

WYRE FOREST DISTRICT COUNCIL

**PLANNING (DEVELOPMENT CONTROL) COMMITTEE**  
**13<sup>TH</sup> JANUARY 2009**

**PART A**

**Application Reference:** 08/0915/FULL      **Date Received:** 14/10/2008  
**Ord Sheet:** 372847 274627      **Expiry Date:** 09/12/2008  
**Case Officer:** Stuart Allum      **Ward:** Rock

**Proposal:** First floor extension to existing care home facility

**Site Address:** CASA MIA, CLEOBURY ROAD, FAR FOREST,  
 KIDDERMINSTER, DY149EH

**Applicant:** Mr M Winfield

<b>Summary of Policy</b>	D.1, D.3, D.5, D.18, LA.1, LA.2, TR.9, TR.17 (AWFDLP) SD.2, SD.3, CTC.1, D.27 (WCSP) QE.1, QE.3, QE.6 (WMRSS) Design Quality SPG PPS1; PPS7
<b>Reason for Referral to Committee</b>	Previously considered by Committee and deferred for a site visit
<b>Recommendation</b>	<b>APPROVAL</b>

THIS APPLICATION WAS DEFERRED FROM THE 9 DECEMBER 2008 PLANNING (DEVELOPMENT CONTROL) COMMITTEE MEETING FOR A MEMBERS' SITE VISIT

**1.0 Site Location and Description**

- 1.1 'Casa Mia' is a converted dwelling now in use as a care home. Since the original 'change of use' to a care home in 1985, the premises have been progressively extended to the present size where 15 residents are in care.
- 1.2 The property is located within the Local Plan 'settlement boundary' of Far Forest, adjacent to the A4117 Kidderminster to Cleobury Mortimer Road. The site is also located within the Landscape Protection Area.
- 1.3 The proposal is to modify the design of an extension at first floor originally approved in 2003, which included the conversion of the roofspace and raised the ridge height of the roof. This previous approval has been partly implemented on site.
- 1.4 The roof shape currently proposed is shown to be changed from the more usual 'triangular' shape to a 'mansard' design with vertical tile hanging to the front and rear elevations. The ridgeline would be 500mm lower than originally approved in 2003.

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- 1.5 The proposed first floor plan layout would incorporate a new lift and various rooms associated with the operation of the care home including such activities and functions as crafts, library and therapy, as well as a quiet room, a staff rest room and recreational room. This scheme is not designed to increase the number of residents.
- 1.6 A separate application for the change of use of the adjacent dwelling known as Woodfield to a care home together with a single storey extension linking Woodfield to Casa Mia has also been submitted. The planning application 08/0916/FULL is the next report on the Agenda.

## **2.0 Planning History (of relevance)**

- 2.1 WF.859/03 – Extension to front, increase height of existing roof, convert roofspace for manager’s accommodation, roof lights and dormer to front and rear, staircase and external alterations to side : Approved 8/10/03 (implemented by the near completion of the front, ground floor extension).

## **3.0 Consultations and Representations**

- 3.1 Rock Parish Council – No objection to the proposal and recommend approval.
- 3.2 Highway Authority – No objection
- 3.3 Access Officer – No objection
- 3.4 National Care Standards Commission – Views awaited
- 3.5 Neighbour/Site Notice : 16 separate letters of objection received raising the following issues:
  - Over-development of the site – overburdening of existing buildings and the surrounding environment. Out of character and inappropriate in small country village
  - Overshadow and overlook adjacent properties which will be ‘dwarfed’; detrimental effect on neighbours – loss of light – increase in noise
  - Ridgeline considerably higher than that existing. Unattractive high mansard roofline
  - Aesthetics of road will be changed
  - Road safety issues – volume of traffic will be affected on busy road. Danger to residents, school traffic and those using the access. Existing parking arrangements at Casa Mia inadequate
  - Is there any guarantee that the rooms on the first floor of Casa Mia will not become more bedrooms?

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A petition of 79 signatures has also been received – ‘We are against the over-development caused by joining Woodfield bungalow to an extended Casa Mia making an unattractive building with an ugly roofline. We are also concerned about resulting higher numbers of vulnerable residents in a rural location with no amenities and a busy main road.’

Five letters of support have been received – ‘High standard of care; security a priority’; no detrimental visual impact upon the village; need for such facilities in the area.

#### **4.0 Officer Comments**

- 4.1 Casa Mia currently provides high quality care for 15 residents, and is considered to be an invaluable asset within the community. It provides support to residents with mild mental health related conditions, who are unable to support themselves fully, but are still capable of undertaking trips alone, sometimes utilising the nearby bus service to access larger towns and settlements. The residents, along with carers, appear to live as a ‘family’, with a wide range of activities taking place to help stimulate residents. Within the outlying settlements such facilities are few and far between.
- 4.2 This proposal has come about primarily from the applicant’s desire to create an increase in the quality of usable floor space in the roofspace conversion.
- 4.3 This can be achieved by the use of a ‘mansard roof’ which effectively increases headroom at the extremities of the roof and obviates the need for dormer windows.
- 4.4 This roof design also allows for the ridgeline to be no higher than that of the existing two storey element adjacent to the boundary with ‘Woodfield’; the neighbouring property also in the ownership of the applicant.
- 4.5 Bearing in mind that the applicant already benefits from a previous consent for a slightly higher two storey extension on this part of the building, which could be implemented at any time, the main issue in this application is how a mansard roof design would relate to the form of the existing building in its roadside setting, which is characterised in the main by residential properties.
- 4.6 Mansard roofs are relatively uncommon in new development. Their visual impact is defined by the shallow roof pitch from the upper eave to the ridge, and the large area of tiling and vertical tile hanging. This is in contrast to the more usual ‘triangular’ roof shape where brickwork or a rendered surface extends up to the eaves line.

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- 4.7 In this case, the visual impact of the roof is considered to be no greater than that represented by the previously approved version. Though unusual, it is considered that the result would provide an attractive design which would sit well in the context of the existing building, the neighbouring properties, the roadside scene and the landscape quality of the surrounding area.
- 4.8 The creation of front and rear facing windows would not significantly harm the amenity or privacy of adjoining properties. A revised plan which shows the two sets of rear facing patio doors replaced by windows have been received.
- 4.9 To ensure that the existing Casa Mia site is not overdeveloped, a condition limiting the number of residents to 15 is recommended. This would not however in itself prevent the redesignation of internal rooms and spaces in the future but would ensure that there would be a maximum of 15 residents at any one time.

## 5.0 Conclusions and Recommendations

- 5.1 This proposal meets the requirements of the appropriate policies and other guidance. It is therefore recommended that the application be **APPROVED** subject to the following conditions:
1. A6 (Full with no reserved matters)
  2. A11 (Approved plans)
  3. B6 (External materials – as approved plan)
  4. Maximum of 15 residents at any one time.

### Reason for Approval

The scale and design of the proposed extensions are complementary to the appearance of the existing building would be in harmony with the surrounding area which is also designated as part of the Landscape Protection Area. The development would not create a serious adverse effect upon the amenity or privacy of neighbouring residents, or diminish the amount of ancillary operational space serving the site. For these reasons, the proposal is considered to be in compliance

with the policies listed above.

PLANNING (DEVELOPMENT CONTROL) COMMITTEE

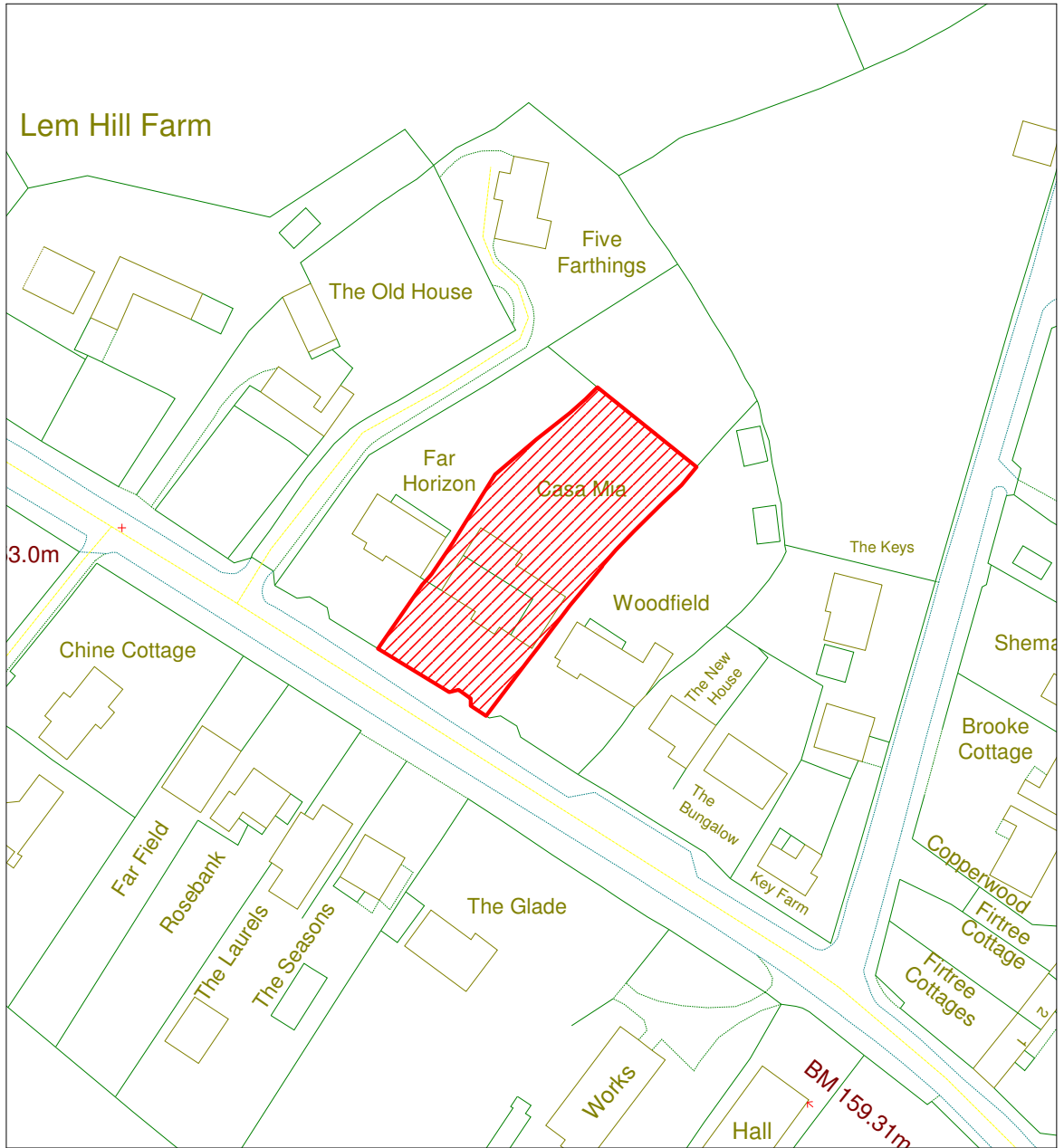
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Date:- 27 November 2008

