

WYRE FOREST DISTRICT COUNCIL

**PLANNING COMMITTEE**  
**13<sup>TH</sup> APRIL 2010**

**PART A**

**Application Reference:** 10/0071/FULL      **Date Received:** 11/02/2010  
**Ord Sheet:** 381178 271070      **Expiry Date:** 13/05/2010  
**Case Officer:** Paul Round      **Ward:** Mitton

**Proposal:** Substitution of house types including additional car parking and change to size of garden area

**Site Address:** LICHFIELD BASIN, STOURPORT-ON-SEVERN, DY139HB

**Applicant:** Barratt West Midlands

<b>Summary of Policy</b>	H.1,H.2,H.4,H.5,H.10,D.1,D.3,D.9,D.10,D.11,D.13,D.14D.15,D.16,NR.2,NR.5,NR.7,NR.10,NR.11, LB.5,CA.1, TR.6,TR.7,TR.9,TR.10,TR.17,TR.18, STC.1 (AWFDLP) SD2, CTC19, CTC20, T4 (WCSP) RR3, CF4, CF5, QE1, QE2, QE3, QE5 (WMRSS) Severn Road Development Brief; Design Quality (SPG) PPS1, PPS3, PPS5
<b>Reason for Referral to Committee</b>	'Major' planning application
<b>Recommendation</b>	<b>APPROVAL</b>

**1.0 Site Location and Description**

- 1.1 This application relates to the development known as Waters Edge surrounding Lichfield Basin. The site covers an area of 1.69 ha in size and is situated between Severn Road, Mart Lane and Lichfield Street in Stourport on Severn.
- 1.2 Planning permission was given in 2005 for 144 residential units on the site and for various associated works.
- 1.3 The site lies within the Stourport on Severn Conservation Area No.1 and the Stourport Basins area as designated under Policy STC.1 of the Local Plan.
- 1.4 This current application seeks approval revisions for two house types associated with the plots located close to and fronting onto Lichfield Street, and amendments to parking areas.

10/0071/FULL

## 2.0 Planning History

Various but of relevance

2.1 WF.1208/04 – Residential Development of 144 dwellings and associated works : Approved

2.2 09/0547/FULL – Re-Plan of Block A : Approved

2.3 09/0651/FULL – Re-Plan of Block C : Approved

## 3.0 Consultations and Representations

3.1 Stourport-on-Severn Town Council – Views awaited

3.2 Conservation Officer – I have no objections to these proposals, and do not feel that they will have a detrimental impact on the quality of the scheme as a whole, nor a detrimental impact on the adjacent Listed Buildings or Conservation Areas.

Specifically, Plots TH 1-12 are a modern building type, and the alterations to the roofline and to the front elevations are in line with the contemporary design adopted throughout the site; apropos Plots TH 13-19, these are more sensitive, having frontages and side elevations facing onto Lichfield Street, and have a direct relationship with the Listed properties opposite their plots – I feel that the amendments to the design, including the removal of the bay windows at ground floor, will present a better physical and visual relationship and linkage between the two sites. Whilst the properties are increased in height in the middle, I feel that this accurately represents and reflects other traditional styles and designs throughout the area as a whole. With regards to the parking spaces, I feel that this is an opportunity to maximise the opportunity for car parking spaces, and achieve a more realistic design with minimal impact on the scheme as a whole.

I therefore recommend approval to the scheme, with my only concerns being that the materials to be used are as in line with those originally approved for the original scheme and permission, and that the window details on TH13-19 have appropriate sections and set-backs – therefore I would request that 1:10 sections of these windows be subject to condition of any approval

3.3 British Waterways – No objections subject to note

10/0071/FULL

3.4 Neighbour/Site Notice – Four letters of objection for residents in Lichfield Street have been received. In summary they raise the following issues:

- Loss of daylight to residential properties in Lichfield Street due to three storey nature of buildings. Properties face south, so worsening the effect.
- Loss of privacy, direct overlooking into rooms
- New buildings will dominate the street and complement the listed structures.
- Loss of privacy and light due to parking area

#### **4.0 Officer Comments**

4.1 The proposal incorporates changes to house types, most notably to those fronting Lichfield Street with the inner units receiving minor changes. It is also proposed to modify the existing parking area for some of the units to try and create additional parking within the site.

##### **CHANGES TO HOUSE TYPES FRONTING LICHFIELD STREET.**

4.2 Plots 13 to 15 and 16 to 19 which form two separate blocks have a close association with the street context on Lichfield Street. The area is dominated by the historic presence of listed structures, indeed the wall defining the boundary of the site onto Lichfield Street is listed in its own right.

4.3 The design currently proposed, introduces two and three storey dwellings which allow the same floorspace but would provide additional garden area for the properties. The properties are designed in a Georgian style which adequately replicates the character and style the surrounding buildings in Lichfield Street. The changes have resulted in four of the plots increasing in height and becoming 3 storey. The additional three storey element consists of a 9m stretch directly opposite No. 3 Lichfield Street. Whilst this may appear to cause difficulties with the relationship to the existing dwellings in Lichfield Street due to the positioning of the windows of plots 16 to 19, only one causes direct overlooking to No. 3 Lichfield Street and is proposed to be obscure glazed. Whilst the separation distance is 12.3m, it is considered that due to the orientation of the units there will be no significant sunlight or daylight lost over and above that already approved.

4.4 In respect of plots 13 to 15, the end unit (plot 15) would retain its two storey presence onto Lichfield Street with the other two plots having three storey designs. It is considered that the changes to these plots would not result in difficulties with neighbouring properties.

4.5 Overall the changes to plots 13 to 19 would provide an enhancement to the overall design of the scheme particularly when viewed from Lichfield Street. The additional height can be accommodated without resulting in significant loss of amenity over and above the original scheme.

10/0071/FULL

**CHANGES TO OTHER HOUSE TYPES**

4.6 Plots 1 to 6, 7 to 10 and 11 to 12 which are in three separate blocks retain their contemporary style complementing the other blocks within the internal setting of the development. Changes are proposed to the following items:

- removal of projecting centre element;
- reduction in the amount of render to the front elevation;
- removal of dormer windows and balcony areas;
- change to three storey rather than four storey development;
- introduction of Juliette balconies; and
- reduction in depth to increase garden areas.

4.7 These alterations do not radically change the form of the building and would maintain a quality visual appearance of the development. Due to the position of the plots these changes would not have any impact to residential properties in the surrounding area. As such the proposed alterations are considered acceptable.

**CHANGES TO PARKING AREA ADJACENT TO PLOTS 6 AND 7**

4.8 The developer has found that for some of the units one car parking space for each unit is not sufficient to enable effective marketing of the properties and as such additional parking is being sought. In order to achieve additional spaces, the car parking area between plots 6 and 7 has been altered from 7 car parking spaces to 10 spaces. Such alterations naturally have wider implications however these have been kept to minimum and maintains 2m landscape buffer is kept to the north east and a 1m buffer to the south west. This reduction has also resulted in changes to the treatment to the boundary between the development and No. 18 Lichfield Street. The approved layout showed a 1 in 20 slope throughout the car park allowing the landscaping area to fall to the level of No.18. This is altered so provide a gentler slope to the car park with enhanced landscaping, and would result in a 0.7m retaining wall and a 1.1m fence to the boundary, providing a 1.8m screen which is usual in these circumstances. In terms of harm to the residents of No. 18 I consider that the proposed alterations will not result in significant additional harm over and above that already approved to the point where refusal could be justified.

