLES GARAGE GEORGE STREET KIDDERMINSTER**
Date Received:	23/01/2006		
Agent:	N & J C Design Partnership		
Ord. Sheet:	383655.898950131 276442.326094319		
Policy:	H.2, H.5, D.1, D.3, D.10, D.16, TR.17, TR.9 (AWDLP)		
Case Officer:	Paul Wrigglesworth		
Ward:	Greenhill	Applicant:	Chesterman T C Ltd

Site Location and Description: This is the former garage site last known as 'Randles Garage' on the corner of George Street and Cherry Orchard. This is a reserved matters application, outline planning permission for up to 14 dwellings having been granted planning permission on 29th September 2005 (WF.932/04). The proposal involves erecting 14 units of accommodation. Ten of these front onto the George Street, 3 onto Cherry Orchard and there is 1 flat proposed above some garaging fronting the secured car parking area to the rear. Three of the dwellings are 3 bed, 10 are 2 bed and the flat is a 1 bedroom property. The development is predominantly two storey with one three storey element which helps to provide a feature close to the corner of George Street and Cherry Orchard. Access to the 17 parking spaces are by way of Cherry Orchard.

Planning History: Most relevant WF.932/04 – Outline – residential development of up to 14 dwelling and demolition of existing garage premises : Approved 29/9/05

Consultations and Representations: Highway Authority – Views awaited

Crime Risk Manager – Various comments which could improve the safety (*these could be attached as a note to any permission).*

Disability Action Wyre Forest – Should comply with building regulations and some provision for disabled parking should be included.

Neighbours/Site Notice/Advertisement – No representations received

Officer Comments: The main considerations in determining this application are design/streetscape, affect on neighbouring property and highway issues. The design of the properties have been worked out following informal discussions and the dwellings proposed should form an attractive frontage to both George Street and Cherry Orchard. The building elements of these streets are linked with a wall which should form an attractive enclosure to the amenity space and car parking to the rear. At the back of this parking area is coach house style building with a one bedroom flat over and an open garage area below which enhances the courtyard feel and improves surveillance of the car parking area. The impact on neighbouring property has been the subject of close scrutiny and further revised plans have been submitted which lower the eaves height of one of the properties closest to the mews development to the rear (on the site of the former snooker club). Alterations to the Coach House have also been made to improve the relationship with No. 3 Cherry Orchard. More detailed drawings now show that the development should make very little difference in terms of impact when compared with the previous garage buildings. The parking spaces now comply with the requirement of the Highway Authority, but no formal views have been received.

Conclusions and Recommendations: This is an attractive scheme which will enhance the neighbourhood and assist in the regeneration of this part of the town. I would recommend that **delegated APPROVAL** be given subject to no objections being received following the expiration of the neighbour consultation exercise relating to revised plans, and to the following conditions:-

1. A4 (Reserved matters only); 2. A11 (Approved plans); Notes A. SN12 (Neighbours' rights); B The conditions attached to the outline planning permission WF.932/04 are still operative; C. Attach Crime Risk Manager's report.

Reason for Approval - The proposed dwelling is considered to be well designed and will have an acceptable appearance in the street scene. 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.

06/0151/TREE		Proposal:	**Pollard sycamore at rear at 2 HUNTS RISE BEWDLEY**
Date Received:	10/02/2006		
Agent:	-		
Ord. Sheet:	379139 275315		
Policy:	D.4, NC.6 (AWFDLP)		
Case Officer:	Andrew Needham		
Ward:	Wribbenhall	Applicant:	Mr D Mander

Site Location and Description:
The tree is a mature Norway Maple, not a Sycamore (as stated in the application). It is situated adjacent the rear boundary of no. 2 Hunts Rise, adjacent the entrance to the Severn Valley Railway.

Planning History:
WF 336/00 – 'Remove or Pollard tree' - Approved to pollard not to fell.

Consultations and Representations:
Bewdley Town Council – 'Recommends Refusal'
Officer Comments: The tree is an attractive specimen, especially when in leaf. It was heavily pollarded in 2000 with the Council's approval (reference WF: 0336 / 00). Other trees in the vicinity have been pollarded over recent years and the pollarded trees enhance the areas' character.

The tree was pruned in 2000, prior to which it had not been pollarded for many years. The most recent pruning involved the removal of a large proportion of the tree's canopy and as such its ability to make and store energy. Consequently, such pruning places a great burden on the tree's ability to thrive and it is important to allow a sufficient time period between re-pollarding, to enable the tree to maintain good health. Failure to allow sufficient time period between re-pollarding may result in a trees decline or death.

I consider that insufficient time period has been allowed since the tree was pruned in 2000 to enable it to fully recover and tolerate being repollarded at this time. I note the presence of some decay at the most recent pollarding points. Its current condition is such that re-pollarding at this time may be detrimental to the tree's health. However, I accept that re-pollarding in the next 3-4 years may be suitable subject to re-assessment of the tree's condition.

I am aware that another Norway Maple tree, adjacent No. 1 Hunts Rise, was approved to be repollarded recently, (reference WF: 810 / 05). However, this tree had greater vigour than that of the tree subject to this application and was deemed able to tolerate re-pollarding.

I note the presence of several small branches from the tree, which emanate towards the access road to the Severn Valley Railway. I do not consider these to be obstructive at this time.

I note the applicant's assertion that the tree's growth is detrimental to the growth of an underlying Laurel hedge. I do not accept this assertion, in view of the fact that Laurel is a shade tolerant shrub, being a natural woodland under-storey plant. The actual Laurel hedge beneath the tree appears vigorous and to be unaffected by the tree above.

Conclusions and Recommendations: I consider the re-pollarding of the tree at this time to be unacceptable in terms of their potential to affect the amenity and health of the tree. I therefore recommend that consent to pollard the Norway Maple tree be **REFUSED** for the following reason:
1. The tree is a mature Norway Maple, not a Sycamore. It is situated adjacent the rear boundary of the property adjacent the entrance to the Severn Valley Railway. It is an attractive specimen, especially when in leaf. It is considered that insufficient time period has been allowed since the tree was pruned in 2000 to enable it to fully recover and tolerate being repollarded at this time. The tree's presence and dimensions are not considered to be detrimental to the health and vitality of the underlying Laurel hedge and not obstructive to access of the Severn Valley Railway.

06/0165/FULL		Proposal:	**Proposed external access to garage loft space at HILL POOL SCHOOL HOUSE HILLPOOL TOP KIDDERMINSTER**
Date Received:	13/02/2006		
Agent:	Simon Fletcher		
Ord. Sheet:	389435 275799		
Policy:	GB.1, GB.2, GB.6, D.1, D.3, D.5, D.17 (AWDLP) D39 (AWCSP) QE1, QE3, QE6 (RPG 11)		
Case Officer:	Stuart Allum		
Ward:	Blakedown and Chaddesley	Applicant:	Mr & Mrs Taylor

Site Location and Description: The School House is located in open Green Belt countryside, having been converted to a dwelling from the disused Victorian school following Planning Approval granted originally in 1978 and again in 1979. There are no nearby neighbours. The four car detached garage at the rear of the site, the subject of this application, was erected following a planning permission granted in 1980. This is an imposing pitched roof structure, 6.5 metres high to ridge, with a central 'lantern' feature and finial extending a further 3.5 metres beyond the ridge height. This resubmitted proposal (following refusal of WF.05/1103) is to erect a metal staircase and landing at the side of the garage to enable access to an upper floor of the building, which is to be created and utilised for purposes ancillary to the use of the dwelling (studio/office, for which planning permission is not required).

Planning History:
WF.491/78 – Change of use of disused school from education and storage to residential – Approved
WF.391/79 – Conversion of existing school into a residence – Approved
WF.243/80 – Erection of a garage and a heating chamber outhouse – Approved
WF.996/03 – Extension to study in lieu of conservatory and conversion of splay bay to square bay with french doors – Approved
WF.05/1103 – Erection of extension and external access, conversion of garage loft to artists studio for occupants – Refused

Consultations and Representations:
Chaddesley Corbett Parish Council – Inappropriate development in a Green Belt area. Architecturally disappointing.
Highway Authority – Views awaited
Site Notice – No representations received

Officer Comments: The external access staircase and associated landing have been redesigned in such a way that the original roof shape of the garage has been maintained, making this a much more 'low key' addition to the outbuilding, and minimising the visual impact upon the open Green Belt. The Parish Council's comments are noted, but this much reduced scheme, coupled with the applicants' stated need to access the upper floor or the garage for ancillary domestic use render this scheme acceptable. The design of the staircase and landing is functional, but not unattractive in this setting.

Conclusions and Recommendations: This proposal now complies with the appropriate policies. I therefore recommend **APPROVAL** subject to conditions
1. A6 (Standard time); 2. A11 (Approved plans); 3. B1 (Samples/Details of materials)
Reason for Approval
The external access is sited and designed in such a way that the openness and visual amenity of the Green Belt would not be harmed. Additionally, the development harmonises visually with the existing garage outbuilding and adjacent dwelling. For these reasons the proposal is considered to be in compliance with the policies listed above.

06/0169/ADVE		Proposal:	**Display of 1 x 48 standard hoarding panel (6m x 3m) to include floodlighting at CRAWFORDS OPTICIANS 8 OXFORD STREET KIDDERMINSTER**
Date Received:	15/02/2006		
Agent:	-		
Ord. Sheet:	383242 276530		
Policy:	AD.1, AD.2, AD.3 (AWFDLP) SD.2, CTC.19, CTC.20 (AWCSP) QE.1, QE.3, QE.5 (RPG11)		
Case Officer:	Stuart Allum		
Ward:	Greenhill	Applicant:	Beacon Outdoor Ltd

Site Location and Description: This hoarding, 6.3 metres long x 3.0 metres deep is shown to be located on the side of a flat roofed two storey retail/commercial roofed building, on the edge of the Vicar Street/Exchange Street Conservation Area and opposite the Wilkinsons service yard. The advertisement is illuminated by way of overhead floodlights, directed downwards from the top edge of the hoarding.

Planning History: None

Consultations and Representations:

Highway Authority – Views awaited

Conservation Officer - This property lies, albeit outside the Vicar St and Exchange St Conservation Area, on the edge of this Area. The elevation to which the application refers faces directly into the Conservation Area, and will be highly visible from within the Area. Furthermore, there is a Grade II Listed Building on the opposite side of the street (Barclays Bank). This building forms an important focal point within the Conservation Area, and generally within the street-scene. It is my opinion that the proposals will have a detrimental impact on views out of the Conservation Area, presenting a feature that is alien and obtrusive, and out of character with the surrounding area. As such I find that the proposals are contrary to Policy AD.2 within the Adopted Local Plan. Furthermore, I find that the proposals will harm the setting of the Listed Building, and will have a detrimental impact on this setting, by virtue of the same arguments as with regards to the impact on the Conservation Area. I therefore find this proposal also contrary to Policy AD.2 of the Adopted Local Plan (2004). I am unable to support this application in any form whatsoever. Strongly recommend for refusal on the grounds of detriment to the views out of the Vicar Street and Exchange Street Conservation Area, and to the setting of the Listed Building at 66 Oxford Street.

Neighbours/Site Notice – No representations received

Officer Comments: Policy AD.3 of the Adopted Local Plan is specific in its definition of the circumstances where advertisement hoardings may be acceptable, ie around vacant plots, development plots or 'long term eyesores'. None of these apply to this application, which also raises significant conservation and built heritage concerns, as highlighted by the Conservation Officer.

Conclusions and Recommendations: The size, height, location and illumination of this advertisement is unsympathetic to the visual amenity of a wide and open area, and visually overwhelming in relation to the size and scale of the building upon which it is shown to be placed. Additionally, built heritage and conservation interests would be significantly harmed by the proposal.

In view of the above I therefore recommend **REFUSAL** for the following reasons:-

1. The display of the hoarding, by reason of its size, height, location and illumination, would represent an alien and obtrusive feature in the street scene, conspicuous across a wide area of townscape, to the detriment of visual amenity. Such a display would be contrary to the aims of policies AD.1, AD.2 and AD.3 of the AWFDLP, and policy QE3 of RPG11.
2. The proposed hoarding, by reason of its size, height, location and illumination would visually overwhelm the scale and form of the building upon which it is shown to be displayed, contrary to the aims of Policies AD.1, AD.2 and AD.3 of the AWFDLP
3. The display of the illuminated hoarding would have a detrimental impact on the character/appearance of the Vicar Street/Exchange Street conservation area by adversely affecting views out of this designated area towards the hoarding site. The setting of a Grade II Listed Building (Barclays Bank, 66 Oxford Street) would also be harmed by the proposal. This is contrary to policies AD.1, AD.2 and AD.3 of the Adopted Wyre Forest District Local Plan; policies CTC.19 and CTC.20 of the AWCSP and policies QE1, QE3 and QE5 of RPG11.

06/0186/FULL		Proposal:	**Two storey side & rear extensions with balcony to front at GLENCOE TRIMPLEY LANE BEWDLEY**
Date Received:	16/02/2006		
Agent:	Engineering and Building Design		
Ord. Sheet:	379781 276139		
Policy:	D.1, D.3, D.17 (AWFDLP)		
Case Officer:	Claire Bishop		
Ward:	Wribbenhall	Applicant:	Mr R Leach

Site Location and Description: The application site relates to a modern detached dwelling, Glencoe, located on the eastern side of Trimpley Lane directly opposite the junction with Anton Close. The application seeks permission for two storey side and rear extensions.
Planning History: WF.489/05 – Two storey side and rear extensions and balcony to front: Withdrawn
Consultations and Representations:
Bewdley Town Council – Recommend Refusal as the proposal is not in keeping with the required design.
Highways Authority – Views awaited
Neighbour/Site Notice – No representations received
Officer Comments: Policy D.17 of the Local Plan states that extensions to residential properties must be in scale and in keeping with the form of the original building and be subservient to and not overwhelm the original building. This policy also states that unless it can be demonstrated that there is no alternative, the development of flat roofed extensions will not be allowed. It would appear that apart from the single storey flat roof garage to the side and single storey lean-to to the rear the dwelling is in its original form. This scheme is a re-submission to an earlier application that was withdrawn following concerns that the proposed extensions would be unacceptably bulky, would not be subservient to the main dwelling and that they would adversely effect the amenities of a neighbouring property. The revisions include omitting the extension to the existing rear gable at first floor level and increasing the width of the proposed garage at single storey level.
Although it is no longer intended to extend the existing gable at first floor level, this revision is minor relative to the overall scheme, and it is considered that the remaining two storey and single storey rear and side extensions would still be unacceptably bulky and overwhelm the original building. Furthermore, it is proposed to increase the size of the proposed garage which has been poorly designed and would create an unacceptable flat roof extension to the side. This would have an awkward relationship with the resulting building. Insufficient information has also been submitted regarding the potential impact on the amenities of no. 4 Trimpley Lane.
Conclusions and Recommendations: For the reasons, and in consideration of Articles 1 & 8 of the Human Rights Act 1998, above I recommend the application be **REFUSED** for the following reasons:

1. The proposed extensions, by virtue of their scale, massing and design, would not be subservient to the original building and would be overwhelming. Furthermore, the proposed extension would not be in character with the existing dwelling or surrounding area. The proposed development would therefore be contrary to Policies D.1, D.3 and D.17 of the adopted Wyre Forest District Local Plan and the Adopted Design Quality SPG.
2. Insufficient information has been submitted with the application to enable the Local Planning Authority to adequately assess the impact of the proposed extensions on the amenities of the neighbouring property no. 4 Trimpley Lane. The applicant has therefore failed to demonstrate that the proposal will meet the requirements of Policy D.17(iv) of the Adopted Wyre Forest District Local Plan.