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PLANNING, HEALTH & ENVIRONMENT DIVISION

**Casa Mia**  
**Cleobury Road**  
**Far Forest**  
**DY14 9EH**

Duke House, Clensmore Street, Kidderminster, Worcs, DY10 2JX. Telephone: 01562 732928. Fax: 01562 732556



<b>Application Reference:</b> 08/0916/FULL	<b>Date Received:</b> 14/10/2008
<b>Ord Sheet:</b> 372865 274614	<b>Expiry Date:</b> 09/12/2008
<b>Case Officer:</b> Stuart Allum	<b>Ward:</b> Rock

**Proposal:** Change of use of dwelling to care home & construction of single storey extension to link with existing care home

**Site Address:** WOODFIELD, CLEOBURY ROAD, FAR FOREST, KIDDERMINSTER, DY149EH

**Applicant:** Mr M Winfield

<b>Summary of Policy</b>	H.2, H.13, D.1, D.3, D.5, D.18, LA.1, LA.2, TR.9, TR.17 (AWFDLP) SD.2, SD.3, CTC.1, D.27 (AWCSP) QE.1, QE.3, QE.6 (WMRSS) Design Quality SPG PPS1, PPS7
<b>Reason for Referral to Committee</b>	Third party has registered to speak at Committee Previously considered by Committee and deferred for a site visit
<b>Recommendation</b>	<b>APPROVAL</b>

THIS APPLICATION WAS DEFERRED FROM THE 9 DECEMBER 2008 PLANNING (DEVELOPMENT CONTROL) COMMITTEE MEETING FOR A MEMBERS' SITE VISIT

## 1.0 Site Location and Description

- 1.1 'Woodfield' is an unoccupied detached bungalow located next door to 'Casa Mia', which lies within the Local Plan 'settlement boundary' of Far Forest, adjacent to the A4117 Kidderminster to Cleobury Mortimer road. The site which accommodates both Woodfield and Casa Mia is also located within the Landscape Protection Area.
- 1.2 The proposal is to change the use of Woodfield to that of a care home, and link the building to Casa Mia by way of a single storey pitched roof extension, to form a new main entrance lobby.
- 1.3 The existing domestic curtilage of Woodfield would also be assimilated into the Casa Mia site, including the frontage car parking area. The existing wall separating the site frontages would be demolished to facilitate a workable servicing area with a total of 10 parking spaces.
- 1.4 Members will note that a separate application for extensions to Casa Mia has been submitted (08/0915/FULL). The proposal was reported earlier in the agenda.

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## 2.0 Planning History

- 2.1 KR 17/73 – Addition of bedroom cloakroom/shower room : Approved.
- 2.2 WF/0920/75 – Extension to form sitting room and enclosure of covered way :Approved
- 2.3 WF/0876/89 – Conservatory : Approved

## 3.0 Consultations and Representations

- 3.1 Rock Parish Council – No objections to the proposal and recommended approval.
- 3.2 Highway Authority – No objection subject to suitable conditions to ensure only one access onto the highway is retained.
- 3.3 National Care Standards Commission – Views awaited
- 3.4 Access Officer – Issues regarding the proposed link and lift have verbally been resolved. Amended plans and access statement are anticipated prior to committee.
- 3.5 Neighbour/Site Notice – 16 separate letters of objection received raising the following issues:-
  - Linking Casa Mia and Woodfield would produce very large and unattractive building totally out of character with small village. Less residential in appearance
  - Overdevelopment – size of building would dominate surroundings and rural area – vast area and frontage – neighbours would be dwarfed.
  - Concern about vulnerable residents – what will they do all day – Local facilities poor – poor bus service. Area is incapable of providing adequate support, stimulation and support to residents.
  - Noise level of so many residents and traffic – no quality time/privacy in our garden – exacerbated by increased numbers – overlooking.
  - Other better suited properties in Wyre Forest area. Applicants should look for a property more in size and keeping near a town where the residents could integrate with more people.

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- Inadequate car parking – parking overspill already on roadside – highway danger. Busy road with no street lighting – volume of traffic will increase, affecting road safety of users and school traffic: 30 mph limit not observed or enforced – hazardous footpath route to shop for younger residents free to come and go.
- Potentially dangerous situation with potentially younger residents with more serious anti-social behaviour – primary school only 100 yards away. Mentally ill patients may unwittingly alarm and frighten young children.
- Two bedroom bungalow has been extended by the previous owners – recently the garage has been converted into more living accommodation.
- Risk in vacating property in event of fire. Poor access to rear – escape routes seriously limited.
- Dangerous precedent would be set for properties in Cleobury Road to be joined together.

A petition of 79 signatures has also been received –

‘We are against the overdevelopment caused by joining Woodfield bungalow to an extended Casa Mia, making an unattractive building with an ugly roofline. We are also concerned about resulting higher numbers of vulnerable residents in a rural location with no amenities and a busy main road’.

5 letters of support received:-

‘High standard of care-security a priority’; no detrimental visual impact upon the village; need for such facilities in the area.

#### **4.0 Officer Comments**

- 4.1 Policy H.13 of the Adopted Wyre Forest District Local Plan makes it clear that proposals for the development of residential homes for the elderly, or similar, will be permitted subject to various ‘criteria’.
- 4.2 These include consideration of whether the home would integrate into an area without unreasonably affecting adjacent properties and their occupiers, an assessment of traffic generation relative to the character of the area, and a judgement of the amount and design of extensions or alterations required.
- 4.3 In the case of this application, Woodfield would not be further extended except in relation to the link with ‘Casa Mia’. At this point it is important for Members to be made aware of an error in the original report under the previous (now omitted) paragraph 1.4 and paragraph 4.3.



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- 4.4 Contrary to the previous report, the applicant has now advised Officers that the proposed change of use and extension of a link at Woodfield would not actually, in itself, enable the number of residents to be increased from the current 15 residents served by Casa Mia. The applicant advises, albeit only verbally, that in actual fact to accommodate the proposed additional 7 residents, Woodfield would actually need to be extended by approximately 5 metres along the rear of the existing building. Members should note that this application does not include such an extension and, should the current application be approved, a further application to extend the premises would be forthcoming in due course. This would be treated on its own merits.
- 4.5 Casa Mia currently provides high quality care for 15 residents, and is considered to be an invaluable asset within the community. It provides support to residents with mild mental health related conditions, who are unable to support themselves fully, but are still capable of undertaking trips alone, sometimes utilising the nearby bus service to access larger towns and settlements. The residents, along with carers, appear to live as a 'family', with a wide range of activities taking place to help stimulate residents. Within the outlying settlements such facilities are few and far between.
- 4.6 It is considered that the overall design of the conjoined buildings would be acceptable should Casa Mia remain in its current form or should it be extended (should planning application 08/0915/FULL be approved and implemented).
- 4.7 There is no doubt that the proposal carries with it an intensification of the use of the combined sites. However, this is not considered to be unreasonable in the context of the additional space available for amenity use and operational functionality, including car parking.
- 4.8 After careful consideration of the comments made by adjacent occupiers and other village residents, it is considered that the potential future increase in numbers of residents could be accommodated in this environment without creating any unreasonable impact upon the neighbourhood. According to Environmental Health Officers there is no history of substantiated noise complaints emanating from the site.
- 4.9 In terms of Policies H.2 vii and H.13, the proposal is considered to be sustainably located as community services such as shopping and public transport stops are located close to the site.

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## 5.0 Conclusions and Recommendations

5.1 It is considered that this proposal meets the requirements of the appropriate Local Plan policies. It is therefore recommended **APPROVAL** subject to the following conditions:

1. A6 (Full with no reserved matters)
2. A11 (Approved Plans)
3. B6 (External materials as approved plan)
4. Maximum of 22 residents at any one site (combined Casa Mia and Woodfield site)

### Reason for Approval

The proposed change of use is appropriate to the area and the scale and design of the link extension is in harmony with the form of the original dwelling house and the existing care home. The development would not create a serious adverse effect upon the amenity or privacy of neighbouring residents, or the wider community of Far Forest. For these reasons, the proposal is considered to be in compliance with the policies listed above.