**SECTION 106 AGREEMENT**

4.9 The original permission (WF 1208/04) was subject to a Section 106 agreement and the revised scheme (06/0490/FULL) approved in August 2006 was the subject of a Supplemental Section 106 agreement. The Section 106 agreement secured the provision of affordable housing (Blocks F and G) and also a highway contribution. The current application is subject to the Section 106 Agreements already in place. A further legal agreement is not considered necessary in this instance.

10/0071/FULL

## 5.0 Conclusions and Recommendations

5.1 The proposed amendments are considered be acceptable and will not result in harm to the character of the Conservation Area or the adjacent Listed Structures, and will not prejudice the design quality of the development as a whole. The application has been considered in the context of the previous approval and in my opinion no serious adverse impact on neighbouring properties will arise.

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

1. A6 (Full with No Reserved Matters)
2. A11 (Approved Plans)
3. B1 (Samples of Materials)
4. G1 (Details of windows and doors) (Plots 13-19)
5. H13 (Highway)
6. Boundary Treatment
7. Landscaping

### Reason for Approval

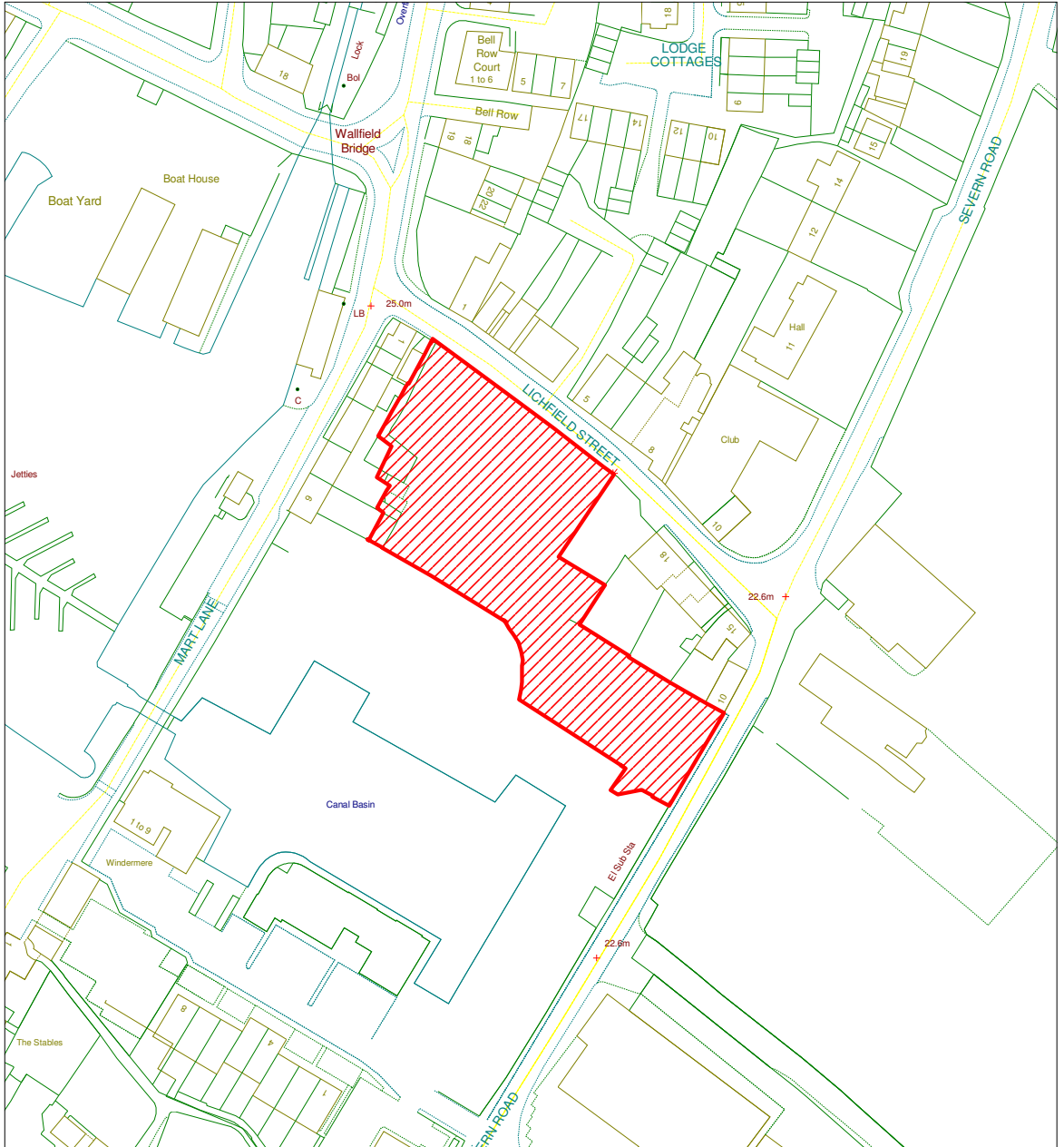
The proposed amendments are considered be acceptable and will not result in harm to the character of the conservation or the Listed Structures in the area and will not prejudice the design quality of the development as a whole. The application has been considered in the context of the previous approval and in my opinion no serious adverse impact on neighbouring properties will arise.

Date:- 29 March 2010

OS sheet:- SO8171SW

Scale:- 1:1250

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WYRE FOREST DISTRICT COUNCIL

**PLANNING COMMITTEE**  
**13<sup>TH</sup> APRIL 2010**

**PART B**

**Application Reference:** 09/0336/FULL      **Date Received:** 13/05/2009  
**Ord Sheet:** 383708.47498095      **Expiry Date:** 08/07/2009  
 277752.914571162  
**Case Officer:** Stuart Allum      **Ward:** Broadwaters

**Proposal:** Erection of a replacement dwelling (house) with vehicular access (demolition of all existing buildings)

**Site Address:** 84 STOURBRIDGE ROAD, KIDDERMINSTER, DY102QB

**Applicant:** Mr M Humphries

<b>Summary of Policy</b>	H.2, D.1, D.3, LB.1, LB.2, CA.6, TR.9, TR.17 (AWFDLP) SD.2, CTC.19 (WCSP) PPS5
<b>Reason for Referral to Committee</b>	Development Manager considers that application should be considered by Committee
<b>Recommendation</b>	<b>APPROVAL</b>

THIS APPLICATION WAS DEFERRED FROM THE 9 MARCH 2010 PLANNING COMMITTEE MEETING TO ALLOW FOR RE-CONSULTATION ON REVISED PLANS

**1.0 Site Location and Description**

- 1.1 No 84 Stourbridge Road, Kidderminster (a locally listed building) is a vacant and derelict detached bungalow located in a residential area to the north of Kidderminster town centre.
- 1.2 There is evidence on the historic maps that this building was originally associated with the neighbouring Victorian property to the north of the site, but at some time in the past No. 84 has established its own residential curtilage, which is long and very narrow.
- 1.3 The frontage of the building conforms to the original 'building line' along this part of Stourbridge Road, but this is the only single storey dwelling in evidence locally. The building is flanked by two storey dwellings, those to the south of the site being at a higher level (including those neighbouring properties in 'The Quarry').

