

## EXECUTIVE SUMMARY TO REPORT OF DEVELOPMENT MANAGER

Planning Committee

07/12/2010

<b>PART A</b>		<b>Reports</b>	
<b>Ref.</b>	<b>Address of Site</b>	<b>Recommendation</b>	<b>Page No.</b>
10/0494/FULL	DODDINGTREE, CLEOBURY ROAD, BEWDLEY	APPROVAL	16
10/0532/RESE	SUTTON ARMS, SUTTON PARK ROAD, KIDDERMINSTER	APPROVAL	24
10/0550/FULL	LAND ADJACENT TO SEBRIGHT ROAD, KIDDERMINSTER	DELEGATED APPROVAL	31
10/0654/FULL	6 ELTON ROAD, BEWDLEY	APPROVAL	42
10/0655/FULL	18 WESTHEAD ROAD, COOKLEY, KIDDERMINSTER	DELEGATED APPROVAL	47
<b>PART B</b>		<b>Reports</b>	
<b>Ref.</b>	<b>Address of Site</b>	<b>Recommendation</b>	<b>Page No.</b>
09/0602/S106	WM MORRISON SUPERMARKETS PLC, GREEN STREET, KIDDERMINSTER	DELEGATED APPROVAL	50
10/0505/FULL	BRIARS HOTEL, 100 HABBERLEY ROAD, KIDDERMINSTER	DELEGATED APPROVAL	53
10/0646/FULL	165 SUTTON PARK ROAD, KIDDERMINSTER	REFUSAL	61
10/0666/FULL	YEW TREE COTTAGE, EYMORE WOOD, TRIMPLEY, BEWDLEY	APPROVAL	68
10/0668/FULL	37 KITTIWAKE DRIVE, KIDDERMINSTER	APPROVAL	71

**WYRE FOREST DISTRICT COUNCIL**

**PLANNING COMMITTEE**  
**7<sup>TH</sup> DECEMBER 2010**

**PART A**

**Application Reference:** 10/0494/FULL      **Date Received:** 24/08/2010  
**Ord Sheet:** 376985 274698      **Expiry Date:** 23/11/2010  
**Case Officer:** James Houghton      **Ward:** Bewdley and Arley

**Proposal:** Resubmission of refused application 10/0375/FULL for the proposed change of use of land for the provision of 20 additional touring caravan pitches and improved access to site

**Site Address:** DODDINGTREE, CLEOBURY ROAD, BEWDLEY, DY122QL

**Applicant:** Mr J Hopley

<b>Summary of Policy</b>	LA.1, LA.2, LA.6, NC.2, NC.5-6, AG.1, AG.8, LR.8, TM.1, TM.7, TR.9, TR.17, D.1, D.3, D.4, D.5, NR.1, NR.6, NR.8, NR.9, NR.11, NR.12 (AWFDLP) DS01, DS04, CP02, CP03, CP10, CP12, CP13 (WFCS) SD.2 CTC.1, CTC.4, CTC.5, CTC.7, CTC.12, CTC.13-15, RST.1 RST.3, RST.14, RST.19 (WCSP) PA.10, QE.1, QE.6 (WMRSS) PPS 1, PPS 7, PPS 9
<b>Reason for Referral to Committee</b>	Third party has registered to speak at Committee
<b>Recommendation</b>	<b>APPROVAL</b>

**1.0 Site Location and Description**

- 1.1 The application site is rectangular in shape, measuring approximately 150 metres by 45 metres. It is located within a wider area know as Hopley's Farm which lies within the Landscape Protection Area and the Area of Great Landscape Value.
- 1.2 The Farm lies north of, and is accessed off, the B4190, approximately 2 km west of Bewdley town centre.
- 1.3 Hopley's Farm already accommodates the following, which have gradually evolved since the 1980's:
- a farm shop;
  - a tea room with separate toilet block;
  - fishing pool
  - a rally field; and
  - camping and caravanning fields including a site licence for 5 caravans
  - field for the provision of 15 touring caravans

10/0494/FULL

- 1.4 The current proposal seeks consent to expand the current activities on site by providing an additional 20 touring caravan spaces on the field which already has consent for 15 touring caravans.

## **2.0 Planning History**

- 2.1 WF.243/90 - Extension to existing farm shop: Approved 22/05/90.
- 2.2 WF.668/92 - Existing irrigation to pool to be used for coarse fishing: Approved 22/05/90.
- 2.3 WF.296/96 - Change of use of existing pack house building as a tea room during fruit picking season only: Approved 16/07/96
- 2.4 WF.105/97 - Construction of portaloo toilet building as a tea room from 1 April to 31 October: Approved 25/03/97
- 2.5 WF.663/05 - Variations of conditions of WF.105/97 to allow the opening of the tea room and toilets for year round use to serve the shop, touring caravan site, fishing pool and fruit picking: Approved 16/09/05
- 2.6 06/0390/FULL - Toilet and Shower block: Approved 31/05/06
- 2.7 07/0743/FULL - Change of use of land for the provision of fifteen touring caravan pitches: Approved on appeal by Inspector 14/04/08
- 2.8 10/0133/FULL - Toilet and shower block for caravan and camping site: Approved 10/05/10
- 2.9 10/0410/FULL - Toilet and shower block for caravan and camping site (re-submission of approved application 10/0133/FULL): Approved 10/09/10
- 2.10 10/0375/FULL - Proposed change of use of land for the provision of 20 additional touring caravan pitches : Refused 12/08/10.
- 2.11 10/0499/FULL - Change of use of land for the provision of Tent Pitches and T-Pee Tents: Current application, yet to be determined.

## **3.0 Consultations and Representations**

- 3.1 Bewdley Town Council – No objections and recommend approval.
- 3.2 Highway Authority – No objection subject to the addition of conditions relating to visibility splays, vehicle access construction and driveway gradient as well as a note setting out the applicant's responsibilities when altering or amending a vehicle crossover.

10/0494/FULL

- 3.3 Worcestershire Regulatory Services (Environmental Health) – No comments received although the following comment was made in response to the previous application (10/0375/FULL) In relation to the expansion of the caravan site, I have no adverse objections to make.
- 3.4 Policy and Regeneration - The application is for tourism development and as such, Policies TM.1 and TM.7 of the Adopted Local Plan are relevant. Policy TM.1 states that tourism development will be permitted subject to it complying with all other relevant policies of the Local Plan and provided that it is in accordance with a number of criteria relating to design, environmental acceptability, adverse effects on landscape, conservation or nature conservation, and travel needs. Policy TM.7 relates specifically to farm tourism and seeks to encourage tourism as part of farm diversification where such development is in accordance with Policy TM.1 and all other relevant policies within the Adopted Local Plan.

The site is located within the Landscape Protection Area and is close to Brown's Close Meadow SSSI and therefore, criteria (iv) of Policy TM.1 of the Adopted Local Plan. The impact of the development upon the SSSI should be given consideration. With regard to the landscape character, Policies LA.1 and LA.2 of the Adopted Local Plan set out further detail. Policy LA.1 states that 'development proposals which have an adverse impact on landscape character will not be permitted'. Policy LA2 relates specifically to the Landscape Protection Area and states that 'development that would have a significant adverse impact on the quality or character of a Landscape Protection Area will not be permitted'. Therefore, the impact of the development on landscape character should be considered.

Clause v) of Policy TM.1 relates to transport requirements being able to be safely accommodated on the transport network. Policy TR.9 provides more detail on this, stating that 'proposals which would lead to the deterioration of highway safety will not be allowed'. Specific consideration should be given to the impact of the proposal on highway safety and the access to the site for vehicles towing caravans.

In conclusion, the proposal is considered to be in accordance with the general principle of Policy TM.1 of the Adopted Local Plan however, consideration should be given to the impact of the proposal on landscape character, Brown's Close Meadow SSSI, and the safety of the highway network.

- 3.5 Natural England – No comments received.
- 3.6 Council for the Protection of Rural England – Whilst we do not object in principle to additional sites for touring caravans on this site, we are very concerned, that if permission is granted there may not be adequate enforceable conditions imposed to ensure that, over time, these sites do not become sites for static caravans or even mobile homes.

10/0494/FULL

In the Local Development Plan, Issues and Options Paper, Items 12.20 and 12.21, reference is made to the high level of chalet and mobile home sites throughout the District and the need for strict policies governing extensions to existing sites. We heartily endorse this comment, and look forward to policies or condition to avoid the slide from the “touring” designation into the more permanent designations.

- 3.7 Worcestershire Wildlife Trust – No comments received.
- 3.8 Countryside and Conservation Officer – No comments received but it should be noted that the Council’s Countryside and Conservation Officer responded to the previous application (10/0375/FULL) by stating:  
‘There is no biodiversity to be found on this site, the application hence causes no harm and has the added benefit of some hedge planting’.
- 3.9 Neighbour/Site Notice – Eight letters of objection have been received relating to this application (two letters have been received from two of the objectors) as well as a petition currently with seven signatures. The petition objects to the proposed development on the basis that the additional touring caravans and improved access would be detrimental to the area in terms of noise, traffic and loss of visual amenity within a protected landscape area. The letters raise a variety of issues:
- The development would have a detrimental impact on the quality and character of the Landscape Protection Area.
  - Intensification of the existing use would contribute to the impact on the Landscape Protection Area.
  - Noise and nuisance emanating from the site would intensify as a result of the development, at present neighbours experience noise into the early hours of the morning and minor acts of vandalism.
  - Traffic and road safety may deteriorate as a result of the development, whilst a speed limit of 30mph is in place on the B4190 at this point this limit is frequently exceeded. Slow vehicles moving in and out of the site may cause congestion and increases the potential for accidents in this area.
  - The removal of hedge to improve the visibility splay would increase the visual impact of the development.
  - Impact of the development on views.
  - Concerns over the potential for numerous applications over a period of time resulting in a “fully fledged caravan park”.
  - Will the farm shop be removed if the site is no longer utilised for fruit growing?
  - Impact of the development on the ecology of the area, particularly as the site is adjacent to a Site of Special Scientific Interest.

#### **4.0 Officer Comments**

- 4.1 The site contains a number of uses including a shop and tea room, a five caravan site licence and furthermore, notably, consent for the siting of 15 touring caravan pitches in the fields.

10/0494/FULL

4.2 The applicant proposes the provision of pitches for a further twenty touring caravans within an area which currently has permission for fifteen touring caravan pitches. The existing fifteen pitches are provided within a field which forms a plateau below the level of the road and is divided by a driveway. Caravans are currently sited on an ad hoc basis within this site with a larger concentration of pitches within the eastern section, the proposed plans show a further twenty pitches within the western part of this area.

4.3 It should be noted that this application is virtually identical to the previously refused application 10/0375/FULL. This application was refused on highways grounds only and for clarity the sole reason for refusal is reproduced below:

*The exit via which the proposed touring caravans would leave the site is located at the junction with the B4190. It is considered that this point of access onto the public highway has severely restricted visibility and the proposed intensification in the numbers of slow moving vehicles exiting the site onto the public highway would be detrimental to highway safety. As such, the proposed development is considered to be contrary to Policies TR.9 and TM.1 of the Adopted Wyre Forest District Local Plan.*

4.4 This application differs in that improved visibility splays have been demonstrated.

4.5 In assessing this application the comments made by the Inspector, which relate to the 2007 application, carry significant weight. In determining the appeal application, the Inspector considered the main issues to be:

- The effect of the proposal on the appearance and open character of the landscape; and
- The effect of the proposal on highway safety having regard to the position and design of the site access/exit and the nature of the vehicles involved.

4.6 As well as the above matters, the principle of the development, the impact on biodiversity and the impact on amenity of neighbours are considered in turn below:

#### PRINCIPLE OF DEVELOPMENT

4.7 The key policy considerations here are Policies TM.1 and TM.7 of the Adopted Wyre Forest District Local Plan which allow for tourism development provided that the development would be appropriate to and in keeping with the nature and character of the local community, they are environmentally acceptable, they do not adversely affect areas of landscape and that any travel needs generated could be safely accommodated on the transport network. Therefore, subject to the proposal satisfying these requirements it is considered that the principle of development would be acceptable.

#### IMPACT ON LANDSCAPE

4.8 The appeal site is located in an area designated in the Adopted Wyre Forest District Local Plan as a Landscape Protection Area.

10/0494/FULL

It is a relatively level area, set down below the level of the road and partly screened from the north by a hedge. There are extensive views from the site over rolling countryside to the north. The Inspector, determining the 2007 application, concluded that whilst there was no doubt that the proposal would be distantly visible from locations in this direction it would be below the skyline, would be seen against a backdrop of buildings lining the road and would be partly screened by the existing hedge. In these circumstances, views from the north would not be unduly harmed.

- 4.9 From the road, views towards the north would be largely unaffected as the caravans would be at a lower level and would be screened by the roadside hedge. The proposal would involve laying some small lengths of additional roadways. However, the proposed surfacing material would soon weather into its surroundings and would, in any event, be largely hidden from outside the site. In recognising the view taken by the Inspector and in being mindful that the area in which the caravans would be sited is the same plateau of land, albeit a greater expanse of that plateau, the characteristics of the site are the same and therefore officers must conclude, as did the Inspector, that the proposal would not have an unacceptably harmful effect on the appearance and open character of the landscape. It would therefore comply with Local Plan Policies LA.1, LA.2, LA.6 and D.5.

#### HIGHWAY SAFETY

- 4.10 This application differs from the previous refused application (10/0375/FULL) in that the applicant has submitted details of 2.4 x 120m and 2.4 x 160m visibility splays which exceed the dimensions of the splays considered appropriate and reasonable by the Inspector during the appeal related to application 07/0743/FULL and adequate for the 15 touring caravans proposed at that time. The Highway Authority has offered no objections to the proposal on highway safety grounds on this occasion and have instead provided conditions to preserve the visibility splays, vehicle access construction and access gradient, a note is also recommended advising of the requirements for providing or amending vehicle crossovers. The proposal would be considered to accord with the requirements of Policy TR.9 of the Adopted Wyre Forest District Local Plan (2004).

#### BIODIVERSITY

- 4.11 The Browns Close Meadow SSSI lies to the east of the site at a distance of approximately 80 metres. The District Council's Countryside and Conservation Officer has been consulted and has commented as detailed above. It is therefore considered that the proposed development would not have an adverse impact upon biodiversity.

#### IMPACT ON AMENITY

- 4.12 As detailed above the intensification of touring caravans on this site would impact mostly on the west field as the number of pitches would be increased from 4 to 21. This increase in numbers would require a larger proportion of this field to be used for caravanning purposes and as such the area which would be used for the pitches would be extended closer to the site boundary and indeed closer to the nearest neighbour at Rockmere.

10/0494/FULL

Currently the property known as Rockmere enjoys a separation distance of around 110 metres to the nearest touring caravan pitch. The current proposal would reduce this separation distance significantly down to around 50 metres. Concern has been raised regarding noise levels on this site and as such, the Environmental Health Officer has been consulted and has commented as detailed above. In light of these comments I am satisfied that the siting of caravans further towards the site boundary with Rockmere would not give rise to a situation which would compromise neighbour amenity.