PLANNING (DEVELOPMENT CONTROL) COMMITTEE

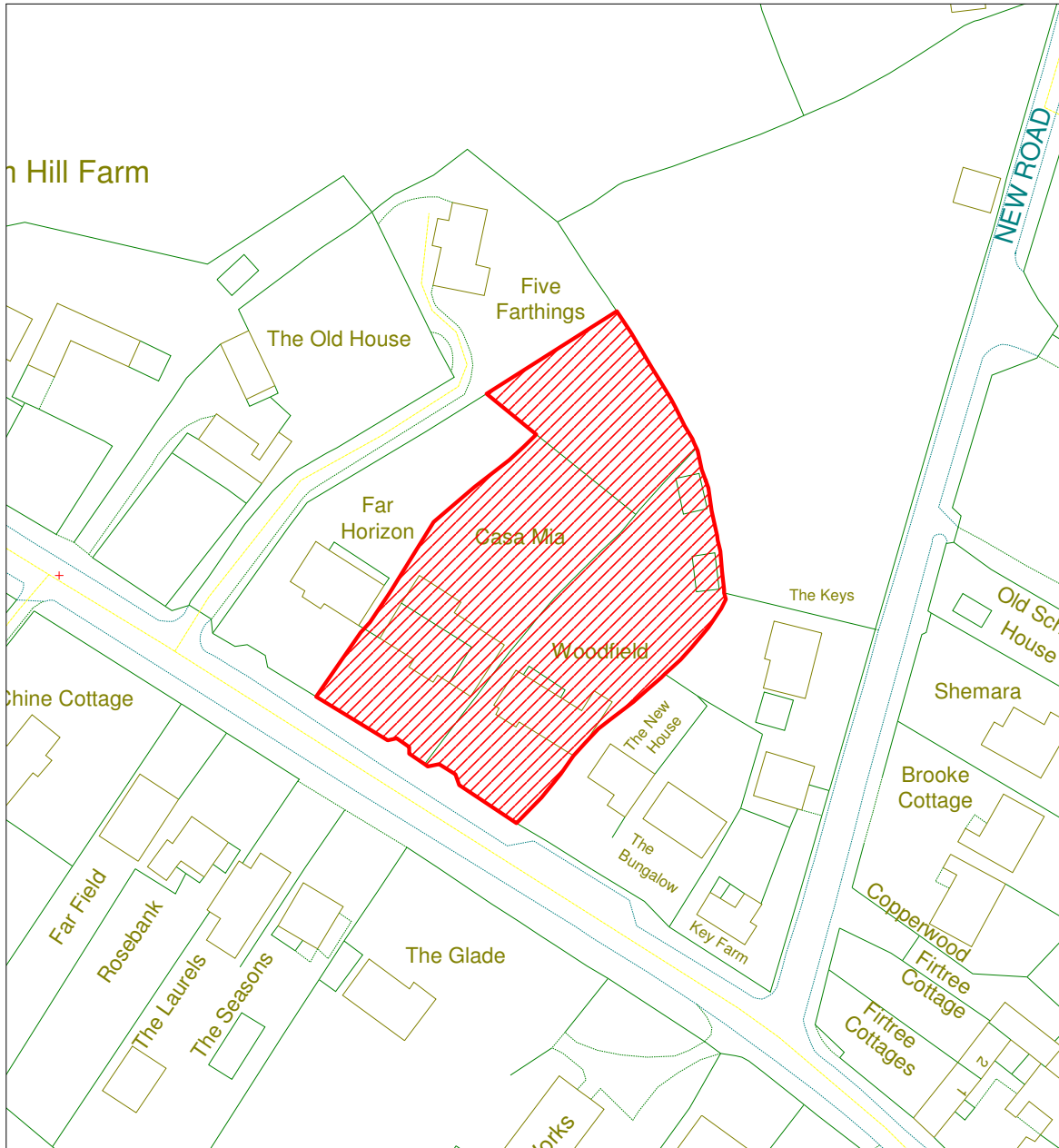
08/0916

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## Agenda Item No. 5

**Application Reference:** 08/0977/OUTL      **Date Received:** 05/11/2008  
**Ord Sheet:** 381452 276233      **Expiry Date:** 04/02/2009  
**Case Officer:** Emma Anning      **Ward:** Habberley and Blakebook

**Proposal:** Demolition of bungalow and erection of 13no dwellings,retention of 108 Bewdley Hill (Layout & Access to be considered )

**Site Address:** 108/109 BEWDLEY HILL, KIDDERMINSTER, DY116JE

**Applicant:** Messrs Lovett-Flint & Powell

<b>Summary of Policy</b>	H.2 H.5 D.1 D.3 D.4 D.9 D.13 TR9 (AWFDLP) QE.4 (WMRSS) PPS1, PPS3
<b>Reason for Referral to Committee</b>	'Major' planning application Third party has registered to speak at Committee
<b>Recommendation</b>	<b>DELEGATED APPROVAL subject to Section 106 Agreement</b>

### 1.0 Site Location and Description

- 1.1 The application site is the site of the existing 108 and 109 Bewdley Hill, it is located between Western Way and Summerhill Avenue.
- 1.2 The site is identified, in the Adopted Local Plan, as being suitable for residential development. A Tree Preservation order protects several trees at the front of this application site, along the frontage with Bewdley Hill.
- 1.3 Outline consent is sought for the redevelopment of the site to provide 13 new dwellings, whilst retaining the existing 1930s property of 108 Bewdley Hill. The property at 109 Bewdley Hill is to be demolished. At this outline stage, consent is sought for the proposed access and layout.

### 2.0 Planning History

- 2.1 None relevant

### 3.0 Consultations and Representations

- 3.1 Highway Authority – Verbally advised that, following the submission of revised drawings indicating increased visibility splays at access to site, there are no objections on highways grounds. Formal confirmation to this effect is awaited.

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- 3.2 Access Officer – Determine as appropriate and condition Lifetime Homes provision.
- 3.3 Arboricultural Officer – Verbally advised that, following the submission of revised drawings, and subject to there being no excavation around the protected trees, that there are no objections, subject to suitable conditions. Formal confirmation to this effect is awaited.
- 3.4 Neighbour/Site Notice – 19 neighbour objection letters received. The main issues raised are summarised below:
- The development would be out of character with the general character of the surrounding area.
  - The proposal fails to meet the requirements of H.2 as it does not represent infill development.
  - The proposal comprises backland development.
  - The proposal provides insufficient separation distance between existing and proposed residential properties, in particular the orientation of plots 5-9 will result in the overlooking of existing gardens and principal windows along Summerhill Avenue, therefore being detrimental to amenity.
  - The proposal represents overdevelopment of the site.
  - We would query whether the proposed footprint of the buildings is sufficient to accommodate a four bedroom house on only two storeys.
  - A transport statement should have been requested by the Local Planning authority to accompany this application. The proposal will be contrary to Policies TR.8 and TR.9.
  - The proximity of the proposed junctions to the existing junctions of western Way and Summerhill Avenue will pose a serious danger to highway safety.
  - HGV vehicles entering and leaving the site during the construction period will cause traffic chaos on Bewdley Hill.
  - The proposal is contrary to Policy H.6 of the Adopted Plan and should be refused on highway grounds.
  - The increase of properties from two to thirteen will result in increased traffic movements on the local road network.
  - The development will result in the loss of a significant number of mature trees which make a valuable contribution to the amenity and character of the adjacent residential area.
  - A tree survey should have been submitted with the application in accordance with Policy D.4 of the Local Plan.
  - The Design and Access Statement contains insufficient detail as is legally required, therefore the planning application is invalid and cannot be determined.

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#### 4.0 Officer Comments

- 4.1 Outline consent is sought for the erection of 13 new dwellings and the retention of 108 Bewdley Hill resulting in a residential scheme totalling 14 no. dwellings.
- 4.2 The application is submitted in outline form and seeks consent for layout and access only at this stage. The Local Planning Authority therefore considers that the main issues for discussion are:
- The principle of development
  - Highways and access
  - Layout
  - S106 Obligations
- 4.3 All other matters including detailed design and house types are to be considered at any reserved matter stage of this application.

#### PRINCIPLE OF DEVELOPMENT

- 4.4 The application site is allocated as being suitable for residential development in the Adopted Local Plan subject to the site comprising previously developed land. Annex 3 of Planning Policy Statement 3 offers a definition of previously developed land as being land within the curtilage of developed land. The application site is comprised of two residential dwellings and their associated gardens, therefore I am satisfied that the site comprises previously developed land as defined above. This being the case, the proposal therefore satisfies the requirements of Policy H.2 of the Adopted Local Plan.
- 4.5 Policy H.5 refers to housing density and requires that on a site in this location the Local Planning Authority should seeks residential development of at least 40 dwellings per hectare. The application site measures approximately 0.4 hectares, which would lead to a requirement of 16 dwellings on this site in order to fully satisfy Policy H.5. The proposed density actually equates to just 28 dwellings per hectare. However, given that Policy H.5 also makes clear the need for development to take into account local character, the relationship to existing adjoining development must be considered accordingly. The Western Way development, to the west, is a much higher density of 50 dwellings per hectare with relatively small plots, whilst Summerhill Avenue to the east is characterised by a lower density development of 13 dwelling per hectare. In light of this, I consider the proposed density to be an acceptable balance between the two existing adjoining residential development.

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#### HIGHWAYS AND ACCESS

- 4.6 It is proposed to install an estate road to serve the development, to an adoptable standard offering direct access on to Bewdley Hill. The amended proposed site plan shows a visibility splay of 2.4 by 90m (in both directions). The County Council's Highway Officer has been consulted and has indicated, albeit only verbally at this stage, that the revised visibility splays are acceptable and that there is no longer any outstanding highway related concern. I am therefore satisfied that the proposal accords with the requirements of Policy TR.9 of the Adopted Local Plan.
- 4.7 Numerous neighbour letters raised concerns relating to highway matters, as summarised above. However given that the Highway Authority do not raise any objections to the scheme, I am satisfied that none of the reasons suggested by neighbours would provide sufficient reason for refusal in this instance. One objection raised concern that a transport statement was not included with this application, the reason for this is that lengthy pre-application discussions had taken place between the agent and a representative from the Highway Authority and a statement was not considered necessary given the size and nature of the proposed scheme.
- 4.8 A design and access statement was submitted with this application and has been considered by the District Council's Access Officer. The Access Officer raises no objection to the scheme, and concludes that the application should be determined as appropriate and a lifetime homes condition should be attached to any permission. I am satisfied therefore that the proposal would accord with Policy D.9 of the Adopted Wyre Forest District Local Plan.