09/0336/FULL

- 1.4 This application is a resubmission following refusal of planning application 09/0031/FULL. The current scheme continues the theme of demolition and replacement of the existing building, but the size and scale of the replacement has been reduced.

## **2.0 Planning History**

- 2.1 WF.966/85 – Alterations and extension : Approved
- 2.2 WF.630/86 – Extension : Approved
- 2.3 WF.1002/91 – Extension : Approved
- 2.4 WF.249/93 – Demolish existing bungalow and replace with dwelling : Approved
- 2.5 09/0031/FULL – Erection of replacement dwellinghouse with vehicular access (demolition of all existing buildings) : Refused 11.03.09

## **3.0 Consultations and Representations**

- 3.1 Highway Authority – No objection. No alteration to the highway is required as the dropped kerb already exists in this location
- 3.2 Severn Trent Water Ltd – No objection subject to condition
- 3.3 Conservation Officer – Now that the applicant and/or the agent have amended the plans to indicate accurately each of the elevations, I am happy to support the proposals. I therefore recommend approval for the scheme, subject to conditions on the approval controlling all facing materials and the submission of 1:10 scale sections and profiles of windows to the front elevation, in order to ensure the quality of the development.
- 3.4 Neighbour/Site Notice : a total of 5 letters of objection have been received in response to the originally submitted and subsequently revised plans. Main points of objection summarised are:-
- Previously rejected plans – refusal of permission clearly states need for justification for demolition of a locally listed building. The Design and Access Statement only states that the building is in a poor state of repair – is this really justification – only need to look at examples of recently restored and modernised buildings in Kidderminster such as the Old Piano Building
  - Fully support the objections raised by my mother - whole process very distressing for her – may need to hire a solicitor in order to gain an injunction to clarify the boundary line, and after the 16 year dispute she and my father suffered in her retirement she resents this possibility again



09/0336/FULL

- It would appear that the plan measurements are completely inaccurate. No correlation between my Deed plan (agreed in 1995 after 16 year boundary dispute) and the submitted revised plan. Boundary agreement also required for the construction of a new retaining wall at his cost when demolition of the building begins and damage inconvenience to me and my garden. Surely this should be shown on the planning application and is it not a requirement for the applicant to sign a declaration that the boundaries are true and correct?
- Proposed development breaks the 45 degree and 20 degree rule at the front of my property. Supporting Design and Access Statement says it will not, but as plans are inaccurate who is right and who is wrong? I will suffer light and view restriction.
- How is maintenance of the pitched roof and guttering to the rear to be achieved when there will be only very limited access at the side of my boundary?
- Two car parking spaces are shown on the revised drawing – a car park space should be 2.4m in width, so how will 2 spaces be achieved when the drawing measurements read 4.65m? and in consideration that part of the design of this building is for use by a disabled person a standard disabled parking space is 3.6m!?
- Architect states that he has not been made aware of the recessing boundary line by his client, nor has he seen a copy of the revised Deeds
- How does the builder propose construction will take place in light of safety, with the property being close to the junction with The Quarry and do they operate under the considerate construction scheme as most reputable builders do?
- Still very concerned regarding loss of light in our living/kitchen/garden rooms. Plans very confusing – exact measurements difficult to decipher
- Is our dual right of way to be infringed? We need that existing gap between our properties, to enable us to carry furniture and other large items - impossible through front door.
- Is the building line of this new build going to be exactly level with our house or is it going to be built more forward towards the road? If it is more forward, won't it affect our light in the front windows?

#### REVISED PLANS

One letter received – objection in principle maintained.

- Objection to inaccuracies of scale – rectified by the architect on the advice of the planning department. My objection to the breaking of the 45/25 degree rule to my front kitchen window – advised that this would not be recognised as I have a window to the rear of my room and therefore this allows the planning department flexibility.

09/0336/FULL

- Inaccurate boundary line shown on applicants drawing – my solicitor advised me to meet with Mr Humphries and form a written agreement as to where the boundary is and to the intentions of what will happen when demolition begins – (I enclosed a copy of the agreement made for your reference), as we have been led to believe that the Council would not recognise any dispute as it is a private boundary and, that the council would not accept any liability for any future dispute with the boundary event though the council could pass the plans with inaccuracies.
- With regard to the application having a gutter and pitched roof that will be inaccessible to the applicant once the building is complete – again we have been told that this would not be of relevance to the Council and would not be a legitimate objection.
- Without going into the other lesser objections that we have previously mentioned I think that you can clearly see we appear to be hitting a brick wall with any concerns we have, this has also dragged on for nearly 18 months and it is certainly not our wish to allow this to become a repeat of the 16 year dispute that we suffered in the past.
- We still object to the proposal but only in principle that it may give us a voice at a later state if it should be deemed necessary.

#### **4.0 Officer Comments**

- 4.1 The proposed development is for a two bedroom dwellinghouse, consisting of a two storey element to the front of the site in the position of the single storey building it will replace, along with a single storey element extending out to the rear.
- 4.2 The principle of demolition and rebuild of an existing dwelling in a residential frontage, on previously developed land, is acceptable in terms of Local Plan policy (H.2) but in all instances development must be environmentally acceptable and be in compliance with other Local Plan policies.
- 4.3 The previous attempt at redevelopment of this site failed because the proposed replacement dwelling on that occasion was considered, by virtue of its size, height and design, to be an over-development of the site with consequent harmful effects on the amenity and privacy of neighbouring dwellings. Also, insufficient evidence was produced at that time to justify the demolition of the existing locally listed building.
- 4.4 The challenge for the applicant and his agent has therefore been to modify the size, scale and design of the proposed dwelling, and to improve on the overall architectural quality and detailing to such a point that the loss of the existing building would be mitigated.

09/0336/FULL

- 4.5 Following protracted negotiations, the proposal shown in the latest set of revisions is considered to represent a building of sufficient quality to overcome the previous concerns. This takes a significant step beyond the submitted structural evidence that the bungalow is 'beyond economic repair' due to its current neglected condition. The end result would therefore represent at least a maintenance of the quality of the streetscene, for which reason No. 84 Stourbridge Road was originally locally listed.
- 4.6 The transformation of the rear of the proposed dwelling from the previously proposed and refused two storey to ground floor only has had a dramatic effect on the relationship of this part of the scheme with neighbouring properties. It is officers opinion that it would not now be possible to criticise the design as an 'over-development' and the previous concerns regarding over-domination and enclosure relative to rear amenity areas have been dispelled.
- 4.7 The neighbours have, however, raised some points relating to perceived loss of amenity, specifically in terms of the Council's 45 degree daylighting Code for principal habitable room windows. The general reduction in the massing of the building has overcome these previous refusal reasons. The only remaining potential issue is the likely effect at the front of the replacement building on the front facing ground floor window at No. 3 The Quarry, which serves a kitchen/dining room (a 'principal habitable room'). Although the 45 degree Code is breached by the development, this through room benefits from an alternative light source to the rear, enabling the code to be applied more flexibly.
- 4.8 Other issues raised, including the boundary definition, obligations in relation to deed plans and maintenance access arrangements are essentially private matters outside the scope of material planning considerations. No attempt has been made by the applicant or his agent to modify the originally submitted boundary plans, which were verified by the signature on the appropriate ownership certificate. With further regard to issues of amenity and privacy, the rights enjoyed by the neighbouring properties under the provisions of Article 1 of Protocol 1 and Article 8 of the Human Rights Act 1998 have been balanced against the scope of the proposal in that context. No potential breach has been identified in the latest revised scheme.