## 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. Access gates
4. Access closure
5. Driveway works

Note

HN5 (Highway works)

### Reason for Approval

The proposed change of use would be considered acceptable. The impact of the siting of extra caravans on the site would have a minimal impact on the visual amenity of the Landscape Protection Area given that they would be set below the skyline and would be viewed against the backdrop of existing buildings, which line the B4190. The Highways Authority is satisfied with the access and visibility splays, which are to be provided and conditions would ensure that highway safety is not compromised. The development is considered to accord with the requirements of Policies LA.1, LA.2, LA.6, NC.2, NC.5-6, AG.1, AG.8, LR.8, TM.1, TM.7, TR.9, TR.17, D.1, D.3, D.4, D.5, NR.1, NR.6, NR.8, NR.9, NR.11 and NR.12 of the Adopted Wyre Forest District Local Plan (2004) and Policies DS01, DS04, CP02, CP03, CP12, CP13, CP15 and CP16 of the Core Strategy (2010).

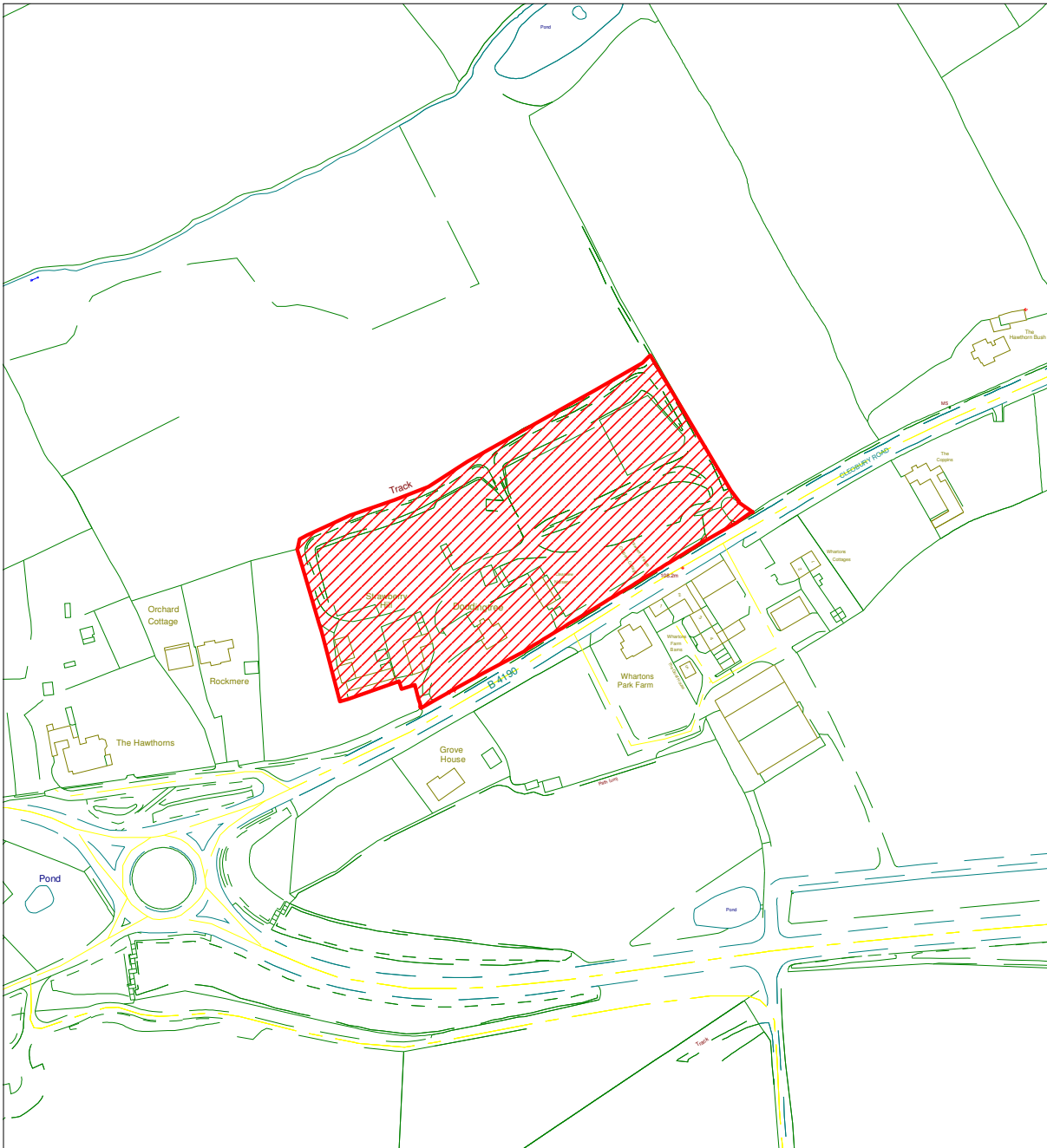


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**Wyre Forest District Council**

PLANNING AND REGULATORY SERVICES DIRECTORATE

**Doddingtree  
Cleobury Road  
Bewdley DY12 2QL**

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



**Application Reference:** 10/0532/RESE      **Date Received:** 08/09/2010  
**Ord Sheet:** 381927 275345      **Expiry Date:** 08/12/2010  
**Case Officer:** Emma Anning      **Ward:** Sutton Park

**Proposal:** Erection of 11 detached houses (Reserved Matters following Outline Approval 08/0538/OUTL) - Access, Appearance, Landscaping, Layout and Scale to be considered

**Site Address:** SUTTON ARMS, SUTTON PARK ROAD, KIDDERMINSTER, DY116LE

**Applicant:** Mr B Miller

<b>Summary of Policy</b>	H.2 H.5 TR9 D.4 IMP.1 D.1 D.3 D.4 D.7 D.10 D.11 TR.9 TR.17(AWFDLP) CP02 CP03 CP05 CP12 (WFCS) CF.2, QE.3 (WMRSS) Adopted Wyre Forest District Design Quality SPG Planning Policy Guidance 3: Housing Planning Policy Statement 1: Delivering Sustainable Development
<b>Reason for Referral to Committee</b>	'Major' planning application
<b>Recommendation</b>	<b>APPROVAL</b>

**1.0 Site Location and Description**

The application site is a corner plot of land located in a residential area of Kidderminster. The site measures 3800 square metres and was formerly occupied by the Sutton Arms public house, which has recently been demolished, and its associated car park. The site is bounded to the south by Sutton Park Road, to the east by Parry Road and to the north and west by existing residential dwellings. A Tree Preservation Order applies to the trees which run along the northern boundary backing on the properties 3 and 4 Parry Road and 53 to 59 Tomkinson Drive. Works to remove some of these trees has been carried out.

**2.0 Planning History**

2.1 08/0538/OUTL - Demolition of existing public house & redevelopment of the site for residential dwelling : Approved

**3.0 Consultations and Representations**

3.1 Arboricultural Officer - The Sutton Arms site has a number of poor quality trees, which I do not consider are worthy of a Tree Preservation Order (TPO). However, there are three trees that I wanted to see retained on the site, which includes the mature London Plane on the Parry Road and the conifer and birch located on the boundary of 194 Sutton Park Road.

10/0532/RESE

The London Plane is the tree that will be affected the most by the proposed development, a new driveway within the crown spread and the relationship between the London Plane and plot 2 specifically, and plot 1 & 3 to a lesser extent, will put pressure on the tree. This is mainly due to the loss of light in the morning and the close proximity to the dwellings.

I am satisfied with development and with the proposed planting scheme and maintenance regime of 5 years, however I do have concerns about the proposed driveways within the crown spread of the London Plane as if works are undertaken incorrectly it will have a serious effect on the health and stability of the tree.

Recommendations:

I recommend approval as long as there is a condition that requires the tree protection and no dig methods of constructing the driveways as detailed on the proposed drawing, under the London Plane, are adhered to. As there is a history of non-compliance on this site which has led to the loss of a TPO'd Weeping Ash during the demolition of the public house, conditions will be needed to be imposed to ensure that it is clear as to which trees are to be retained.

3.2 Highway Authority – No objection subject to conditions

3.3 Countryside and Conservation Officer – No objection

3.4 Hillcrest Residents Association –

- Support the principle of residential development on this site and applaud the revised layout in as far as it recognises our concerns concerning access to the properties fronting Sutton Park Road.
- The four dwellings with access onto Parry Road will cause occupiers to reverse onto either their driveway from the road or vice-versa which is totally unacceptable from the standpoint of highway safety.
- There is a very large tree directly opposite Plot 2, we favour the retention of trees on development sites but we must question the wisdom of the proposal to build in and around this tree which will severely interfere with the light into three of the dwellings.
- Without the large tree it would be a simple matter to address access to the driveways of the proposed dwellings in a meaningful manner.

3.5 Neighbour/Site Notice : One neighbour letter was received. The main points raised are summarised as follows –

- I am concerned about the extra cars belonging to the people moving into these new houses. Parking at the roadside should be prohibited. Unless the Council installs double yellow lines there will be accidents. People will not use their garages to park cars.

10/0532/RESE

#### 4.0 Officer Comments

4.1 Reserved matters consent is sought in respect of outline planning approval 08/0538/OUTL which permitted the demolition of existing public house and the redevelopment of the site for residential dwellings. The outline consent sought permission for the principle of development only and all other matters were reserved, therefore the reserved matters application being considered seeks approval of the following matters:

- The layout of the site
- The design of the buildings
- The external appearance of the buildings
- The means of access
- The landscaping of the site

4.2 Condition 4 of the outline consent required that, in order to meet the density requirements of the Adopted Local Plan, that the reserved matters application should show between eleven and fourteen dwellings on this site, accordingly this application seeks approval for eleven detached properties.

4.3 Given that this application is for reserved matters and that the principle of the proposed development has already been established under the previous outline consent, then the primary considerations in determining this application are, appearance, design and siting, the impact on highway safety and the impact of the proposal on amenity, each of which is considered in turn below:

##### APPEARANCE, DESIGN AND SITING

4.4 All eleven properties would be detached family homes with private driveways, garaging and private gardens. Five of the properties would front Sutton Park Road, three would front Parry Road and the remaining three dwellings would front a private drive which would be accessed off Sutton Park Road. In terms of their design, the properties are considered to be of a style and character which would relate well to the established residential character of Sutton Park Road which is comprised of a mix of substantial detached properties and semi-detached 1930's style dwellings. It is considered that the development would be acceptable in the streetscene.

4.5 Bearing in mind the density requirements of the Adopted Local Plan it was considered, at the outline planning stage, that the site would be suitable for up to fourteen dwellings. The applicant has chosen to propose eleven dwellings which would occupy reasonable sized plots across the site. Each plot would benefit from private amenity and driveway space to the front and a rear garden of a minimum depth of around 9.5m which is considered to be acceptable. The properties fronting Sutton Park Road would maintain the rhythm of development in this locality by virtue that line of built form would be continued to the junction with Parry Road and as such their siting is considered to be acceptable in this respect.

10/0532/RESE

Plots nine to eleven which would be accessed via a private driveway off Sutton Park Road would have no visual presence in the streetscene and would not be read against any existing development, therefore it is felt that their siting to the rear of the site is acceptable as it would not cause harm to visual amenity or compromise the pattern of development in this locality. Three properties fronting Parry Road would be set back from the highway by around ten metres, which is consistent with the style of this development. It is considered that the siting of these properties in this location would relate well to existing properties fronting Parry Road as it would not compromise the existing building line. For the reasons set out above it is felt that the appearance, design and siting of the proposed dwellings is acceptable in accordance with Policies D.1 and D.3 of the Adopted Local Plan.

#### HIGHWAY SAFETY

- 4.6 As detailed above, it is proposed that all eleven properties would benefit from private driveways and garaging. Five of the properties would front Sutton Park Road, however only three would have direct vehicular access to the highway, two of the properties would have vehicular access to the rear (one served off the proposed private driveway and the other off Parry Road). This arrangement has been put in place following concerns from the Highways Officer that only a restricted number of new access points onto Sutton Park Road should be allowed. Three properties would front Parry Road and the remaining three dwellings would front a private drive which would be accessed off Sutton Park Road.
- 4.7 Following the public consultation on this proposal, concern was raised regarding highway safety and the potential harm which may arise as a result of the proposed access arrangements for properties with vehicular access off Parry Road. As detailed in the comments received from Hillcrest Residents Association, the concern locally is that increasing the number of access points onto Parry Road would compromise highway safety. In response to these concerns the applicant and the County Highways Officer has explored the possibility of applying a similar access arrangement to Parry Road to that proposed for Sutton Park Road, however this was discounted for the following reasons: the space needed at the front of the properties would mean that the siting of the dwelling would need to be pushed back into the site, resulting in unacceptably small gardens for each dwelling; also the alterations would require the protected tree at the front of the properties to be removed which would not be supported by the District Council's Arboricultural Officer
- 4.8 Finally the Highways Officer has confirmed that the access arrangements, as proposed, comply with the requirements of the relevant highways legislation and there is no need to alter the proposed access arrangement in the interests of highway safety.
- 4.9 Given that the Highways Officer is satisfied with the access and parking provision proposed it is considered that the proposal would accord with Policies TR.9 and TR.17 of the Adopted Wyre Forest District Local Plan.

10/0532/RESE

#### IMPACT ON AMENITY

- 4.10 The proposed dwellings would be introduced to an established residential area. It is therefore essential to ensure that there would be no harm caused to the amenity of existing residents as a result of the proposal. The neighbouring property most likely to be affected by this development is the property at No. 3 Parry Road, which sits at the northern corner of the site, at a 45 degree angle to the application site, with its rear garden forming the shared boundary with Plot 1. The side elevation of the Plot 1 property would run approximately two thirds of the rear boundary of this property. Given that a minimum separation distance of 10m would be maintained between the properties and that there are no first floor side facing windows which would cause overlooking then it is considered that there would be no loss of amenity to occupiers of No. 3 Parry Road. Other properties in the immediate vicinity have separation distances well in excess of 10m and would not be overlooked by any of the proposed properties, there would therefore be no loss of amenity in this respect.
- 4.11 As detailed above there are a number of protected trees on site which afford a degree of visual amenity to the appearance of the streetscene. It is proposed that two of these trees will be retained and some lost. Replacement planting is proposed. The tree survey and planting proposals have been considered by the District Council's Arboricultural Officer, who does not object to the scheme subject to conditions being imposed on any consent which would prevent damage to the trees being retained through building operations. Given that the method of construction surrounding the trees is controlled by condition 9 of the outline approval and that the Arboricultural Officer does not raise any objections to the scheme it is considered that the proposal would accord with the requirements of Policy D.4 of the Local Plan and there would be no harm caused to amenity as a result of the tree works proposed.

#### OTHER MATTERS

- 4.12 The District Council's Countryside and Conservation Officer has been consulted on the proposal and has offered no objection in respect of biodiversity conservation or enhancement, it is therefore felt that there would be no harm caused to biodiversity as a result of the proposed development.

### 5.0 Conclusions and Recommendations

- 5.1 The proposal accords with the relevant policies of the Adopted Wyre Forest District Local Plan as listed, and it is therefore recommended that the application be **APPROVED** subject to the following conditions:

1. A4 (Reserved Matters only)
2. A11 (Approved plans)

#### Note

All the works to accord with the details specified on the approved plans.

10/0532/RESE

If any other works are proposed, then the applicant will need to apply to the Local Planning Authority to carry out works to a tree(s) that are subject of a Tree Preservation Order.

