

Open

# Planning Committee

## Agenda

6.00pm  
Tuesday, 8th March 2011  
The Earl Baldwin Suite  
Duke House  
Clensmore Street  
Kidderminster



## Planning Committee

### Members of Committee:

**Chairman: Councillor S J Williams**  
**Vice-Chairman: Councillor D R Godwin**

**Councillor J-P Champion**  
**Councillor P B Harrison**  
**Councillor C D Nicholls**  
**Councillor J W Parish**  
**Councillor K J Stokes**

**Councillor H E Dyke**  
**Councillor M J Hart**  
**Councillor F M Oborski**  
**Councillor M A Salter**  
**Councillor G C Yarranton**

### Information for Members of the Public:-

**Part I** of the Agenda includes items for discussion in public. You have the right to request to inspect copies of Minutes and reports on this Agenda as well as the background documents used in the preparation of these reports.

An update report is circulated at the meeting. Where members of the public have registered to speak on applications, the running order will be changed so that those applications can be considered first on their respective parts of the agenda. The revised order will be included in the update.

**Part II** of the Agenda (if applicable) deals with items of "Exempt Information" for which it is anticipated that the public may be excluded from the meeting and neither reports nor background papers are open to public inspection.

**Delegation** - All items are presumed to be matters which the Committee has delegated powers to determine. In those instances where delegation will not or is unlikely to apply an appropriate indication will be given at the meeting.

#### Public Speaking

Agenda items involving public speaking will have presentations made in the following order (subject to the discretion of the Chairman):

- Introduction of item by officers;
- Councillors' questions to officers to clarify detail;
- Representations by objector;
- Representations by supporter or applicant (or representative);
- Clarification of any points by officers, as necessary, after each speaker;
- Consideration of application by councillors, including questions to officers

All speakers will be called to the designated area by the Chairman and will have a maximum of 3 minutes to address the Committee.

### DECLARATIONS OF INTEREST - GUIDANCE NOTE

#### Code of Conduct

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

#### Section 106 of the Local Government Finance Act 1992

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

**If you have any queries about this Agenda or require any details of background papers, further documents or information you should contact Ben Craddock, Assistant Scrutiny/Committee Officer, Civic Centre, Stourport-on-Severn. Telephone: 01562 732736 or email [ben.craddock@wyreforestdc.gov.uk](mailto:ben.craddock@wyreforestdc.gov.uk)**

## NOTES

- Councillors, who are not Members of the Planning Committee, but who wish to attend and to make comments on any application on this list or accompanying Agenda, are required to give notice by informing the Chairman, Director of Legal and Corporate Services or Director of Planning & Regulatory Services before the meeting.
- Councillors who are interested in the detail of any matter to be considered are invited to consult the files with the relevant Officers to avoid unnecessary debate on such detail at the Meeting.
- Members should familiarise themselves with the location of particular sites of interest to minimise the need for Committee Site Visits.
- Please note if Members wish to have further details of any application appearing on the Schedule or would specifically like a fiche or plans to be displayed to aid the debate, could they please inform the Development Control Section not less than 24 hours before the Meeting.
- Members are respectfully reminded that applications deferred for more information should be kept to a minimum and only brought back to the Committee for determination where the matter cannot be resolved by the Director of Planning & Regulatory Services.
- Councillors and members of the public must be aware that in certain circumstances items may be taken out of order and, therefore, no certain advice can be provided about the time at which any item may be considered.
- Any members of the public wishing to make late additional representations should do so in writing or by contacting their Ward Councillor prior to the Meeting.
- For the purposes of the Local Government (Access to Information) Act 1985, unless otherwise stated against a particular report, “background papers” in accordance with Section 110D will always include the case Officer’s written report and any letters or memoranda of representation received (including correspondence from the Highway Authority, Statutory Undertakers and all internal District Council Departments).
- Letters of representation referred to in these reports, together with any other background papers, may be inspected at any time prior to the Meeting, and these papers will be available at the Meeting.
- **Members of the public** should note that any application can be determined in any manner notwithstanding any or no recommendation being made.