06/0199/FULL		Proposal:	**Extensions to existing and change of use to provide 4no. one-bed flats and 3no. B1 units at ground floor; new wall and gates to rear at THE TOLL HOUSE BRIDGE STREET STOURPORT-ON-SEVERN**
Date Received:	20/02/2006		
Agent:	Terry Preece		
Ord. Sheet:	380759 270957		
Policy:	TC.2, CA.1, D.1, D.3, NR. 5, NR.11, H.2, TR.9, TR.17 (AWFDLP)		
Case Officer:	Julia Mellor		
Ward:	Areley Kings	Applicant:	J G & M M Thompson

Site Location and Description: The application site accommodates the existing Toll House building which has recently been partially demolished, the associated court yard to the year and the open car park which is accessed off Harold Davies Drive. The site borders Stourport on Severn Conservation Area (No. 1). The Toll House was previously in use for light industrial uses and as a Doctors surgery. The application seeks consent for extensions and to convert the existing building to provide a total of 3 x B1 industrial units at lower ground floor with a total of 4 x 1 bedroom flats at ground and first floor. Parking would be provided within the separate car park. Revised plans indicate the provision of removable flood boards to the rear courtyard as the site lies within Flood Zone 2.

Planning History: WF.1118/03 – Single and two storey extension to the existing toll house and change of use to 3 x 1 bedroom flats and 3 B1 units at ground floor; new three storey block with B1(a) office use at ground floor and 2 x 1 bed flats above – Approved 13.1.04

Consultations and Representations: Stourport-on-Severn Town Council – Awaiting comments
Highway Authority – Awaiting comments
Drainage Officer – The provision of flood proofing measures are acceptable, it is also recommenced that the applicant incorporates further measles into the design and construction of the development.
British Waterways – No objections
Severn Trent Water –Awaiting comments
Stourport Civic Society – Awaiting comments
Environmental Health Section – No adverse comments
Forward Planning Section – Awaiting comments
Conservation Officer – The building is identified as being of local interest and included on the draft local list. It is sited adjacent the Grade II Listed bridge. The proposals seek to replicate the design of the original building. No objections subject to conditions.
Disability Action Wyre Forest – Offices at ground floor are accessible but not the flats at first floor.

Officer Comments: The principle of the development has been approved previously in January 2004. The site is allocated in the Adopted Local Plan under Policy TC.2 which allows B1(a) (office) with residential above. Whilst the current proposal does not strictly comply with the policy at lower ground floor it is considered that in the light of the previous industrial occupiers on site and the extant planning permission the proposed use is acceptable. The proposed amendments to the current scheme, in contrast with the previous, comprised the provision of 4 flats with reduced extensions at ground and lower floor to provide better access and turning for vehicles to enter the adjacent boat yard. The proposed extensions have been sympathetically designed to ensure that the front elevation to Bridge Street mirrors the existing building on site. It is considered that the potential impact upon the occupiers of Bridge Cottage will not differ significantly from the existing situation.

Conclusions and Recommendations: The proposed uses are considered acceptable and the proposed design of the extensions is appropriate on the site adjacent the conservation area and the listed bridge. I therefore recommend **APPROVAL** subject to the following conditions:
1. A6 (Full with No Reserved Matters); 2. A11 (Approved Plans); 3. B1 (Samples/Details of Materials); 4. B2 (Sample brick panel); 5. B11 (Details of enclosure); 6. B9 (Levels in accordance with plans); 7. C6 (Landscaping – small scheme); 8. C8 (Landscape implementation); 9. E.2 (Foul and Surface Water); 10. H13 (Access, Turning and Parking); 11. Toll House B1 only; 12. Noise impact assessment
Reason for Approval – The proposed use of the Toll House is considered acceptable whilst the proposed extensions are sympathetic to the original building and would approve its appearance adjacent to the Conservation Area and Grade II Listed Bridge.

06/0200/TREE		Proposal:	**Fell & remove: 6 Lawson cypress, 1 sycamore, 1 yew & 3 holly at 4 GERLENSTA COURT GREY GREEN LANE BEWDLEY**
Date Received:	21/02/2006		
Agent:	Luce & Son		
Ord. Sheet:	379108 275671		
Policy:	D.4, NC.6 (AWFDLP)		
Case Officer:	Andrew Needham		
Ward:	Wribbenhall	Applicant:	Mrs Anderson

Site Location and Description: The trees subject to this application are situated within a group to the north of the site, currently under construction, 'Gerlensta Court'. The trees were considered in the planning application for the site and protected prior to construction. A number of trees were removed as part of the approved development scheme and replacement trees planted. The group of trees is considered to provide amenity when viewed form Grey Green Lane and is important in providing screening between the newly created properties and those third party properties to the north.

Planning History: WF662/03 – Removal of 7no. trees and pruning of others - Approved
WF1087/03 – Removal of 22no. trees - Approved

Consultations and Representations: Bewdley Town Council – Recommend refusal for the felling and removal of all the trees indicated in this proposal and fully supports the recommendations of the town Tree Warden in this regard.

Tree Warden – Objection received regarding felling.

Neighbour – Objections to the felling from nine nearby residents and the developer of the site a summary of the objections are as follows: The trees provide have historical significance, amenity, wildlife habitat and screening and their removal would adversely affect the amenity of the locality and the screening potential; The recent planning permission was granted subject to the retention of the nearby group of trees; The purchasers of the property should be aware that the trees' where protected prior to buying the property; The removal of the trees would be contrary to the Council's Agenda 21 initiative regarding its sustainability strategy.

Officer Comments: The reasons given to justify the proposed tree felling are to allow more light to the ground beneath to allow further landscaping and to improve the growing conditions of retained trees.

The trees are indicated on the attached plan:

I accept that removal of the Lawson Cypresses C1, C4 and C5 would not significantly reduce the screening between the properties and would indeed improve the growing conditions of the Spruce and Beech, in close proximity. However, I do not consider that the proposed removal of the other trees namely Cypress trees C2, C3 and C6, Holly trees H1, H2 and H3 and Yew Y1) to be acceptable, in view of the reduced screening this would create. I would accept that some minor formative pruning of the Holly H1 would improve the shape of the Holly and this would not affect the screening it provides or its amenity value. I do not consider removal of the trees proposed to be justified on the grounds of increasing light to aid landscaping. The constraints of this area are dictated by the protected trees, therefore only landscaping using shade tolerant species would be suitable.

Conclusions and Recommendations: In view of the above, I recommend that consent to remove the Lawson Cypress trees C2, C3 & C6, the Holly trees H1, H2 & H3, and the Yew Y1 (indicated on the attached plan) be **REFUSED** for the following reason:-

1. Removal of the trees proposed is not considered to be justified on the grounds of increasing light to aid landscaping. The constraints of this area are dictated by the protected trees, therefore only landscaping using shade tolerant species would be suitable. Removal of the trees indicated above would reduce the screening and amenity that the trees provide and that the felling of trees C1, C4 & C5 and the pruning of Holly H1, be ***APPROVED*** *subject to the following conditions:*

1. TPO1 - Non-standard Condition '2 year restriction of Consent Notice'; 2. TPO1 - Non-standard – Arboricultural Watching Brief; 3. C17 - TPO Schedule of Works

06/0204/FULL AND 06/0205/LIST		Proposal:	**Alterations to ground floor salons & erection of screen wall at BROUGHTON COTTAGE THE VILLAGE CHADDESLEY CORBETT KIDDERMINSTER**
Date Received:	20/02/2006		
Agent:	Brian Plant		
Ord. Sheet:	389268 273707		
Policy:	D.1, D.3, LB.1, LB.2, LB.3, LB.5, CA.1 (AWDLP)		
Case Officer:	Paul Wrigglesworth		
Ward:	Blakedown and Chaddesley	Applicant:	Mr & Mrs R Flynn

Site Location and Description: This is a timber framed Grade II Listed Building located in the centre of Chaddesley Corbett. This report relates to applications for planning permission and listed building consent. It is proposed to remove modern partitions to open up the hairdressing salon and expose more of the original oak framework. The rear of the building is a more recently built two storey wing where it is proposed to remove a ground floor window and door and replace these with a disabled access/fire exit, a pair of 'French windows' and a further fire exit to the staff room. The height of the dwarf wall in front of this wing and flanking Fishers Lane is to be increased to a height of 1.7m.
Planning History: None relevant
Consultations and Representations:
Chaddesley Corbett Parish Council – "Suggest a site visit and report from the Conservation Officer prior to a decision on this application, which should then be referred back to the Parish Council. The Parish Council is not qualified to comment on this application for a listed building in the conservation area without such a report."
Highway Authority – Views awaited
Conservation Officer – See below
Neighbours/Site Notice – No representations received
Officer Comments: As this is a Grade II Listed building and located within a Conservation Area the views of the Conservation Officer have been sought. He has commented that: *"with regards to the internal alterations in the proposals, the elements to the rear are within a modern extension, and they are of no historic architectural interest or importance, and as such I have no objections over these. The internal alterations proposed for the front element of the building are modern interventions, albeit replicating the historic floor plan of the building, constructed in modern oak, with modern partitions. The proposals indicate the retention of the oak beams. I have no objections over these proposals."* I would concur with these views. The Conservation Officer also states that whilst he has no objection to the French windows per se, he would prefer them to line up with the windows situated above. This he feels would help to tidy up the elevation and present clear visual lines throughout this elevation. He has no objection to the wall provided that it is completed with either blue bullnose or half round coping. Finally, the Conservation Officer has requested a justification for a silicon damp proof course and a methodology statement for the treatment of the beams. Further to the Conservation Officer's report, the agent has submitted a schedule of the proposed alterations and has confirmed that new steel beams will be in the newer part of the building and that the wall will be finished with the appropriate form of coping. The agent has however stated that a variation in the position of the external doors would mean increasing the size of the staff room and reducing the salon which would not be practical for the applicant. The views of the Conservation Officer with regards to this will be made known on the update sheet prior to Committee. As requested the Parish Council have been informed of the Conservation Officer's comments and their views are awaited. The development has little impact on the residential amenity of residential property on the opposite side of Fishers Lane.
Conclusions and Recommendations: Provided that the Conservation Officer is satisfied with the latest information provided by the agent I would recommend **delegated APPROVAL** of planning permission and listed building consent subject to the following conditions:-
1. A6 (Full with No Reserved Matters)/ A7 (Listed Building/Conservation Area Consent); 2. A11 (Approved plans); 3. External samples; 4. Development to be carried out strictly as described in the methodology statement. 5. Details of coping arrangement for the wall to be submitted.
Reason for Approval - The proposed alterations are considered to be of a design that would complement the Conservation Area and the adjacent Listed Building. The effects of the development on neighbouring property has been carefully assessed and it is considered that there will be no undue loss of amenity. The proposal is thus in accordance with the policies listed above.

06/0209/FULL		Proposal:	**Erection of ground floor extension to the rear at 60 SANTA MARIA WAY STOURPORT-ON-SEVERN**
Date Received:	21/02/2006		
Agent:	Harvey Stevens		
Ord. Sheet:	381639 270981		
Policy:	D.1, D.3, D.17 (AWFDLP)		
Case Officer:	Sally Withers		
Ward:	Mitton	Applicant:	Mr G Wood

Site Location and Description:
No 60 Santa Maria Way is a detached house located off the Worcester Road, Stourport on Severn. The application seeks consent for a single storey extension to the rear elevation, measuring 4m x 3.5m.

Planning History:
None

Consultations and Representations:
Stourport-on-Severn Town Council - Awaiting comments
Neighbour - Two letters received from same objectors on the grounds of " diminished or loss of natural daylight to our main living room area and potential disturbance to service and foul water drainage ..our window is very close to the existing fence which will be taken down & the extension built from the corner of the house down the fence line by some 3.6m. Its very size and solidity would most certainly have an impact on the natural light to our main living area "

Officer Comments: The proposed conservatory would be the first extension to the original dwelling and is considered to be subservient and in keeping with the original property. A revised plan has been received moving it 600m away from the boundary to avoid any overhanging issues and to demonstrate that it complies with the Councils 45 degree code. Further to another site visit, I am of the view that the proposed extension would not have a significant adverse effect on the amenity of the neighbouring property.

Drainage matters are not a material planning consideration and would be dealt with under the Building Regulations.

Conclusions and Recommendations: In view of the above and in consideration of Articles 1 & 8 of the Human Rights Act 1998 it is my view that the proposal meets the criteria of the relevant policies I therefore recommend **delegated** authority to **APPROVE** the application subject to no new planning objections being received during the re-consultation period and subject to the following conditions :
1.A6 (Full with No Reserved Matters); 2.A11 (Approved Plans); 3.B3 (Finishing materials to match); Note SN12 (Neighbours' rights)

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 the policies listed above.