#### LAYOUT

- 4.9 The proposed site plan shows the proposed plot layouts and access routes, including provision for amenity space and landscaping. The existing property of 108 Bewdley Hill would be retained and refurbished, although this does not make up part of this scheme for consideration (i.e. the property is located outside of the application site boundary).
- 4.10 Three new properties would be erected which would front on to Bewdley Hill, one to the west of 108 Bewdley Hill and two to the east of the site. I consider this frontage arrangement to be satisfactory as I feel that the existing pattern of development fronting Bewdley Hill will be maintained and enhanced.

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- 4.11 The remaining 10 properties would be located around the perimeter of the site boundaries in a linear form, with frontages looking inward. With only layout and access due to be considered at this stage, the applicant has relied upon the use of “standard” plots to indicate the proposed layout of dwellings. This is slightly confusing in that it appears to indicate, in some instances, extensions off the main dwelling (in particular in respect of plots 7 to 12, which in turn raises issues regarding the proposed garden depths). Clarification has been sought from the agent, who confirms that any apparent extension beyond the rear of the main dwelling should be read as being a patio area only. Having sought this clarification, I am now happy that plot sizes would offer minimum garden lengths in the region of 10m deep which is considered to be acceptable in terms of the level of amenity space provision. A concern expressed by neighbours was that plots 5-9 would overlook existing gardens, however given that each of these plots would achieve a minimum garden depth of some 10m and that properties on Summerhill Avenue are characterised by generous rear gardens of well in excess of 15m in depth, the resulting distances between dwellings is considered sufficient to ensure that overlooking would not occur.
- 4.12 I consider the property most likely to be affected by the proposed layout is 7 Westville Avenue. Therefore the impact on this property has been given careful consideration. The property sits at a 28 degree angle to the proposed development site and at its closest point is just 5m from the rear boundary of plot 11. In considering whether this would lead to issues of overlooking I am satisfied that the orientation of the property would prevent this being the case. When measuring a minimum distance of 20m between first floor levels of the existing and proposed properties there would be no direct overlooking.
- 4.13 The impact of the development on light to 7 Westville Avenue has also been given careful consideration. The window most likely to be affected by the proposed layout would be any windows closest to the eastern corner of the property which sits just 5m from the boundary. The siting of property occupying plots 11 to 13 would not breach the 45degree code and when considering the 25 degree line, based on the scale parameters given in the design and access Statement, no breach would occur. For these reasons I am satisfied that the proposed layout would not given rise to a situation which would be detrimental to residential amenity in terms of daylight reaching 7 Westville Avenue.
- 4.14 The layout proposed has the potential to affect protected trees on this site. A recent Tree Preservation Order has protected many of the older established trees and as such careful consideration must be given to how these trees might be affected by the development. The District Council’s Arboricultural Officer has been consulted on the current scheme and has offered the comment as detailed above. In light of his comments, and subject to the imposition of appropriate conditions, I am content that the protection of the trees in question will be ensured during construction and in the future.



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- 4.15 Given that this application is outline and matters of layout and access are for consideration only at this stage, I am satisfied that for the reasons outlined above the proposal accords with the relevant Adopted Local Plan policies. Information provided by the applicant suggests that properties on this site would be between 7.5 and 7.9m high with roof of 30 degree pitch with eaves heights of 5m. Based on these indicative parameters I have no reason to consider, at this point, that the reserved matters could not be met.

**S106 OBLIGATIONS**

- 4.16 This application is subject to the following planning obligations as set out by the Adopted Planning obligations Supplementary Planning Document:

S106 Requirement	Amount	Required by the SPD
Education contribution	£2,389 per 2 or 3 bed dwelling £3584 per 4+ bed dwelling	Yes
Open Space contribution	Calculated at No. of child bed spaces x 24 sq.m. x £17.15	Yes
Biodiversity	To be agreed	Yes
Public Realm	Improvements to public realm by virtue of the development itself.	Yes

- 4.17 The Education and Open Space contributions will need to be secured through a Section 106 Agreement, however the Biodiversity contribution can be dealt with adequately by condition.

**5.0 Conclusions and Recommendations**

- 5.1 The proposed development would satisfy the requirements of the relevant policies of the Adopted Wyre Forest District Local Plan and is therefore considered to be acceptable.

- 5.2 In consideration of Articles 1 and 8 of the Human Rights Act 1998, I recommend **delegated APPROVAL** subject to:

- a) the signing of a **Section 106 Agreement** to secure the following:

- Education contribution of £2,389 per 2 or 3 bed dwelling  
£3,584 per 4+ bed dwelling
- Open Space contribution calculated using the following formula:  
No. of child bed spaces x 24 sq.m x £17.15
- Biodiversity – to be agreed
- Public Realm – to be agreed

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b) subject to the following conditions:

1. A1 (Standard outline)
2. A2 (Standard outline – reserved matters) : the design of the buildings, the external appearance of the buildings, the landscaping of the site
3. A3 (Submission of reserved matters)
4. A11 (Approved plans)
5. Highways conditions
6. Tree conditions

Notes

- A SN2 (Section 106 Agreement)
- B SN12 (Neighbours' rights)

Reason for Approval

The principle of residential development on this site is considered to be acceptable by virtue that it is within an area allocated for residential purposes and the site constitutes previously developed land. The layout of the proposed development is considered to be acceptable and would not adversely affect the character of the surrounding area or the streetscene. The effect on neighbouring properties has been carefully assessed and it is considered that there would be no undue impact on amenity. The proposal would not result in the loss of or damage to protected trees. It is also considered that the proposed access is acceptable and would not give rise to a situation which is detrimental to highway safety. Thus, the proposal conforms with the policies of the Adopted Local Plan as listed.

5.3 In the event that the Section 106 Agreement is not completed by, 28 January 2009 I also recommend that **delegated** authority be given to **REFUSE** permission for the following reason:

1. The applicants have failed to enter in to an agreement under Section 106 of the Town and Country Planning Act 1990 (as amended) to secure contributions for Public Open space and Education Contributions. In the absence of this agreement the proposed scheme fails to comply with Policies LR.1, LR.2, CY.4 and IMP.1 of the Adopted Wyre Forest District Local Plan and the adopted Supplementary Planning Document on Planning Obligations.

PLANNING (DEVELOPMENT CONTROL) COMMITTEE.

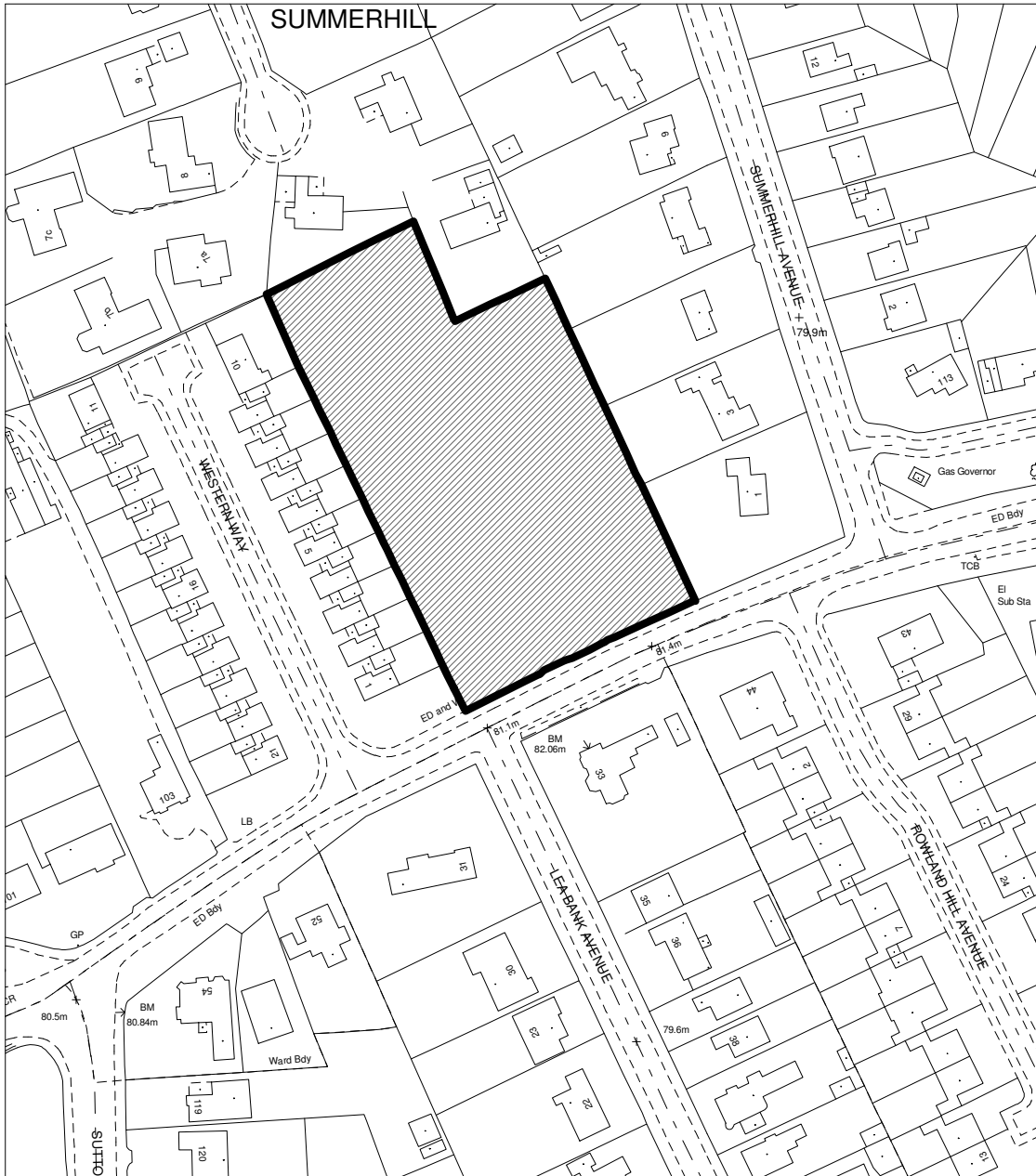
08/0977

Date:- 29 December 2008

OS sheet:- SO8176SW

Scale:- 1:1250

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PLANNING, HEALTH & ENVIRONMENT DIVISION  
108/109 BEWDLEY HILL  
KIDDERMINSTER