## 5.0 Conclusions and Recommendations

- 5.1 This proposal now meets the requirements of the appropriate Local Plan policies and guidance. Sufficient justification has been provide to support the proposal to demolish this locally listed building, and the design of the proposed replacement dwelling is considered to be of good quality. It is recommended that this application be **APPROVED** subject to the following conditions:

09/0336/FULL

1. A6 (Full with no reserved matters)
2. A11 (Approved plans)
3. B1 (materials details/samples to be submitted)
4. 1:10 scale sections and profiles of front elevation windows to be submitted
5. Severn Trent Water drainage condition

Note

SN12 (Neighbours' rights, with specific reference to boundary issues)

Reason for Approval

The size, design and architectural features of the proposed dwelling ensure that the visual contribution formally made by the demolished locally listed building to the streetscene would be maintained. The potential impact of the development upon the adjacent neighbouring properties has been carefully assessed and it is considered that no serious loss of amenity or privacy would occur. Accordingly, the proposal is considered to be in compliance with the policies listed above.

## Agenda Item No. 5

**Application Reference:** 09/0876/FULL      **Date Received:** 22/12/2009  
09/0877/LIST  
**Ord Sheet:** 378706 275385      **Expiry Date:** 16/02/2010  
**Case Officer:** Stuart Allum      **Ward:** Bewdley and Arley

**Proposal:** Re-cover existing canopy to front elevation, change of use from flat to kitchen and office on second floor (09/0867/FULL)

Re-cover existing canopy to front elevation, internal modification to ground, first and second floor to include demolition of walls, installation of cooker extra grille to rear elevation (09/0877/LIST)

**Site Address:** ARCHES, 1 SEVERN SIDE SOUTH, BEWDLEY, DY122DX

**Applicant:** Mr A Preece

<b>Summary of Policy</b>	D.1, D.3, D.18, TC.2, TR.3, TR.9, TR.17, CA.1, NR.5, LB.1, LB.2, LB.3 (AWFDLP) SD.2, CTC.19, CTC.20, CTC.8 (WCSP) QE.1, QE.3, QE.5 (WMRSS)
<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 'Arches' is an operational café/bar located adjacent to Bewdley bridge within the Conservation Area and is situated within the defined Flood Zone 2/3 It lies within a terrace of three and four storey buildings in mixed residential/commercial uses, and is Listed at Grade II.

1.2 The unit currently incorporates a separate flat on the second floor, which is proposed to be replaced by a kitchen and office to support the business. The application is partly retrospective.

### 2.0 Planning History

2.1 WF/0135/75 – Improve café, convert first floor to restaurant and second/third floor to flat : Approved

2.2 WF/0311/77 – Kitchen extension : Approved

2.3 08/0769/LIST – Retention of awning (retrospective) : Approved

09/0876/FULL AND 09/0877/LIST

**3.0 Consultations and Representations**

3.1 Bewdley Town Council – No objection and recommend approval.

3.2 Highway Authority – Recommends refusal to the planning application (09/0876/FULL). The proposed canopy (retrospective) is of an unsuitable design as it fails to provide sufficient height clearance for pedestrians or horizontal clearance from the carriageway. Canopies should be placed no lower than 2.4m above a footway and should not project within 500mm of the kerb line.

This application will deflect pedestrians into the carriageway due to a lack of height, and the canopy is vulnerable to impact from high sided vehicles due to the roads camber which could cause damage to the vehicle and canopy, and as this is located over a footway risks injuring passing pedestrians.

It is therefore recommended that this application be refused in the interests of highway safety.

REVISED PLANS – The canopy does not have permission and its presence is detrimental to pedestrians and motor vehicles. I therefore wish to maintain my objection to the proposal.

3.3 Environmental Health – Views awaited on revised plans.

3.4 Conservation Officer - Generally satisfied with internal arrangements and kitchen extraction methodology, but maintains objection to canopy on front elevation design not appropriate to Listed Building.

3.5 Neighbour/Site Notice – Two letters received:  
Letter 1 - 'No objection' subject to present standards alongside the river frontage being maintained.

Letter 2 – Since the recent change of occupancy, we are experiencing considerable noise and disturbance through our adjoining living/lounge room which is at the same level as the first floor of No. 1. Voice noises can be clearly heard, ever expanding with the volume of customers. Added to this, occasional raised voices plus music noises make this one considerable disturbing factor to us, from early evening until closing time.

Bearing in mind that my wife and I are both in our eighties, infirm and in need of constant medical attention, this situation has brought added problems to our mode of life. For example I myself have a hear condition, and other complicated medical problems which also confine me to this same area, which I have to use as a bedroom and also at a level that I can easily approach bathroom and toilet facilities. This plus outside smokers and levers into the late night make sleeping very difficult.

09/0876/FULL AND 09/0877/LIST

I have delayed contacting the new tenant, Mr Preece, about our problems until recently to give him time to settle into business, but did invite him into our lounge to explain these matters. As there have been no previous problems in this respect it seems that it occurred through certain changes made, and Mr Preece assured me that it was his intention to completely soundproof the wall at the offending end of No 1. As long as this is done efficiently and in the near future, it should bring an end to our suffering in this respect.

Mr Preece appreciated with sympathy, but outside smokers and late night leavers also expanded noise in the night air, and he is doing his best to keep this to a minimum and is pinning up notices to this effect in his bar area. With regard to the planning application relating to the kitchen area, if this could be kept to the opposite side of the floor plus the possibility of a food elevation, this would avoid any similar problems on the next upper floor level which adjoins my wife's and son's bedrooms.

#### **4.0 Officer Comments**

- 4.1 This application is brought before Members to consider outstanding objections from statutory consultees (the Conservation Officer and Worcestershire County Council as Highway Authority) to the existing canopy on the front elevation of the building facing the River Severn.
- 4.2 The canopy has been in position since receiving Listed Building Consent in 2008. Only the cover has been changed to represent the new business as part of these applications.
- 4.3 Having considered and approved the canopy previously, it would, it is suggested, be unreasonable to deny consent on this occasion, even taking into account that the colour has changed from dark red to white.
- 4.4 Such a logic would also apply to some extent to the comments offered by the Highway Authority, though applications for Listed Building Consent are not subject to comment from this source, as they deal purely with the fabric of the building. The canopy has been in place for 2 years within action from the Highway Authority. In addition, the canopy only fails the highway criteria by 0.2m in height and only fails in depth by virtue of the narrow historic pavement. In view of these points and historic interest that it provides, I cannot support the Highway Authority on this occasion. I do not agree that pedestrians will be forced into the highway as the height is 2.2m (7 ft.).