06/0210/OUTL		Proposal:	**Residential development following demolition of builders yard buildings (means of access only to be determined) at 2A HOLMAN STREET KIDDERMINSTER**
Date Received:	21/02/2006		
Agent:	Simon Fletcher		
Ord. Sheet:	382341 276063		
Policy:	H2, D1, D3, D10, D13. NR2, NR7, NR8, NR9, TR9, TR17 (AWFDLP)		
Case Officer:	Paul Round		
Ward:	Sutton Park	Applicant:	Mr D Gwilliam

Site Location and Description: The site comprises the builders yard of Gwilliam Building Contractors located on Holman Street close to the crossroad with Franchise Street. The application is submitted in outline with access only to be determined at this stage and seeks consent for residential development on the site.
Planning History: KR.291/57 – Use of garden for storage of building materials : Refused
WF.770/83 – Rebuilding of existing builders Yard buildings : Approved
Consultations and Representations: Highway Authority - Views Awaited
Environment Agency – No objection subject to conditions
Environmental Health – No objection subject to conditions
Severn Trent Water Ltd. – No objection subject to condition
Neighbour – one letter of objection received raising the following points - 1. Do not want windows overlooking our garden would result in loss of privacy. 2. Loss of wall 3. Domination and loss of light to rear garden 4. Parking is restricted at present where will additional vehicles park?
Officer Comments: This application has been submitted to gauge the acceptability of the principle of residential development on the site and the access arrangements. No numbers of dwellings have been provided, although an illustrative plan has been submitted to show how two dwellings can be accommodated on the site. The site is allocated for residential purposes within the Local Plan and is considered to constitute previously developed land. As such the principle of residential development on the site is acceptable. Notwithstanding the illustrative plan, such details including siting, design and landscaping will be reserved for future consideration. I feel that the site is suitable for residential development and I am confident that a scheme can be designed that will be compatible with the area and not prejudice the amenities of residents. The boundaries with residential properties in Franchise Street will be maintained with the existing wall or a new wall constructed. Matters of overlooking and domination are difficult to assess on this outline application as they will be dealt with at a subsequent reserved matters stage, however I do feel that a residential scheme can be designed to fit the site without resulting in a significant loss of privacy or amenity. Overall the scheme from a planning perspective is acceptable in this outline form and complies with local plan policy. Parking and access issues are being considered by the Highway Authority, their comments have not been received at the time of writing.
Conclusions and Recommendations: I therefore recommend **delegated APPROVAL** subject to no objections from the Highway Authority and subject to the following conditions:- 1. A1 (Standard outline); 2. A2 (Standard outline – reserved matters); 3. A3 (Submission of reserved matters); 4. A5 (Scope of outline permission); 5. A11 (Approved plans); 6. B1 (Samples/details of materials); 7. B12 (Erection of fences/walls); 8. B13 (Levels details); 9. J9 (Open plan frontages); 10. J8 (No further windows); 11. F5 (Construction site noise/vibration);12. E2 (Foul and surface water); 13. Environment Agency; 13. Highway Authority
Reason for Approval The site is allocated for residential purposes within the Local Plan and constitutes previously developed land. It is felt that a residential scheme could be designed to be compatible to the area and not prejudice the amenities of existing residential properties. For these reasons the proposal complies with the policies listed ab ove.

06/0213/FULL		Proposal:	**Two storey extension to side & rear at 10 MOOR HALL DRIVE STOURPORT-ON-SEVERN**
Date Received:	22/02/2006		
Agent:	Andrew Plank		
Ord. Sheet:	380644 271583		
Policy:	D.1,D.3,D.17,TR.17 (AWFDLP)		
Case Officer:	Stuart Allum		
Ward:	Mitton	Applicant:	Mr & Mrs T Ruff

Site Location and Description: No. 10 Moorhall Drive is a detached dwelling located in a residential area to the west of Stourport on Severn town centre. The property has been previously altered to the rear, by way of a flat roofed ground floor extension. The proposal on this occasion is to erect 'wrap around' two storey extensions to the side and rear of the dwelling, subsuming and replacing the existing extension.

Planning History: 06/0100/TREE – Remove four lowest branches of Tree of Heaven : Approved

Consultations and Representations:
Stourport-on-Severn Town Council – Views awaited
Highway Authority – Views awaited
Arboricultural Officer – No objections
Neighbour : one letter of objection received (subsequently withdrawn)

Officer Comments: The size and scale of the proposed extensions, relative to the original building and the appearance of the street scene, are considered to be acceptable. However, the relationship of the two storey rear extension to a side facing kitchen window of a neighbouring property does raise concern. This kitchen, a principal habitable room, is lit by the principal side facing window and a smaller window to the rear elevation. There is no doubt that the proposed extension fails the 45 degree code in relation to day light, relative to the neighbour's side window. Having thoroughly investigated the situation on site, I feel that the presence and effect of the subsidiary rear elevation light source is not significant enough to allow a more flexible application of the 45 degree code.

Conclusions and Recommendations: The proposal fails to meet the criteria of the 45 degree code and, as such, will have an adverse impact on the neighbour (No. 8). I therefore recommend **REFUSAL** for the following reason, and in consideration of Articles 1 and 8 of the Human Rights Act, 1998:
1. The proposed extension, by virtue of siting and design, would create a serious adverse effect upon the residential amenity of the neighbouring property to the north of the application site, by restricting daylight to a ground floor kitchen window, the principal source of light to a principal habitable room. This is contrary to the 45 degree Code within the reasoned justification to Policy D.17 of the Adopted Wyre Forest District Local Plan.

06/0221/FULL		Proposal:	**Change of use of amenity (parking) land to use of part for erection of domestic garage at 21 LIONFIELDS ROAD COOKLEY KIDDERMINSTER**
Date Received:	23/02/2006		
Agent:			
Ord. Sheet:	384569 280050		
Policy:	H.2, D.1, D.3, D.17, TR.9, TR.17 (AWFDLP)		
Case Officer:	Claire Bishop		
Ward:	Cookley	Applicant:	Mr P Cresswell

Site Location and Description: No. 21 Lionfields Road is a terraced property located within a modern residential development on the corner of Lionfields Road at the junction with Beeston Road. The application seeks permission for a detached garage within the shared car parking area to the rear of the property, which would also constitute a change of use of the land. The garage would be constructed from brick and would be 5.72m in length and 3.02m in depth, with a ridge height of 2.6m.
Planning History: WF.224/81 Residential development – Approved; 05/1235/FULL Change of use of amenity (parking) land to use of part for erection of domestic garage – Withdrawn
Consultations and Representations: Wolverley and Cookley Parish Council – Views awaited
Highway Authority – Views awaited. Wyre Forest Community Housing – Views awaited
Neighbour/Site Notice : three letters received (one with two signatures from different addresses) raising the following objections - In the application the land to be used has been said to be parking land but it is in fact a shared common entrance which is owned and should be shared by all 7 residents who have the use of the car park; garage would take up more than one third of the common entrance; would be in breach of property deeds that state that no structure is to be built on the shared car park; a building would greatly restrict access to an already full parking area and will cause major congestion when turning and reversing; if allowed the garage would inhibit and restrict the use of space for both 23 and 25 Lionfields Road; if garage erected it would deny residents access to designated car parking spaces and restrict turning; applicant may be in breach of the restrictive covenants and it may be necessary to for an injunction to enforce the covenants; from certain angles the proposed garage would certainly be an eye-sore in a rural setting;
Officer Comments: This application is a re-submission of an earlier planning application that was withdrawn to enable the applicant to ensure the ownership certificates were served on the relevant parties. Policies D.1 and D.17 of the Adopted Wyre Forest District Local Plan state that new development must be designed and sited to complement and respect any adjacent development; and must harmonise with the existing landscape and not create incongruous features. The proposed garage would be sited to the rear of no. 21 Lionfields Road within a shared car parking area within the applicants ownership. As the land is outside the curtilage of the dwelling, the proposal would also constitute a change of use of the land which it would be sited on. The garage would be set well back from the public highway and would largely be screened from public view by existing planting. The existing piece of land does not afford any public amenity value and therefore no objections are raised to the principle of the development. The garage would be sited at least 16 metres from the dwellings on Lionfields Road and 3 metres from the nearest property on Beeston Road. By virtue of the buildings height and position there would be no adverse impact on the amenities of the nearby residential properties. With regards to any impact on highway safety, the Highway Authority's views are awaited although no objections were raised to the previous application. The garage would be sited 18 metres from the public highway and although the building would be within a shared area that provides 7 off-road car parking spaces for the 8 terraced properties (no. 19 has an off-road space to the front of the property) it would not encroach on any of the allocated car parking spaces as originally approved. It is considered that there would be sufficient space for manoeuvring a car in and out of the garage building without impinging on the allocated spaces or their manoeuvring. The remaining objections are third party issues which are not material planning considerations.
Conclusions and Recommendations: In view of the above it is considered that the proposal meets the criteria of the relevant policies. In consideration of Articles 1 and 8 of the Human Rights Act 1998, I recommend the application be **APPROVED** subject to the following conditions:
1. A6 (Full with No Reserved Matters); 2. A11 (Approved Plans); 3. B1 (Samples of Materials); Note (Neighbours' rights)
Reason for Approval – The development complies with the land use requirements as laid out in Policy H.2. The proposed outbuilding is considered to be of an appropriate size and design. The impact of the garage building upon neighbouring properties has been carefully assessed and it is considered that there will be no undue impact upon their amenity. The development will not have an adverse highway impact. For these reasons the proposal is considered to be in accordance with the policies listed above.

06/0223/FULL		Proposal:	**New agricultural building for storage of straw, hay & agricultural machinery at WOODLANDS FARM CLATTERCUT LANE CHADDESLEY CORBETT KIDDERMINSTER**
Date Received:	23/02/2006		
Agent:			
Ord. Sheet:	389919.0331894 272536.837185674		
Policy:	GB.1,GB.2,GB.6,AG.4, TR.9 (AWFDLP); D.39 (WCSP); QE.1,QE.6 (RPG11)		
Case Officer:	Stuart Allum		
Ward:	Blakedown and Chaddesley	Applicant:	W H Meredith & Son

Site Location and Description: This farm is located at the junction of Clattercut Lane with the Bromsgrove/Kidderminster Road (A448). It is proposed to erect an additional building on the south side of an existing cattle shed situated close to Clattercut Lane. The proposed building is shown to be 30.5 metres long x 12.1 metres wide x 6 metres high to ridge. The sides are to be concrete panelled from ground level to the mid point, and thereafter Yorkshire boarded to the eaves level. The roof is specified as grey corrugated fibre cement.
Planning History: WF.7/03 – Erection of agricultural building : Approved
06/0080/FULL – Erection of agricultural building to be used for the storage of straw and material : Withdrawn
Consultations and Representations:
Chaddesley Corbett Parish Council – Views awaited
Highways Agency - Views awaited
Neighbour/Site Notice – No representations received
Officer Comments: Agricultural buildings are regarded as appropriate development in the Green Belt if there is a clear need for them. Policy AG.4 also emphasises that buildings should be sited adjacent to existing farm buildings, be designed to minimise any detrimental effects on nearby dwellings, be complementary to the style of adjacent buildings, and be constructed from appropriate materials. This application is accompanied by a needs assessment which points out that most of the hay and straw needed for cattle and sheep winter feed has to be stored outside at present, with consequent deterioration and wastage. The farm produces 600-700 straw bales (2.44m x 1.07m) and 200-300 bales of hay (2.44m x 1.07m) annually. At harvest time it is estimated that the whole shed could be full of hay and straw. This would obviously reduce during the winter months as it is fed to sheep and cattle. Farm machinery, such as three tractors, drills, fertiliser spreaders and various cultivation machines would then be stored under cover, as space becomes available. The building itself will be located adjacent to the existing farm buildings and will not, in my view, adversely affect neighbouring property. The building would be set at a lower level than that adjacent (to be controlled by condition) and is clearly designed for the purposes of agriculture. A substantial existing hedgerow will screen the proposed building from Clattercut Lane. However, the building will be more prominent from the same Lane at a greater distance when travelling northwards. A tree planting scheme is therefore recommended in order to soften its impact when viewed from this aspect.
Conclusions and Recommendations: Sufficient information has been provided to justify the need for this building in the Green Belt. I therefore recommend **APPROVAL** subject to the following conditions:
1. A6 (Full with no reserved matters); 2. A11 Approved plans); 3. B1 (Samples/details of materials); 4. Landscaping; 5. Agricultural use only; 6. Levels
Reason for Approval The applicant has justified the need for the agricultural building, on the basis of storage for winter animal feed and the storage of farm machinery. As such, this is considered to be appropriate development in the Green Belt. The design and siting of the building is acceptable, along with its impact upon nearby dwellings. For these reasons the proposal is considered to be in accordance with the policies listed above.

06/0225/OUTL		Proposal:	**Erection of a pair of semi-detached dwellings with associated driveways & access from Hume Street (siting & access to be determined) at LAND TO REAR 14 FRANCHISE STREET & 38 HUME STREET KIDDERMINSTER**
Date Received:	23/02/2006		
Agent:	Michael Baynton		
Ord. Sheet:	382397 276179		
Policy:	H2, H5, H6, D1, D3, D4, D10, TR9, TR17(AWFDLP)		
Case Officer:	Paul Round		
Ward:	Sutton Park	Applicant:	Mr & Mrs Lewis

Site Location and Description: The site fronts onto Hume Street and includes part of the garden areas of 14 Franchise Street and 38 Hume Street. The front part of the site is overgrown and is enclosed by large conifer style trees. The proposal is submitted in outline (with siting and access to be determined at this stage) and seeks consent for a pair of semi-detached properties on the site, with access off Hume Street. The site is washed over by the residential allocation.
Planning History: WF.590/05 – Three houses and detached garage : Refused : Appeal Dismissed
Consultations and Representations: Highway Authority – Views awaited
Severn Trent Water Ltd. – No objection subject to condition
Neighbour : seven letters of objection received raising the following issues – Increased traffic on an already congested road – increase in on-street car parking – Loss of trees (trees have already been removed prior to previous submission) – invasion of privacy, direct overlooking and domination of properties and gardens– oversupply of car parking without looking for other means of transport – pollution from close proximity of cars to garden – devaluation of properties
Officer Comments: As Members will see from the Planning History above, this site has been the subject of a recent appeal that was dismissed in February. The Inspector concluded that the site constituted previously developed land and that it could be developed for residential purposes without prejudicing the amenities of the area. However he felt that the previous proposal for three dwellings would look out of place and would dominate the garden areas of properties in Franchise Street. This proposal is submitted in response to this decision. The outline proposal now shows the siting of a pair of semi-detached properties centrally located and set in from the boundary by 2.5m. The style of property proposed fits well with the character of the area and I am confident that the submission of reserved matters in terms of design will result in a development that will compliment its surroundings. The siting of the dwellings considerably reduces the impact on adjoining gardens from the previous proposal and as such I do not feel that significant harm will be caused by the construction of these dwellings. The access and parking provision was not raised as an issue by the previous refusal nor the Inspector. The scheme allows sufficient access and parking facilities for residents and visitors and is considered to be acceptable, although formal comments from the Highway Authority are awaited. The driveway and parking areas are shown to be attractively landscaped, which would lessen the impact of hardsurfacing on the streetscene. Matters of overlooking and privacy are difficult to judge at this stage as there are no details of window positions or room layouts, however, I feel that with careful consideration, the development can be implemented without resulting in significant overlooking into neighbouring properties or gardens. In light of the Inspector's decision and the prevailing local plan policies I consider that the proposal is now acceptable.
Conclusions and Recommendations: I therefore recommend **APPROVAL** subject to the following conditions:
1. A1 (Standard outline); 2. A2 (Standard outline – reserved matters); 3. A3 (Submission of reserved matters); 4. A5 (Scope of Outline Permission); 6. A11 (Approved plans); 7. B1 (Samples/details of materials); 8. B11 (Details of enclosure); 9. B13 (Levels details); 10. J1 (Removal of permitted development – residential); 11. J8 (No further windows); 12. J9 (Open plan frontages); 13. C6 (Landscaping – small scheme); 14. C8 (Landscape implementation); 15. E2 (Foul and surface water); 16. F5 (Construction site noise/vibration); 17. Highway; Notes – A SN1 (Removal of permitted development rights); B. SN12 (Neighbours' rights); C. Highway
Reason for Approval The proposed dwellings are 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 dwellings 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

06/0226/FULL		Proposal:	**Construction of 2 detached houses (variation to approval WF05/974) at 17 ARELEY COMMON STOURPORT-ON-SEVERN**
Date Received:	23/02/2006		
Agent:	Central Building Design		
Ord. Sheet:	380232 270281		
Policy:	H.2, D.1, D.3, D.4, D.10, D.13, TR.9, TR.17, NC.4		
Case Officer:	Julia Mellor		
Ward:	Areley Kings	Applicant:	L J Developments (Midlands) Ltd

Site Location and Description: This rectangular shaped site has a frontage to Areley Common of approximately 18m. The site previously accommodated one detached dwelling which has recently been demolished. The site lies close to the junction with Abberley Avenue and it is enclosed on all sides by existing residential dwellings.