Duke House, Clensmore Street, Kidderminster, Worcs, DY10 2JX. Telephone: 01562 732928. Fax: 01562 732556



<b>Application Reference:</b> 08/1045/FULL	<b>Date Received:</b> 27/11/2008
<b>Ord Sheet:</b> 383782 276981	<b>Expiry Date:</b> 22/01/2009
<b>Case Officer:</b> Julia Mellor	<b>Ward:</b> Greenhill

**Proposal:** Change of use from residential to offices (B1)

**Site Address:** 3 BIRMINGHAM ROAD, KIDDERMINSTER, DY102BX

**Applicant:** Roberts Surgical Healthcare Ltd

<b>Summary of Policy</b>	D.1, D.3, E.10, TR.9, TR.17, H.2, NR.8, NR.9, NR.11, NR.12 (AWFDLP) SD.3, SD.4, SD.5, SD.9, D.26, T.1 (WCSP) PPS1, PPG4, PPS4, PPG13
<b>Reason for Referral to Committee</b>	Third party has registered to speak at Committee
<b>Recommendation</b>	<b>DELEGATED APPROVAL</b>

## 1.0 Site Location and Description

- 1.1 The application site fronts Birmingham Road approximately 200m east and upslope from St. George's Church. The two storey detached property is currently vacant and was previously in use as a 3 bedroom dwelling.
- 1.2 Dormer bungalows also in residential use lie to either side of the application site at numbers 2 and 4 Birmingham Road.
- 1.3 It is proposed to change the use of the existing dwellinghouse to that of offices within the B1 use class category (i.e. not principally open to visiting members of the public).
- 1.4 The applicants have advised that the proposed offices would operate between the hours of 09:00 and 17:30 Monday to Friday. The business would employ 2 full time people and 3 part time people who would be office based with an additional 3 sales executives who would be based in their own homes visiting the premises infrequently. There would be no visiting members of the public.

## 2.0 Planning History

- 2.1 KB/73/68 – Change of use of part of rear garden for use as dancing school : Refused 06/03/73

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### 3.0 Consultations and Representations

3.1 Highway Authority – No objections subject to conditions requiring (1) the site to be laid out for 3 parking spaces, (2) secure parking for 6 cycles and (3) the provision of changing rooms and showering facilities. *(Officer Comment - Further comments following receipt of a proposed parking layout and details regarding the commercial traffic generation will be reported on the Addenda and Corrections sheet).*

3.2 Access Officer – Access issues have been adequately addressed for a non-public building change of use

3.3 Environmental Health – Awaiting comments

3.4 Forward Planning – Awaiting comments

3.5 Neighbour/Site Notice – 2 letters of objection have been received from the adjoining neighbours to either side of the application site. In summary the concerns raised are as follows:

- There is no detailed site plan, floor plans, illustration of the proposed ramped accesses or parking layout;
- Adopted Local Plan Policy E10 requires the proposal to be subject to a sequential approach. The Policy states that a preference for office development will be given to town centre sites, then edge of centre sites, then district and local centres sites, then employment or industrial areas and then finally out of centre sites. The applicant has not demonstrated that this sequential approach has been followed. There is a significant supply of vacant office space of all scales and locations available throughout the town, edge of centre, district and local centres and within employment areas which could and should accommodate this proposal;
- No reason why the company cannot continue to trade from existing premises on Hoo Road;
- The proposal would be contrary to Adopted Policy D1, as once established such changes of use have a history of incremental and cumulative impact on the amenities of nearby residents. The replacement windows and installation of two ramps would impact upon the character and appearance of the property and full detailed drawings should be requested and considered;
- The proposal will result in the need for commercial signage, window security grilles, door shutters and a large commercial four wheeled waste-bin as at the company's existing premises – these are examples of the incremental and cumulative impact not indicated in a change of use application which would not complement and respect the adjacent residential development. Details should be required as an integral part of the application;

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- I dispute the assertion that there is a large enough area for 5 vehicles to park and also provide sufficient turning area to ensure that they leave in a forward direction onto the heavily trafficked A456;
- Traffic generation is in excess of that which would be generated by the continued residential use of this 3 bedroom house. A site plan indicating car parking and vehicle turning space should be required as an integral part of the application;
- The statement that additional parking could be created in what is “*currently the back garden*” implies potential further incremental and cumulative impact with portions of the rear garden requiring to be dug out and hard-surfaced for parking. It should be noted that the shared rear access road is only one vehicle in width, has a 90 degree bend, and as such is totally unsuitable for additional traffic movements;
- No mention is made of the high degree of commercial traffic that services any such office use. It should be noted that such service traffic does not have the option of on-street parking as the vehicular access to the property is directly onto the safeguarded area of the recently installed pelican pedestrian crossing;
- Such increased traffic in terms of both numbers and size of vehicles would most definitely give rise to “*a serious detrimental impact on the amenity of nearby residents*”, again contrary to Policy D.1. Details of size and frequency of service traffic should be required as an integral part of the application; and
- Residential use is a 24 hour “use” and as such provides security to adjacent residents. If that neighbour is a 9.00 - 5.30 office use, then there is no such reassurance out of office hours and at weekends.

#### 4.0 Officer Comments

- 4.1 The application site is located in area which, according to the Adopted Local Plan, is allocated for residential purposes. It is therefore relevant to consider Policy E.10 entitled Business Development Outside Allocated Areas. In the interests of residential amenity the policy states that in locations such as the application site employment development will only be allowed for B1 uses, however the policy goes on to state that the Council will follow a sequential approach to office development. This means that preference will be given to town centre sites, then edge-of centre locations, then district and local centres followed by areas identified for employment development and finally out-of-centre locations.

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- 4.2 The applicants have advised that the company has been looking to move premises for 2-3 years as their existing premises at Hoo Road are too small. They wish to retain their Kidderminster roots and local staff. The company has however, *“.....not been able to find any suitable freehold premises in the town or on existing industrial estates which largely cater for warehouse/distribution.....The company would see reverting to renting premises as a retrograde step after having secured a solid asset for the company.”*
- 4.3 At best, the site could be described as an edge-of-centre location as it is sited at a distance of approximately 425m from Coventry Street where it adjoins the ring road. There is however clarification within the reasoned justification Policy E.10 which states that, *“proposals falling within the Business Use Class B1 may be acceptable in certain other locations such as residential areas, provided they do not give rise to environmental objections. Such uses will not be permitted where either individually or cumulatively they would adversely affect the residential character, or harm the amenities of the area, particularly by virtue of traffic generation.”* Therefore Policy E.10 does not automatically rule out office development at the location proposed.
- 4.4 Next, it therefore falls to consider the potential impact upon the character and amenity of the surrounding residential area as suggested above by Policy E.10 and highlighted within Policy D.1.
- 4.5 The adjoining neighbours have raised objection to the impact upon the character and appearance of the existing dwelling by virtue of replacement windows, the installation of ramps, commercial signage, window grilles and door shutters and four wheeled waste bins.
- 4.6 First, the applicant has indicated that the existing windows are beyond repair and it is considered from visiting the site that this statement cannot be disputed. It is considered unreasonable to prevent the applicants replacing the windows which would be permitted development providing that the replacements do not appear materially different. It is not considered that replacement windows would have a significant detrimental impact upon the appearance of the dwelling.
- 4.7 Next there is a secondary access to the dwelling via a side walkway which is set back approximately 7.3 from the front of the house. A ramp could be installed in front of this access without having a significant adverse impact upon the character of the dwelling. The applicants have confirmed that any ramps would be demountable.

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- 4.8 The applicant has advised that no window shutters are proposed although a door shutter may be provided. They have also indicated that their existing premises at Hoo Road were purchased with all of the existing security shutters in place. It should be noted that external grilles on a commercial premises would require the benefit of planning consent, and whilst internal shutters would be permitted development a suitably worded condition could be attached to remove this allowance should Members consider it to be necessary.
- 4.9 The applicants have indicated that a 'normal' wheelie bin would be required which would be stored to the side of the building.
- 4.10 Further concerns have been raised regarding parking and traffic generation. Following the receipt of the original plans a full parking layout has been requested to demonstrate how many spaces could be achieved on site whilst also accommodating sufficient manoeuvring space. At the time of report preparation these revised plans are still awaited, however when received they will be referred to the Highway Authority and further comments will be reported on the update sheet. The applicant has also submitted additional information regarding traffic generation and again comments will be reported on the update sheet. It should however be noted that on street parking on Birmingham Road in front of the dwelling would be prevented by zig zag lines associated with the pedestrian crossing which lies in close proximity. It is however considered that the impact of traffic generation upon resident's amenity over and above the existing three bedroom dwelling would not be so significant as to warrant refusal. This comment is made recognising that Birmingham Road does not provide a particularly quiet environment as it is heavily trafficked by virtue of it being a main route to and from the ring road.
- 4.11 Whilst it is acknowledged that there is a gated entrance adjacent to No.4 leading to a single access track and entrance to the rear garden to the application property this access does not form part of the application site. Furthermore it is considered reasonable to add a condition to prevent the implementation of any parking spaces within the existing rear garden to protect the amenity of residents.