Reason for Approval

The principle of the use of this site for residential purposes has been established previously through outline planning consent 08/0538/OUTL. The reserved matters submitted in respect of; the layout of the site, the design of the buildings, the external appearance of the buildings, the means of access and the landscaping of the site are considered to be acceptable by virtue that the design, siting and appearance of the proposed dwellings would harmonise with the established residential character of the area and would not therefore cause detriment to the visual amenity of the streetscene. The impact of the proposal on the amenity of neighbours has been carefully assessed and it is felt that there would be no undue impact on amenity. The proposal would not result in the loss of trees of significant amenity value and would provide for appropriate landscaping on site. The proposed development would not give rise to a situation which would be detrimental to highway safety. The proposal therefore complies with the policies of the Adopted Local Plan.

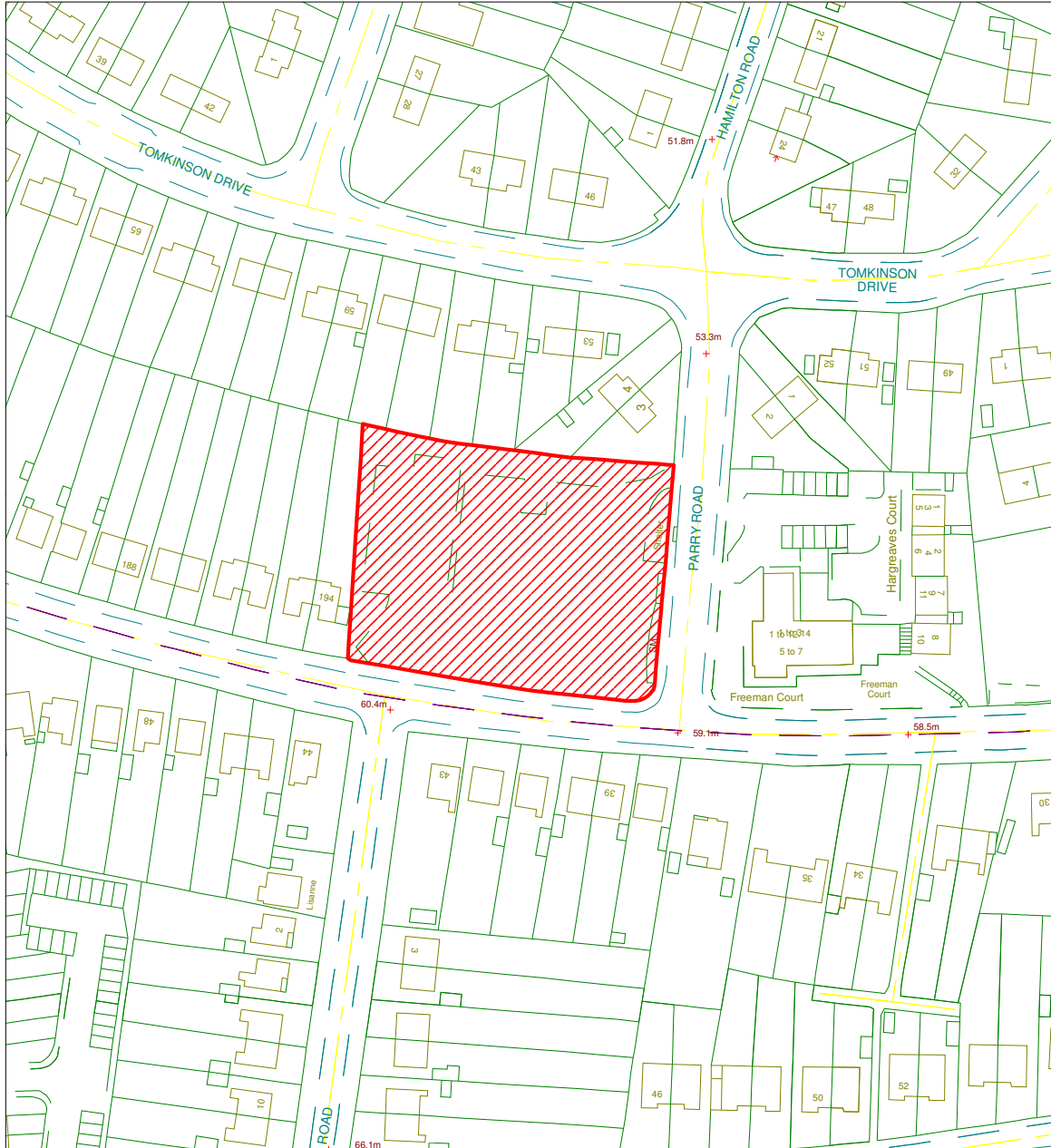
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**Wyre Forest District Council**

PLANNING AND REGULATORY SERVICES DIRECTORATE

**Sutton Arms**

**Sutton Park Road**

**Kidderminster DY11 6LE**

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





<b>Application Reference:</b>	10/0550/FULL	<b>Date Received:</b>	20/09/2010
<b>Ord Sheet:</b>	381984 279220	<b>Expiry Date:</b>	20/12/2010
<b>Case Officer:</b>	Emma Anning	<b>Ward:</b>	Wolverley

**Proposal:** The construction of ten affordable dwellings

**Site Address:** LAND ADJACENT TO SEBRIGHT ROAD, KIDDERMINSTER, DY115UE

**Applicant:** Wyre Forest Community Housing

<b>Summary of Policy</b>	H.1 H.2 H.10 H.11 D.1 D.3 D.4 D.5 D.10 D.11 D.13 LA.1 LA.2 GB.1 GB.6 DR.1 NC.5 NC.7 TR.9 TR.17 IMP.1 (AWFDLP) DS01 CP03 CP04 CP07 CP12 CP15 (WFCS) CTC.1 CTC.12 D.8 D.39 (WCSP) CF.2 CF.5 QE.1 QE.3 QE.6 9 (WMSS) PPS 3, PPS 5, PPS9
<b>Reason for Referral to Committee</b>	'Major' planning application
<b>Recommendation</b>	<b>DELEGATED APPROVAL</b>

### 1.0 Site Location and Description

1.1 The application site is an area of green field land measuring 2520 sq. metres which sits on the south side of Sebright Road in Wolverley, opposite the junction of Knight Road. The site represents the frontmost part of a larger area of land shown in the Adopted Wyre Forest District Local Plan as an area of development restraint. The site is bounded by residential development on the east and west; by the remaining 34880 sq. metres of ADR land to the south and by Sebright Road and residential properties to the north. The land to the west is part of the West Midlands Green Belt and is identified as being within the Landscape Protection Area.

### 2.0 Planning History

2.1 None

### 3.0 Consultations and Representations

3.1 Wolverley and Cookley Parish Council –  
(Extract taken from minutes of Parish Council meeting of 07/09/2010)

The rural housing scheme is steadily progressing and plans have been drawn up for affordable homes on a site in Wolverley. The Strategic Housing Officer and Community Housing need to take this forward to try and secure funding through the Homes and Communities Agency. The Parish Council resolved unanimously to advise the Strategic Housing Officer to proceed with the plans and funding application.

10/0550/FULL

It was re-iterated that the dwellings would be for Wolverley and Cookley Parish and there will be a very strict occupation policy.

3.2 Highway Authority – No objection subject to conditions

3.3 Arboricultural Officer - I have no objection to the proposed development, however I would like to see Condition C2 (Retention of existing trees) applied and details submitted regarding protective fencing in accordance with BS5837:2005 to the Oak located on the front of the site.

The tree will not be directly affected by the development; however, I am concerned that it will be affected during the construction phase.

I would also like to see more details on the proposed planting, including the size and type for trees to be planted.

3.4 Countryside and Conservation Officer -  
(Response to Protected Species Survey recommendations)

Protected species wise, there is unlikely to be an impact. The report makes a series of recommendations; these should be included in a note, with a particular stress on the ones relating to badger, as there is nearby badger activity and harm could be caused if a badger were to inadvertently enter the development site.

Habitat wise there will be a loss of semi-improved grassland habitat and some species poor hedging. The site is located between other grassland inventory sites, has a reasonable rich sward and overlays very nutrient deficient soils (ideal acidic grassland conditions). The report suggests that the loss of this habitat could be made up by the introduction of ecological management on the area of land in the developer's ownership but not being actually developed. Given the very nutrient poor nature of the soil and the already reasonably diverse nature of the sward this would be highly agreeable, however a management plan would be required.

3.5 Central Networks - No objection

3.6 Policy and Regeneration Manager - There has been a long-standing aspiration to see this site developed for affordable housing. The site fronting Sebright Road forms the northern part of a larger 2.48 Ha field, which was compulsory purchased for housing use by Kidderminster Rural District Council in 1947. The site was identified in the 1996 Adopted Local Plan for 20 affordable units. The Inspector at the 1994 Local Plan Inquiry described the site as 'modest in size, its southward extension from the road being similar to that of the existing houses to the west, and less than that of the development to the east. It would be an infill site, completing the built-up frontage on the south side of Sebright Road.'

10/0550/FULL

The site was de-allocated during the review of the Local Plan as being a green field site; it was not in accordance with the Worcestershire Structure Plan or PPG3. Also, there was no strong evidence at the time that there was a local housing need for affordable housing. It was considered that if evidence came to light of such a need in the future, then the site could be considered under the Rural Exception Sites policy. Its current status is that of white land, being excluded from the Green Belt, adjoining an Area of Development Restraint and outside the settlement boundary of Fairfield.

The District Council agreed in April 2010 to dispose of the land to Wyre Forest Community Housing Group to be used for affordable housing. The last use of the land was for grazing animals.

This proposal has come forward as an Exception Scheme in that housing development would normally be contrary to policy at this location and therefore Policy H.11 'Affordable Housing Exception Schemes in Rural Areas' is relevant. In order to permit small-scale housing schemes for local need, four specific criteria need to be met. 1) Evidence of local need shown by housing needs survey; 2) S.106 Agreement to ensure that housing remains available to meet local needs; 3) Environmentally acceptable site within or immediately adjoining settlement; and 4) Proposal relates to character of surroundings.

The scheme has the backing of the Parish Council and the most recent housing needs survey showed a need for up to 10 affordable units. I understand that another housing needs survey is planned in the near future. The scheme is designed in such a way that a potential phase 2 could be developed on the southern part of the site if evidence of a further affordable housing requirement is shown.

PPS3: Housing (June 2010) Para.30 covers affordable housing in rural communities and the use of a Rural Exception Site Policy. Such sites must be used for affordable housing in perpetuity and be used to accommodate households who are either current residents or have an existing family or employment connection in the settlement.

The Sebright Road site was assessed by the panel as part of the Wyre Forest Strategic Housing Land Availability Assessment. This study formed part of the evidence base for the Local Development Framework Core Strategy and looked at potential housing sites across the district which could come forward for development up to 2026. The site scored very well on sustainability as it was within a 5 minute walk of both local shops and a bus stop on a half hourly bus route and a 10-minute walk of a playground. It was considered that there would be a potential adverse impact due to the loss of open views and potential loss of habitat. However, the panel considered that the site would be suitable for affordable housing development of up to 20 dwellings.

10/0550/FULL

- 3.7 Strategic Housing Services Manager - Sebright Road is a strategic priority for the Council's Housing Services Department. The Rural Housing Enabler and I have worked in partnership with Community Housing and Wolverley and Cookley Parish Council to bring the site forward for a development following the Parish Council's Housing Needs Survey completed in 2004. It is also being actively supported for funding from the HCA and the Council has agreed to transfer a piece of its land (for £1!) adj. Sebright Road so that this development can come forward.

Analysis of the Waiting List has revealed that there is a need for 10, 2 bed accommodation and 3, 3 bed accommodation (53 people are on the waiting list requiring 1 bed but are not in the higher bands).

In order to ensure a mixed, sustainable community, WFCH have worked up a scheme which will support these requirements e.g. 7, 2 bed and 3, 3 beds. Seven units are to be for rented and three for shared ownership. This mix is supported by the Parish Council.

As this scheme is to meet the needs of households connected to the parishes of Wolverley and Cookley (and is a rural exception scheme), there will need to be something within the S.106 Agreement to reflect this.

- 3.8 Severn Trent Water - No objection
- 3.9 Worcestershire Wildlife Trust - No comments received
- 3.10 Worcestershire County Council (Historic Environment and Architectural Service) - The application may affect a site of archaeological interest. The proposed development lies within an area of undeveloped land immediately adjacent to Bury Farm, the name of which denotes the probable presence of a fortified manor or an enclosure. A condition will be required to ensure that a programme of archaeological work (strip map and sample) is carried out prior to the development commencing.
- 3.11 Neighbour/Site Notice – Six neighbour objection letters received. The main concerns raised are summaries as follows:
- Existing dwellings opposite will be overshadowed by the proposed development.
  - Any new build would be detrimental to the atmosphere of this very peaceful area.
  - There are more suitable brown field sites, which should be utilised such as the Lea Castle Site or Brown Westhead Park in Kidderminster.
  - The proposal would increase traffic in the area which can be a hazard to the predominantly older community.
  - Eight family homes will mean another eight, possibly sixteen children The local primary school is already oversubscribed.
  - There is a large colony of bats, which roost and feed in the large Oak tree (to be retained), can the Local Planning Authority confirm that it has carried out its obligation in regards bats?

10/0550/FULL

- We purchased our house three years ago, we have worked hard to improve the property and feel that the application would have a detrimental impact on our privacy, safety and tranquil environment.
- The development would have a detrimental effect on the already established wildlife and peaceful environment.
- The merging of the white field and green belt should be given considerable thought.

#### 4.0 Officer Comments

4.1 Permission is sought for the erection of ten affordable homes, to comprise 2 x two-bed bungalows; 5 x two-bed houses and 3 x three-bed houses, all with private amenity space and parking. The key matters for consideration are:

- (a) The principle of development
- (b) Scale, siting and design
- (c) Impact on highway safety
- (d) Impact on amenity
- (e) Biodiversity and nature conservation
- (f) Planning obligations

- each of which is considered in turn below:

#### PRINCIPLE OF DEVELOPMENT

4.2 Policy DR.1 (Areas of Development Restraint) is relevant on this site. DR.1 states that such land will not be released until it is identified for development in a future review of the local plan. The Wyre Forest District Local Development Framework is not yet at the stage of the Site Allocations DPD and as such, Policy AD.1 requires the site to be assessed against the Green Belt policies of the Adopted Local Plan. Policy GB.1 sets out the circumstances in which development is considered to be appropriate in the Green Belt, one of which is where small-scale, low-cost housing is required and will be reserved for local needs in settlements accepted by the District Council as having a special identified need and the development accords with Policy H.11. Policy H.11 requires that evidence is produced to the satisfaction of the District Council, demonstrating that a need exists within the locality, that the type, tenure and cost of the dwellings reflects that need. A planning obligation would be required to ensure the long-term management of the scheme to ensure that the housing remains to serve local need in perpetuity. In assessing the proposal against all three policies regard has been had to the comments made by the District Council's Forward Policy and Regeneration Manager and the advice of the Strategic Housing Services Manager, both of which clearly identify a long-standing aspiration to see the provision of affordable local housing on this site, based on an identified acknowledged local need. The principle of the proposed development is therefore clearly in accordance with the relevant policies of the Adopted Wyre Forest District Local Plan.

10/0550/FULL

- 4.3 It was suggested by a neighbour that other more suitable sites should be considered before development of a green field site is considered. Other sites in Kidderminster were suggested by the neighbour; however, it should be recognised that, for the reasons set out above and given that the proposal is for housing to meet a local need, then the site by definition should be in the locality of the identified need. Subject to the application site satisfying the requirements of the policies mentioned above, there is no requirement for applicants to demonstrate that other, non-local, sites have been considered.