09/0876/FULL AND 09/0877/LIST

- 4.5 With regard to the neighbour's comments about noise, the application includes a conservation sensitive party wall sound proofing scheme which could be implemented if approval is granted. The effectiveness of this provision could be subjected to subsequent monitoring by the Council's Environmental Health team at the discretion of the neighbour in question. With regard to issues of amenity and privacy, the rights enjoyed by the neighbouring properties under the provisions of Article 1 of Protocol 1 and Article 8 of the Human Rights Act 1998 have been balanced against the scope of the proposal in this context. No potential breach has been identified.
- 4.6 The status of the application site and the proposed works do not involve any direct consultation with the Environment Agency in respect of flood risk.

## 5.0 Conclusions and Recommendations

- 5.1 This proposal perpetuates an appropriate use in a primary shopping area, and is otherwise satisfactory in terms of its impact on the integrity of the Listed Building, the character and appearance of the conservation Area and neighbour amenity. Highway safety matters have been fully assessed and found acceptable.
- 5.2 Accordingly, **APPROVAL** is recommended to both applications subject to the following conditions:

### 09/0876/FULL

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

#### Reason for Approval

The proposed development is considered to be appropriate and sympathetic to the Grade II Listed Building, the riverside setting and the amenity/privacy of neighbouring properties. The character and appearance of the Bewdley Conservation Area would be preserved. Accordingly, the provisions of the policies listed above are considered to have been satisfied.

### 09/0877/LIST

1. A7 (Listed Building/Conservation Area Consent)
2. A11 (Approved plans)
3. B6 (External details – approved plan)

#### Reason for Approval

The proposed alterations are considered to be sympathetic to the character and appearance of this Grade II Listed Building and the character and appearance of the Bewdley Conservation Area would be preserved. Highway safety matters have been fully assessed and found acceptable. Accordingly, the provisions of the policies listed above are considered to have been satisfied.



## Agenda Item No. 5

**Application Reference:** 10/0066/FULL      **Date Received:** 15/02/2010  
**Ord Sheet:** 388703 278173      **Expiry Date:** 12/04/2010  
**Case Officer:** James Houghton      **Ward:** Blakedown and Chaddesley

**Proposal:** New extended roof including dormer windows to provide accommodation in roof space

**Site Address:** 102 BELBROUGHTON ROAD, BLAKEDOWN,  
KIDDERMINSTER, DY103JJ

**Applicant:** Mr Brian Hession

<b>Summary of Policy</b>	D.1, D.3, D.17, GB.1, GB.2, GB.6 (AWFDLP) D.39, QE.3 (WCSP) Wyre Forest District Design Quality SPG PPS1, PPS2
<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 The application property is a hipped roof bungalow set back from the road behind a drive. The property benefits from existing flat roofed dormers to the front and rear which have allowed the creation of living space within the roof.

### 2.0 Planning History

2.1 07/0497/FULL – Erection of a single storey extension and dormer window to extend bedroom : Approved 05/07/07.

### 3.0 Consultations and Representations

3.1 Churchill and Blakedown Parish Council – Object to the proposal on the grounds that the dormers are out of proportion with the building. It is noted that the side dormer is omitted from the front elevation.

3.2 Highway Authority – No objections.

3.3 Severn Trent Water – No objection subject to the addition of a condition requiring the submission of drainage plans for surface water and foul sewage.

3.4 Neighbour/Site Notice – No representations received.

10/0066/FULL

#### 4.0 Officer Comments

- 4.1 The applicant seeks approval for an extended roof to the property. The proposals would provide a pitched roof to the existing dwelling plus the existing garage which currently has a flat roof. The proposed development would also raise the ridge height from 6.3m to 6.4m. The existing flat roof dormer windows to the front and rear elevations would be replaced by two hipped roof dormers and an additional hipped roof dormer to be obscure glazed, is proposed in the eastern slope of the roof facing no. 104.
- 4.2 The application site is within the West Midlands Green Belt. Within the Green Belt PPG2 and Policy GB.1 of the Adopted Local Plan seeks to prevent the construction of extensions which would be disproportionate to the host property. Whilst it is noted that the proposed roof would be 0.1m higher than the existing ridge it is not considered that the extended roof and dormers would be disproportionate to the original dwelling. Given the context of the property between two storey houses the proposed development would offer no detriment to the character, appearance or openness of the Green Belt and as such the proposals would accord with the requirements of Policy.
- 4.3 The proposed alterations to the roof and additional dormers are considered acceptable in terms of scale and design; the development would not form a dominant or incongruous addition to either the host property or the streetscene and would not be uncharacteristic within this area. The proposal is therefore considered to comply with Policies D.1 and D.17 of the Adopted Wyre Forest District Local Plan (2004).
- 4.4 The proposed roof and dormers would offer no detriment to the amenity enjoyed by the residents of neighbouring properties in terms of light, privacy and outlook. The 45<sup>9</sup> Code guidelines would not be breached. Amended plans showing the side dormer on the front elevation are to be submitted prior to committee.

#### 5.0 Conclusions and Recommendations

- 5.1 It is considered that the proposals comply with development plan policy regarding Green Belt and household extensions and it is recommended that the application is **APPROVED** subject to the following conditions:
1. A6 (Full with no reserved matters)
  2. A11 (Approved plans)
  3. B3 (Materials)
  4. J7 (Windows : Obscure glazing) (facing No. 104)
  5. Drainage

Reason for Approval

The proposed extensions are considered to be of an appropriate scale and design in relation to the host property and would have no detrimental impact on the street scene or the character, openness and appearance of the Green Belt. The impact of the extension on the occupants of 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 accord with Policies D.1, D.3, D.17 and GB.1 of the Adopted Wyre Forest District Plan (2004).

<b>Application Reference:</b> 10/0081/FULL	<b>Date Received:</b> 17/02/2010
<b>Ord Sheet:</b> 382853 279435	<b>Expiry Date:</b> 14/04/2010
<b>Case Officer:</b> Emma Anning	<b>Ward:</b> Wolverley

**Proposal:** Proposed extension and conversion of former post office store to form two dwellings; Demolition of existing rear extension

**Site Address:** FORMER POST OFFICE, WOLVERLEY VILLAGE, WOLVERLEY, KIDDERMINSTER, DY115XD

**Applicant:** Mr C Howells

<b>Summary of Policy</b>	H.2 H.7 D.1 D.3 D.4 D.10 D.11 D.17 LA.1 LA.2 NR.5 GB.1 GB.6 NR.6 LB.1 LB.2 LB.3 CA.1 TR.9 TR.17 RT.7 (AWFDLP) CTC.8 CTC.20 D.16 D.39 (WCSP) QE.1 QE.3 QE.5 (WMRSS) PPS3, PPS5, PPS25, PPG2
<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>DELEGATED APPROVAL</b>

**1.0 Site Location and Description**

1.1 The application site is that of the former post office and stores in the heart of Wolverley Village. The property is the last in a row of similar properties which front the main highway through the Village. The property is included on the Local List of Buildings of Historic Significance and is within Wolverley Conservation Area and the identified Landscape Protection Area. Part of the site is identified as being within Flood Zones 2 and 3 and is therefore highlighted as being liable to flood.