Planning History:
WF.488/05 – Two detached dwellings : Refused 11.7.05
05/0974/FULL – Demolition of existing dwelling and construction of two detached houses : Approved 7.11.05

Consultations and Representations:
Stourport-on-Severn Town Council – Awaiting comments
Highway Authority – Awaiting comments
Environmental Health – No adverse comments
Arboricultural Officer – The trees on site are not afforded statutory protection, the proposals are not in the vicinity of any important trees.
Neighbours – No representations received

Officer Comments: This application follows approval for two dwellings in November 2005. The current scheme indicates the following amendments: different internal layout (although the number of bedrooms would be the same), addition of side facing windows (Plot 2); one smaller window, removal of one window to side elevation (Plot 1); raising of ridge by approximately 10 – 20 mm; different fenestration to front and rear elevations; protruding garages at ground floor. The principle of the development and the impact of the two dwellings on the street scene and the adjoining neighbours have been considered previously. Whilst the design of the dwellings is different, the siting of the plots is only fractionally different (approximately 10mm closer to No. 15) and therefore it is considered that there will be no greater impact upon the amenity of neighbours.

Conclusions and Recommendations: The overall design is considered an improvement with a more balanced and interesting design. I therefore recommend **APPROVAL** subject to the following conditions:-
1. A6 (Full with No Reserved Matters); 2. A11 (Approved Plans); 3. Approved materials; 4. Boundary treatment; 5. Levels; 6. Retained tree; 7. Tree protection; 8. Foul drainage; 9. Consolidation of turning space; 10. Construction of access; 11. Parking for site operatives; 12. Windows in side elevations to be obscurely glazed.

Reason for Approval – The proposed dwellings are considered to be well designed and will have an acceptable appearance in the street scene. The impact of the dwellings upon neighbouring properties has been carefully assessed and it is considered that there will be undue impact upon their amenity. For these reasons the proposal is considered to be in accordance with the policies listed above.

06/0230/FULL		Proposal:	**Part demolition; two storey extension to form store and office at 39A BIRMINGHAM ROAD BLAKEDOWN KIDDERMINSTER**
Date Received:	23/02/2006		
Agent:	Terry Preece		
Ord. Sheet:	387971 278447		
Policy:	D.1,D.3,D.18,H.8 (AWFDLP)		
Case Officer:	Paul Wrigglesworth		
Ward:	Blakedown and Chaddesley	Applicant:	M Albutt

Site Location and Description: No. 39A Birmingham Road is the former Abattoir site located in the centre of Blakedown between the art shop and the Post Office. The premises has no frontage to the main Birmingham Road and is served off the public car park to the rear. It is proposed to demolish a range of single storey buildings to the rear and to construct a two storey building in its place which will be used for storage purposes on the ground floor and as an office above. The existing office on the ground floor will be used for archiving only.

Planning History: WF.423/94 – Change of use from former slaughter house to office and store : Approved

There have been numerous other applications for alterations and extensions.

Consultations and Representations:

Churchill and Blakedown Parish Council – No objection to this application but suggest that the long window overlooking the car park is obscured glazed.

Highway Authority – Views awaited

Highways Agency – Content that there is no over-intensification of use at the site and therefore offers no objection to the proposal. Severn Trent Water Ltd. – Views awaited

Neighbour/Site Notice – No representations received

Officer Comments: This application has been made in order to expand the office area for reasons of work safety and an example of a staff accident due to the lack of space is quoted. The applicant emphasises that the reason behind the application is to improve workspace per member of staff rather than to employ additional people. The alternative would be to expand into the existing art shop next door, which the applicant owns. The extension is well designed and although more prominent than the existing single storey buildings, it should improve the appearance of the premises when viewed from the rear public car park. The new building will hardly be noticeable from the front of the building. In terms of impact on neighbouring property, the extensions would be acceptable in that the main bulk of the building runs along a blank side wall of a neighbouring dwelling and the remainder of the building will not contravene the 45 degree code. The Parish Council has requested that the long window overlooking the car park be obscured glazed. The applicant is prepared to obscure glaze the bottom part of the window but requires an outlook from the first floor office. This can be made conditional of any consent, but I do not feel that clear glazing into the upper part of the window constitutes grounds for refusal since the nearest boundary with the residential property directly in line with this window is approximately 23 metres distant. In view of the fact that the premises is unlikely to attract additional traffic, and because of the close proximity to an existing public car park, the application is judged to be acceptable from a car parking point of view.

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

1. A6 (Full with no reserved matters); 2. A11 (Approved plans); 3. B9 (Details of windows and doors; 4. B3 (Finishing materials to match); 5. Obscure glazing to bottom window panes; Note SN12 (Neighbours; rights)

Reason for Approval The extension is considered to be acceptable in design terms and does not have a serious impact on neighbouring property. The application is due to be acceptable in terms of highway safety and car parking provision. To approve this application is in accordance with the policies listed above and contained within the Adopted Wyre Forest District Local Plan.

06/0231/OUTL		Proposal:	**Demolition of light industrial unit erection of 2No. semi detached dwellings at LAND REAR OF 41 CLARENCE STREET KIDDERMINSTER**
Date Received:	23/02/2006		
Agent:	Taylor & Co Architects		
Ord. Sheet:	383838.139615613 276727.510371687		
Policy:	H.2, H.6, D.1, D.3, TR.9, TR.17 (AWFDLP); D.11 (WCSP); QE2, QE3 (RPG11)		
Case Officer:	Claire Bishop		
Ward:	Greenhill	Applicant:	Gemini Properties

Site Location and Description: The application site relates to a depot and parking/amenity land in association with no. 41 Clarence Street. The application seeks outline permission to demolish the existing depot building and construct one pair of semi-detached 2 storey dwellings. The application has been submitted in outline with external appearance, design and landscaping being matters reserved for future consideration. The means of access for the proposed dwellings would be to the side of no. 41 Clarence Street which would appear to have been the original and sole access for the depot.

Planning History: None relevant

Consultations and Representations: Highway Authority – Views awaited

Environmental health – Views awaited

Severn Trent Water Ltd. – no objections subject to conditions

Neighbour/Site Notice – one letter received at the time of writing the report - Loss of privacy to neighbouring properties as bedroom windows will look directly into rear garden; also concerned that they would be able to see into my first floor bathroom windows; this is already a cul-de-sac that has a problem with parking and this proposal will add to the problem; even if new dwellings have dedicated car parking spaces additional traffic will still be created; problems with emergency vehicles having to negotiate into the premises from Clarence Street

Officer Comments: The site is within an area allocated for residential purposes under Policy H.2 of the Adopted Local Plan, and is considered to constitute previously developed land. Although the proposed dwellings would replace an existing depot building, the proposal would be tantamount to tandem development without an access that would have a clear presence within the street scene. Furthermore, there is serious concern with regard to the proposed layout and proximity of the proposed properties to the adjacent gardens. Objections have been raised on highway safety grounds, however, in view of the previous use of the building it is considered that the proposal would lead to a reduction in traffic flow to and from the site.

Conclusions and Recommendations: The proposal is considered to be unacceptable and contrary to the development plan policies. I therefore recommend **REFUSAL** for the following reasons:

1. The proposal constitutes a 'backland' development. The proposed dwellings would be tantamount to a tandem development with a vehicular access, which would partly be shared with no. 41 Clarence Street, that would not have a clear presence within the street scene. The proposal would therefore be contrary to Policy H.6 of the Adopted Wyre Forest District Local Plan, the Design Quality SPG, Policy D.11 of the Worcestershire County Structure Plan and Policies QE.2 and QE.3 of RPG11.
2. Due to the restrictions of the plot size, the siting of the proposed dwellings and the pattern of existing development, the proposal would have a poor relationship with adjacent properties and would result in harm being caused to the amenities of neighbouring properties and the area. The proposal would, therefore, be contrary to Policy H.6 of the Adopted Wyre Forest District Local Plan, the Design Quality SPG, Policy D.11 of the Worcestershire County Structure Plan and Policies QE2 and QE3 of the Regional Spatial Strategy (RPG11).

06/0232/OUTL		Proposal:	**Detached bungalow (siting access to be determined) at 12 BRINDLEY STREET STOURPORT-ON-SEVERN**
Date Received:	24/02/2006		
Agent:	Michael Baynton		
Ord. Sheet:	381216.245787825 272159.847938363		
Policy:	H.2, H.6, D.1, D.3, TR.9, TR.17 (AWFDLP); D.11 (WCSP); QE2, QE3 (RPG11)		
Case Officer:	Claire Bishop		
Ward:	Lickhill	Applicant:	Mr & Mrs Hughes

Site Location and Description: The application site comprises a plot of land to the rear of 12 Brindley Street and nos. 1-3 Warwick Street. The land would appear to currently be used in connection with no. 12 Brindley Street which was formerly a Post Office. The application seeks outline permission for a detached bungalow with associated car parking. Only details of siting and access are to be considered at this stage.

Planning History: None relevant

Consultations and Representations:
Stourport-on-Severn Town Council – Views awaited
Highway Authority – Views awaited
Severn Trent Water Ltd. – No objections subject to conditions
Central Networks – Views awaited
Neighbour/Site Notice – No representations received

Officer Comments: The site is within an area allocated for residential purposes under Policy H.2 of the Adopted Local Plan, and is considered to constitute previously developed land. Policy D.3 of the Adopted Local Plan states that development proposals must clearly relate to the appearance and character of the surrounding townscape so as to complement the surrounding buildings and spaces. This is echoed in the Adopted Design Quality Supplementary Planning Guidance which states that infill development should be designed to be sensitive and responsive to existing street patterns and characteristics of the surrounding area. The immediate surrounding area is characterised by two storey dwellings, many of which are in the form of traditional terraced properties. A detached bungalow in the location proposed is not considered to reflect the established character of this street scene and would have a poor relationship with the neighbouring properties. With regards to the impact on the amenities of neighbouring properties, although a bungalow, provided there was no living accommodation in the roof space, it would not give rise to overlooking. However, the proposal would remove the existing private amenity space that serves no. 12 Brindley Street.

Conclusions and Recommendations: The proposal is considered to be unacceptable and contrary to the Development Plan policies. I therefore recommend **REFUSAL** for the following reason:

1. A detached bungalow on a plot of this nature and size would represent over development of this site, resulting in a poor relationship with the neighbouring dwellings and would remove private amenity space currently afforded by no. 12 Brindley Street. Due to the restrictions of the plot, the form and siting of the bungalow, 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 D.1 and D.3 of the Adopted Wyre Forest District Local Plan, the Adopted Design Quality SPG, Policy D.11 of the Worcestershire County Structure Plan and Policies QE2 and QE3 of the Regional Spatial Strategy (RPG11).

06/0239/FULL		Proposal:	**Retention of storage container for a further 5 year period at KD11 (HARKAWAY) SCOUT HQ BROADWATERS DRIVE KIDDERMINSTER**
Date Received:	27/02/2006		
Agent:	-		
Ord. Sheet:	384130.209423419 277990.852087038		
Policy:	CY.2,D.1,D.3 (AWFDLP)		
Case Officer:	Joanne Howells		
Ward:	Broadwaters	Applicant:	KD11 (Harkaway) Scout Group

Site Location and Description: The site lies between Broadwaters Drive and Stourbridge Road and is adjacent to St Oswald's Church Centre. The application is for the retention of an existing storage container for a further 5 years. The existing container is located on a concrete hardstanding adjacent to the Scout Hut.

Planning History: WF.480/80 Extension to Scout hut to form equipment store : Approved
WF.277/98 Erection of single storey Scout hut with garage, parking and hardstanding : Approved
WF.154/99 Placing of a storage container for 18 months : Approved
WF. 968/00 Retention of storage container for further 5 years : Approved

Consultations and Representations: Highway Authority – Views awaited
Environmental Health – Views awaited
Neighbour - one letter of objection received - Believe ground where container is was allocated for parking. They have insufficient ground for parking and use the Church Centre car park required by people hiring the Church hall. This is only small and unable to cope with both buildings.

Officer Comments: The container is largely hidden in a concealed location behind trees and at a lower level than the nearby residential property. Neither the character and amenity of the area, nor residential amenity are therefore harmed. This is the second application to retain the container and the 'temporary' nature of the proposal may be reaching its limit.

The applicant has submitted supporting evidence of the need for the retention of the unit. The applicant has confirmed that the long term aim is to replace the unit with a permanent structure within the next five years. The applicant understands that a further renewal would be unlikely to be granted. There are continuing security issues at the site and more time is needed to raise the £18,000 needed to build the previously approved storage extension. With regards to the neighbour's comments about parking, the container is sited on a concrete hardstanding and not on an area allocated for parking. The proposal will therefore not result in a loss of parking provision.