#### SCALE, SITING & DESIGN

- 4.4 Where the principle of development is in accordance with Policies GB.1, AD.1 and H.11 it is necessary to ensure that the design, scale and siting of the development proposed is acceptable. In terms of siting, the development would front Sebright Road in a break in an otherwise built-up frontage of residential properties, therefore the development would effectively complete the pattern of built development along this southern side of Sebright Road and in this respect, the siting of the properties is considered to be acceptable. The dwellings would be arranged in small clusters of two and three properties which would be similar to the pattern of development in the locality, which is also of small clusters of properties. The siting of the proposed development would therefore complement the pattern of development in the locality in accordance with Policy H.11 and Policy D.3 of the Adopted Wyre Forest District Local Plan.
- 4.5 The proposed site plan shows that an existing field access would be retained and formalised as an entrance to the site; however the entrance, at this stage, would not be utilised but would be left in-situ to facilitate any future phase two development at the rear of the site. Similarly, the siting and design of the properties proposed have been designed with the future possibility of further residential development to be facilitated without appearing incongruous or as a disjointed addition to the development presently proposed. It is felt that the siting of the future access would be acceptable as it would not appear incongruous in its proposed setting.
- 4.6 The design of the proposed properties would be characterised by four house types, all two storey, with the exception of a pair a bungalows that would sit next door to the warden controlled Knight Court residential development. Unlike the northern side of Sebright Road, the south side has a more varied mix of house types and as such, the proposal to introduce a new style of development is considered acceptable. Despite having four house types, the properties have been designed to respond to the local vernacular in that the dwellings would be of a traditional design and materials, therefore allowing them to harmonise with the existing setting without detriment to the street scene in accordance with Policies D.3 and H.11. As detailed above, it is proposed to locate two bungalows adjacent to Knight Court, whilst normally locating a single storey structure next to a two-storey building may appear incongruous. In this instance, the fact that Sebright Road slopes upwards towards the application site means that the existing property is at a lower level than the proposed bungalow would be and therefore the difference in height between the two would be less apparent than it might otherwise be.

10/0550/FULL

In this instance the sloping nature of the site would assist in the proposed development sitting comfortably next to the existing property, without detriment to the street scene.

#### IMPACT ON HIGHWAY SAFETY

- 4.7 Concern has been raised that the introduction of ten residential units in this location would result in an unacceptable increase in vehicular movements along Sebright Road, which would cause harm to highway safety. Accordingly, the Worcestershire County Council Highways Officer has been consulted and has commented as detailed above. Given that the Highways Officer does not object to the scheme and is satisfied, subject to conditions relating to the provision of adequate visibility splays, access and parking, the scheme would not give rise to a situation that would be detrimental to highway safety in accordance with Policy TR.9 of the Adopted Wyre Forest District Local Plan.
- 4.8 Based on the parking requirement set out in the Adopted Wyre Forest District Local Plan each two-bed dwelling will require one car parking space and each three-bed property will require two spaces. These requirements are met through private off-street parking spaces being allocated within the curtilage of each proposed dwelling. The proposal would therefore satisfy Policy TR.17 of the Adopted Wyre Forest District Local Plan.

#### IMPACT ON AMENITY

- 4.9 Several neighbours have raised concern that the proposal would result in a reduction in light and privacy to neighbouring properties and properties opposite. The property closest to any of the proposed dwellings is the end property of the Friars Court development, which is some 8 metres away from one of the proposed bungalows. However, given that there would be no side facing windows in the bungalow and that the bungalow would clearly be single storey, there is not likely to be detriment caused to either privacy or light in this instance. Other properties on the north side of Sebright Road and properties to the west of the application site are in excess of 18 metres away, which is felt to be an adequate separation distance to ensure that no loss of privacy or light to neighbouring residents would occur.

#### BIODIVERSITY & NATURE CONSERVATION

- 4.10 Local Planning Authorities have an obligation under PPS9 to ensure that no harm to biodiversity or any protected species would arise as a result of a development. Concern has been raised that the Oak tree on site is used as a feeding and roosting site for bats and accordingly, the District Council's Countryside and Conservation Officer has been consulted. The Countryside and Conservation Officer has recognised that, in respect of protected species, the proposal is unlikely to cause harm; however, he does acknowledge that the steps set out in the accompanying ecology report should be adhered to. This could be secured by condition.

10/0550/FULL

- 4.11 It is acknowledged that the development would result in the loss of a semi-improved grassland habitat and some species poor hedging it is felt that a condition requiring a management plan, which would detail how the remaining land in the ownership of the applications will be managed, would be a suitable means of mitigation against this loss. Again, a condition could be applied to any permission to ensure that would be the case. In summary, the proposal would not cause an unacceptable loss of a protected habitat and would not harm any protected species on or adjacent to the site in accordance with Policy NC.5 and Policy NC.7.

#### PLANNING OBLIGATIONS

- 4.12 The District Council's Adopted Planning Obligations SPD requires that the following contributions be made:

Public Open Space contribution - £3055.92

In addition to the above Worcestershire county Highways have requested £10,000 to provide improvements to an existing bus shelter at the junction of Hayes Road and Sebright Road.

To-date the applicants have agreed the public open space contribution will be paid, however they do not accept that the request for £10,000 towards the bus shelter improvements is reasonable. Reasoned justification from the Highways Officer for the request is as follows;

*"There is a specific need in this instance over that of the SPD. The site proposal should demonstrate that the development is not reliant on car access. The existing bus shelter closest to the site is not compliant with WCC's gold standard requirements, in an attempt to encourage sustainable access to and from the site the provision of a gold standard will make bus access a more attractive option. The level of the contribution is reasonable considering the scale of the development, the fact that the development is for affordable housing does not alter the need to promote sustainable access. Ensuring that a quality bus service is available especially to provide for affordable development will result in a lesser less impact from the development on the network. The contribution would replace the existing shelter with one which provides better timetabling information and amends the kerbing to provide better access to buses by reducing the step height which is especially important for the elderly and physically impaired.*

*The modest contribution of £10,000 to assist in encouraging bus access for an affordable housing site is considered reasonable and generally reflects the scale of contributions required for this scale of development elsewhere in the County. It is also worth pointing out that this requirement was identified in the SHLAA process over a year ago so cannot be considered to be a surprise and should have been built into the site viability appraisal"*

Based on the comments and reasoned justification of the Highways Officer above it is considered reasonable, on a scheme of this size and in this location, to include the £10,000 contribution towards bus service improvements into the S106 agreement.



10/0550/FULL

OTHER MATTERS

- 4.13 It has been suggested that the development of new homes for family occupation will put additional pressure on schools in the locality. Normally, the Planning Obligations SPD would require the developer to contribute towards education facilities where there is likely to be an impact on school places as a result of the proposal. However, in the case of affordable housing schemes this sum is waived. In this instance, whilst there may well be an impact on local schools, given that the scheme is intended to meet an existing local need for housing in the area for local people, it will not result in pressure being put on local schools from persons outside of the immediate area.
- 4.14 The County Council's Historic Environment Planning Officer has commented on the application and has raised concern that the application may affect a site of archaeological interest. Given that the Local Authority has an obligation under PPS5: Planning for the Historic Environment to ensure that no harm is caused to sites or features of historic interest, then it is considered reasonable and necessary in this instance to include a condition on any permission that will require a programme of archaeological work (strip map and sample) is carried out prior to the development commencing.

**5.0 Conclusions and Recommendations**

5.1 The proposal accords with the relevant policies of the Adopted Wyre Forest District Local Plan as listed above and I recommend **delegated APPROVAL** subject to:

- a) the signing of a **Section 106 Agreement** to secure the following:
- £3,055.92 Public Open Space contribution
  - £10,000 to provide a new bus shelter at the junction of Hayes Road and Seabright Road, and
- b) the following conditions:
1. A6 (Full with no reserved matters)
  2. A11 (Approved plans)
  3. B1 (Samples/Details of materials)
  4. B2 (Sample brick panel)
  5. B11 (Details of Enclosure)
  6. C2 (retention of existing trees)
  7. C3 (Landscaping – Large Scheme)
  8. C6 (Landscape – Small Scheme)
  9. C8 (Landscape Implementation)
  10. C13 (Landscape Management Plan for area to the rear of the site)
  11. C14 (Landscape Maintenance Plan for area to the rear of the site  
(7 conditions highway notes as of attached file))
  12. Programme of archaeological work
  13. Drainage condition

10/0550/FULL

Notes

- A. SN2 (Section 106 Agreement)
- B. Highway
- C. Central Networks

5.2 Reason for Approval

The applicants have demonstrated that there is an identified local need for affordable housing in this locality of the type proposed and as such the principle of development on this site accords with Policies AD.1 and H.11. The proposed dwellings, by virtue of their scale, siting and design would harmonise with the pattern of development and the character of the area without detriment to the existing street scene. The development would not give rise to a situation which would be detrimental to highway safety, biodiversity or ecology. The impact of the development on the amenity of neighbouring residents has been carefully assessed and it is considered that they would not be unduly affected. The proposal therefore accords with the policies of the Adopted Wyre Forest District Local Plan listed above.

It is also requested that delegated authority be granted to REFUSE the application should the applicant fail to enter into the above-mentioned S106 agreement by 20 December 2010, for the following reason:

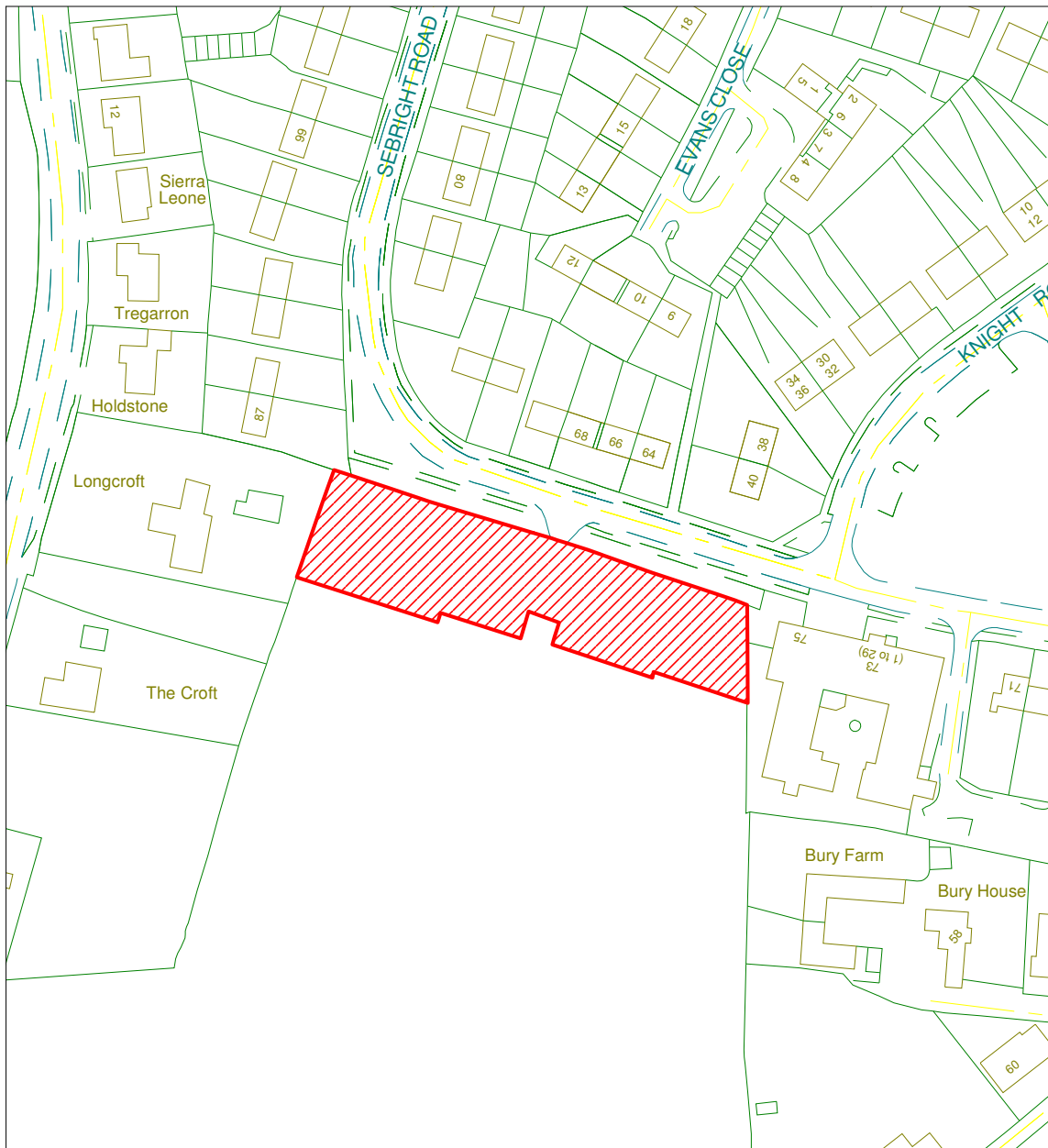
The applicants have failed to enter in to an agreement under S.106 of the Town and Country Planning Act 1990 (as amended) to secure contributions towards Public Open Space and highway improvements as is required by the Supplementary Planning Document on Planning Obligations. In the absence of this agreement the proposed scheme fails to comply with Policies LR.1 and TR.9 of the Adopted Wyre Forest District Local Plan and the Supplementary Planning Document on Planning Obligations and Government.

Date:- 22 November 2010

OS sheet:- SO8179SE

Scale:- 1:1250

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**Wyre Forest District Council**

PLANNING AND REGULATORY SERVICES DIRECTORATE

**Land adjacent to  
Sebright Road  
Kidderminster DY11 5UE**



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

**Application Reference:** 10/0654/FULL      **Date Received:** 27/10/2010  
**Ord Sheet:** 377724 275259      **Expiry Date:** 22/12/2010  
**Case Officer:** Stuart Allum      **Ward:** Bewdley and Arley

**Proposal:** First floor extension

**Site Address:** 6 ELTON ROAD, BEWDLEY, DY122HR

**Applicant:** Mrs B Knight

<b>Summary of Policy</b>	D.1, D.3, D.17, TR.17 (AWFDLP) CT11 (WFCS) QE3 (WMRSS) Design Quality SPG PPS1
<b>Reason for Referral to Committee</b>	Third party has registered to speak at Committee
<b>Recommendation</b>	<b>APPROVAL</b>

### **1.0 Site Location and Description**

- 1.1 The application site is located in an allocated residential area to the west of Bewdley town centre. The property is on the fringe of the 'Hales Park' housing estate, facing towards Cleobury Road.
- 1.2 The Hales Park estate is laid out on fairly regular patterns of development, with geometric spacing and tightly drawn building lines. All the dwellings are set back from the highway edge to allow for off-street car parking.
- 1.3 No.6 Elton Road is presently 'link detached' to its neighbour at No. 4, at ground floor level only and in the form of an integral garage.
- 1.4 The proposal is to excavate a new footing along this side boundary, to enable a two-storey side extension to be created in the space between the two dwellings. A side parapet wall is also shown, to contain the roof rain run-off within the boundary of the application site.

### **2.0 Planning History**

- 2.1 WF.587/99 – Convert garage, erect flat roof single storey side extension to provide sitting, bedroom and shower room, front porch : Approved but not implemented.