**2.0 Planning History**

2.1 None

**3.0 Consultations and Representations**

3.1 Wolverley and Cookley Parish Council – Recommend refusal; plans do not incorporate Georgian post box. Parish Council request post box to be retained or discussions be held with Royal Mail to re-site the post box in another location within the village.

10/0081/FULL

- 3.2 Highway Authority – No objection
- 3.3 Environment Agency – In the absence of an acceptable Flood Risk Assessment (FRA) we currently Object to the proposed development.
- 3.4 Conservation Officer – I have no issues with the removal of the post box from site as part of the approved works for 10/0081/FULL. Whilst this was locally listed, I have never felt that the surround was particularly attractive, or historical, and that as the building is no longer used as the post office, that the site was not perhaps the most suitable.

However, I am aware that the owners have been in discussions with Royal Mail about the post box, with the intention to try and preserve it elsewhere in the village - this has not been possible though, due to not being able to use that type of box any more, for health and safety reasons, but the Royal Mail have agreed that a suitable traditional style post box will be re-instated into the village, at a site yet to be agreed. I feel that, whilst the loss of the original box is a shame, being on the local list has encouraged the Royal Mail to replace it with a suitable replacement has been worthwhile!

- 3.5 Royal Mail – I can confirm that Royal Mail has no objection to the removal of the post box at your client's site in Wolverley Village. The box is sited on private property and it is well within the land owner's rights to have the post box removed. I am also willing to enter into negotiations in order to relocate a posting facility elsewhere within the Village, but can offer no guarantees that Royal Mail will 100% replace the post box but I, as the Planning Manager for the area, will explore every opportunity.
- 3.6 Neighbour/Site Notice – No representations received

#### **4.0 Officer Comments**

- 4.1 Permission is sought to create two small two-bed cottages through the refurbishment and extension of the existing former store and associated dwelling. The property currently stands as a shop and store in one half with the other half being the associated living accommodation. The existing living accommodation currently benefits from a small single storey rear extension which would be demolished and replaced with a two storey extension to provide an enlarged kitchen at the ground floor and a bedroom at the first floor. The former shop and store would be refurbished to create a separate living space with lounge, dining and a kitchen with utility at the ground floor and two bedrooms at the first floor. Both properties would benefit from allocated parking at the rear and amenity space.

10/0081/FULL

- 4.2 The principle of converting this former village store is considered to be acceptable as it would satisfy the requirements of Policy RT.7 which only allows a conversion of this nature provided that there is an alternative retail offer within 500m of the property to be converted. In this instance the Village Stores operates within 50m of the former post office stores. Given that the proposal would see the property brought back to its former use as a dwelling I have no objection to the principle of this development.
- 4.3 The proposed dwellings have been designed to respond sensitively to the architectural characteristics of the other three properties which make up this terrace and to harmonise with the setting of this Conservation Area. All alterations made to the front elevation, specifically the fenestration detail, mirrors the detail and proportions which would have been typical of the original terrace. For this reason and in taking into account the Conservation Officer has not offered any objections to the scheme, I am satisfied that in terms of the proposed alterations the proposal would be acceptable and would not cause harm to the character of this Locally Listed Building or cause harm to the visual amenity and setting of the Wolverley Conservation Area or the Landscape Protection Area.
- 4.4 The proposed extension to the rear of the property would be two storey in nature and would abut the boundary with the 1 Seabright Cottages. The extension has been designed to blend with the architectural character of the host property and by virtue of a reduced ridge height would appear subservient to it therefore allowing the original dwelling to retain its dominance. Given that the extension is of an appropriate scale and design to the main dwelling. The adjoining property also benefits from an extension of similar proportions and as such the proposed extensions would not breach the 45 degree code with respect to light at the neighbour's property. Given that the property is within the Green Belt, it is necessary to ensure that the proposals would not represent inappropriate development. Policy GB.1 and Government advice in PPG2 state that extensions to residential properties in the Green Belt are only considered to be appropriate where they would not result in disproportionate additions over and above the size of the original dwelling. For these reasons set out above I am satisfied that the addition to this property would be appropriate development in this Green Belt location which would not cause harm to openness or visual amenity in accordance with Policies G.1 and GB.6 of the Adopted Wyre Forest District Local Plan. For these reasons I consider that the proposed two storey rear extension is acceptable in terms of its design, scale and its impact on neighbouring properties, the Landscape Protection Area and the Green Belt.
- 4.5 It is proposed to provide amenity space at the rear of the proposed dwellings, although small, is typical of this type of property in this locality and as such I consider the proposed layout will harmonise with the existing established pattern of development in the area and is therefore acceptable.

10/0081/FULL

- 4.6 Concern has been raised that the proposed plans show that a Georgian post box which is currently built into the front of the former post office store would be removed as part of the development. The Parish Council have requested that it either be retained or re-sited at another location within the village. The applicant does not wish to retain the post box in its current position but is in discussion with Royal Mail to see that an alternative post box can be provided elsewhere in the village. Correspondence from the applicant explains that talks have taken place with Royal Mail who confirm that they no longer use the Georgian post boxes but would be happy to provide an alternative conservation post box in another location in the village, subject to agreement with the relevant land owners. It is understood that the Parish Council would wish to see the post box retained. Given that there are moves afoot to provide an alternative post box I am satisfied that the concerns of the Parish Council can be addressed and that the loss of the post box in this location would not hold sufficient weight to warrant recommending refusal of this application. The District Council's Conservation Officer does not object to the removal of the post box.
- 4.7 Policies TR.9 and TR.17 require that adequate and safe parking provision is provided for new dwellings and that the access and parking arrangements associated with new developments do not give rise to a situation which would compromise highway safety. The scheme proposes to provide two car parking spaces (one for each dwelling) in an area beyond the proposed amenity space which is accessed via a track which runs down the side of the property. The Highway's Officer has been consulted as part of this application and does not object to the proposal, as such I am satisfied that the development would accord with Policies TR.9 and TR.17 of the Adopted Local Plan.
- 4.8 As detailed above, part of the site is within flood zones 2 and three and as such a flood risk assessment has been prepared and considered by the Environment Agency. The Environment Agency currently object to the scheme on the basis that the flood risk assessment does not adequately address all flood risk issues as required by PPS 25. The agent has amended the assessment which is now being considered by the Environment Agency. Detail contained within the Environment Agency's original response does suggest that were the flood risk matter properly addressed then they may be in a position to withdraw their objection. On this basis it is proposed to seek delegated approval for this application subject to a positive response being received from the Environment Agency within the eight week application determination period, and also to seek delegated authority to refuse the application should the Environment Agency object.