Conclusions and Recommendations: In view of the continuing security issues and the difficulties for the Scout Group raising sufficient funds for a permanent replacement, I feel that it would be unreasonable to refuse consent at this juncture. However, if this situation continues, a further renewal would be unlikely to be supported. In view of the above, this application is recommended for **APPROVAL** subject to a temporary permission of 5 years and subject to the following conditions:-
1. A11 (Approved plans); 2. Storage container to be removed from the site on or before 15th April 2011; 3. Storage container to be used only in association with KD11 Scout Group
Reason for Approval The retention of the storage container, due to its position and size, is visually acceptable and it is considered that there is no undue harm on residential amenity. For these reasons the retention of the container is considered to be in accordance with the policies listed above.

06/0241/FULL		Proposal:	**Rear two storey extension & brick skin to side gable walls at 19 MILL ROAD STOURPORT-ON-SEVERN**
Date Received:	28/02/2006		
Agent:	Engineering and Building Design		
Ord. Sheet:	381834 271639		
Policy:	D.1,D.3,D.17 (AWFDLP)		
Case Officer:	Claire Bishop		
Ward:	Mitton	Applicant:	Mr R Whitehouse

Site Location and Description: No. 19 Mill Road is a detached 1 ½ storey dwelling located in a prominent location on the corner of Mill Road and Orchard Close. The application seeks permissions to extend to the rear at two storey level, which would involve raising the height of the roof of the existing building.

Planning History: WF.448/92 – Extensions and alterations (residential): Approved
WF.639/04 – Single and two storey extensions to rear; detached garage and side boundary wall: Refused
WF.316/05 – Erection of detached bungalow including new access off Orchard Close: Refused.

Consultations and Representations: Stourport-on-Severn Town Council – Views awaited
Highway Authority – Views awaited
Neighbour/Site Notice – one letter of objection received, comments summarised as follows: kitchen/dining window faces directly towards the rear of 19 Mill Road; increase in ridge height and larger windows near to our house will intrude more on our privacy; we are a bungalow and the enormous size of the proposed extension is inappropriate to the small area of his land.

Officer Comments: Policy D.17 of the Local Plan states that residential extensions must be subservient to and not overwhelm the original building, which should retain its visual dominance. Although the increase in ridge height would not be subservient to the original house provided the resulting building harmonised with the adjacent development and surrounding area I would consider the principle of the proposal to be acceptable. An increase in ridge height may be acceptable in principle however, in the absence of a street scene elevation it is not possible to properly assess the impact that the proposed extensions would have on the appearance of this street scene. Notwithstanding the above although the overall design of the extension would be in keeping with the original building. In view of the proposed chimney stacks, the retention of the existing stacks is not considered to be acceptable and would be contrary to policies D.1 and D.17 of the Local Plan. In response to the letter of representation kitchen/dining room window on 1 Orchard Close would be approximately 20 metres from the proposed extension. The impact on the adjacent properties has been carefully assessed and the proposed extension is not considered to unduly harm their amenities
Conclusions and Recommendations: In light of the above comments and in consideration of Articles 1 and 8 of the Human Rights Act 1998, I recommend **REFUSAL** for the following reasons:
Insufficient information has been submitted with the application to enable the Local Planning Authority to adequately assess the impact of the proposed extensions on the visual appearance of the street scene and amenities of the surrounding area. Furthermore, the proposed 2 no. chimney stacks together with the retention of the existing chimney stacks would be out of character with the building. The applicant has therefore failed to demonstrate that the proposal will meet the requirements of Policies D.1 and D.17 of the Adopted Wyre Forest District Local Plan.

06/0245/FULL		Proposal:	**Reinstatement of part only of external wall (east elevation) to existing outbuilding at THE OLD FORGE LEA LANE COOKLEY KIDDERMINSTER**
Date Received:	28/02/2006		
Agent:	Michael G Humphries		
Ord. Sheet:	383404.156210312 279507.902125138		
Policy:	D1, D3, D5, LA2, GB1, GB2, GB6, CA1, TR9, TR17, NR5, AG4 (AWFDLP): CTC1, CTC20, D38, D39 (WCSP) QE1, QE3, QE5, QE6 (RPG11); PPG2, PPS7		
Case Officer:	Janet Welch		
Ward:	Wolverley	Applicant:	G Key

Site Location and Description: The Old Forge is situated on the Wolverley side of Lea Lane positioned between the Staffordshire and Worcestershire Canal and the River Stour. The building was previously in agricultural use but now stands empty. During some recent works part of the building, and a retaining wall, collapsed. This proposal seeks to re-instate the collapsed section of the building. The site is within the West Midlands Green Belt, Landscape Protection Area and also the Staffordshire and Worcestershire Canal Conservation Area.

Planning History: Extensive but of relevance

WF.819/98 – Brick skin around existing building (Old Forge) : Approved

05/1142/FULL – Change of Use of existing agricultural building to residential, internal refurbishment, replace roof, external works to form 3 bedroom dwelling : Withdrawn.

Consultations and Representations: Wolverley and Cookley Parish Council – Awaiting comments

Highway Authority – Awaiting comments

British Waterways – Awaiting comments

Neighbour/Site Notice – No representations received

Officer Comments: Permission was granted in 1998 for the brick skinning of the building. An application to convert the agricultural building into a three bedroom dwelling was withdrawn when part of the structure collapsed during renovation works. It also became apparent that little of the original building remained but that more than half of the original internal brickwork had been removed and replaced by blockwork. Insulating material had been inserted within the cavity. Ceiling/floor timbers have been put in position to enable use of an upper storey. The works involved to repair the building are considered to be significant and, in the light of the removal of the original brickwork, the proposed works, together with those already carried out, are felt to constitute a new building in the Green Belt. No information has been submitted in relation to what the building would be used for. The development is therefore inappropriate development in the Green Belt and results in significant harm to the Conservation Area, Landscape Protection Area and open countryside.

Conclusions and Recommendations: In view of the above, and in consideration of the Human Rights Act 1998, I recommend **REFUSAL** for the following reasons:-

1. The proposed re-instatement of the external wall constitutes a building operation in the Green Belt. The works constitute inappropriate development and no very special circumstances have been demonstrated to outweigh the harm by reason of inappropriateness. The proposal is therefore contrary to Policies GB.1 and GB.2 of the Adopted Wyre Forest District Local Plan, Policies D.38 and D.39 of the Worcestershire County Structure Plan and Government advice in PPG2.

2. The proposed works would result in development which would adversely affect the character and setting of the Conservation Area and the visual amenity of the Green Belt, Landscape Protection Area and open countryside. As such the proposal is considered to be in conflict with Policies CA.1, LA.2, D.5 and GB.6 of the Adopted Wyre Forest District Local Plan and Policy CTC20 of the Worcestershire County Structure Plan.

06/0249/FULL		Proposal:	**Erection of garage & car port at 3 DUNLEY ROAD STOURPORT-ON-SEVERN**
Date Received:	01/03/2006		
Agent:	Mr R Ingram		
Ord. Sheet:	380254 270539		
Policy:	D.1, D.3, D.17 (AWFDLP)		
Case Officer:	Joanne Howells		
Ward:	Areley Kings	Applicant:	Mr & Mrs P Williams

Site Location and Description: The property is a large detached dwelling set back approximately 20 m from the Dunley Road which heads south west from Stourport. The proposal seeks consent for a double garage measuring 5.6 m by 6.6 m which would project forward of the main dwelling by approximately 5.5 m. The proposal also seeks consent for a lean-to carport on the opposite side of the dwelling measuring 2.8 m by 5.0 m.

Planning History: None

Consultations and Representations:
Stourport Town Council – Awaiting comment
Highway Authority – Awaiting comment
Neighbours – No representations received

Officer Comments: Whilst the proposed garage is positioned forward of the dwelling, due to the main property is position 20 m away from the highway, and the fact that there are varying styles of properties on Dunley Road and other garages and single storey extensions lying forward of the building line, it is considered that it will appear acceptable in the street scene. At the time of report preparation amended plans are anticipated indicating a proposed hipped roof to the garage which would be more in keeping with the design of the property, than the flat roof proposed.

The lean to car port is a simple, light-weight structure which will not detract from the character of the dwelling or the visual amenity of the area.

In addition the proposal is not considered to harm the amenity of neighbours.

Conclusions and Recommendations: Subject to the receipt of satisfactory amended plans and there being no objections within the re-consultation period I recommend **Delegated APPROVAL** subject to the following conditions:-
1. A6 (Full with No Reserved Matters); 2. A11 (Approved Plans); 3. B3 (Finishing Materials to Match)(Garage); 4. B6 (External Details - Approved Plan) (Carport)
Reason for Approval
The proposed garage and car port are considered acceptable in design terms. The impact of the extensions upon neighbouring properties have been carefully assessed and it is considered that there will be no undue impact upon their amenity. For these reasons the proposals are considered to be in accordance with the policies listed above.

06/0250/FULL		Proposal:	**Rear & side ground floor extension at 10 WORTH CRESCENT STOURPORT-ON-SEVERN**
Date Received:	01/03/2006		
Agent:	Michael Baynton		
Ord. Sheet:	380029 272496		
Policy:	D1, D3, D17 (AWFDLP)		
Case Officer:	Sally Withers		
Ward:	Lickhill	Applicant:	E Tillsley

Site Location and Description: No 10 Worth Crescent is an end property in a row of 4 houses located in a residential area near Burlish Crossing. The proposal is for a garden room to the rear elevation and a ground floor side extension to provide shower/w.c. facilities and study.

Planning History: None

Consultations and Representations:

Stourport-on-Severn Town Council – Views awaited

Highway Authority – No comments

Environmental Health – No adverse comments

Environment Agency – No objection

Neighbour – One letter of objection received, (original plans) raising the following concerns: poor design, should be set back to avoid terracing effect, loss of our amenity space,destroy communal entrance between Nos 8 & 10,loss of light to the only south facing kitchen window of No 8,detract from view from this kitchen window, dustbins would have to be stored on the front & present health & safety problems, construction would result in severe disturbance or complete closure of access to rear of No. 8, proposal encroaches onto our property, would detract from re-sale value of No 8 for above reasons.

Officer Comments: As a result of the neighbours comments a revised scheme has been received showing the side extension reduced in width so as to be wholly contained within the applicants boundary. As a consequence the extension is also moved further away from the objectors side window which is a secondary kitchen window, the primary window being on the rear elevation.

The proposed extensions are in scale and character with the original dwelling and comply with the Council's 45 degree code. Although not all of the points raised by the neighbours are material planning issues, I do not feel that the revised scheme would have a significant adverse effect on their amenities.

Conclusions and Recommendations: In view of the above and in consideration of Articles 1 and 8 of the Human Rights Act 1998, I recommend **APPROVAL** subject to the following conditions:

1. A6 (Full with No Reserved Matters); 2. A11 (Approved Plans); 3. B3 (Finishing Materials to Match). Note: A. SN12 (Neighbours' rights); B. Former landfill site.

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 the policies listed above.

06/0252/FULL		Proposal:	**Change of use of redundant farm building for High Tech workshop used by G E O preparation. at SHENSTONE HOUSE FARM SHENSTONE KIDDERMINSTER**
Date Received:	01/03/2006		
Agent:	Halls		
Ord. Sheet:	386450.695876725 273297.928964525		
Policy:	E.9, LA.1, GB.1, GB.2, GB.6, RB.1 RB.2, AG.7, TR.9 (AWFDLP); CTC.1, CTC.21, D.29, D.30, D.39 (WCSP); QE1, QE6 (RPG11)		
Case Officer:	Claire Bishop		
Ward:	Blakedown and Chaddesley	Applicant:	C E Talbot & Son

Site Location and Description: Shenstone House Farm is located at the southern end of the loosely related collection of dwellings which make up the area known as Shenstone. The application site relates to one of a number of farm buildings which make up the farm yard. The area covered by this particular building is 190 sq. metres. The building is currently vacant and it is proposed to change its' use to allow specification preparation for high performance rally cars. A covering letter explains that all works would take place within the existing building where a maximum of 3 to 4 cars would be kept at any one time. The application site is located within the designated West Midlands Green Belt.

Planning History: Most relevant – WF.498/91 Change of use to storage and distribution of agricultural supplies: Refused; WF.499/91 Change of use to the manufacture and repair of livestock containers: Refused; WF.500/91 Change of use to repair of motor cars and agricultural machinery: Refused; WF.501/91 – Storage of heavy industrial machinery: Refused; WF.615/94 – Fishing pond, 24 car parking spaces, new access off Cursley Lane: Approved; WF.390/97 – 2 fishing ponds – Approved; WF.974/01 – Change of use of agricultural building to storage for 10 classic/vintage cars – Approved.

Consultations and Representations: Stone Parish Council – No objections, some concerns about possible noise levels when engines are running. Environmental Health – No adverse comments subject to conditions Highways Authority – Views awaited Severn Trent Water – Views awaited

Neighbour/Site Notice – 8 letters of objection received, comments summarised as follows: site is in green belt; if consent granted it would open up the whole area and surrounding area and buildings to further change of use; if approved would be stepping into the realms of a commercial trading estate; most of the units are not equipped for work force and health and safety requirements let alone structural requirements; there are many commercial units empty within Kidderminster area which are ready for use without the need for planning permission so do not understand why units that receive agricultural grants on a farm would be required for commercial use; proposal would reduce value of surrounding houses; access to buildings will be via a narrow lane, lanes not wide enough for lorries; added traffic will make it difficult for local residents creating a highway hazard; general wear and tear of roads will increase; similar application refused in 1992 and roads have not been altered since then; noise from unit and traffic will cause problems; area would probably need to be lit, cleared and expanded; will be environmental issues as the area is full of wildlife which may be disturbed or driven away; Shenstone is not an area to be abused in this manner; barns should either be used for their originally intended use or demolished; if approved will take legal action to attempt to have decision rescinded.