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## 5.0 Conclusions and Recommendations

5.1 On balance, and in consideration of Articles 1 & 8 of the Human Rights Act 1998, the policies of the Adopted Local Plan and the objections from neighbours, it is considered that this is an appropriate location for the proposed office use and the harm to residential amenity would not be so significant as to warrant refusal.

5.2 The recommendation is therefore for **delegated APPROVAL** subject to objections being received from Forward Plans or Environmental Health and subject to the following conditions:

1. A6 (Full with no reserved matters)
2. A11 (Approved plans)
3. A10 (personal permission – Roberts Surgical Healthcare Ltd)
4. Details of siting and design of proposed demountable ramp
5. No parking to rear of property
6. Retention of parking area
7. Secure parking for bicycles
8. Retention of showering facilities at ground floor for purposes of changing room

### Notes

A External shutters would require planning consent

B Advertisements may require advertisement consent

### Reason for Approval

The proposed change of use to B1 office use is considered appropriate at the location proposed. Having taken into account the objections regarding the impact upon residential amenity resulting from the physical changes to the property together with the associated traffic generation and parking, the sequential approach to office development and the security issues with respect to adjacent properties it is considered that the harm to residential amenity and conflict with policy would not be so great as to warrant refusal.

PLANNING (DEVELOPMENT CONTROL) COMMITTEE.

08/1045

Date:- 29 December 2008

OS sheet:- SO8377SE

Scale:- 1:1250

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WYRE FOREST DISTRICT COUNCIL

**PLANNING (DEVELOPMENT CONTROL) COMMITTEE**  
**13<sup>TH</sup> JANUARY 2009**

**PART B**

<b>Application Reference:</b>	08/0785/FULL	<b>Date Received:</b>	13/08/2008
<b>Ord Sheet:</b>	382993 279551	<b>Expiry Date:</b>	08/10/2008
<b>Case Officer:</b>	Emma Anning	<b>Ward:</b>	Wolverley

**Proposal:** Construction of garages in lieu of carports (Amendment to Planning Approval 07/0605/FULL)

**Site Address:** LIVE & LET LIVE P H, BLAKESHALL LANE, WOLVERLEY, KIDDERMINSTER, DY115XE

**Applicant:** Greenfield Homes Ltd

<b>Summary of Policy</b>	D.1 D.3 D.9 D.13 D.15 GB.1 GB.6 CA.1 TR.9 TR.17 (AWFDLP) D39 (WCSP) QE.3 QE.5 (WMRSS) PPG 2; PPG 15
<b>Reason for Referral to Committee</b>	Statutory or non-statutory Consultee has objected and the application is recommended for approval
<b>Recommendation</b>	<b>APPROVAL</b>

**Background**

A Members will no doubt recall that this application was considered by Committee on 14 October 2008, at which time the resolution was to approve the application in accordance with the officer recommendation. However, before the formal decision notice was issued it came to light that the applicant had inadvertently included a small area of land within the application site boundary which was not actually in his ownership, thereby rendering the application invalid. Added to this, there was also a claim from a neighbouring resident regarding a right of access over part of the site.

B The correct ownership certification has now been provided and the application has now been revalidated. Amended drawings have been provided also which make provision for the access claims of the neighbour, who in turn has confirmed his acceptance of the provisions made. Re-notification and consultation, where necessary has taken place and the application is now brought back before committee for determination.

08/0785/FULL

## 1.0 Site Location and Description

- 1.1 The application site is the former Live and Let Live pubic house which is located on Blakeshall Lane, Wolverley. The site is within Flood Zone 2/3, is within a Conservation Area and is washed over by Green Belt.

## 2.0 Planning History

- 2.1 07/0605/FULL - Demolition of existing Live and Let Live public house and erection of 10 no. 2 bed apartments with associated garaging and parking : Approved 23/10/07

## 3.0 Consultations and Representations

- 3.1 Wolverley and Cookley Parish Council – Recommend refusal. The Parish Council are extremely concerned that the conditions imposed on the original plans passed have not been imposed to this amendment and the conservation officer has concerns over the proposals. The positioning has been altered and the garages have already almost been fully constructed.
- 3.2 Access Officer – The submitted Design Statement does not contain the required access element to give a comprehensive assessment of the whole scheme in relation to its setting and functionality and its suitability for use by disabled people.  
Where is the provision for disabled user parking, for visitors, and garaging, for residents? Provision was made previously on the approved plan, see attached.  
There must be a hard surfaced pedestrian route from the disabled user spaces to the level entrance to the dwelling.
- 3.3 Conservation Officer – The originals plans have been revised and I am now happy that the scheme would not detract from the setting of the Conservation Area. No objection and recommend approval.
- 3.4 Neighbour/Site Notice – One letter received from neighbour in support of the application. The main points raised are:
- We are entirely happy that the site is upgraded by increasing expenditure with the construction of garages in lieu of car ports. The fact that the garages will have tiled roofs confirms the overall quality of the development.
  - I understand that there is pressure to construct some garages or carports as provided for in the original drawings immediately North west of the new apartments. The site is far more obtrusive to Lucas House, we shall not be happy if current construction which is an improvement to the overall design reverts to the original.

08/0785/FULL

- What is now happening is a vast improvement on what had previously become a large derelict site in the centre of a lovely Conservation Area.

#### **4.0 Officer Comments**

- 4.1 Consent is sought to amend the existing permission (07/0605/FULL) to construct garages in lieu of car ports at the above site. Members will be aware that the developer has already commenced some of the works in this regard, but has since been advised to cease works in respect of the garages, pending the determination of this current application.
- 4.2 The key policy considerations in this instance are GB.1 GB.6 and CA.1 which will seek to ensure that the development proposed is acceptable in this Green Belt location and that it would not unduly impact on the setting and landscape character of the Conservation Area.
- 4.3 Green Belt policy states that development is only appropriate where it would preserve the openness of the Green Belt and would not conflict with the purposes of including land within it. The matter of whether or not carport/garage structures are appropriate in this location was addressed as part of the original planning consent and as such the principle of car parking structures has already been approved. This application seeks to alter the design and siting of those structures and therefore the primary consideration is the impact of the revised design and position on the openness and visual amenity of the Green Belt
- 4.4 The original permission shows 2 detached 5-bay car ports with tiled roofs and timber frames. These car ports were to be sited to the east and to the north west of the proposed apartments. The current scheme proposes to position a 5-bay garage on the same site as the approved 5-bay car port to the east of the apartment block. Following the previously mentioned right of access claimed by the neighbour, additional provision has now been made to ensure access and parking is provided within the application site to serve the neighbouring property also. The more significant alteration is to the parking arrangement at the north west of the application site. It is proposed to replace the single 5-bay car port with 2 smaller detached garage structures incorporating a shared bin store to serve the apartments. These would be positioned in the same vicinity but each block would sit at right angles to Blakeshall Lane. In terms of the impact these changes would have on the Green Belt, I am satisfied that there would be no greater impact on openness than would be the case with the current approved scheme by virtue that the total overall mass of built structures would not change. The siting of the garages to the north west would ensure that they are well screened by existing vegetation around the site and the proposal would not therefore lead to an increased impact on openness.

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- 4.5 The proposal would therefore not be detrimental to the openness of the Green Belt and the proposal therefore accords with Policy GB.1 of the Adopted Local Plan. In this regard, careful consideration has been given to the proposed roof designs, which will present gables at the critical points in a manner similar to a number of buildings within the immediate vicinity, within the Conservation Area.
- 4.6 In terms of design the proposed garages would differ from the carports in that they would be fully brick built as opposed to timber clad, and would have garage doors to the fronts. The Conservation Officer has been party to extensive discussion with the applicant and the design including the revised parking layout has been revised in order to ensure that there is no detrimental visual impact caused to the Conservation Area, in accordance with CA.1 of the Adopted Plan.
- 4.7 Despite the latest revisions to the car parking layout, the overall level of parking provision would not alter as a result of the proposed changes and as such I am satisfied that the proposal will accord with Policies TR.9 and TR.17 of the Adopted Local Plan and that there would be no adverse impact on highway safety as a result of the proposal.
- 4.8 The layout of the hard surfacing proposed will change due to the amended positioning of the garages however it is not felt that this would cause visual harm to the locality and as such the proposed changes are acceptable.
- 4.9 The Parish Council have raised concerns that the pre-start conditions attached to permission 07/0605/FULL have not been complied with and are still outstanding, I can however confirm that this is not the case and that all relevant conditions have been discharged to the satisfaction of the local Planning Authority. As mentioned above the Conservation Officer does not have any objections to this proposal.
- 4.10 The District Council's Access Officer has raised concerns that the original plans did not make provision for disabled parking, however this has been addressed on the revised plan and I am satisfied therefore that the Access Officer's concerns have now been overcome.

## **5.0 Conclusions and Recommendations**

- 5.1 The proposal is considered to be appropriate development in this Green Belt location which would not cause harm to openness. The impact of the proposal on the amenity of neighbours and on the visual amenity and setting of the Conservation Area has been carefully assessed and it is considered that there would be no undue impact.