10/0081/FULL

## 5.0 Conclusions and Recommendations

- 5.1 The proposal is acceptable in principle as it constitutes appropriate development in this Green Belt location and would not cause harm to the fabric or character of this Locally Listed building or to the setting of the Wolverley Conservation Area. The proposal would not give rise to a situation which would compromise highway safety or neighbour amenity. Subject to a satisfactory Flood Risk Assessment the proposal would comply with Policies NR.5 and NR.6 of the Adopted Local Plan and would therefore not cause or exacerbate flooding in this locality.
- 5.2 For these reasons I recommend that **delegated** authority be given to **APPROVE** this application subject to no objections being received from the Environment Agency and subject to the following conditions:
1. A6 (Full with No Reserved Matters)
  2. A11 (Approved Plans)
  3. B3 (Materials)
  4. J1 (Remove of permitted development - residential)

### Reason for Approval

The proposed development is acceptable in principle and would not cause harm to the fabric or character of this Locally Listed building or to the setting of the Wolverley Conservation Area. The proposal would not give rise to a situation which would compromise highway safety or neighbour amenity and would not cause or exacerbate flooding problems in this locality. The proposal therefore complies with the policies listed above.

- 5.3 In the event that the Environment Agency do not offer their support to this application delegated authority is sought to REFUSE the application for the following reason:
1. Insufficient information has been submitted to allow an appropriate assessment of flood risk to be made. The application is therefore contrary to Policy NR.5 of the Adopted Wyre Forest District Local Plan and Government advice contained in PPS25.



<b>Application Reference:</b> 10/0106/FULL	<b>Date Received:</b> 01/03/2010
<b>Ord Sheet:</b> 374138 272934	<b>Expiry Date:</b> 26/04/2010
<b>Case Officer:</b> Paul Round	<b>Ward:</b> Rock

**Proposal:** Demolish existing dwelling, erection of replacement bungalow (amendment to Planning Permission 09/0541 including increasing front gable, creation of basement level and provision of external steps)

**Site Address:** ELFIN GLEN, ROCK, KIDDERMINSTER, DY149YH

**Applicant:** Mr P Rodgers

<b>Summary of Policy</b>	H.9, D.1, D.3, D.4, D.5, LA.1, LA.2, LR.9, TR.17, NR.7 (AWFDLP) CTC.1 (WCSP) QE.3, CE.6 (WMRSS) PPS7
<b>Reason for Referral to Committee</b>	Development Manager considers that application should be considered by Committee
<b>Recommendation</b>	<b>APPROVAL</b>

**1.0 Site Location and Description**

- 1.1 Elfin Glen is a detached property located in Gorst Hill, 240m south from the junction with Dark Lane. The property shares an access with Bransley Farm.
- 1.2 The site is located within the Landscape Protection Area, and the trees within the site are protected by Tree Preservation Order No. 334.
- 1.3 The proposal seeks approval for the demolition of the existing property and the construction of a replacement dwelling on a separate part of the site. The current scheme proposes alterations to the plans already approved under reference 09/0541/FULL by Members last October.

**2.0 Planning History (of relevance)**

- 2.1 07/1027/CERTE – Certificate of Lawfulness (use of land as garden) : Approved – 30.11.07
- 2.2 07/1042/FULL - Extensions : Approved – 15.11.07
- 2.3 08/0025TREE – Removal of 7 industrial and 2 groups of trees: Part Approved, Part Refused 01.04.08

10/0106/FULL

2.4 08/1097/FULL - Replacement dwelling : Withdrawn

2.5 09/0541/FULL – Replacement dwelling : Approved 23.10.09

### 3.0 Consultations and Representations

3.1 Rock Parish Council – Views awaited

3.2 Highway Authority – No objections

3.3 Arboricultural Officer – No further comments to that originally stated. Previous comments in respect of 09/0541/FULL - Elfin Glen has a number of trees around the perimeter of the site, some of which are covered by a Tree Preservation Order (TPO). A number of them are young trees planted to mitigate for the loss of several mature trees, which were removed as part of application 08/025/TREE.

The centre of the site is now clear of trees, which did include a mature Common Oak that was removed without consent. As a result the proposed dwelling will not have a direct effect on any of the remaining trees.

There is a concern for the mature Common Yew that is located between the access road and the existing dwelling. This is one of the protected trees and will have to be retained. To do this there needs to be careful consideration for how the existing dwelling is to be demolished and to ensure no excavation or compaction takes place within the Root Protection Area (RPA).

It is proposed that the existing access road is used to service the new dwelling and be resurfaced. I am happy for that to take place as long as there is no need to remove the existing surface to lay the new surface.

Trees 2 to 6 will not have a large RPA as they are young trees that have not been established yet, however they will need to be protected during the construction phase.

T7 is the only other large mature tree on the site and this will need to have a RPA of 12 x the Diameter at Breast Height (DBH) to prevent storage of materials and compaction.

I have no objection to the proposed development, however I would like to see a condition for an Arboricultural Method Statement that should include the following:

1. Details how the existing dwelling is to be removed without causing damage to the Yew above or below ground.
2. Details on how the new access road is to be constructed.
3. Details of protective fencing for all the trees in accordance with BS5837:2005

10/0106/FULL

3.4 Neighbour/Site Notice – No representations received

#### **4.0 Officer Comments**

4.1 Members will recall that an application for a replacement dwelling was approved by this Committee in October last year. This current application forms a resubmission seeking for changes to the approval given.

4.2 The main policy principles have not altered with this proposal, with the dwellings still being of comparable footprint, volume and height. The agent has shown on the submitted drawings actual ground levels rather than the previous proposal to raise the ground to the front elevation. This results in the front elevation being visually higher although only marginally, albeit the actual height of the building has not changed.

4.3 The main differences of the scheme are as follows:

- alterations to front projecting gable; and
- a proposed basement level

4.4 The previously approved front gable is altered to incorporate the porch area and is now glazed rather than being purely of brickwork. Whilst it appears a little more dominating it does not reduce the design quality or detract from the main building form as previously approved. I find that the proposed gable alterations are acceptable.

4.5 With regard to the basement area, this will provide a full basement with residential accommodation, providing double the amount of floorspace previously approved. Notwithstanding the vast increase in accommodation there will be negligible difference visually from the external elevations. As the prime visual consideration is that of protecting the landscape character, it is considered that there is no strong policy basis for resisting the proposed addition. The light wells and stairway that are required as part of the basement do not alter the appearance of the dwelling to a significant degree. such an application. Conditions were imposed on the original approval which required any changes to the dwelling to be formally considered through a planning application, a repeat of these conditions will ensure that the visual appearance of the dwelling will remain as approved, albeit with subterranean accommodation.

#### **5.0 Conclusions and Recommendations**

5.1 The proposed replacement dwelling is considered acceptable in size, design and siting and will not result in harm being caused to the character of the area or the Landscape Protection Area. Matters of highway safety and neighbours amenity have been considered, however it is concluded that no significant adverse harm will occur.

10/0106/FULL

5.2 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. Prior to any demolition or works commencing on site an Arboricultural Method Statement shall be submitted to and approved in writing.
5. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (as amended) (or any order revoking and re-enacting that Order with or without modification), extensions (including porches and canopies), alterations to external elevations (including painting and cladding), alterations to the roof, construction of outbuildings or swimming pools, installation of chimneys, flues, satellite dishes, solar panels (either on the building or freestanding), or installation of ground or water source heat pump within the curtilage of the dwelling, other than those expressly authorised by this permission, shall not be carried out without express planning permission first being obtained from the Local Planning Authority.
6. B15 (Owl/bat box)
7. C6 (Landscaping – small scheme)
8. C8 (Landscape implementation)
9. Vehicular access construction
10. Driveway and/or vehicle turning area
11. Access, turning and parking
12. Parking for 2 cycles
13. Parking for site operatives and visitors

Notes

- A HN1 (Mud on highway)
- B HN5 (No highway works permitted)
- C SN3 (Protection of species)

Reason for Approval

The proposed replacement dwelling is considered to be acceptable in size, design and siting and will not result in harm being caused to the character of the area or the Landscape Protection Area. Matters of highway safety and neighbours amenity have been considered, however it is concluded that no significant adverse harm will occur. For these reasons the proposal is considered to be in accordance with the above policies of the Adopted Wyre Forest District Local Plan.