Officer Comments: The Adopted Local Plan and the County Structure Plan recognise farm diversification as an increasingly important aspect of the rural economy. Policy GB.1 and RB.1 of the Adopted Local Plan allows for the re-use or conversion of buildings. The proposal complies with the criteria for the re-use and adaptation of rural buildings. Some concerns have been raised with regards to noise nuisance from the rally cars that would be repaired. It is accepted that some noise from engines may occur, however, the letter submitted in support of the application states that all works would be carried out within the building which can be controlled by condition. It is not proposed to test any of the cars at the site. The nearest dwelling is at least 100 metres from the building. The Environmental Health Officer has no objections subject to conditions that restrict the operating hours. Reference has been made to various planning applications that were refused in 1991. These applications were refused because the proposals were then considered to be contrary to Green Belt Policy and there was a highway objection. Green Belt Policies, both national and local, have changed significantly since this date. PPG2 now acknowledges that the re-use of buildings should not prejudice the openness of the Green Belts, since the buildings are already there and they can help to secure continuing stewardship of land rather than a building that could be left vacant and prone to dereliction. Furthermore, this application relates to a specific user and the floor area of the building is only 190 sq. metres in comparison to the previous application site that comprised 2100 sq. metres. The potential impact on the highway network has been considered. The details submitted with the application indicate that there would be just one vehicular movement per day with the delivery of one rally car per week. I consider this to be fairly low key which would have a minimal impact on the local highway network, however, it is felt that a temporary consent for 2 years would be appropriate to allow for the traffic situation to be monitored

Conclusions and Recommendations: In view of the above, and in consideration of Articles 1 and 8 of the Human Rights Act 1998, I recommend that **Delegated** authority be given to **APPROVE** the application subject to no objections from the Highways Authority, no new issues being raised by the end of the consultation period and subject to the following conditions: 1. A9 – Temporary Permission; 2. A11 – Approved Plans; 3. A10 – Personal Permission; 4. J12- Use – Hours Limitations; 5. No outside working or storage; 6. All doors and windows to be shut when working; 7. No testing of cars on land within applicants ownership. Reason for Approval: The proposed change of use of the former agricultural barn is considered to be compatible with the area and would not harm the openness or visual amenity of the Green Belt. The proposed use is considered acceptable in terms of highway safety, however a temporary permission is considered appropriate to enable the highway impact to be monitored. This development therefore complies with the policies listed above.

06/0254/FULL		Proposal:	**Construction of new access to service caravan park & The Willows & closure of (existing) access at THE WILLOWS CLEOBURY ROAD ROCK KIDDERMINSTER**
Date Received:	01/03/2006		
Agent:	Cleobury Associates Landmark		
Ord. Sheet:	372571 274748		
Policy:	LA.1, LA.2, LA.7, D.1, D.2, D.4, TR.9 (AWFDLP)		
Case Officer:	Julia Mellor		
Ward:	Rock	Applicant:	Mrs P L King

Site Location and Description: The application seeks consent for an access point off the Cleobury Road, together with a driveway in order to access an existing caravan park to the rear of The Willows. The centre of the proposed access is shown approximately 32 metres east of the existing access, which currently serves the dwelling and the caravan site. The driveway would measure approximately 4 metres in length, widening to 14 metres at the bell mouth.
Planning History: WF.1079/78 – Continuation of use as a caravan site – Approved 24.4.79
Consultations and Representations:
Rock Parish Council – Recommended Approval subject to no objections from highways and the existing access being closed off.
Highway Authority – Views awaited
Arboricultural Officer – The trees on site are not afforded statutory protection. The proposals will require the removal of a number of self-set Sycamore and Elm saplings. The trees provide some amenity in terms of the general roadside vegetation, but are not of great significance. Other sapling trees are likely to be pruned back to allow a visibility splay. I have no objection to the removal of the trees proposed. I am aware that two larger trees are at present within the site and request further information regarding the position of the proposed access in relation to the large trees within the site.
Neighbours – Two letters of objection have been received raising the following: New access would be very dangerous, we already have access roads leading to Yew Tree Caravan Park, The Plough Inn Pub, the Post Office and General Store, the Village Hall and also a track to houses and the public footpath; from Punches Oak to Ward Bungalow you have a solid line with a broken line coming from Cleobury Mortimer and also White's Plant Nursery access; as recently as February 2006, a car took out the row of trees in front of Ward Bungalow and wrote the car off; the access will be substantially closer to our house and devoid of screening; headlights from vehicles turning will become unacceptably worse as will the deterioration in privacy and increase in noise.
Officer Comments: The proposed new access would provide a driveway of approximately 80 metres in length to serve the existing caravan park approved in 1979. The Agent on behalf of the applicant has advised that the existing access serving The Willows, *"is almost certainly sub-standard in terms of modern highway safety. Whilst the caravan park is not operational at present it does have an extant planning permission, and following a death in the family, this use may well be resurrected in the near future. The applicant realises that this existing access cannot possibly serve both the caravan park and the dwelling….The existing access will be permanently closed off and the access to the dwelling will be by means of a spur from this new access."* Whilst the proposal will require the removal of trees adjacent to the highway, it is considered that the impact upon the landscape will not be so significant as to warrant refusal. At the time of report preparation details of the spur road to provide access to the existing dwelling are anticipated.
Conclusions and Recommendations: Subject to no objections from the Highways Authority and the satisfactory submission of details of the proposed spur road, I recommend **Delegated APPROVAL** subject to the following conditions:
1. A6 (Full with No Reserved Matters); 2. A11 (Approved Plans); 3. H8 (Access Closure); 4. H13 (Access, Turning and Parking); 5. C6 (Landscaping – Small Scheme)
Reason for Approval
The proposed development is capable of implementation without creating an unacceptable or adverse impact upon the amenity of nearby residents, the character or appearance of the Landscape Protection Area, or highway safety. Therefore, it accords with the policies listed above.

06/0267/FULL		Proposal:	**Three bedroom detached house with garage & associated access at 2 CLENT AVENUE KIDDERMINSTER**
Date Received:	06/03/2006		
Agent:	Nigel Barratt		
Ord. Sheet:	381553.362458725 274372.221869444		
Policy:	D1, D3, D10, H2 (AWFDLP)		
Case Officer:	Paul Round		
Ward:	Oldington and Foley Park	Applicant:	Mrs P Smith

Site Location and Description: The site forms part of the rear garden of 2 Clent Avenue situated on the Birchen Coppice Estate to the South-west of Kidderminster town centre. The property has a particularly long garden in comparison with others in the area, and it is proposed to utilise part of the garden area for the construction of a three bedroom dwelling.

Planning History: None

Consultations and Representations: Highway Authority - Views Awaited

Environmental Health – No adverse comments

Environment Agency – Views Awaited

Severn Trent Water- No objection subject to condition

Neighbour – 1 letter of objection received – *"I object to this application on the grounds that it will spoil the character and open, spacious ambience of the area. There is already a great deal of traffic, generated by the public house next door to number 2, from customers' and delivery vehicles. The roads are too narrow to sustain more vehicles and parked cars"*

Officer Comments: The site is allocated within the local plan for residential purposes and constitutes previously developed land within the Local Plan. As such the principle of developing this site is acceptable being in accordance with policy H2 of the Adopted Local Plan. The siting and design of the building follows the alignment and architectural themes of the area, and would not cause harm to the general character of the area. However, the rear garden area would only be 6.5m in length. This provision is deficient for a property of this size and due to due to its short length would result in direct overlooking into the next door property's rear garden from first floor windows of the proposed property. In respect of access, parking and the capability of the road network to accommodate this additional dwelling, the views of the Highway Authority are still awaited. The views of the neighbour have been considered, however I do not feel that the character of the area will be spoiled, concern over traffic will be addressed by the Highway Authority's comments.

Conclusions and Recommendations: Notwithstanding the acceptability of the scheme in terms of design and alignment, the proposal fails to provide adequate amenity space and causes direct overlooking into the neighbouring property's garden. In view of this I recommend **REFUSAL** for the following reason:-

1. The submitted scheme does not provide sufficient amenity area for the size of dwelling proposed. In addition due to the insufficient separation between the proposed dwelling and the neighbouring property's garden area, it is considered that direct overlooking will occur that will result in an unacceptable loss of amenity. As such the proposal would be contrary to policies D1 and H2 of the Adopted Local Plan.

06/0270/FULL		Proposal:	**Single storey extension to provide utility/domestic storage at 1 LAMBOURNE DRIVE, BEWDLEY**
Date Received:	06/03/2006		
Agent:	Alan Griffiths		
Ord. Sheet:	377543 275625		
Policy:	D.1, D.17 (ADWFDLP)		
Case Officer:	Quita Morgan		
Ward:	Bewdley and Arley	Applicant:	Ms A Pokorska

Site Location and Description:
The site is the first of a row of link detached dwellings on the south side of Lambourne Drive. It sides on to the rear garden of No. 25 Laxton Drive. The garage of No. 25 Laxton Drive is to the rear of that property' s garden and is attached to the existing utility room of the application property. The proposal is to demolish the existing flat roof utility room and replace it with a new and larger flat roof utility/store area which would extend further into the rear garden.

Planning History:
None

Consultations and Representations:
Bewdley Town Council – Recommend Approval
Highway Authority - Views awaited
Neighbour - No comments received

Officer Comments: The proposed extension is the first addition to the house and as it is single storey it complies with Policy D.17 inasmuch as it is in scale and character and does not overwhelm the original dwelling. The Policy does however militate against flat roof extensions unless it can be shown that there is no alternative. The agent has submitted a letter of support which points out that the flat roof fits within the street scene better than a pitched roof, because the properties are all the same with flat roofs on their single storey extensions. A flat roof would also sit better beside the adjoining flat roof garage belonging to No. 25 Laxton Drive. Further, to erect a pitched roof would cause drainage problems and would require guttering overhanging the adjoining garage in another ownership.

Conclusions and Recommendations: I agree with the argument put forward by the applicant's agent and in view of this I recommend **APPROVAL** subject to the following conditions.
1. A.6 (Full with no reserved matters); 2. A.11 (Approved plans); 3. B.3 (Materials to match) Note: SN12 Neighbours rights

Reason for Approval
The design of the proposed extension relates well to the existing property and streetscene. The impact on the neighbour has been assessed and it is considered that there will be no undue harm. The proposal therefore complies with the policies listed above.

06/0273/TREE Proposal: **Pollard & reshape hornbeam at**
Date Received: 07/03/2006 **4 THE LEA KIDDERMINSTER**
Agent:
Ord. Sheet: 381154
276143
Policy: D.4, NC.6 (AWFDLP)
Case Officer: Andrew Needham
Ward: Habberley and Blakebook Applicant: B Ramcharn

Site Location and Description: The tree is a mature Hornbeam situated in close proximity to the rear of the property No. 4 The Lea, Kidderminster. Properties No. 5 -21 The Lea, front onto the rear of the property No. 4 The Lea.

Planning History: No previous applications to prune the tree.

Consultations and Representations: Ward Members – Councillor A Buckley – 'Worried about the extent of proposed reduction of the tree, but accepts some pruning is necessary'

Highway Authority - No representation received

Neighbour – 8 letters received from nearby residents objecting to the pruning. A summary of the objections are as follows: 1. The tree provides amenity and screening and if it were pollarded it would adversely affect the amenity of the locality and the tree's screening potential. Many comments relating the unattractive extended portions of the property which would be exposed if the pollarding were allowed. 2. Pollarding might kill the tree if undertaken at the incorrect time of year. 3. The Council has in the passed acknowledged the amenity that the tree provides in its contribution to the street scene in several planning applications previously. 4. Pollarding is too much, only lesser pruning and shaping for safety reason should be allowed.

Officer Comments: The tree is a mature Hornbeam, situated in close proximity to the rear of the property. The tree is in good health and approximately 12m in height. It has been pollarded several times previously and the current canopy has grown up approximately 6m from the previous pruning points, which accords with about 15 years growth. It is an attractive specimen and provides significant amenity and screening.

The proposed re-pollarding is to increase light to the property and maintain the tree in reasonable dimensions given the previous pollarding. I consider re-pollarding appropriate and in accordance with good arboricultural practice. However, the amenity value of the tree would be removed immediately after the pruning and would only recover to a significant degree in three to five years.

I consider that the nearby residents of the properties No. 5 to 21 The Lea, derive the majority of the public benefit from the tree, in terms of the screening it provides and its contribution to the street scene. I have discussed the proposed pruning with a number of the residents and indeed a number have made formal objection to the extent of the pruning proposed.

The tree's protection in 1995 was as a result of potential development pressures. I acknowledge that the property has been extended towards the tree over the last ten years and that the Council has refused an application to extend the property even closer to the tree in 2003.

In this instance I do not consider the requirement to improve light to the property to take precedence over the amenity that the tree provides in screening the property from nearby residents.

I accept the considerations of the nearby residents in respect of the loss of screening potential of the tree if it were re-pollarded. I consider an alternative pruning specification of a reduction of the canopy by up to 25%, maintaining the tree's natural form, appropriate in this instance. Such pruning would be in accordance with good arboricultural practice and maintain the tree in reasonable dimensions. It is not considered critical in terms of the tree's health when such pruning would be undertaken.

Conclusions and Recommendations: In view of the above, I recommend that the application to Pollard the Hornbeam be **REFUSED** for the following reason: The tree is a mature Hornbeam, situated in close proximity to the rear of the property. The tree is in good health and approximately 12m in height, it provides screening of the rear elevation of the property and contributes to the amenity of the locality. Whilst pollarding of the tree would be acceptable in arboricultural terms, such works would remove the tree's amenity and screening potential for several years. In this instance the requirement to improve light to the property is not considered to take precedence over the amenity that the tree provides in screening the property from nearby residents. Pruning works to reduce the canopy of the tree to a lesser extent would maintain the tree in reasonable dimension and maintain amenity and its screening potential.

Notwithstanding the refusal of consent to pollard the Hornbeam I recommend that specific pruning works be **APPROVED**, subject to conditions: 1. TPO1 - Non-standard Condition '2 year restriction of Consent Notice'; 2.TPO1 - Non-standard – Arboricultural Watching Brief; 3. C17 - TPO Schedule of Works

06/0279/FULL		Proposal:	**Conservatory to rear at 44 BALDWIN ROAD STOURPORT-ON-SEVERN**
Date Received:	08/03/2006		
Agent:	Michael Baynton		
Ord. Sheet:	381727.247989163 271612.202099738		
Policy:	D1, D17 (AWFDLP)		
Case Officer:	Joanne Howells		
Ward:	Mitton	Applicant:	Hudson & Simmonds

Site Location and Description: 44 Baldwin Road, Stourport is a mid terraced property. This application seeks consent for a conservatory to the rear.

Planning History: None

Consultations and Representations:
Stourport-on-Severn Town Council: Comments awaited.
Neighbour – No representations received to date

Officer Comments: The proposal is for a conservatory to the rear. It would be 3.5m in width and project 2.5m from the rear elevation. Although the design is considered to be subservient and in keeping with the original dwelling, it fails to comply with the 45 degree code. In its current form the proposal would have an adverse impact on the neighbouring properties in terms of loss of light. The applicant has been requested to submit amended plans to reduce the length of the conservatory in order to comply with the 45 degree code. At the time of reporting writing, revised plans have not been received.

Conclusions and Recommendations: In the light 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 proposed conservatory by virtue of its size and position fails to comply with the 45 degree code and would result in an unacceptable loss of light to the neighbouring properties. The proposal would therefore fail to comply with Policy D.17 iv) of the Adopted Wyre Forest District Local Plan.