Wyre Forest District Council

Planning Committee

Tuesday, 8th March 2011

The Earl Baldwin Suite Duke House, Clensmore Street, Kidderminster

Part 1

Open to the press and public

<b>Agenda item</b>	<b>Subject</b>	<b>Page Number</b>
<b>1.</b>	<b>Apologies for Absence</b>	
<b>2.</b>	<b>Appointment of Substitute Members</b>  To receive the name of any Councillor who is to act as a substitute, notice of which has been given to the Director of Legal & Corporate Services, together with the name of the Councillor for whom he/she is acting.	
<b>3.</b>	<b>Declarations of Interest</b>  In accordance with the Code of Conduct, to invite Members to declare the existence and nature of any personal or personal and prejudicial interests in the following agenda items. Members should indicate the action they will be taking when the item is considered.  Members are also invited to make any declaration in relation to Section 106 of the Local Government Finance Act 1992.  (See guidance note on cover.)	
<b>4.</b>	<b>Minutes</b>  To confirm as a correct record the Minutes of the meeting held on the 8th February 2011.	<b>6</b>
<b>5.</b>	<b>Applications to be Determined</b>  To consider the report of the Development Manager on planning and related applications to be determined.	<b>16</b>
<b>6.</b>	<b>Applications Pending Decision</b>  To receive a schedule of planning and related applications which are pending.	<b>59</b>

<b>7.</b>	<b>Planning and Related Appeals</b>  To receive a schedule showing the position in relation to those planning and related appeals currently being processed and details of the results of appeals recently received.	<b>77</b>
<b>8.</b>	<b>Monthly Progress Report on performance against NI157 targets for determining planning applications</b>  To consider a report from the Director of Planning & Regulatory Services that provides Members with a monthly progress report on performance against National Indicators (NI 157, formerly BV109).	<b>89</b>
<b>9.</b>	<b>To consider any other business, details of which have been communicated to the Director of Legal and Corporate Services before the commencement of the meeting, which the Chairman by reason of special circumstances considers to be of so urgent a nature that it cannot wait until the next meeting.</b>	
<b>10.</b>	<b>Exclusion of the Press and Public</b>  To consider passing the following resolution:  “That under Section 100A(4) of the Local Government Act 1972 the press and public be excluded from the meeting during the consideration of the following item of business on the grounds that it involves the likely disclosure of “exempt information” as defined in paragraph 3 of Part 1 of Schedule 12A to the Act”.	

Part 2, Not open to the Press and Public

<b>11.</b>	<b>Enforcement Report</b>  To consider a report regarding a new enforcement case.	<b>94</b>
<b>12.</b>	<b>Live Enforcement Cases</b>  To consider a report which lists live enforcement cases as of the 22nd February 2011.	<b>104</b>
<b>13.</b>	<b>To consider any other business, details of which have been communicated to the Director of Legal and Corporate Services before the commencement of the meeting, which the Chairman by reason of special circumstances considers to be of so urgent a nature that it cannot wait until the next meeting.</b>	

WYRE FOREST DISTRICT COUNCIL

PLANNING COMMITTEE

THE EARL BALDWIN SUITE, DUKE HOUSE, CLENSMORE STREET,  
KIDDERMINSTER

8TH FEBRUARY 2011 (6.00PM)

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**Present:**

Councillors: S J Williams (Chairman), D R Godwin (Vice-Chairman), J-P Campion, H E Dyke, P B Harrison, M J Hart, C D Nicholls, F M Oborski, J W Parish, M A Salter, K J Stokes, and G C Yarranton.

**Observer:** Councillor J A Shaw.

**PL.106 Apologies for Absence**

There were no apologies for absence.

**PL.107 Appointment of Substitutes**

No substitutes were appointed.

**PL.108 Declaration of Interests**

All Members of the Committee declared that they had received two letters regarding application 10/0635/FULL - Five Acres, Heightington Road, but stated that they came to the meeting with an open mind.

Councillor H E Dyke declared a prejudicial interest in application 10/0633/FULL - Puxton Drive, Kidderminster, as her husband is employed by the Applicant, The Community Housing Group.

Councillor G C Yarranton declared a prejudicial interest in application 10/0633/FULL - Puxton Drive as he is a board Member of the Community Housing Group.

Councillor K J Stokes declared that he had received a letter regarding application 10/0617/FULL - Yewtree Cottage, Bewdley, but stated that he came to the meeting with an open mind.

Councillor G C Yarranton declared that he had received correspondence regarding application 10/0617/FULL - Yewtree Cottage, Bewdley, but stated that he came to the meeting with an open mind.

Councillor M J Hart declared that he had received correspondence regarding application 10/0720/FULL - West Midland Safari Park, Bewdley, but stated that he came to the meeting with an open mind.

**PL.109 Minutes**

**Decision: The minutes of the meeting held on 11th January 2011 be confirmed as a correct record and signed by the Chairman.**

**PL.110 Applications To Be Determined**

The Committee considered those applications for determination (now incorporated in Development Control Schedule No.482 attached).