### **3.0 Consultations and Representations**

- 3.1 Bewdley Town Council – Views awaited
- 3.2 Highway Authority – No objections

10/0654/FULL

3.3 Neighbour/Site Notice – One letter of objection received; the issues raised are:

- a) The houses in question in Elton Road were constructed as Detached Houses and the proposed first floor extension of the property adjoining ours, would change the nature of our house from a detached to a semi-detached residence. This could affect our house value.
- b) The plans in question show the construction of a wall very close to the external wall of our house and do not allow access for the painting of the eaves or to the chimney where the television aerial is situated. It would not provide for any repair work to the wall such as pointing etc.
- c) The construction of a wall at the very limit of the boundary between the houses and strong enough to carry the additional roofing shown in the plan, would require extensive excavation so close to the foundations of our property that the integrity of the structure of our house could be endangered.
- d) There is no precedent for an extension like this, as no such extension on any of the Detached Houses on this estate (Hales Park Estate Bewdley) has ever been undertaken before. If this application goes ahead it will create a precedent. Extensions have been done on Detached Houses on end or corner plots, but none between Detached Houses which have a line of junction with the neighbouring property.
- e) The plans show a link into the wall of our house in the garage area. There is a ventilation brick in our external wall, which provides ventilation for the gas fire in our lounge. This could not be compromised.
- f) The proposed first floor extension would reduce the amount of daylight to our first floor bedroom and our lounge.

#### **4.0 Officer Comments**

4.1 Proposals involving the extension or alteration to an existing residential property, including curtilage buildings and previous extensions, must:

- i) be in scale and in keeping with the form, materials, architectural characteristics and detailing of the original buildings;
- ii) be subservient to and not overwhelm the original building, which should retain its visual dominance;
- iii) harmonise with the existing landscape or townscape and not create incongruous features; and
- iv) not have a serious adverse effect upon the amenity of neighbouring residents or occupiers.

10/0654/FULL

- 4.2 Regarding the size and scale of the proposed extension, this is considered to be in visual harmony with the original building, which would also be capable of retaining its visual dominance.
- 4.3 This row of eight dwellings relies to some extent on the regular spacing between them to maintain a visual 'rhythm' in the street scene facing Cleobury Road. No other property in the row has been extended in a similar way to that now being proposed.
- 4.4 The so-called 'terracing effect' of development in residential frontages is a material planning consideration and, to mitigate against the perceived negative visual consequences of 'gap filling' in development, minimum 'set back' standards for the front walls of side extensions relative to the position of the original front wall are now imposed on applicants.
- 4.5 In this case, the minimum prescribed set back of 750 mm has been incorporated into the proposal, meaning that the existing character of the residential frontage can be substantially maintained. This set back also assists in minimising the massing of the roof. Although the parapet wall of the extreme edge of the extension is a design feature borne of necessity (in order to manage rainwater run-off adjacent to the boundary), this element of the scheme would not be overtly prominent in views from street level in the public domain.
- 4.6 Regarding 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 and scale of the proposal in that context.
- 4.7 No potential breaches have been identified but for clarification, the points of objection raised by the neighbour are addressed in the order in which they were presented:
- i) House values, and the perceived effect of development on such values, cannot be regarded as 'material planning considerations'.
  - ii) Whilst the effect of development on often long established, informal access agreements for maintenance are of practical concern, again, these issues are outside the remit of 'material planning considerations'.
  - iii) The responsibility for safeguarding the integrity of neighbouring property is that of the applicant. It is normal practice for the Local Planning Authority to remind applicants of their obligations in such private matters by way of suitably worded note.
  - iv) The application before the Council should be determined on its own merits.

10/0654/FULL

- v) Such concerns must be the subject of negotiation between the two parties. This may incorporate recourse to the Party Wall etc Act 1996, which is not administered by the Council.
- vi) Following a visit by the Case Officer to the complainant's property, it has been established that the proposal meets the standards laid down in the Council's '45° daylighting code'.

4.8 Having analysed these comments it is clear that the appropriate planning policies relating to amenity and privacy are not compromised by the proposal.

## 5.0 Conclusions and Recommendations

5.1 In consideration of Article 1 of Protocol 1 and Article 8 of the Human Rights Act 1998, 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. B6 (External details – Approved plan)

Note  
SN12 (Neighbours' rights)

### Reason for approval

The proposed extension, in conjunction with the existing rear ground floor extension, is considered to be of an appropriate scale and design in relation to the original building and will appear as an appropriate addition to the street scene. The impact of the extension upon the neighbouring properties has been carefully assessed and it is considered that no undue loss of amenity or privacy would occur as a result of the development. Accordingly, the proposal is considered to be in compliance with the above policies of the Adopted Wyre Forest District Local Plan.

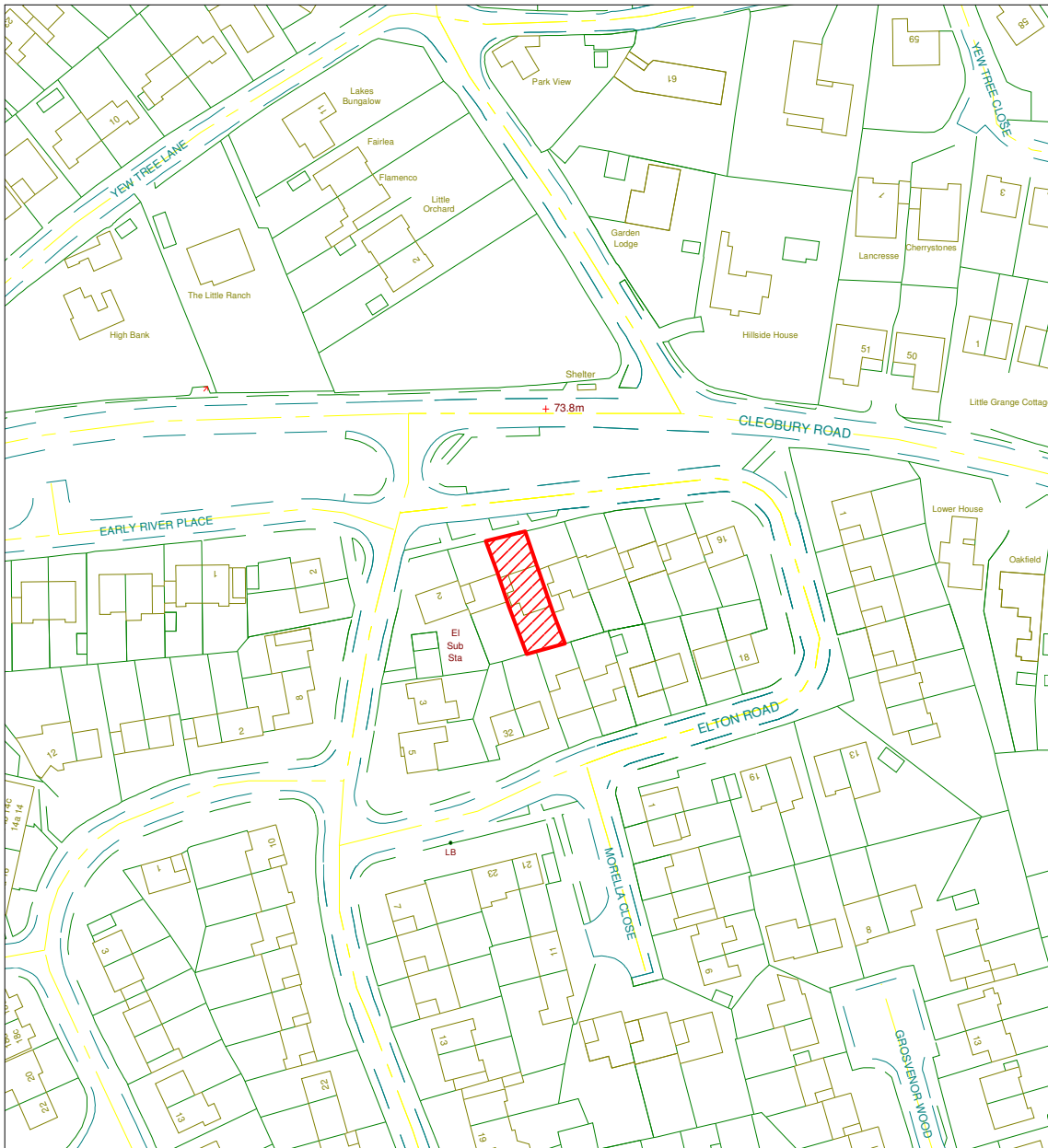
Date:- 23 November 2010

OS sheet:- SO7775SE

Scale:- 1:1250

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**Wyre Forest District Council**

PLANNING AND REGULATORY SERVICES DIRECTORATE

**6 Elton Road  
Bewdley  
DY12 2HR**



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



**Agenda Item No. 5**

**Application Reference:** 10/0655/FULL      **Date Received:** 01/11/2010  
**Ord Sheet:** 384284 279754      **Expiry Date:** 27/12/2010  
**Case Officer:** James Houghton      **Ward:** Cookley

**Proposal:** Conversion of existing dwelling into two dwellings

**Site Address:** 18 WESTHEAD ROAD, COOKLEY, KIDDERMINSTER,  
DY103TG

**Applicant:** Emily Convy

<b>Summary of Policy</b>	H.7, D.1, D.3, D.17, TR.9, TR.17 (AWFDLP) CP12, CP13 (WFCS) QE.3 (WMRSS) PPS.1, PPS.3
<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 is a two storey, pitched roof dwelling set back from the road behind a substantial front drive.
- 1.2 The property benefits from a substantial two storey side extension erected under planning permission WF.0174/98. The extension originally provided a garage, exercise room, bedroom, en-suite and storage.

### 2.0 Planning History

- 2.1 WF.0980/76 - Modification to garage/car port and first floor extension :  
Approved 07/12/76
- 2.2 WF.0986/80 - Extension and porch : Approved 13/11/80
- 2.3 WF.0174/98 - Two-storey extension to form garage and exercise room with bedroom, store and en suite over; extension and conversion of existing garage to form study : Approved 21/04/98
- 2.4 10/0605/OUTL - Conversion of existing dwelling into two dwellings :  
Withdrawn 26/10/10

### 3.0 Consultations and Representations

- 3.1 Wolverley and Cookley Parish Council – No comments received
- 3.2 Highway Authority – No comments received
- 3.3 Neighbour/Site Notice – Three letters of objection have been received; the issues raised are:

10/0655/FULL

- The sub-division of properties would convert the existing semi-detached properties into terraced properties, which is uncharacteristic for this area.
- The division of the driveway would reduce parking space and may lead to on-street parking.
- The proposed development would have a detrimental impact on the value of neighbouring properties.  
(Officer Comment – *Allegations regarding the devaluation of property value is not a planning consideration*).

#### 4.0 Officer Comments

- 4.1 The applicant seeks permission for the conversion of the existing property into two self-contained three-bedroom dwellings. The development would require minimal external alterations with just a door and a garage door swapped, with the remainder of the development carried out through internal alterations only.
- 4.2 The proposals would offer minimal detriment to amenity enjoyed by the occupants of neighbouring properties as there would be negligible alterations to the exterior of the property.
- 4.3 Given that the proposed division of the property would result in no change in the external appearance of the property, the sub-division of the property would have no appreciable impact on the character of the building or the character of the area. Provision is made for private amenity space to the rear and sufficient space for parking two vehicles to the front of each unit.
- 4.4 Within developments which divide existing properties the potential exists for living rooms to be provided adjacent to bedrooms, which can lead to noise and disturbance issues. In this case, the two-storey nature of the properties and the proposed layout would minimise the potential for noise etc. In addition, the Building Regulations provide guidelines for ensuring resistance to the passage of sound and as such, the risk of noise pollution being experienced in neighbouring properties should be negated.

#### 5.0 Conclusions and Recommendations

- 5.1 It is recommended that **delegated APPROVAL** be granted subject to 'no objection' responses being received from the statutory consultees and to the following conditions:
1. A6 (Full with no reserved matters)
  2. A11 (Approved plans)

##### Reason for Approval

The proposed conversion and alterations would be considered acceptable and would have no significant impact on the amenity currently enjoyed by the occupants of neighbouring properties.

The development is considered to accord with the requirements of Policies H.7, D.1, D.3, D.17, TR.9 and TR.17 of the Adopted Wyre Forest District Local Plan (2004).

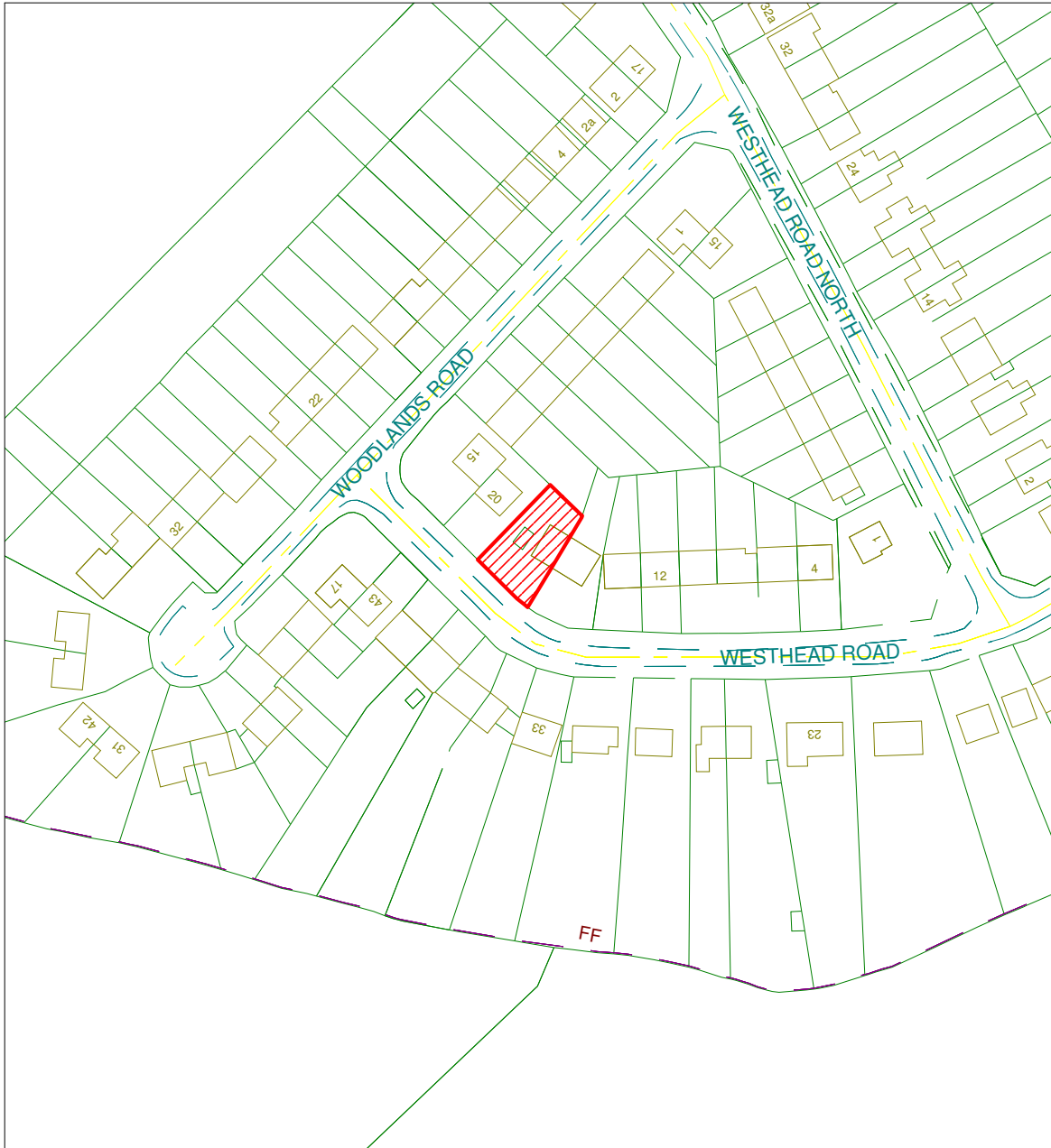
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**Wyre Forest District Council**