06/0284/FULL		Proposal:	**Change of use to class A4 sports bar at 44b MILL STREET KIDDERMINSTER**
Date Received:	09/03/2006		
Agent:	Central Building Design		
Ord. Sheet:	382591.502074338 276867.688553044		
Policy:	E6, NR11, RT13 (ADWFDLP)		
Case Officer:	Paul Round		
Ward:	Habberley and Blakebook	Applicant:	Clive Fletcher Developments

Site Location and Description: 44b Mill Street is a commercial premises situated adjacent to the Aga shop in Mill Street Kidderminster. The shop currently has a permitted leisure use with ancillary bar. The proposal is for change of use for use as a 'Sports Bar' (Class A4).

Planning History:
WF.520/01 – Change of use to sports/leisure use with ancillary bar

Consultations and Representations:
Highway Authority - Views awaited
Environmental Health – No adverse comments subject to restrictive conditions on hours of use and no live music events
Neighbour – 1 anonymous letter received. Concerned about use of premises for Sports Bar in the context of the amenities of the area. "I fail to see where a sports bar is of benefit to the residents"

Officer Comments: Although the proposal is described as being for 'Sports Bar', consideration must be given to the use of the premises for an A4 use classification which includes all drinking establishments. Mill Street is allocated as a 'Mixed Use' area in the Local Plan and is governed by Policy E6, which seeks for a mix of business, commercial and residential uses. The proposed use is felt to compliment the area and add to the range of mixed uses on offer. Although residential properties are nearby is is considered that subject to restrictive conditions in terms of hours and live music that no undue harm to residential amenities will be caused. The points raised by the objector have been taken into account however for the reasons set out above I feel that the proposed use will be compatible with the area.
Conclusions and Recommendations: In consideration of Articles 1 and 8 of the Human Rights Act 1998, I therefore recommend **APPROVAL** subject to the following conditions:
1. A6 (Full with No Reserved Matters); 2. A11 (Approved Plans); 3. J19 (Hours of Opening to Customers) 16:00 to 23:00 Monday to Thursday and 12:00 – 01:00 Friday, Saturday, Sunday and Bank Holidays; 4. This permission does not permit any live music or karaoke or similar events to take place from anywhere within the application site.
Reason for Approval The use of the premises as proposed is considered to be acceptable and subject to restrictive conditions in respect of hours and live music it is felt that the use will not have an adverse impact on residential properties or the area as a whole. For these reasons the proposal complies with the policies listed above.

06/0287/FULL		Proposal:	**New tiled roof with rooflights at increased pitch over existing indoor pool; form new rear access with french doors in place of existing window; new decked terrace with stairs to lower garden area at MILLERDALE FORGE GORST HILL KIDDERMINSTER**
Date Received:	09/03/2006		
Agent:	Graham Luxford		
Ord. Sheet:	373916.60824655 273420.539666413		
Policy:	RB.1, RB.5, LA.1, LA.2 (AWFDLP) D.10, D.16, CTC.4 (WCSP) PPS.7		
Case Officer:	Julia Mellor		
Ward:	Rock	Applicant:	Mr & Mrs M Lashford

Site Location and Description: The application site previously formed part of the residential curtilage of Millerdale House located within Gorst Hill, south west of the junction of Bliss Gate Road with the A456 at Callow Hill. In 2002 approval was granted for this detached single storey garage with adjacent swimming pool and sunroom to be converted into two bedroom dwelling with integral garage. The application proposes to raise the existing ridge height of the indoor swimming pool and sunroom / conservatory which were retained when the building was converted. The approximate increase in height would be 1 m. In addition 3.5 m² of timber decking is proposed to the rear of the swimming pool, which due to ground levels, would provide a platform set at approximately 1.5 m above ground floor level. The agent on behalf of the applicant has advised that the existing roof to the indoor pool is at a shallow pitch, approximately 20º and is finished in poly-carbonate translucent sheeting. It is intended that the proposed new roof will be finished in plain tiles with a pitch of 37.5º to be in keeping with the main roof to Millerdale Forge (the converted property). The existing eaves height is to be retained.

Planning History: WF.36/02 – Conversion and extension of outbuildings to form a two bedroom dwelling approved 12th March 2002.

Consultations and Representations: Rock Parish Council – Recommend Refusal because it is out of keeping and proportion to the existing dwelling.

Neighbours – 1 letter of objection – do not agree roof requires more height; obviously it is intended for accommodation in the future; they have already gained considerable accommodation from the conversion of the outbbuilding.

Officer Comments: The application should be considered against current Adopted Local Plan Policy. Specifically Policy RB.5 states that *"proposals for the erection of new curtilage buildings, or extensions to dwellings created through the reuse and adaptation of rural buildings will not be permitted".* The aim of Policy RB.5 is consistent with Policy RB.1 which seeks to ensure that properties which are to be considered suitable for conversion are of an adequate size for reuse without extensions or extensive alterations.

It should be noted that the original conversion allowed an increase to the height of the property of about 1.5 m at one end and 2.8 m at the other (due to the lie of the land), to allow the provision of a mezzanine floor with open storage in the roof. At that time it was considered that the increase in the pitch of the roof would enable the use of plain clay tiles which would improve the appearance of the building. In 2003 provisions to again increase the ridge height of the main section of roof by approximately 352 mm were reported to committee and approved. At that time it was considered the principle of raising the roof of the main body of the house had been accepted and the alterations to the roof shape would improve the appearance of the property.

The current scheme however involves raising the height of a lower section of the building which is still of its original height and accommodates an indoor swimming pool. Although consent has been given previously to raise the main part of the roof, those decisions were based on the previous Adopted Local Plan. It is considered that to raise the roof of this part of the building by 1 metre would be in direct conflict with Policies RB 1 and 5 of the current Adopted Local Plan which seek to prevent extensive alterations to rural buildings. Although the alterations to the roof would result in this part of the building having a similar roof pitch to the rest of the converted building, this is not considered to carry sufficient weight to outweigh the rural building policies. To allow the proposal under the existing policies would also set a precedent for similar works to other rural buildings within the District.

With regards to the proposed decking as this not a substantial structure and by virtue of its design and position it is not considered to harm the appearance of this former outbuilding or the surrounding Landscape Protection Area.

Conclusions and Recommendations: In view of the above and in consideration of Articles 1 and 8 of the Human Rights Act 1998, I recommend **REFUSAL** for the following reason:

1. The proposed alterations to the roof of the part of the building which is currently occupied by an indoor swimming pool, would result in extensive alterations to this former outbuilding. The proposal would therefore set a precedent and would be contrary to Policies RB1 and RB5 of the Adopted Wyre Forest District Local Plan. There are no material considerations which outweigh the rural building policies of the Local Plan.

06/0292/FULL		Proposal:	**Brick single garage with tiled roof at THE OLD BARN BEWDLEY BYPASS BEWDLEY**
Date Received:	10/03/2006		
Agent:			
Ord. Sheet:	379849 275418		
Policy:	D.1, D.3, D.5, D.17, LA.1, LA.2, GB.1, RB.5, LB.1, LB.5, (AWFDLP); CTC.4, CTC.19, D.39 (WCSP); QE1, QE5, QE6 (RPG11)		
Case Officer:	Claire Bishop		
Ward:	Wribbenhall	Applicant:	Mr C Robinson

Site Location and Description: The Old Barn is a grade II listed building that forms part of a group of former agricultural buildings that have been converted into residential use at Spring Grove Farm just off the Bewdley by-pass. The application seeks planning permission for the erection of a single garage in the rear garden near to the Boating Lake. The garage would be accessed by an existing track that would appear to already provide vehicular access to the rear garden of this property.

Planning History: Most relevant – WF.673/88 – Change of use of barns to 5 residential units: Approved; WF.1214/88 – LBC Change of use of barns to 5 residential units: Approved; WF.746/95 – Conversion of unit 4 into 2 separate dwellings: Approved; WF.825/95 – LBC Conversion of unit 4 into 2 separate dwellings; WF.343/96 – Erection of a garage: Withdrawn

Consultations and Representations: Bewdley Town Council – Recommend Refusal

Arboricultural Officer – Views awaited

Conservation Officer – Recommend refusal on the grounds that the design of the proposed structure is of low quality and has little regard to the setting of the listed buildings

Highways Authority – Views awaited

Neighbour/Site Notice – No representations received at the time of writing the report

Officer Comments: Policy RB.1 ii) and iii) of the Local Plan state that *"within rural areas, agricultural and other rural buildings will be acceptable for conversion to other uses, provided that they are of a size suitable for re-use without extensions or extensive alterations, or the addition of new buildings within the curtilage*; *they are 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."* Policy RB.5 also states that *"proposals for the erection of new curtilage buildings, or extensions to dwellings created through the re-use and adaptation of rural buildings will not be permitted. Such proposals are contrary to criteria ii) of Policy RB.1."* The proposal is, therefore, contrary to these policies and there are no material considerations that outweigh them. Furthermore, the proposed outbuilding, by virtue of its' siting and design and would have a detrimental impact on the setting of the grade II listed building and curtilage buildings.

Conclusions and Recommendations: In light of the above comments and in consideration of Articles 1 and 8 of the Human Rights Act 1998, I recommend **REFUSAL** for the following reasons:

1. The provision a detached single garage within the curtilage of this converted barn would be contrary to policies RB.1 and RB.5 of the Wyre Forest District Local Plan;

2. The proposed building by virtue of its design and position would cause significant harm to the setting of Spring Grove Farm, a grade II Listed Building, and curtilage listed buildings. As such the proposal would be contrary to policies LB.1, LB.5, of the Adopted Wyre Forest District Local Plan, policy CTC.19 of the Worcestershire County Structure Plan and policy QE5 of the Regional Spatial Strategy (RPG11).

06/0297/FULL		Proposal:	**Demolition of existing hall & construction of 4 new dwellings at PARISH ROOMS LEA LANE COOKLEY KIDDERMINSTER**
Date Received:	13/03/2006		
Agent:	-		
Ord. Sheet:	384255 280125		
Policy:	H.2, H.5, H.10, D.1, D.3, D.4, D.9, D.10, D.13, D.16, NR.8, NR.9, GB.1, GB.6, LB.5, TR.7, TR.9, TR.17 (AWFDLP); D.3, CTC.5, D.14 (WCSP); QE.3 (RPG11)		
Case Officer:	Paul Round		
Ward:	Cookley	Applicant:	C A Giles

Site Location and Description: Cookley Parish Hall is located on the edge of Cookley village, on the boundary with the Green Belt, being accessed off Lea Lane. The existing building has been unused for over 2 years and now is in an unsuitable state of repair. The proposal seeks consent for a residential scheme for four properties on the site. Trees on site are protected by a Tree Preservation Order.
Planning History: WF.335/05 – Nineteen apartments : Withdrawn
WF.804/05 – Six dwellings : Refused
Consultations and Representations: Wolverley and Cookley Parish Council – Views awaited. Highway Authority – Views Awaited. Severn Trent Water – No Objections subject to conditions. Conservation Officer – Views awaited. Arboricultural Officer – No Objections subject to conditions. Ramblers Association – Right of way may be obstructed during construction suggest note to advise developer of responsibilities. CLACS – Views Awaited. Neighbour: one letter received expressing concern over boundary treatment, overlooking from any future windows and loss of hedge. Suggest restrictive conditions and brick boundary wall to overcome these concerns.
Officer Comments: The scheme is submitted following a previous refusal for six dwellings. The four dwellings are now positioned in a staggered linear form to satisfactorily address the line of Lea Lane. This reduced scheme fits well on the site and replicates the size and spacing of existing properties along Lea Lane, and will give an acceptable appearance in the streetscene especially when viewed either entering or exiting Cookley along Lea Lane. The design of each property differs from each other, although they follow a similar architectural theme. This gives an attractive appearance to the development that will positively contribute to the overall appearance of the area. The plot sizes give sufficient distance between existing properties to ensure that neighbours amenity and privacy is not compromised. The nearest property to the site, Lea Haven, has a side-facing window towards the site, it is felt that the development will not have an adverse impact on this window in terms of loss of light or overbearing impact. The Arboricultural Officer is satisfied with this scheme in respect of the protected trees on site. Although the Highway Authority has not submitted specific comments on this proposal to date, the Highway Authority have always accepted that four dwellings on this site would be an acceptable exchange in lieu of the Parish Hall, and would not result in any additional highway safety issues. The proposal also includes improvements to the entrance to help visibility. The comments made by the neighbour have been fully considered and the conditions suggested are felt to be reasonable and mirror the type of conditions that would be imposed on a scheme of this kind. Overall, this scheme is acceptable on all points, being compliant with development plan policy.
Conclusions and Recommendations: In view of the above I recommend **delegated APPROVAL** subject to the satisfactory conclusion of the consultation exercise, and 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. B12 (Erection of Fences/Walls); 6. B13 (Levels Details); 7. J1 (Removal of Permitted Development – Residential); 8. J9 (Open Plan Frontages); 9. Driveways and Parking near Trees; 10. C2 (Retention of Existing Trees); 11. C4 (Protection of Trees – No Burning); 12. C5 (Hand Digging Near Trees); 13. C6 (Landscaping – Small Scheme); 14. C8 (Landscape Implementation); 15. Hedge Retention and Protection; 16. E2 (Soakaway Test); 17. F5 (Construction Site Noise/Vibration); 18. Highway Notes SN1 (Removal of Permitted Development Rights); SN12 (Neighbours' rights); SN13 (Landscaping/Planting Works); Ramblers; Any Highway Notes.
Reason for Approval
The proposed dwellings are 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 dwellings upon neighbouring properties and protected trees 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.

06/0308/FULL		Proposal:	**Erection of pair semi-detached houses following the demolition of existing buildings at 8 GROSVENOR AVENUE KIDDERMINSTER**
Date Received:	13/03/2006		
Agent:	Barnett Taylor Associates		
Ord. Sheet:	384009 276792		
Policy:	H2, H5, D1, D3, D10, TR9, TR17 (AWFDLP)		
Case Officer:	Paul Wrigglesworth		
Ward:	Greenhill	Applicant:	Mr J Barnett

Site Location and Description: This site is a builders' yard located on the western side and towards the end of the Grosvenor Avenue cul-de-sac. It is proposed to demolish an existing two-storey building on the site and to erect a pair of semi-detached properties. Each property has two bedrooms and one car parking space.