**Decision: The applications now submitted be determined, in accordance with the decisions set out in Development Control Schedule No 482 attached, subject to incorporation of any further conditions or reasons (or variations) thought to be necessary to give full effect to the Authority's wishes about any particular application.**

**PL.111 Applications Pending Decision**

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

**Decision: The schedule be noted.**

**PL.112 Planning and Related Appeals**

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

**Decision: The details be noted.**

**PL.113 Monthly Progress Report on performance against NI 157 targets for determining planning applications**

The Committee considered a report from the Director of Planning & Regulatory Services that provided Members with a monthly progress report on performance against National Indicators (NI 157, formerly BV109).

**Decision: The report be noted.**

**PL.114 Department for Communities and Local Government (DCLG) – Planning Performance Statistics**

The Committee considered a report from the Director of Planning and Regulatory Services which informed Members of the published performance statistics relating to Development Control.

**Decision: The report be noted.**

**PL.115 Section 106 Obligation Monitoring**

The Committee considered a report from the Director of Planning and Regulatory Services that gave details of the most current Section 106 Obligations which required monitoring.

**Decision: The report be noted.**

**PL.116 Exclusion of the Press and Public**

**Decision: That under Section 100A(4) of the Local Government Act 1972 the press and public be excluded from the meeting during the consideration of the following item of business on the grounds that it involved the likely disclosure of “exempt information” as defined in paragraph 3 of Part 1 of Schedule 12A to the Act”.**

**PL.117 Enforcement Report**

The Principal Development Control Officer informed Members of a new enforcement case in the Stourport Area.

Members were advised that a complaint had been received in November 2010 which related to a security fence which had been installed at the site. In addition, in December 2010 trenches had been dug and the site was resurfaced, with additional fencing installed to divide the site into individual plots. These works were considered by officers to constitute permitted development.

In January 2011 Officers observed that three caravans were sited at the location and then a temporary stop notice had been issued to prevent more than one being occupied. However, Officers had subsequently been informed that all three caravans were occupied.

**Agreed: To defer consideration of enforcement action until the next meeting of the Committee, to allow for submission of a planning application for the site.**

**PL.118 Live Enforcement Cases**

The Committee considered a report which listed live enforcement cases as of the 27th January 2011.

**Agreed: That the report be noted.**

The meeting ended at 20:31.



WYRE FOREST DISTRICT COUNCILPLANNING COMMITTEE

Tuesday 8<sup>th</sup> February 2011– Schedule 482 Development Control

The schedule frequently refers to various standard conditions and notes for permission and standard reasons and refusals. Details of the full wording of these can be obtained from the Director of Planning and Regulatory Services, Duke House, Clensmore Street, Kidderminster. However, a brief description can be seen in brackets alongside each standard condition, note or reason mentioned.

<b>PART A</b>
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Councillors H E Dyke and G C Yarranton left the meeting during consideration of the below application.

<b>Application Reference:</b> 10/0633/FULL
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<b>Site Address:</b> PUXTON DRIVE, KIDDERMINSTER, DY11 5DR
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<b>Delegated APPROVAL</b> subject to:
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- |  |
|--|
| <ul style="list-style-type: none"> <li>i. The signing of a <b>Section 106 Agreement</b> to secure the following matters:           <ul style="list-style-type: none"> <li>a. 25 Affordable Housing Units</li> <li>b. £38,224 towards educational facilities</li> <li>c. £20,000 towards bus shelters</li> </ul> </li> <br/> <li>ii. the submission of satisfactory ecological surveys and a no objection response from Natural England to the submission, and</li> <br/> <li>iii. submission of satisfactory details of boundary treatment adjacent to the SSSI including details of planting and maintenance plus relevant cross sections, and</li> <br/> <li>iv. the following conditions:           <ul style="list-style-type: none"> <li>1. A6 (Full with no reserved matters)</li> <li>2. A11 (Approved plans)</li> <li>3. B1 (Samples/details of materials)</li> <li>4. B11 (Details of enclosure)</li> <li>5. C2 (Retention of existing trees)</li> <li>6. C7 (Implementation of Landscape Management Strategy)</li> <li>7. C8 (Landscape implementation)</li> <li>8. C12 (Details of earthworks)</li> <li>9. J1 (Removal of permitted development – residential)</li> <li>10. Drainage</li> <li>11. Environment Agency</li> <li>12. Driveway construction</li> <li>13. Access, turning and parking</li> <li>14. Highway improvements / offsite works</li> <li>15. Wheel washing</li> <li>16. Parking for site operatives</li> <li>17. Travel Plan</li> <li>18. Lighting scheme</li> <li>19. Bat roosts</li> </ul> </li> </ul> |
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20. Further survey if commencement not within 12 months