PLANNING AND REGULATORY SERVICES DIRECTORATE

**18 Westhead Road**

**Cookley**

**DY10 3TG**

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



WYRE FOREST DISTRICT COUNCIL

**PLANNING COMMITTEE**  
**7<sup>TH</sup> DECEMBER 2010**

**PART B**

**Application Reference:** 09/0602/S106      **Date Received:** 24/08/2009  
**Ord Sheet:** 383425 276305      **Expiry Date:** 19/10/2009  
**Case Officer:** John Baggott      **Ward:** Greenhill

**Proposal:** Variation of Section 106 Agreement to enable a change to the maximum stay and the introduction of a pay and display system on the store car park

**Site Address:** WM MORRISON SUPERMARKETS PLC, GREEN STREET, KIDDERMINSTER, DY101AZ

**Applicant:** Wm Morrison Supermarkets PLC

<b>Summary of Policy</b>	D.1, D.3, D.4, D.7, D.9, D.10, D.11, D.12, D.13, D.15, LA.6, NR.2, NR.5, NR.6, NR.9-NR.12, LB.1, LB.2, LB.5, CA.6, AR.3, NC.2-NC.8, TR.1, TR.6, TR.7, TR.8, TR.9, TR.17, TR.19, LR.1, RT.1, RT.3, RT.4, RT.13, KTC.4, IMP.1 (AWFDLP) DS02, CP09 (WFCS) SD.2 SD.3 SD.4 SD.7 SD.9 CTC.5 CTC.6 CTC.8 CTC.9, CTC.11, CTC.12, CTC.14, CTC.19, CTC.21, D.31, D.32, T.1, T.4, T.5, T.10 IMP.1 (WCSP) UR.2, PA.11, QE.1-QE.8 (WMRSS) PPS1, PPS6, PPS9, PPG13, PPG15, PPS25 Design Quality SPG Planning Obligations SPD
<b>Reason for Referral to Committee</b>	Application involving proposed Section 106 obligation
<b>Recommendation</b>	<b>DELEGATED APPROVAL</b>

**1.0 Site Location and Description**

- 1.1 The application site is located on the south eastern side of Green Street in Kidderminster backing onto the Ring Road, which is located at an elevated level beyond a wooded escarpment.
- 1.2 The site, including listed buildings, was developed as a new Morrison's store following the granting of planning permission in 2006, as detailed below. The new store has now been trading in excess of 18 months.

**2.0 Planning History**

- 2.1 06/0590/FULL - Part demolition of existing buildings; construction of supermarket (use class A1) with car park & works to highway; extension to

09/0602/S106

Woodward Grosvenor building fronting Green Street & change of use to museum (use class D1) : Approved.

2.2 06/0591/LIST - Renovation & extension of Woodward Grosvenor Building fronting Green Street : Approved.

### **3.0 Consultations and Representations**

3.1 Highway Authority - No objection

3.2 Parking Services Manager – No objection.

3.3 Policy and Regeneration Manager – No objection

3.4 Neighbour/Site Notice – No representations received.

### **4.0 Officer Comments**

4.1 Section 106A of the Town and Country Planning Act 1990 (as amended) gives developers the ability to amend or modify a Section 106 agreement. Under the terms of this Section such an application can only be considered after a five year period, with any adverse decision being made open to an appeal under S.106B.

4.2 As this application has been submitted within 5 years, the Local Planning Authority has the ability to consider whether a deed of variation can be approved, without any reprisals under S.106B in respect of appeals.

4.3 Clause 10.1.5 of the Section 106 obligation which accompanied the approval for the Morrison's store stated that:

*“The Owners and the Developer will control and manage the Morrison's Car Park as a short stay car park for a maximum use for two hours and forty minutes at no charge and thereafter subject to appropriate charges or penalties as the Owners and The Developer may consider reasonably necessary from time to time provided that such charges or penalties shall not be less than those imposed by the District Council on car parks managed by the District Council in Kidderminster Town Centre (or in accordance with such other car parking scheme as maybe agreed with the District Council (acting reasonably)).”*

4.4 Members may recall that at the Planning Committee meeting on 13 July 2010, it was resolved to approve the then proposals to vary the S106 Agreement relating to the Morrison's store to facilitate a change to the maximum stay permissible on the store car park (from 2 hours and 40 minutes to 2 hours and 30 minutes), along with the introduction of a pay and display system which would introduce a £1.50 charge for parking up to 2 hours and 30 minutes.

09/0602/S106

4.5 The application to vary the S106 Agreement was submitted in an attempt to deter non-customers of the store, lured by the prospect of free car parking, from occupying parking spaces which would, as a result, be unavailable to genuine customers of the store.

4.6 To assist in considering the merits of the then proposal, members were presented with the results of a car park occupancy survey as undertaken by Morrison's. With regard to the issue of the proposal for reimbursing genuine store customers, and visitors to the carpet museum, Morrison's representatives commented that:

*"The spend in store will be minimum spend in store of £5.00 to achieve a refund of the car park fee. Morrison's have spoken to the carpet museum, who are happy to support the application and have agreed that customers of the museum would get their parking fee back at Morrison's Café (of any other service in the store), subject to a minimum spend of £5.00".*

4.7 Morrison's, having reviewed the agreed alterations to maximum stay and the introduction of the single fee parking charge, have now recognised that the adoption of such a regime could deter genuine customers to the store who perhaps only wish to call in for say a newspaper, cigarettes, or a carton of milk, or perhaps make use of the ATM machine. In such cases, the actual minimum spend may not be reached; the actual time spent on the car park may be minimal; and, the £1.50 parking fee would be excessive.

4.8 In light of the above, Morrison's now seek permission to amend the previously approved variation of the S106 agreement, to allow free parking for the first 30 minutes only. Thereafter, the previously agreed fee (i.e. £1.50) would be payable for the remainder of the period up to 2 hours and 30 minutes.

4.9 Officers are of the opinion that the proposed further variation of the S106 Agreement to enable a 2 hour and 30 minute maximum stay, with a £1.50 charge, payable after the first 30 minutes, (which would be refunded to customers of the store subject to a minimum spend) is a reasonable and acceptable proposal.

## 5.0 Conclusions and Recommendations

5.1 Officers consider that the revised proposals are acceptable and would be consistent with the requirements of the original Clause 10.1.5 of the Section 106 Obligation which accompanied planning permission 06/0590/FULL.

5.2 It is therefore recommended that **delegated authority** be given to the Director of Legal and Corporate Services, in consultation with the Director of Planning and Regulatory Services, **to vary the Section 106 agreement.**

<b>Application Reference:</b>	10/0505/FULL	<b>Date Received:</b>	19/08/2010
<b>Ord Sheet:</b>	381371 277193	<b>Expiry Date:</b>	25/11/2010
<b>Case Officer:</b>	Julia Mckenzie-Watts	<b>Ward:</b>	Habberley and Blakebook

**Proposal:**           Erection of 13no. detached dwellings with associated access, parking & amenity space (substitution of house types previously approved under planning permission 08/0731/FULL)

**Site Address:**       BRIARS HOTEL, 100 HABBERLEY ROAD, KIDDERMINSTER, DY115PN

**Applicant:**           Elan Real Estate Limited

<b>Summary of Policy</b>	H.2 H.5 D.1 D.3 D.7 D.9 D.10 D.11 D.13 D.14 D.16 LB.1 LB.5 NC.2 NC.5 NC.7 TR.7 TR.9 TR.17 TR.18 LR.1 IMP.1 (AWFDLP) CP12 CPO2, CPO3, CPO5 CPO7 (WFCS) SD.2 CTC.6 CTC.12 CTC.15 CTC.21 D.5 (WCSP) QE.1 QE.3 QE.5 (WMRSS) PPS3, PPS9. PPS5
<b>Reason for Referral to Committee</b>	'Major' planning application
<b>Recommendation</b>	<b>DELEGATED APPROVAL subject to Section 106 Agreement</b>

**1.0 Site Location and Description**

- 1.1 The application site sits within a residential area of Kidderminster. The site measures 0.47ha and is currently occupied by the car park associated with The Briars public house. A sizeable 1960's style two storey extension extends out to the rear. The main Locally Listed historic part of the pub is outside of the application site but, along with the wooded area to the north of the site which is identified as Public Open Space, it is within the ownership of the current applicant. A Tree Preservation Order applies to some of the trees on site.
- 1.2 Consent has previously been granted to is sought to demolish the aforementioned 1960's style extension and erect 13 no. detached dwellings with associated access and parking, by virtue of planning permission 08/0731/FULL.
- 1.3 The current application is for the substitution of house types as approved under application 08/0731/FULL. The number of units remains the same as before (i.e. 13 no. detached dwellings).

**2.0 Planning History**

- 2.1 08/0731/FULL - Erection of 13 No detached dwelling with associated access, parking and amenity space : Approved 28/10/08

10/0505/FULL

**3.0 Consultations and Representations**

3.1 Highway Authority – No objections subject to conditions

3.2 Environment Agency – No comments received

3.3 Arboricultural Officer – No objection to the above development, however I do have some minor concerns.

1. The majority of the Wellingtonia's (T3) Root Protection Area is within a hardstanding, part of which will form the new entrance road.

2. T10 is a Poplar that has not yet reached maturity and it will be 3m from the house on Plot 8. Poplar have a propensity to drop large limbs and can fail with little notice. Therefore having this tree so close to a new house would not be advisable.

3. The trees in the woodland that will overhang Plots 5,6 and 7 are also very close to the houses and will limit the useable garden space.

4. Tree T21 should also be crown lifted to 3.5m

5. Tree T.1 should be removed as it is dead.

I feel that the best course of action for points 2 and 3 would be to remove the trees that are encroaching so that they will not become a major issue in the future. Carrying out edge management on a woodland is a viable practice and will improve biodiversity. Other than that I have no other issues with the development.

3.4 Conservation Officer – Following the submission of amended house-types, I have no objections to these proposals, and recommend them for approval. However, I would like to see the following conditions be placed on any approval:

- 1:10 sections and details of all windows
- Details of all facing materials

Both to be discharged prior to the commencement of works on site

3.5 Countryside and Conservation Officer – No concerns biodiversity wise assuming the original application conditions are repeated.

In terms of enhancement it was suggested that an information board be provided at the entrance to the Nature Reserve, this has been agreed and can be secured by condition. It was also recommended that the existing concrete wall, which runs along the periphery of the site, be replaced by timber fencing in a dark colour which will discourage vandalism and graffiti, also securable by condition. Similarly to improve connectivity and access the Conservation and Countryside Officer has requested that a stile be located between Plots 4 and 5, this too can be dealt with by condition also.



10/0505/FULL

- 3.6 Worcestershire Regulatory Services (Environmental Health) – No adverse comments. Demolition and construction times should be limited to 08:00-18:00 Monday to Fridays; 08:00 – 13:00 on Saturdays and no work on Sundays and Bank Holidays. A suitable condition is suggested.
- 3.7 Severn Trent Water – No objection subject to conditions
- 3.8 Neighbour/Site Notice – One letter received from a neighbour: Concern over the fact that there is no mention on this application of what is happening with the public house and whether it is to be retained, as per the original application, or demolished.  
*(Officer Comment – The original public house building lies outside of the current application site).*

#### 4.0 Officer Comments

- 4.1 Permission was granted in October 2008 for the erection of 13 no. detached dwellings with associated access and parking, following the demolition of the extended part of the former Briars public house and to carry out engineering works to the existing car park associated with the public house. The principle of development and the number of houses has already been approved, by virtue of the permission granted in 2008. The current application seeks to amend the previously approved house types.
- 4.2 The key issues that were considered as part of the previous application determination were:
- Policy and allocation
  - Design and layout
  - Landscaping
  - Biodiversity and nature conservation
  - Planning Obligations
  - Other
- 4.3 These remain the key issues for consideration of the proposal, amended house types and layout and for clarity and completeness are therefore addressed in turn once more.

#### POLICY AND ALLOCATION

- 4.4 The site is allocated as being suitable for residential development in the Wyre Forest District Adopted Local Plan and by virtue that the site comprises previously developed land, as defined in Planning Policy Statement 3: Housing. The principle of residential development on this site is therefore acceptable and in accordance with Policy H.2 of the Plan.

#### DESIGN AND LAYOUT

- 4.5 The proposed layout would result in the original public house building being retained albeit without the 1960's style extensions, with a reduced size of car park to the rear.

10/0505/FULL

As with the original permission, the layout proposed would consist of a cul-de-sac style development of detached dwellings with one principal access off Habberley Road, with two fronting directly onto Habberley Road with a separate shared access from the public highway. These properties would be positioned in a staggered manner in order to respond to the existing pattern of development fronting Habberley Road. It is considered that this would reflect the established pattern of development well and would ensure that the Habberley Road streetscene would not be unduly affected by the introduction of the development, in accordance with the requirements of paragraph 3.27 of the Adopted Design Quality Supplementary Planning Guidance.

- 4.6 The density of development proposed would equate to 27 dwellings per hectare. The Adopted Wyre Forest District Local Plan Policy H.5 seeks a minimum density of 30 dwellings per hectare in this location. However this policy also states that consideration must be given to local circumstances and the character of the surrounding area. The surrounding area has a mixed character, to the west of the application site, properties on Trimpley Drive have a density of 35 dwellings per hectare whilst the properties on Habberley Road have a density of 15 dwellings per hectare. Considering the nature of the area Officers are satisfied that the proposed density is reflective of local circumstances and is therefore in accordance with the requirements of Policy H.5.
- 4.7 As with the previous permission, within the main application site the dwellings would face onto the new access road which would run through the centre of the development. The layout proposed makes satisfactory provision for garden lengths and parking space to the front of these properties. Revised house types were submitted as part of the current application which resulted in slight alterations to the driveway layout to the front of the properties, however, County Highways officers have confirmed that the amended driveways are satisfactory. It is considered that the layout proposed forms a suitable footprint of buildings and spaces which would harmonise well with the established pattern and density of development in the area, in accordance with Policy D.3 of the Adopted Local Plan.
- 4.8 The previously approved development benefited from four different house types, the design of which was the subject of considerable discussion between the applicant and the District Council's Conservation Officer. In view of the fact that the properties are within close proximity of the Locally Listed Building it is considered important to ensure that the quality of design is reflective of The Briars building. In this regard, the Conservation Officer has confirmed that he is happy with the current amended proposals. Officers are satisfied that the proposal would accord with Policies LB.1 and LB.5 of the Adopted Wyre Forest District Local Plan. However, it is considered prudent to repeat the same condition as per the previous permission relating to the submission of material and window detailing in order that appropriate control is retained over this element of the development.
- 4.9 The design policies of the Adopted Wyre Forest District Local Plan state that developments should be designed so as not to give rise to a serious detrimental impact due to issues such as fumes, vibration or smell and there

10/0505/FULL

should be no undue impact on amenity. The proposed property most likely to be affected by potential noise is Plot 1, which shares a boundary with the car park associated with The Briars. However given that Environmental Health have not raised concerns with regard to this relationship and that an acoustic fence will run along the relevant boundary, Officers are satisfied that this situation would not cause a loss of amenity to future occupiers of Plot 1.