Planning History:
WF.106/98 – Erection of a pair of semi-detached dwellings : Withdrawn
WF.223/98 – Erection of a pair of semi-detached dwellings, construction of parking area, alterations to existing access, demolition of existing buildings : Approved 21/4/98

Consultations and Representations:
Highway Authority – Views awaited
Environmental Health – No objections
Severn Trent Water – Views awaited
Neighbour – No representations received

Officer Comments: Planning Permission was granted for a pair of semi-detached houses on this site in April 1998 (WF.223/98). However, the permission has now lapsed. The layout of the proposed dwellings has taken into account the 45 degree code, which wasn't operative in 1998. This has affected the appearance of the properties but they will still look satisfactory and there is no doubt that, compared with the builders' yard, the development will improve the streetscene and the amenity of neighbouring property. Each property will have one car parking space, which is in line with the car parking standards in the Adopted Wyre Forest District Local Plan.

Conclusions and Recommendations: I recommend that the application be **APPROVED** subject to the following conditions:
1. A6 (Full with No Reserved Matters); 2. A11 (Approved Plans); 3. B1 (Samples/Details of Materials); 4. Boundary Treatment; 5. Demolition of existing two-storey builders' yard office; 6. Removal of Permitted Development Rights for extensions/new windows; 7. J7 (Windows: Obscure Glazing) for Stairwell; 8. Access/Parking Conditions.
Notes: Highway Note, SN12 (Neighbours' rights)

Reason for Approval
The proposed dwellings are considered to be well designed and will have an acceptable appearance in the street scene. The impact of the dwellings 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.

06/0309/FULL		Proposal:	**Erection of a detached 3 bedroomed house Adj. 8 SILVER BIRCH DRIVE KIDDERMINSTER**
Date Received:	14/03/2006		
Agent:	Engineering and Building Design		
Ord. Sheet:	385197.513546694 276305.622893912		
Policy:	H.2, H.6, D.1, D.3, TR.9, TR.17 (AWFDLP); D.11 (WCSP); QE2, QE3 (RPG11)		
Case Officer:	Claire Bishop		
Ward:	Offmore and Comberton	Applicant:	Mr M Lewis

Site Location and Description: The application site forms part of the garden of 8 Silver Birch Drive in Kidderminster, which is located towards the end of the cul-de-sac adjacent to the turning head. There is an existing single storey flat roofed double garage on the application site, which currently serves no. 8. The proposal seeks permission to remove the garage and construct a 3 bedroom detached dwelling with 2 car parking spaces to the front and integral garage. A single garage with pitched roof and two off-street car parking spaces are also proposed for the existing dwelling.
Planning History: WF.1048/81 – Bathroom and garage conversion : Approved
Consultations and Representations:
Highways Authority – Views awaited. Severn Trent Water – No objections subject to conditions.
Neighbour/Site Notice – One letter and a petition with 11 signatures received in objection to the proposal. Comments summarised as follows:
The building would be an over intensification of the site; the lack of rear garden (5 metres) would be less than the normal 10 metres; habitable rooms in Elmdale Road would have less than 20m space required for gardens; the proposal is too dense for the area of the site available for the development; when the estate was developed 35 years ago consideration was given to the density – this proposal would negate amenity provided by the original developer; access is already a major problem due to narrow road, which causes people to park on pathways; not sufficient off road parking for this property; windows on side elevation would overlook our property – directly into bedroom and lounge; no other property is designed in this way – would make a precedent of link detached; dwelling would exacerbate problems with blocked sewage; will have dramatic effect on the open aspect of established grass verges; would like a full assessment carried out of likely shadow that would be cast by the direction of this building; there is currently no shortage of new and re-sale housing stock within the Wyre Forest District.
Officer Comments: The site is within an area allocated for residential purposes under Policy H.2 of the Adopted Local Plan, and is considered to constitute previously developed land. Policy D.3 of the Adopted Local Plan states that development proposals must clearly relate to the appearance and character of the surrounding townscape so as to complement the surrounding buildings and spaces. This is echoed in the Adopted Design Quality Supplementary Planning Guidance, which says infill development should be designed to be sensitive and responsive to existing street patterns and characteristics of the surrounding area. The site is particularly restricted by virtue of its size and shape. The erection of a dwelling on this site would constitute over development, would appear out of character with the pattern of existing development and, in my view, would provide inadequate amenity space for the proposed dwelling. The design of the dwelling and its impact on highway safety and on neighbouring properties are all considered acceptable. However, this does not outweigh the harm that would be caused for the reasons set out above.
Conclusions and Recommendations: In view of the above I recommend the application for **REFUSAL** for the following reason:

1. The proposed dwelling on a plot of this nature and size would represent over development of this site, resulting in a cramped visual appearance of the development within the street scene and inadequate private amenity space. Due to the restrictions of the plot the proposal 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 D.1 and D.3 of the Adopted Wyre Forest District Local Plan, the Design Quality Supplementary Planning Guidance, Policy D.11 of the Worcestershire County Structure Plan and Policy QE3 of the Regional Spatial Strategy (RPG11).

06/0314/FULL		Proposal:	**Erection of an extension at first floor level at the front at 6 CONINGSBY DRIVE KIDDERMINSTER**
Date Received:	16/03/2006		
Agent:	Central Building Design		
Ord. Sheet:	381503 277886		
Policy:	D.1, D.3, D.17, TR.17 (AWFDLP); QE1, QE3 (RPG11)		
Case Officer:	Stuart Allum		
Ward:	Franche	Applicant:	Mr A Bicknell

Site Location and Description: 6 Coningsby Drive is a semi-detached dwelling located on a visually prominent and elevated plot relative to the level of the adjacent highway. This is a residential area, sometimes referred to as the 'Ferndale Estate', which is to the North West of Kidderminster Town Centre. The proposal is to erect a forward facing first floor bedroom extension over the extended original flat roofed projecting ground floor accommodation.

Planning History: None recorded, but the existing ground floor extension and alterations were subject to control under the Building Regulations in 1992.

Consultations and Representations:

Highway Authority – Views awaited

Neighbour – Two letters of objection received, both from the same source:

"There will be significant reduction in natural light coming into our dining/family room (which is in constant use) and one of our bedrooms. We also feel that the proposed extension would have an adverse effect on our garden. In our first letter to you we based our objection to the proposed extension on the 45 degree code. After your clarification of the code, we realise now it does not apply in this case. However, we still feel we have a valid objection for the above reasons."

Officer Comments: Policy D.17 of the Adopted Wyre Forest District Local Plan makes is clear that extensions to existing residential properties should be in scale and keeping with the form, materials, architectural characteristics and detailing of the original building, and should also avoid the creation of incongruous features in the townscape. The submitted scheme, which introduces a significant volume of extension to the front elevation of the building, fails to uphold these basic principles. It also creates an incongruous feature, which would detract from the visual amenity of the area. Despite these design concerns, the submitted scheme would not create any significant adverse effect upon the amenity/privacy of the immediately adjacent neighbouring properties. I have taken into account the views of the objecting neighbour, but I do not agree with the view that natural daylight to the affected windows would be seriously affected, given the distance involved between these windows and the development (approximately 15 metres).

Conclusions and Recommendations: The proposal fails to meet the requirements of design policies relating to residential extensions. I therefore recommend **REFUSAL** for the following reason, and in consideration of Articles 1 & 8 of the Human Rights Act 1998:

1. The proposed first floor extension on the front of the dwelling is considered, by its design, position and massing, to represent an incongruous feature, out of keeping with street scene and other similarly designed dwellings in this part of Coningsby Drive, and to visually overwhelm the original building, which should retain its visual dominance. The proposal is therefore contrary to Policies D.1, D.3 and D.17 of the Adopted Wyre Forest District Local Plan.

06/0315/FULL		Proposal:	**First floor Extension & New Roof over existing garage at 13 SUMMER HILL AVENUE KIDDERMINSTER**
Date Received:	16/03/2006		
Agent:	Mr F Thrupp		
Ord. Sheet:	381471 276344		
Policy:	D.1, D.3, D.17 (AWFDLP)		
Case Officer:	Stuart Allum		
Ward:	Habberley and Blakebook	Applicant:	Mr & Mrs Lees

Site Location and Description: 13 Summerhill Avenue is a detached dwelling located in a 'low density' residential neighbourhood off Bewdley Hill, to the West of Kidderminster Town Centre. The dwelling is set well back from the highway and there appears to be only one previous extension – a conservatory to the rear elevation. The proposal is to erect a two storey side extension, together with the corresponding roof extension, and a 'lean to' roof over the existing flat roofed garage.

Planning History: None recorded.

Consultations and Representations:
Highway Authority – Views awaited.
Neighbour – No representations received to date.

Officer Comments: Policy D17 of the Adopted Wyre Forest District Local Plan requires that extensions to existing residential properties must be in scale with, and visually subservient to, the form of the original building. In this case, some degree of 'visual subservience' has been incorporated into the design, but crucially this is at the rear of the dwelling, where the 'setting back' of the extension wall from the original rear building line cannot be appreciated from the public realm. Also, the design of the two-storey roof extension is not sufficiently subordinate to the form of the original roof, again particularly from the important perspective of the front elevation.

Conclusions and Recommendations: This proposal fails to meet the requirements of Policy D17 in that the extension is not considered to be visually subservient in relation to the original dwelling. I therefore recommend **REFUSAL** for the following reason, and also in consideration of Articles 1 & 8 of the Human Rights Act 1998:

1. By virtue of its size, scale and design, the proposed extension fails to demonstrate sufficient visual subservience in relation to the original building. The proposal is therefore contrary to Policy D17 of the Adopted Wyre Forest District Local Plan and guidance within the Adopted Supplementary Planning Guidance on Design Quality.

06/0326/FULL		Proposal:	**Erection of four dwellings with access off Lansdown Green at LAND TO REAR GAINSBOROUGH HOTEL FRONTING LANSDOWN GREEN KIDDERMINSTER**
Date Received:	20/03/2006		
Agent:	Dean Walker Bateman		
Ord. Sheet:	381935.397849462 276235.4166455		
Policy:	H2, D1, D3, D4, LB5, TR9, TR17 (AWFDLP)		
Case Officer:	Paul Round		
Ward:	Habberley and Blakebook	Applicant:	John Martyn Developments Ltd

Site Location and Description: The site forms part of the car parking area for the Gainsborough Hotel and backs onto Landsdown Green being separated by a high brick wall, with two protected trees nearby. In 2005 outline permission was given for two dwellings on the site. This application is submitted in full and seeks consent for four dwellings with frontages to Landsdown Green.

Planning History: Various applications for the Hotel but of relevance:
WF.375/05 Outline – Two detached properties : Approved

Consultations and Representations:
Highway Authority – Views Awaited. Arboricultural Officer – No Objection subject to conditions. Conservation Officer – Views Awaited. Severn Trent Water – Views Awaited. Neighbour – No representations received to date.

Officer Comments: The four proposed dwellings occupy the footprint of the previously approved dwellings and give a more pleasing visual density than the previous approval. The design of the properties, although they do not replicate the style of the dwellings that surround them, would not result in harm being caused to the character of the locality. It is felt that the opening up of a frontage to Landsdown Green would be of benefit and would positively contribute to attractiveness of the locality. The amenity provision is on a similar basis to that which exists on neighbouring properties and is felt on this occasion to be sufficient. The previous scheme was not felt to impact on the Listed Building and I feel that this situation has not altered with current scheme. The development has been designed with due regard to the protected trees on site. The Arboricultural Officer considers that the scheme will not have a detrimental impact on these trees, subject to various conditions that could be imposed to safeguard the trees during construction. The access provision was previously felt to be acceptable by the Highway Authority, although views on the current scheme are awaited. On balance I feel that this scheme is acceptable and accords with Local Plan policy.

Conclusions and Recommendations: I therefore recommend **APPROVAL** subject to the following conditions:
1. A6 (Full with No Reserved Matters); 2. A11 (Approved Plans); 3. B1 (Samples/Details of Materials); 4. B2 (Sample Brick Panel); 5. B11 (Details of Enclosure); 6. B13 (Levels Details); 7. B9 (Details of Windows and Doors); 8. J1 (Removal of Permitted Development – Residential); 9. J9 (Open Plan Frontages); 10. Tree Conditions; 11. Highway Conditions

Reason for Approval
The proposed dwellings are 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 dwellings upon neighbouring properties and protected trees 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.

06/0342/FULL		Proposal:	**Two storey side extension at EAGLE VIEW 10 LEA LANE COOKLEY KIDDERMINSTER**
Date Received:	23/03/2006		
Agent:	Stewart Mumford		
Ord. Sheet:	384257 280277		
Policy:	D.1, D.3, D.17 (AWFDLP)		
Case Officer:	Claire Bishop		
Ward:	Cookley	Applicant:	Mr & Mrs P Watkins

Site Location and Description: The application site relates to a semi-detached dwelling on the northern side of Lea Lane between the school and village centre. The proposal involves the erection of a two-storey side extension, which would extend to the boundary of the neighbouring property.
Planning History: WF.320/82 – Alterations and extensions : Approved;
WF.299/98 – Extension to side to form garage and breakfast room : Approved
Consultations and Representations:
Wolverley and Cookley Parish Council – Views awaited
Highway Authority – Views awaited
Neighbour – No representations received
Officer Comments: Adopted planning policy on design makes it clear that proposals for residential extensions must not create a serious adverse effect upon the amenity of neighbouring residents or occupiers. In this case, the proposed extension, by virtue of its height and location, would impose a serious and significant adverse effect on the amount of daylight to a ground floor kitchen window on the side elevation of the neighbouring property (no. 8 Lea Lane). Although this room does benefit from a glazed door on the rear elevation, the window on the side elevation is the principal window and as such the proposal contravenes the advice set out in the 45 degree code.
Furthermore, Policy D.17 says that residential extensions must be subservient to and not overwhelm the original building, which should retain its visual dominance. The Adopted Design Quality Supplementary Planning Guidance supports the view that extensions should be visually subservient by stepping extensions back from the original building line and by ensuring that ridge heights are lower than the original building. The proposed extension is not set back from the principle elevation nor set down from the main ridge and as a result is not considered to be visually subservient to the original dwelling. The proposed development would therefore be contrary to policies D.1 and D.17 of the Local Plan
Conclusions and Recommendations: In view of the above I recommend **delegated** authority to **REFUSE** the application subject to no new issues being raised by the end of the consultation expiry period, and in consideration of Articles 1 & 8 of the Human Rights Act 1998, for the following reasons:

1. The proposed extension, by virtue of its design and position, would lead to a serious and significant loss of amenity to No. 8 Lea Lane by way of restricting daylight to a ground floor kitchen window. The proposal is therefore contrary to Policy D.17 (iv) of the Adopted Wyre Forest District Local Plan.
2. The proposed 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 Policy D.17 Of the Adopted Wyre Forest District Local Plan and advice within the Adopted Design Quality Supplementary Planning Guidance.