08/0785/FULL

5.2 The proposal therefore complies with the relevant policies as listed. It is therefore recommended that the application be **APPROVED** subject to the following conditions:

1. A6 (Full with no reserved matters)
2. A11 (Approved plans)
3. Materials to match those of the main dwelling.
4. Details of hard surfacing to be submitted

Reason for Approval

The proposal is considered to be appropriate development in this Green Belt location which would not cause harm to openness. The impact of the proposal on the amenity of neighbours and on the visual amenity and setting of the conservation area has been carefully assessed and it is considered that there would be no undue impact. The proposal therefore complies with the relevant Local Plan policies as listed.

<b>Application Reference:</b>	08/0787/FULL	<b>Date Received:</b>	12/08/2008
<b>Ord Sheet:</b>	383220 276353	<b>Expiry Date:</b>	07/10/2008
<b>Case Officer:</b>	Paul Wrigglesworth	<b>Ward:</b>	Greenhill

**Proposal:**                   Erection of 8 flats, one shop and 2 office units, after demolition of existing shops.

**Site Address:**           93-94 NEW ROAD, KIDDERMINSTER, DY101AE

**Applicant:**               Gordon Strain

<b>Summary of Policy</b>	TC.2, RT.4, D.1, D.3, CA.6, D.1, D.3, TR.9, TR.17 (AWFDLP)
<b>Reason for Referral to Committee</b>	Development Control Manager considers that application should be considered by Committee
<b>Recommendation</b>	<b>DELEGATED APPROVAL subject to Section 106 Agreement</b>

**1.0 Site Location and Description**

- 1.1 These premises are located on New Road opposite Pike Mills Car Park. The existing properties comprise a vacant shop with storage buildings to the rear and Coral Betting Office. The site backs on to and is visible from a Public Car park to the rear and beyond this is Corporation Street.
  
- 1.2 It is proposed to demolish the existing buildings and to erect a retail premises on the ground floor with two shop frontages, 8 no. one bedroom flats above on two additional floors and to the rear beyond a courtyard erect a two storey building with offices.

**2.0 Planning History**

- 2.1 None particularly relevant.

**3.0 Consultations and Representations**

- 3.1 Highway Authority – No objections subject to conditions (verbal)
- 3.2 Environment Agency – Views awaited
- 3.3 Severn Trent Water Ltd. – No objection subject to conditions
- 3.4 Conservation Officer – I have no objections over these proposals and recommend for approval subject to conditions



08/0787/FULL

- 3.5 Council Car Parks Manager – Car parking contribution required (see Officer Comments)
- 3.6 Conservation and Countryside Officer – No biodiversity loss. Possibility of presence of bats in roof.
- 3.7 Neighbours/Site Notice – No representations received

#### **4.0 Officer Comments**

##### LAND USE CONSIDERATIONS

- 4.1 The premises lie within a secondary shopping area where Policies TC.2 and RT.4 apply. Policy TC.2 permits retail uses at ground floor level at ground floor and residential uses at first floor level. This policy does not allow non-retail uses at the ground floor street frontage. The two office uses are situated at the rear of the store where there is no retail frontage and these uses are therefore permissible under the terms of this policy. Policy RT.4 is concerned to limit the size of shops in secondary shopping areas by not allowing extensions to the retail floor space that exceeds 250 sq. metres. In this case the net additional retail floor space is 195 sq. metres which is below this threshold.

##### VISUAL AMENITY

- 4.2 New Road is an area where Policy CA.6 could be applied. This policy seeks to retain buildings in older parts of towns and villages where the structures contribute positively to the character and appearance of the area. In this case the street frontage associated with the two existing shops is not very appealing as it is spoilt by the incongruous single storey flat roofed Coral bookmakers building; an unattractive galvanised doorway (to a rear storage area) and a vacant and boarded up shop front marred by an overlarge advertisement sign. The upper floor above one of the shops is quite attractive but overall the premises detract from the appearance of the street scene. To the rear and sides the premises are an unsightly jumble of buildings, walls and broken fences which creates a poor impression when viewed from the car park and Corporation Street.
- 4.3 The front elevation of the proposed building has the appearance of a pair of semi detached buildings of different heights which merge the height of the shop premises on the one side with the taller Corn Exchange building on the other. The proposed retail outlet on the ground floor has two attractively detailed shop fronts so as to harmonise with the pattern of shop fronts on New Road and above the shops the upper floors are traditionally detailed. The sides and rear of the main building are three storey and the flat roofed areas (to keep the overall height to an appropriate level) are hidden behind traditional sloping roofs. The detached office building to the rear, which is separated from the main building by a courtyard, is in contrast a modern design with mono pitched roofs, a glazed full length corner feature and contemporary guard rails. A new 1.3 metre high brick wall and railings forms the boundary with the public car park.

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- 4.4 The adjacent Corn Exchange is a Locally Listed Building and as a consequence the Council's Conservation Officer has also been involved in discussions associated with the design of this development. These discussions have been protracted and have involved many amendments spanning two applications before reaching this situation where the design and detailing is now considered to be appropriate for this location and acceptable in terms of Policies D.1 and D.3 of the Local Plan.

#### EFFECT ON NEIGHBOURING PROPERTY

- 4.5 There are already high walls on each side of the existing property and consequently it is the additional impact that is the main consideration. The current plans cut back the original extent of the building on the one side so as to comply with the 45 degree code. On the Corn Exchange side the new building is further away as there is a driveway between the two properties. This relationship is also judged to be acceptable for a town centre location where there is inevitably a higher density of buildings.

#### OTHER CONSIDERATIONS

- 4.6 The Highway Authority has verbally stated that they are now satisfied with this development subject to the provision of a shower room for cyclists which is shown on the latest plans.
- 4.7 The Car Parks Manager requires a contribution towards the Council Car parks as the scheme provides no on-site car parking and a sum of £5,000 is in the process of being agreed with the applicant's agent which will need to be the subject of a Section 106 Agreement. As the flats are one bedroom there is no requirement for education or open space contributions.
- 4.8 The building lies within the flood plain of the River Stour and the views of the Environment Agency are awaited with regards to flood risk.

## 5.0 Conclusions and Recommendations

- 5.1 That **delegated** authority be given to **APPROVE** the application subject to a favourable response from the Environment Agency, the signing of a **Section 106 Agreement** relating to a £5,000 contribution towards the maintenance of the Council car park on the other side of New Road and subject to conditions based on:
1. A6 (Full with no reserved matters)
  2. A11 (Approved revised plans)
  3. All facing materials to be approved prior to the commencement of works on site
  4. 1:10 sections and profiles of all windows and external doors to be approved prior to the commencement of works on site

08/0787/FULL

5. 1:20 sections and profiles of the proposed new shop-fronts to be approved prior to the commencement of works on site
6. That the position, style, colour and material of all svp's vents and flues and other associated pipe-work to be approved prior to the commencement of works on site
7. Details of all fencing and guard rails to be approved prior to the commencement of works on site
8. Highway conditions including provision of shower facilities
9. Severn Trent Water conditions relating to sustainable drainage and diverting a sewer.
10. Bat survey/mitigation strategy
11. Any Environment Agency conditions

Reason for Approval

The application has been carefully considered in terms of the principle of allowing the development (Policies TC2 and RT4); the design of the buildings and their appropriateness in the context of their setting (Policies D1 and D3); the impact on neighbouring property (Policy D1) highway and car parking considerations (Policies TR9 and TR17) and the submitted scheme is judged to be acceptable and compliant with the policies stated and all of the above mentioned policies in the Development Plan.

<b>Application Reference:</b>	08/0919/FULL	<b>Date Received:</b>	15/10/2008
<b>Ord Sheet:</b>	381840.127169588 270220.247989163	<b>Expiry Date:</b>	14/01/2009
<b>Case Officer:</b>	Julia Mellor	<b>Ward:</b>	Mitton

**Proposal:** Proposed extension to form materials store.

**Site Address:** CONVEYOR UNITS LTD, SANDY LANE, TITTON,  
STOURPORT-ON-SEVERN, DY139PT

**Applicant:** Conveyor Units Ltd

<b>Summary of Policy</b>	E.2, D.1, D.9, D.15 NR.5, NR.9, NR.11, TR.9, TR.17 (AWFDLP) T.1, T.4, D.25, CTC.8 (WCSP) T.7, PA.1, PA.5, PA.6, QE.9 (WMRSS)
<b>Reason for Referral to Committee</b>	'Major' planning application
<b>Recommendation</b>	<b>DELEGATED APPROVAL/REFUSAL</b>

## Background

This application was reported to the December 2008 meeting with a recommendation for delegated approval subject to no objections from the Highway Authority or the Environment Agency. Whilst it was reported at the meeting that the Environment Agency had raised no objections, revised plans were awaited to indicate a true representation of the existing and proposed parking arrangement. These have now been received.

### 1.0 Site Location and Description

- 1.1 The application site encompasses 1.865 hectares of land within the Sandy Lane Industrial Estate. It currently accommodates 6 industrial units and ancillary office accommodation which together form the Conveyor Units premises. Primary access to the site is off Sandy Lane whilst there is secondary access from Heathfield Road.
- 1.2 The planning application seeks consent for a materials store located within the centre of the site which would adjoin an existing workshop. The store would measure 30.8m in length by a depth of 8.3m, and would have a mono pitch roof measuring 5.5m in height rising to 7.0m.

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## 2.0 Planning History

- 2.1 WF.583/03 – Erection of office extension : Approved 11.8.03
- 2.2 WF.48/03 – Extension to existing workshop : Approved 11.3.03
- 2.3 WF.321/01 – Erection of extension to existing workshops : Approved 19.6.01
- 2.4 WF.907/99 – Erection of extensions to form additional workshop, storage and dispatch areas and new compression house : Approved 10.12.99
- 2.5 WF.301/99 – Erection of single storey office and toilet extension : Approved 18.5.99
- 2.6 WF.183/99 – Erection of extension to form cupboard loading bay : Approved 20.4.99
- 2.7 07/0057/FULL - Extensions to side & rear of unit 1; provision of new car park; new access off Sandy Lane : Approved 19.03.07

## 3.0 Consultations and Representations

- 3.1 Stourport-on-Severn Town Council – Awaiting comments
- 3.2 Highway Authority – Awaiting comments
- 3.3 Severn Trent Water – No objections subject to conditions
- 3.4 Access Officer – A full and comprehensive access statement is required before full consideration can be given to this application.
- 3.5 Environmental Health – Awaiting comments
- 3.6 Environment Agency – No objections
- 3.7 Neighbour/Site Notice – No representations received.