4.10 In terms of the impact on amenity of both existing and future residents, the layout and design proposed remains acceptable. The buildings have been sited to ensure that there will be no overlooking within the site. Plots 1 to 4 have minimum garden lengths of 10m and window to window distances between these dwellings and properties on Trimpley Drive would be at least 25m. It is considered that such a distance is more than adequate to ensure there would be no overlooking of existing properties in the area. The proposal therefore accords with Policy D.1 of the Adopted Local Plan.

4.11 The design and layout of the development has been influenced by the need to account for the presence of trees which are covered by Tree Preservation Orders on this site. The Arboricultural Officer has considered the detail contained within the submitted Tree Report which outlines which trees are to be retained, which are to be felled, and which ones are to be subject to arboricultural works. He is satisfied with the operations proposed. The Arboricultural Officer has made some additional recommendations which can be secured via appropriate conditions. The proposal therefore accords with Policy D.4 of the Adopted Plan.

#### HIGHWAYS, ACCESS AND PARKING

4.12 The development would be accessed primarily via a new road serving 11 of the properties off Habberley Road. However Plots 12 and 13 which front onto Habberley Road will have a separate shared driveway access. In considering the previous application (08/0731) the County Council, as Highway Authority, confirmed that highways and access proposals were acceptable. The case officer at the time was satisfied that the development would not give rise to a situation detrimental to highway safety in accordance with Policy TR.9.

4.13 Since the previous approval, a new County Council design guide has been implemented which requires for the provision of 2 external car parking spaces per dwelling (i.e. not to include any proposed garage). Each space must measure 2.4m x 4.8m, however when they are in front of the garage doors the length increased to 6m. The revised proposals now show driveways of 4.8m width and at least 6m in length. Plots 5, 8 and 11 have driveways of the required width of 2.4m, and will allow tandem parking for two cars rather than side by side spaces in the case of the other plots. The proposal accords with the required levels and is therefore in compliance with Policy TR.17 of the Adopted Wyre Forest District Local Plan, and in full accordance with the County Council's revised Design Guide.

#### LANDSCAPING

4.14 The original application included a 'Landscape Character and Visual Impact Assessment' which incorporated indicative details of the proposed

10/0505/FULL

landscaping for the scheme. This, as with the Tree Survey, was considered to be acceptable by the Arboricultural Officer.

The indicative scheme proposed adequate levels of soft landscaping, however a condition on the permission required full details to be submitted in order to ensure that the development complied with Policy D.11 and Policy D.13 of the Adopted Wyre Forest District Local Plan. These conditions remain necessary and it is recommended that they be repeated in respect of this current proposal. .

#### **BIODIVERSITY AND NATURE CONSERVATION**

- 4.15 The north of the application site shares a boundary with a wooded area of land which is currently in the same ownership as the application site. This area of land did not form part of the previous application, however through negotiations, the land is to be gifted to the Council to extend the Local Nature Reserve of Blake Marsh. This will result in an increase of public open space and create an enhancement to the biodiversity of the immediate area through the improvement of wildlife habitats
- 4.16 In addition to the gifting of the land, a £22,473.74 ten year upkeep fee is to be paid by the applicants and this will be set out in the section 106 agreement. This fee is to cover tree safety operations (cutting back and removing trees around the sites boundary with the proposed new estate); visual ground inspection of trees and any necessary felling or dead wooding for safety reasons to take place in years 1, 5 and 10, disposal of historic tipped material and bi weekly litter pick including the disposal of recovered materials over a ten year period.
- 4.17 The applicant submitted a bat survey, landscape character assessment and a badger report with the original application. The District Council's Conservation and Countryside Officer was consulted and was satisfied that there would be no impact on the local nature reserve and in terms of biodiversity the mitigation measures for bats, as detailed in the applicant's survey, were adequate to prevent undue disturbance being caused to this species. The Conservation and Countryside Officer has confirmed that there are no objections to the current revised application.

#### **PLANNING OBLIGATIONS**

- 4.18 The Adopted Planning Obligations Supplementary Planning Document identifies a requirement for developer contributions as set out in the following table, to which the applicant is willing to contribute:

10/0505/FULL

Requirement	Offered Provision	Required By SPD
Open Space	£17,0251.84 off site contribution	Yes
Education Contribution	£45,123 towards educational facilities	Yes
Public Realm	The applicant has agreed to provide a freestanding information board at the entrance to the Nature reserve as an improvement to public realm. The development itself will also contribute towards improving the visual amenity of the locality.	Yes
Biodiversity Contribution	Mitigation measures to ensure protected species are not disturbed as a result of the development and provision of Bat roosting boxes to encourage the return of the species.	Yes

- 4.19 In addition, as identified under paragraph 4.16 above, further contributions have been secured through negotiations in respect of the adjoining wooded area of land, and as such an additional obligation is required.

Requirement	Offered Provision	Required By SPD
Open space/ biodiversity contribution	£22,473.74	No

- 4.20 In those instances where there will be a financial contribution, these will be secured via a Section 106 agreement. The remaining requirements can be conditioned.

#### OTHER ISSUES

- 4.21 One neighbour letter has been received which queries which part of the Briars is to be retained. Nothing has changed from the previous application, with the demolition of the original Briars building not proposed as part of the application.
- 4.22 The existing concrete fencing to the western boundary of the site at the entrance way to Blake Marsh is to be removed and replaced with close boarded fencing, to improve the visual appearance of the area and approach to the Nature Reserve, as well as to reduce the potential for graffiti.

### 5.0 Conclusions and Recommendations

- 5.1 The development by virtue of its design would contribute positively to improving the visual amenity of the streetscene and the area as a whole and would not harm the adjacent Local Nature Reserve or the setting of the Locally Listed Building. Careful consideration has been given to the impact of the proposal on the amenity of neighbours and it is considered that they would not be unduly affected. The proposal would not give rise to a situation which is detrimental to highway safety.
- 5.2 After full consideration of the above issues and in consideration of Article 1 of Protocol 1 and Article 8 of the Human Rights Act 1998, I recommend **delegated APPROVAL** subject to:

10/0505/FULL

- a) the signing of a **Section 106 Agreement** to secure the following:
- £45,123 Education contribution
  - £17,025.84 Open Space contribution
  - £22,473.74 Open space /biodiversity contribution
- b) the following conditions:
1. A6 (Full with no reserved matters)
  2. A11 (Approved plans)
  3. Materials
  4. Details of windows and doors to be submitted
  5. Details of enclosure to be submitted
  
  6. Owl/Bat boxes to be provided in accordance with mitigation strategy
  7. C17 (TPO Schedule works)
  8. Notwithstanding the detail in the tree survey the works as suggested by the Arboricultural Officer are to be carried out.
  9. Landscaping scheme to be submitted
  10. C13 landscape management plan
  11. E2 (Foul and surface water)
  12. E4 (Drainage prior to occupation)
  13. Hours of construction/demolition
  14. Highway conditions
  15. Level surface path to be provided to each property.
  16. Information board to be provided
  17. 1:10 sections and details of all windows
  18. Details of all facing materials

Note

SN2 (Section 106 Agreement)

Reason for Approval

The development by virtue of its design would contribute positively to improving the visual amenity of the streetscene and the area as a whole and would harmonise with the setting of the adjacent Locally Listed Building in accordance with Policies D.1 D.3 D.7 D.9, D.10, D.11 D.13, D.14 D.16, LB.1 and LB 5 of the Adopted Wyre Forest District Local Plan. The proposal complies with the requirements of Policies NC.2, NC.5, NC.7 and D.4 of the Adopted Wyre Forest District Local Plan as it would not cause harm to the adjacent Local Nature Reserve, nor would it threaten protected trees. Careful consideration has been given to the impact of the proposal on the amenity of neighbours and it is considered that they would not be unduly affected. The proposal would not give rise to a situation which is detrimental to highway safety in accordance with Policies TR.7, TR.9 and TR.17 of the Adopted Wyre Forest District Local Plan. The proposal therefore accords with the policies listed above.

**Agenda Item No. 5**

**Application Reference:** 10/0646/FULL      **Date Received:** 29/10/2010  
**Ord Sheet:** 381634 275482      **Expiry Date:** 24/12/2010  
**Case Officer:** Paul Wrigglesworth      **Ward:** Sutton Park

**Proposal:** Erection of 2No. 5 bed houses and 6No. 4 bed houses with associated car parking/garages, new access and estate road/private drive (demolition of existing dwelling)

**Site Address:** 165 SUTTON PARK ROAD, KIDDERMINSTER, DY116LF

**Applicant:** Mr K Prosser

<b>Summary of Policy</b>	H2 H6 D1 D3 D4 D7 D10 D11NR1 NR9 NC6 TR9 TR17 (AWFDLP) DS01 CP11CP02 CP13 CP14 CP03 (WFCS) QE.1, QE.3 (WMRSS) Design Quality SPG PPS1 PPS3 PPS9
<b>Reason for Referral to Committee</b>	The applicant is a serving Wyre Forest District Council Councillor
<b>Recommendation</b>	<b>REFUSAL</b>

**1.0 Site Location and Description**

1.1 Number 165 Sutton Park Road is a detached house that is situated in a residential area opposite to the road junction with Whitegate Drive. The property has a long rear garden that stretches back approximately 96 metres (longest dimension) to the rear boundary with residential properties located in Tomkinson Drive at a lower level. A private driveway to a neighbouring property located in a set back position runs adjacent to the northern side boundary and separates the application site from the Grange Care Home. The neighbouring property on the other side of the site is a detached bungalow. Some of the trees on the site are afforded statutory protection by a Tree Preservation Order.

**2.0 Planning History**

- 2.1 WF/0544/81 - Detached dwelling to the rear : Refused 17.9.85 on grounds of backland development; would encourage further sub divisions leading to progressive spoiling of character of the area and would cause the felling of mature trees. Appeal dismissed.
- 2.2 WF/0598/91 - One house to the rear : Refused 11.8.92 for the same reasons as above but with an additional highway safety reason based on poor visibility at access point.
- 2.3 WF 472/92 - Erection of two houses on land to the rear : Refused 13.8.91 for the same reasons as WF598/91
- 2.4 08/0647/FULL - Two storey extension to rear and double garage : Approved 11.09.08

10/0646/FULL

### 3.0 Consultations and Representations

- 3.1 Highway Authority – Recommends refusal (see Officer Comments below).
- 3.2 Countryside and Conservation Officer – (see Officer Comments below)
- 3.3 Worcestershire Regulatory Services (Environmental Health) – No objection to refuse provision
- 3.4 Severn Trent Water Ltd – No objection subject to drainage condition.
- 3.5 Worcestershire Wildlife Trust – Views awaited
- 3.6 Arboricultural Officer – Objection received (see Officer Comments below)
- 3.7 Neighbour/Site Notice – Correspondence has been received from 7 properties raising a variety of issues which are summarised as follows:
- Presence of bats, owls, badgers and other wildlife on the site which would be adversely affected by the removal of trees and the redevelopment of the site
  - Loss of privacy, outlook and increased noise levels
  - Poor access and location on a bend/blind spot, further hampered by on-street parking, leading to poor visibility
  - Traffic speeds along Sutton Park Road
  - Over-development of the site to the detriment of the surroundings
  - Discrepancies over accuracy of plans submitted and relationships to adjoining properties
  - Ground levels and resulting overlooking of existing gardens and properties
  - Loss of protected trees
  - Inadequate parking provision
  - Impact upon pedestrian (including school children) safety
  - Destruction of habitat for wildlife
  - No need for development due to existing oversupply of properties in the immediate vicinity of the site
  - Impact of construction vehicles
  - No provision made for visibility splays to allow safe access to and egress from Sutton Park Road
  - Inadequate driveway depths.

In addition, one correspondent has suggested conditions to be imposed should the application be approved, relating to protection of existing trees; provision of new pedestrian crossing on Sutton Park Road; protection and mitigation of wildlife impact; and, measures to protect privacy of existing residents.

### 4.0 Officer Comments

#### THE DEVELOPMENT

- 4.1 It is proposed to demolish the existing dwelling on this site and to erect 8 No detached dwellings.



10/0646/FULL

One of these dwellings is shown to face Sutton Park Road in a position that is forward of the existing dwelling on the site. The other 7 properties are proposed to be erected to the rear with access from a driveway that runs along the northern boundary of the site. The two properties closest to Sutton Park Road are proposed to be 5 bedroom houses with a detached garage each and the remaining 6 properties are 4 bedroom with no garages. Vehicular access to all 8 properties is achieved via a single access point to Sutton Park Road.

**POLICY**

- 4.2 The site is located in an area primarily for residential use in the Adopted Wyre Forest District Local Plan where Policy H2 of the Adopted Wyre Forest District Local Plan applies. Policy H.2 only allows housing development on previously developed land. The definition of previously developed land as set out in recent changes to Annex B of PPS 3 (Housing) now excludes residential gardens from the definition of previously developed land. To approve this scheme would therefore be contrary to Policy H2 of the Adopted Wyre Forest District Local Plan. Policy NR.1 of the Local Plan also makes it clear that development on greenfield land will normally only be permitted where it can be demonstrated that there are no suitable previously developed sites available. This could not be demonstrated at the present time. Policy NR.1 may soon be replaced by the emerging Policy DS01 of the emerging Core Strategy but this policy directs development towards brownfield (i.e. previously developed) sites as well. To allow the development is therefore contrary to the Development Plan in principle.

**LAYOUT AND DESIGN**

- 4.3 The layout is dictated by the shape of the site and the trees near the rear boundary. As the land is long and narrow and because it tapers at the rear there really is no other obvious way of developing the site for this many detached houses without producing a scheme such as that proposed, which can be fairly described as a regimented row of properties behind the proposed new dwelling which faces Sutton Park Road. Admittedly the proposed property near the rear boundary is at 90 degrees to the other properties and creates a focal point but otherwise the scheme has little merit in terms of interest. In addition the tightly packed nature of the development, which can be illustrated by reference to the absence of any front gardens of more than 1.5 metres for the houses on plots 2 -7 inclusive and a separation distance of only 6 metres between the front of part of plot 8 to the gable end of plot 7, results in a development that is not only considered to be out of character with the area but also gives rise to several other serious concerns. These issues such as inadequate distance to boundaries, impact on trees and inadequate space for vehicular access are addressed under separate headings below.
- 4.4 It should be noted that as the development is contrary to Policy H.2 of the adopted Plan, Policy H.6 (Backland development) due to its wording cannot however be applied in this case.
- 4.5 In terms of design the houses are not in my view so unattractive as to warrant a refusal of planning permission on design grounds.

10/0646/FULL

Although the detailing could be improved a little this could have been achieved by way of a condition (or revised plans) had the application been otherwise acceptable.