<b>Application Reference:</b>	10/0119/FULL	<b>Date Received:</b>	12/03/2010
<b>Ord Sheet:</b>	375008 273851	<b>Expiry Date:</b>	07/05/2010
<b>Case Officer:</b>	Stuart Allum	<b>Ward:</b>	Rock

**Proposal:** Proposed two storey rear extension (Resubmission of Application 09/0875 )

**Site Address:** CEFN COTTAGE, CALLOW HILL, ROCK, KIDDERMINSTER, DY149XH

**Applicant:** Mr & Mrs B Link

<b>Summary of Policy</b>	D.1, D.3, D.5, D.17, LA.1, LA.2, TR.9 (AWFDLP) SD.2, CTC.1 (WCSP) QE.1, QE.3, QE.6 (WMRSS)
<b>Reason for Referral to Committee</b>	The applicant is a serving Wyre Forest District Council Officer or is an immediate family member
<b>Recommendation</b>	<b>APPROVAL</b>

### 1.0 Site Location and Description

- 1.1 Cefn Cottage is a detached dwelling located to the west of Bewdley, virtually opposite the Wyre Forest Visitor Centre and Forestry Houses on Callow Hill.
- 1.2 The dwelling is set well back from the highway, and has been subjected to previous extensions. The site lies within the Local Plan designation as a Landscape Protection Area. The locality is relatively open and level.
- 1.3 The site is flanked by commercial premises to the west, and a neighbouring dwelling to the east.

### 2.0 Planning History

- 2.1 09/0875/FULL – Single storey rear extension and first floor extension to front : Withdrawn

### 3.0 Consultations and Representations

- 3.1 Rock Parish Council – Views awaited
- 3.2 Highway Authority – Views awaited
- 3.3 Neighbour/Site Notice – No representations received

10/0119/FULL

#### 4.0 Officer Comments

- 4.1 This is a resubmission following withdrawal of application 09/0875/FULL following Officer advice. The revised plans show an alternative two storey extension design on the rear of the property, which allows the form of the original building to be better identified from the roadside scene.
- 4.2 Due to the large floor plan of the existing ground floor front extension, it has become necessary to design the proposed two storey rear extension to be no larger than absolutely necessary, to avoid the original building from being visually overwhelmed by cumulative extensions. This has been successfully achieved in this scheme.
- 4.3 The resulting cumulative volume increase over and above the size of the original building is calculated to be just over 80%. This is considered to be acceptable in this setting of the Landscape Protection Area.
- 4.4 No harm would occur to other interests of acknowledged importance, including neighbour amenity and highway safety. There are no human rights associated with this case. The proposed east facing side elevation bedroom window is located on the original building and does not form part of this application.

#### 5.0 Conclusions and Recommendations

- 5.1 This proposal meets the requirements of the appropriate policies and other guidance. The application is therefore recommended for **APPROVAL** subject to the following conditions:
1. A6 (Full with no reserved matters)
  2. A11 (Approved plans)
  3. B6 (External materials – approved plans)

##### Reason for Approval

The proposed extension is considered to be of an appropriate scale and design in relation to the original dwelling. There would be no perceptible impact upon the character or appearance of the roadside scene at this point. No harm would be created in relation to neighbouring amenity or landscape quality. Accordingly, the proposal is considered to be in compliance with the policies listed above.

<b>Application Reference:</b> 10/9003/NMA	<b>Date Received:</b> 02/03/2010
<b>Ord Sheet:</b> 381280 272688	<b>Expiry Date:</b> 30/03/2010
<b>Case Officer:</b> Paul Round	<b>Ward:</b> Lickhill

**Proposal:** Non-Material Amendments to Planning Permission  
09/0639/FULL (Change of layout of Cycle Track)

**Site Address:** STOURPORT SPORTS CLUB LTD, KINGSWAY,  
STOURPORT-ON-SEVERN, DY138BQ

**Applicant:** STOURPORT SPORTS CLUB LTD

<b>Summary of Policy</b>	D5, LA1, LA2, GB1, GB2, GB3, GB6, NC2, NC3, NC5, LR10, TR9, TR17 (AWFDLP) CTC.1, CTC.12, RST.1 (WCSP) PA10, UR3 (WMRSS) PPG2, PPS7, PPG17
<b>Reason for Referral to Committee</b>	The applicant is Wyre Forest District Council or is made on land owned by Wyre Forest District Council 'Major' planning application
<b>Recommendation</b>	<b>APPROVAL of Non-Material Amendment</b>

## 1.0 Site Location and Description

- 1.1 The application site enclosing the Stourport Sports Club forms a triangular piece of land bordered by Kingsway, Minster Road and the Wyre Forest Golf Course. The land is owned by Wyre Forest District Council and leased to the Sports Club. The levels of part of site have recently been raised.
  
- 1.2 The site is located within the Green Belt and Landscape Protection Area and is allocated within the Adopted Local Plan under Policy LR.9 as part of the Minster Road Outdoor Sports Area.
  
- 1.3 The application seeks approval for a non-material amendment to the previously approved 1.5km cycle tract (Ref. 09/0639/FULL – Approved 28 October 2009). The current amendment seeks approval for an alteration to the alignment of the cycle track.

## 2.0 Planning History

- 2.1 09/0639/FULL - Installation of new 1.5km long tarmac surfaced cycle track and associated landscaping works : Approved 28 October 2009

10/9003/NMA

### **3.0 Consultations and Representations**

3.1 No consultations undertaken.

### **4.0 Officer Comments**

4.1 The works to construct the cycle track have been ongoing over the last few months and are now nearing completion.

4.2 During the build it became apparent that the line of the approved track could not be completed as the condition of the land to the north of the site bordering the Golf Course could not support the tarmac track. As such the line of the track has been amended to an alignment on more stable ground whilst still maintaining an attractive cycle track. Unfortunately this has reduced the area available for rugby training, however from discussions with the RFU it is clear that there would still be sufficient land to meet their requirements.

4.3 Due to the time constraints involved and the need for Member's approval the works have unfortunately already taken place. As such approval is recommended to be given in retrospect, although Officers were aware of the proposed amendment and the application was lodged before the changes were undertaken on site.

### **5.0 Conclusions and Recommendations**

5.1 The amendment to the line of the cycle track is considered to be acceptable, and as it is considered to be minor change it can be dealt with under the non-material amendment process.

5.2 I therefore recommend that **APPROVAL** be given to the alterations and that they can be considered as Non-Material Amendments to Planning Permission 09/0639/FULL. The conditions attached to the original approval will still apply.