## 4.0 Officer Comments

- 4.1 The application site is located within Sandy Lane Industrial Estate which is allocated for Class B1, B2 and B8 uses within the Adopted Wyre Forest District Local Plan. Therefore the principle of the extension is acceptable.
- 4.2 The submitted plans indicate that the proposed extension would be of a similar design and clad in matching materials to the adjoining workshop which forms part of the largest unit known as Unit 1 on the site. It is therefore considered that the design is appropriate for its location.

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- 4.3 The original plans indicated a car park with 173 spaces. However, the applicant acknowledged that it was not the company's intention to implement the full extent of the proposed parking plan. Therefore, prior to the last Committee meeting, revised plans were requested to indicate a true representation of the proposed parking provision. These have been received and indicate a total of 90 spaces in total, 7 to the frontage of the main entrance to the premises, the remainder in three separate areas accessed either off Sandy Lane or Heathfield Road to the rear. This total would include 6 disabled spaces.
- 4.4 Unfortunately, the provision of 90 spaces would not meet the Adopted Local Plan parking standard requirement of 165 spaces calculated on the basis of the total B2 use class general industrial floorspace for the site as a whole.
- 4.5 Parking provision below parking standards was anticipated and therefore justification for the relaxation of current parking standards was requested but has not been received. However, the applicant has indicated verbally that 165 spaces are not required as the number of employees does not require the full amount. This correlates with the submitted application forms which indicate a total of 93 full and part time employees. At this moment in time comments from the Highway Authority acknowledging the particular circumstances of the applicant are awaited.
- 4.6 The number of disabled spaces meets standards and the revised plans indicate that disabled access to the proposed extension would be achievable.

## 5.0 Conclusions and Recommendations

- 5.1 The principle of an extension for industrial purposes at this location is acceptable however the detailed issue of adequate parking provision remains unresolved. I therefore submit two recommendations as follows:
- 5.2 The first recommendation is for **delegated APPROVAL** subject to no objections from the Highway Authority and subject to the conditions listed below. Acknowledging that the proposed parking provision is significantly below Adopted Local Plan parking standards, condition No. 4 would ensure that the site can only be used for the benefit of Conveyor Units Limited whilst condition No. 5 would remove permitted development rights for any future industrial development.
1. A6 (Full with no reserved matters)
  2. A11 (Approved plans)
  3. B3 (Finishing materials to match)
  4. A10 (Personal permission to Conveyor Units Limited)
  5. J15 (Removal of permitted development – industrial/commercial; Part 8, Class A)

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Reason for Approval

The proposed extension for general industrial purposes is of an appropriate design and suitably located within an employment allocated area. Whilst the proposed parking provision is below Local Plan standards it is considered that with suitably worded conditions the proposal would accord with the policies listed above.

- 5.3 The alternative recommendation is for **REFUSAL**, on the basis that the Highway Authority considers that the justification for the number of parking spaces does not outweigh the requirement to meet Adopted Local Plan parking standards.
1. The proposed parking arrangement as shown on Drawing No. C/1684/2008 a.3 (Issue 2) indicates the provision of a total of 90 spaces which would not meet the Adopted Wyre Forest District Local Plan parking standards by a significant margin. On the basis that the proposed parking provision is substantially below Adopted Local Plan standards and the site is not easily accessible by public transport it is considered that to approve the development would lead to the displacement of vehicles onto the public highway which would be harmful to highway safety and contrary to Policy TR.17 of the Adopted Wyre Forest District Local Plan and Government advice contained in PPG13.

## Agenda Item No. 5

**Application Reference:** 08/0946/FULL      **Date Received:** 27/10/2008  
**Ord Sheet:** 390863.195749725      **Expiry Date:** 22/12/2008  
278980.899669799  
**Case Officer:** Julia McKenzie-      **Ward:** Blakedown and  
Watts      Chaddesley

**Proposal:** Proposed Stable Block

**Site Address:** LAND OFF BROOME LANE, CLENT, STOURBRIDGE,

**Applicant:** Mr R Liveridge

<b>Summary of Policy</b>	GB.1, GB.2, GB.6, EQ.2, EQ.3, LA.1, D.1, D.9 (AWFDLP) D.39 (WCSP) PPS1 PPG2 PPS7
<b>Reason for Referral to Committee</b>	Statutory or non-statutory Consultee has objected and the application is recommended for approval
<b>Recommendation</b>	<b>APPROVAL</b>

### 1.0 Site Location and Description

1.1 This field is located on the northern side of Broome Lane immediately adjacent to Thicknall Lane. It is proposed to erect a 3 bay wooden stable to the west side of the field adjacent to an existing entrance gate.

### 2.0 Planning History

2.1 None relevant

### 3.0 Consultations and Representations

3.1 Broome Parish Council - Objection to the proposal and recommend refusal. Not objecting to the stable development, but to the road access. This lane is very busy, and there doesn't appear to be a speed limit in place if you see people drive down there.

3.2 Highway Authority - Any new access gates/doors shall be set back 7.3m from the adjoining carriageway edge, and shall be made to open inwards only.



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- 3.3 Conservation and Countryside Officer - Biological losses, no protected species issues but a possible small loss of scrub habitat along the western boundary. No evidence of biological gain. Perhaps a little more clarity to how close the scrub small trees and hedge the stables and hard standing are proposed to go. However, if this scrubby area was not to be destroyed and was excluded by fencing from grazing then I would be happy as there is no loss and some gain.

Suggest each stable block includes a few nest boxes. i.e. a couple of house martin boxes and a swift box and as a result biodiversity is then covered

- 3.4 Environmental Health - No comments
- 3.5 Neighbour/Site Notice - No representations received

#### 4.0 **Officer Comments**

- 4.1 This site lies in a Green Belt area where new stables/field shelters have been deemed to be appropriate subject to compliance with Policy EQ2. This policy makes it clear that in order for a proposal to be acceptable it should be:

- i) sited within or immediately adjoining an existing farm buildings complex, or failing that, alongside a hedgerow or other landscape feature which affords substantial screening; and*
- ii) provided with a safe highway access, the construction of which is environmentally acceptable; and*
- iii) constructed using good quality appropriate materials such as timber cladding, and designed clearly for their intended purpose.*

- 4.2 In this particular case there is no farm building but the stables are to be positioned adjacent to a hedgerow which affords good screening from Broome Lane which is located adjacent.
- 4.3 The buildings are to be constructed in wood and there are no design conflicts with Policy EQ2.
- 4.4 In addition to the policy statement the reasoned justification to this policy raises two other points which are relevant.
- 4.5 Firstly, the justification states that the *'District Council considers that the maximum size for stables for leisure uses should be 3.5 metres x 3.5 metres x 11 metres...* In this case the proposed stables would have maximum overall dimensions of 3.5 metres x 3.7 metres x 11 metres. I do not feel that this small increase is sufficient to warrant a refusal of the application in this particular instance.

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- 4.6 Secondly, the reasoned justification states that, '*Careful consideration will be given to the impact of proposals on the landscape character of the surrounding area, and in particular the cumulative impact of stables and field divisions*'. With regards to the cumulative impact, it is noted that there are no other stables within the immediate vicinity and therefore there would be no erosion on the attractive rural landscape or harm to the visual appearance of the Green Belt.
- 4.7 The Conservation and Countryside Officer has raised slight concerns over the small loss of scrub habitat along the western boundary. He has suggested that this area be excluded by fencing from grazing as this would result in no biological loss at the site but a small gain. The agent has agreed to forward a plan indicating the location of the fencing.
- 4.8 In terms of objections raised by the Parish Council regarding the road access, the Highway Authority do not concur with their opinion. However, they have asked that any new access gates/doors shall be set back by 7.3m from the adjoining carriageway edge, and shall be made to open inwards only in order to minimise the impact the development would have on the Broome Lane itself. This can be ensured via the imposition of a suitably worded condition.
- 4.9 The application is judged to be compliant with Policy relating to horsiculture in terms of location and impact on the Green Belt. There is no serious impact on neighbouring property. Any new access gates will need to be set back by 7.3m and open inwards to minimise their impact on the lane. The highway comments have in my opinion addressed the concerns raised by the Parish Council and as such there is no justifiable reason in this instance to recommend refusal to the application.

## 5.0 Conclusions and Recommendations

- 5.1 It is recommended that the application be **APPROVED** subject to the following conditions:
1. A6 (Full with no reserved matters)
  2. A11 (Approved plans)
  3. Within one calendar month from the date of the erection of the stables, hereby approved they shall be stained in dark brown and thereafter the development shall be maintained in that colour.
  4. The stables hereby approved shall be used for stabling of horses owned by or leased to the applicant and shall not be used for any commercial purpose(s) whatsoever.

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5. All existing hedges or hedgerows shall be retained, unless shown on the approved drawings as being removed.
6. Before the development hereby permitted is commenced, a plan indicating the area of fencing to protect the scrub habitat shall be submitted to and approved in writing by the Local Planning Authority.

Reason for Approval

The proposal is considered to be acceptable in terms of its location, impact on the surrounding landscape, affect on neighbouring property and in terms of highway safety. To approve the development in these circumstances would be compliant with the above mentioned policies contained in the Development Plan.