#### IMPACT ON NEIGHBOURING PROPERTY

- 4.6 Generally two storey properties should be situated at least 10 metres from the rear boundary of a site where there are neighbouring gardens in order to ensure that there is a reasonable degree of privacy for both neighbours and occupants of the new properties. In this case Plot 1, a 5 bedroom property (with a third storey lit by skylights), has a rear garden of 7 metres in depth. That property backs on to the proposed Plot 2 which is of a similar design and Plot 2 backs on to the garden of a neighbouring bungalow with a depth of only 8.6 metres. For properties of this kind with rooms in the roof space a separation distance in the region of 12.5 metres would be more appropriate. Plot 3 a two storey 4 bedroom property has a bedroom window 9 metres from the same boundary. A window of Plot 4 is just below the 10metre threshold and although Plots 5 to 7 are acceptable in this regard Plot 8 at the end of the site is only 4.75 metres at its closet point from the rear boundary with a neighbouring property in Tomkinson Drive.

Clearly this is a case of cramming the dwellings onto the site giving rise to serious loss of privacy to neighbours and unfortunately there is no room for adjustment to improve the situation.

#### IMPACT ON TREES

- 4.7 As stated the site is affected by a Tree Preservation Order. The Council's Arboricultural Officer has consequently been consulted and he has commented as follows:

*'All the trees will be affected, either directly or indirectly. The relationship between plots 5, 6, 7 and 8 and the trees will be very poor and result in applications for inappropriate works.'*

*'The most concerning part of the application is plot 8 that attempts to squeeze another plot and will be 2.5m from T15 and 5.5 from T18. Both are covered by TPOs and there should be a root protection zone of 7.2 for T15 and 6m for T18'*

- 4.8 The development will consequently be harmful to protected trees which make a significant contribution to the appearance and character of the area and for these reasons the development is judged to be contrary to Policy D4 of the Local Plan.

#### HIGHWAY ISSUES

- 4.9 The Highway Authority has commented as follows:

*'The applicant has not complied with Worcestershire County Councils design guide.'*

10/0646/FULL

*The applicant has not demonstrated the full extent of the visibility splay, and whilst pre application work has commenced this has not been built into the proposal. The access road, due to the number of properties serviced, is not considered to be acceptable as a private drive and therefore should be designed to a potentially adoptable road layout. The width of the road prevents properties 3 – 7 inclusive from being able to access and exit their drives as insufficient isle width is provided and the suggest turning head requires excessive reversing and is of insufficient dimension to allow the refuse vehicle to turn. No cycle parking provision is provided with the exception of the garage buildings.*

*It is recommended that this application be refused in the interests of highway safety due to the lack of demonstration of the visibility splay and the access road is not fit for purpose as its relationship with the drives fails to allow access to 5 residential units. The road is not up to adoptable standards as it does not comply with Worcestershire County Councils adopted design guide and it does not provide for refuse vehicle access or provide sheltered secure cycle parking facilities’.*

- 4.10 To approve the application in the circumstances described by the highway authority would be contrary to Policy TR9 and TR17 of the Local Plan.

#### ECOLOGY ISSUES

- 4.11 The Council’s Countryside and Conservation Officer has commented on the application as follows:

*‘An ecology survey has been submitted that strongly recommends a bat survey. Hence this is needed prior to approval. There is a fair bit of tree and scrub removal planned and this will result in a biodiversity loss. Some of this may be part of the bat forage further complicating matters. The bat survey will clarify this.*

*Some ecological mitigation will be needed but the extent of this has yet to be determined.*

*There is also a potential impact to nesting birds so there will need to be a condition limiting the time period of clearance and demolition.’*

- 4.12 Clearly in the absence of a bat survey the impact of the development and required mitigation measures cannot be properly assessed

#### OTHER ISSUES

- 4.13 The application would require a S106 Agreement for education and Open Space provision if it were to be approved. However, in light of the Officer recommendation, a breakdown of S106 Obligations is rendered unnecessary.

10/0646/FULL

## 5.0 Conclusions and Recommendations

5.1 This application represents the development of garden land which is now unacceptable under the current and proposed provisions of the Development Plan. In addition the development represents an overdevelopment of the site which results in a development that is out of character with the area and has a harmful effect on neighbouring amenity, protected trees and biodiversity of the area. In addition the development is unworkable in terms of the design of the vehicular access to some properties and the site access results in highway safety concerns. Accordingly the application is recommended for **REFUSAL** for the following reasons:

1. The development is proposed on land that does not constitute previously developed land as defined in Annex B of Planning Policy Statement 3 (PPS3 Housing - June 2010). As such to allow the development proposed would be contrary to Policies H.2 and NR.1 of the Adopted Wyre Forest District Local Plan and Policy DS01 of the emerging Core Strategy which seek to direct development to brownfield sites in the District for which there is at least a 5 year supply of land allocated for housing purposes and would also be in conflict with Government advice in PPS3 (2010).
2. The proposed development has the effect of spoiling the open character of the area by reason of the proposed tightly packed dwellings with little space around them which is out of keeping with the more spacious layout of surrounding development. To allow development in these circumstances would be contrary to Policy D.3 of the Adopted Wyre Forest District Local Plan and Policy CP11 of the Core Strategy and the Design Quality SPG.
3. The proposal comprising of large dwellings positioned close to each other and to neighbouring boundaries represents an overdevelopment of the site that would give rise to serious overlooking at close quarters to the detriment to a neighbouring property located in Sutton Park Road; to adjacent properties situated in Tomkinson Drive and to the future occupants of the proposed dwelling at Plot 2 on the submitted layout plan. To allow the development in these circumstances would be contrary to Policy D.1 of the Adopted Wyre Forest District Local Plan.
4. Sufficient information has not been provided to form an adequate ecological description of the site and in the absence of this information the impact of the proposed development cannot be properly assessed, furthermore the proposal involves the loss of trees and inadequate ecological mitigation measures are proposed to compensate for this loss. It therefore has not been fully demonstrated that no adverse impact will occur as a result on the development on the biodiversity of the site itself.

10/0646/FULL

As such to allow the development in these circumstances would conflict with Policies NC.5 and NC.7 of the Adopted Wyre Forest District Local Plan, Policy CP14 of the Core Strategy and Government advice contained in PPS9.

5. To approve the application in the absence of visibility splays that demonstrate that the access point meets the required standard would be contrary to the interests of highway safety. In addition the access road is not fit for purpose as its relationship with the drives fails to allow vehicular access to 5 of the proposed residential units. Furthermore the road is not up to adoptable standards as it does not comply with Worcestershire County Council's adopted design guide and it does not provide for refuse vehicle access. No provision either has been made for sheltered secure cycle parking facilities. For all these reasons the development is also contrary to the aims and objectives of Policies TR.9 and TR.17 of the Adopted Wyre Forest District Local Plan.

<b>Application Reference:</b>	10/0666/FULL	<b>Date Received:</b>	03/11/2010
<b>Ord Sheet:</b>	378938 278698	<b>Expiry Date:</b>	29/12/2010
<b>Case Officer:</b>	Julia Mellor	<b>Ward:</b>	Wribbenhall

**Proposal:** Single storey garden room and balcony extension

**Site Address:** YEWTREE COTTAGE, EYMORE WOOD, TRIMPLEY,  
BEWDLEY, DY121NY

**Applicant:** Mr R Brazier

<b>Summary of Policy</b>	GB.1, GB.2, GB.6, D.1, D.3, D.17, LA.1, LA.2, TR.9, TR.17, NR.9 (AWFDLP) CP12, CP13 (WFCS) SD.2, CTC.1, D.39 (WCSP) QE.1, QE.2, QE.3 (WMRSS) PPG2
<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 The site is located to the west of Trimpley and fronts the road which leads to the Reservoir.
- 1.2 The site accommodates a three-bedroom detached dwelling with single storey attached to garage.

### **2.0 Planning History**

- 2.1 KR/0306/69 – Alterations and additions : Approved 4/11/69
- 2.2 10/0010/CERTP – Two storey front extension : Approved 25/3/10
- 2.3 10/0320/FULL – Single storey garden room and balcony extension : Refused 21/7/10

### **3.0 Consultations and Representations**

- 3.1 Kidderminster Foreign Parish Council – Awaiting comments
- 3.2 Neighbour/Site Notice – No representations received

### **4.0 Officer Comments**

- 4.1 The application seeks consent for a garden room extension which is proposed to project at its furthest point 3.5 metres from the existing living room. Part of the proposed extension would have a flat roof to allow a balcony at first floor level leading out from the existing master bedroom. The extension would be sited to the west of the existing dwelling furthest from the road.

10/0666/FULL

- 4.2 Notably, the dwellinghouse is located within the Green Belt where PPG2 and Policy GB.1 of the Adopted Local Plan are particularly relevant. Green Belt policy states that inappropriate development is, by definition, harmful and PPG2 advises that extensions are inappropriate if they result in disproportionate additions over and above the size of the original dwelling.
- 4.3 The current proposal in isolation only amounts to approximately 17 square metres. However, there have been previous extensions to the property by way of a two storey side extension and single storey side extension approved in 1969. These previous extensions have already increased the footprint of the original dwelling by 170%. The current proposal would represent an increase of approximately 205% over the original footprint. Therefore, the proposal is considered to constitute a disproportionate addition which is inappropriate and harmful to the Green Belt by definition.
- 4.4 The previous application for exactly the same extension (10/0320/FULL) was refused under delegated powers on the basis of its conflict with Green Belt policy in July this year.
- 4.5 The current application differs to the previous refused application as the applicant now proposes to offset the proposed additional footprint and volume by demolishing part of a previous extension and reducing the existing double garage to a single garage and store.
- 4.6 It is now considered that this resolves the previous conflict with Green Belt policy as the proposed situation would be no worse than existing.
- 4.7 At the time of report preparation it is anticipated that Kidderminster Foreign Parish Council is likely to raise an objection regarding the matter of foul drainage as it did so previously. The Parish Council queried whether the siting of the proposed extension would disrupt the outlet drainage from an existing sewage treatment plant. This matter was also raised previously by a neighbour. Clarification is currently being sought and Members will be further advised via the Addenda and Corrections sheet.
- 4.8 In terms of its siting and design, the proposed development is considered to be acceptable and there would be no significant adverse impact upon neighbours.

## 5.0 Conclusions and Recommendations

- 5.1 It is therefore recommended that **APPROVAL** be granted subject to the following conditions:
1. A6 (Full with no reserved matters)
  2. A11 (Approved plans)
  3. B6 (External details – approved plan)
  4. No works shall commence on the extension hereby approved until all of the floorspace as indicated on the approved plan (Drawing 0812-7-B) has been demolished.

10/0666/FULL

**Reason**

Without demolition of part of the existing dwelling the proposed extension would constitute a disproportionate addition over the original dwellinghouse and consequently would constitute inappropriate development in the Green Belt which is harmful by definition. The demolition is required for the development to comply with PPG2 and Policy GB.1 of the Adopted Wyre Forest District Local Plan.

**Reason for Approval**

The siting and design of the extension is considered to be acceptable with no significant adverse impact upon neighbours. The conflict with Green Belt policy by virtue of the size of the extension has been resolved by the proposed demolition of part of the existing dwelling which would offset the volume and footprint hereby approved. It is therefore considered that the proposal is in compliance with PPG2 and the above mentioned policies of the Adopted Wyre Forest District Local Plan.



<b>Application Reference:</b>	10/0668/FULL	<b>Date Received:</b>	02/11/2010
<b>Ord Sheet:</b>	384796 275055	<b>Expiry Date:</b>	28/12/2010
<b>Case Officer:</b>	Emma Anning	<b>Ward:</b>	Aggborough and Spennells

**Proposal:** First floor side extension

**Site Address:** 37 KITTIWAKE DRIVE, KIDDERMINSTER, DY104RS

**Applicant:** Mr & Mrs Hill

<b>Summary of Policy</b>	D.1 D.3 D.17 (AWFDLP) CP12 (WFCS) QE.1, QE.3 (WMRSS) Design Quality SPG PPS1
<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 No. 37 Kittiwake Drive is a detached property located on the Spennells estate in Kidderminster. The property occupies a triangular shaped plot between Kittiwake Drive and the access track/public footpath which leads to the Bromsgrove Road. The property, despite being of a style typical of this estate, is unusual in that it sits in a rather uncommon position being side-on to Kittiwake Drive and fronting the intersection of Kittiwake Drive and the public footpath.

**2.0 Planning History**

2.1 WF/0185/96 - Single storey rear extension and garage : Approved 21/05/96

**3.0 Consultations and Representations**

3.1 Stone Parish Council – No objection

3.2 Highway Authority – No objection

3.3 Neighbour/Site Notice – No representations received

**4.0 Officer Comments**

4.1 Permission is sought for the erection of a first floor extension above an existing single storey garage and breakfast room to the side of the above property. The front face of the extension would run flush with the front elevation of the existing dwelling and similarly, the roof of the extension would tie-in level with the ridge of the existing roof. The extension would provide one additional bedroom plus an en-suite bathroom to the first floor.

10/0668/FULL

- 4.2 The key policy consideration when determining applications for extensions to residential dwellings is Policy D.17 of the Adopted Wyre Forest District Local Plan, which requires extensions to relate to the host property in terms of their design, scale and appearance and also requires that they appear subservient to the main dwelling and do not result in the creation of an incongruous feature in the street scene. The District Council's Adopted Design SPG explains how the requirement for extensions to appear subservient to the host property is usually met through the setting back of the proposed extension behind the existing front elevation of the property, which then has the effect of requiring a reduced ridge height for the extended area. The reasoned justification for this approach is to ensure that a 'terracing' effect is not caused through neighbouring properties extending in a similar way with the end result being a continuous terrace of roofscape which overwhelms the original pattern of development and street scene appearance.
- 4.3 With the above policy and guidance in mind and, in considering the merits of the application submitted it is considered that despite the proposal having no set-back or reduced ridge line, the proposal would be acceptable within the remit of the above policy and guidance for the following reasons - the proposed extensions are of a size that would not overwhelm the original property and would allow it to retain its visual dominance. Secondly, the design of the proposed extensions would relate well to the architectural characteristics of the host property and would not therefore result in the creation of an incongruous feature in the street scene. It should be noted that the proposal to run the front face of the extension level with the existing front elevation of the property would offer a better design solution than if the extension were set back. This is because there is currently an area of flat roof over the existing garage which is forward of the front elevation, the size of which would be increased significantly were the extension set back, therefore offering greater detriment to the street scene through poor design quality. Finally, it is felt that due to the orientation and position of the property in relation to neighbouring dwellings, there is no possibility that the extension proposed would lead to a terracing effect which could harm the character of the locality, by virtue that the extension would sit against a high boundary hedge which divides the application site and a neighbouring area of open land. On balance, it is considered unreasonable to insist that the extension is set back in this instance, as there is no perceived harm to either the street scene or character of the host property.
- 4.4 Given that the property occupies a corner plot and has no neighbours to the side, there is no risk that the proposal would harm the amenity or neighbouring residents. The proposal is therefore considered to be acceptable and in accordance with the requirement of the Adopted Local Plan and Adopted Design SPG.

## 5.0 Conclusions and Recommendations

- 5.1 It is recommended that the application be **APPROVED** subject to the following conditions:

10/0668/FULL

1. A6 (Full with no reserved matters)
2. A11 (Approved plans)
3. B3 (Finishing materials to match)

Reason for Approval

The proposed extension is considered to be of an appropriate scale and design to the main dwelling and will have an acceptable appearance in the street scene. The impact of the extension upon neighbouring properties has been carefully assessed and it is considered that there will be no undue impact upon their amenity.