Notes

- A SN2 (Section 106 Agreement)
- B SN3 (Protection of species)
- C Mud on highway
- D Section 278 Agreement
- E Section 38 Agreement Details
- F Drainage Details for Section 38
- G No drainage to discharge to highway
- H Design of Street Lighting for Section 278
- I Works adjoining highway
- J Direction sign
- K Long Term Management of SSSI
- L Natural England - Run-Off
- M Contact British Waterways

iv) submission of satisfactory details of boundary treatment adjacent to the SSSI including details of planting and maintenance plus relevant cross sections

Reason for Approval

The proposed development is considered to be acceptable in respect of design, layout and density providing affordable housing at an appropriate level. The proposed traffic generation can be accommodated on the exiting road network without compromising highway safety, and neighbouring properties will not be adversely affected by the proposal. The impact of the development on the SSSI and future flooding have been fully considered and is felt no adverse harm will be caused to the SSSI or put future residents or other areas at increased risk of flooding.

**Application Reference:** 10/0720/FULL

**Site Address:** WEST MIDLAND SAFARI PARK, SPRING GROVE, BEWDLEY, DY12 1LF

**APPROVED** subject to the following conditions:

1. A8 (Temporary Permission – Buildings) <3 years>
2. A11 (Full with no reserved matters)
3. B6 (External Details – Approved Plan)
4. The land and structure hereby approved shall be used for picnicking purposes only in accordance with the details as submitted for consideration and at no time throughout the lifetime of the development should the land and structure be used for outdoor entertainment or the playing of live or recorded music.
5. The structure hereby approved shall not be altered in any way without prior written approval from the Local Planning Authority. In particular, no side walls shall be erected or ancillary equipment, such as heaters, speakers or similar equipment installed without prior written approval from the Local Planning Authority.
6. The structure shall not be altered in any way without formal approval. In particular no side walls shall be erected or ancillary equipment, such as heaters, speakers or similar equipment installed without formal approval.

Reason for Approval

Although within the West Midlands Green Belt and constituting inappropriate development, it is considered that sufficient material considerations exist that support the proposal so as to

outweigh the in principle harm created by the development. The design and appearance of the structure are considered to be acceptable within the context of the landscape for a temporary period of time. Residential properties will not be adversely affected by the proposal. The application is therefore considered to be in accordance with policies GB1, GB2, GB3, GB6, and NR11 of the Adopted Wyre Forest District Local Plan, CP10, CP11, and CP12 of the Adopted Wyre Forest Core Strategy, D39 of the Worcestershire County Structure Plan, QE6 of the West Midlands Regional Spatial Strategy, Planning Policy Statement 1, Planning Policy Guidance 2, Planning Policy Statement 7, and the Good Practice Guide on Planning for Tourism.

**Application Reference:** 10/0745/FULL

**Site Address:** 2 QUEENS ROAD, STOURPORT-ON-SEVERN, DY13 0BH

**APPROVED** subject to the following conditions:

1. A6 (Full with No Reserved Matters)
2. A11 (Approved Plans)
3. Fume Extraction Scheme to be implemented in accordance with technical details submitted prior to the first use.
4. Parking provision to be available prior to first use.
5. The approved use shall operate only within the following times, and there shall be no variation without the written consent of the Local Planning Authority. 12.00 - 23.00 hours Monday to Saturday inclusive. Closed Sundays.

Reason:

To safeguard the amenity of the local area in accordance with Policy NR11 of the Adopted Wyre Forest District Local Plan and Policy CP11 of the Wyre Forest Core Strategy 2010.

6. Litter shall be collected in accordance with a management plan to be submitted to and approved in writing by the Local Planning Authority before the approved hot food takeaway is first brought into use.

Reason:

To ensure that the immediate vicinity of the premises is kept free of litter, the objective being to safeguard the visual amenity of the area, and to ensure compliance with Policy CP11 of the Adopted Wyre Forest Core Strategy 2010.

Reason for Approval

The proposed change of use and alterations would be compatible with the existing retail uses in this group of local shops, which includes a convenience (food) outlet. The proposal would not be seriously harmful to local amenity, particularly that enjoyed by flat dwellers above and adjacent to the site. Accordingly, the proposal is considered to be in compliance with policies RT.6, RT.13, D.18, NR.10, NR.11, and TR.17 of the Adopted Wyre Forest District Local Plan, CP03, CP09, and CP11 of the Wyre Forest Core Strategy, and QE.1, and QE.3 of the West Midlands Regional Spatial Strategy.

<b>Application Reference:</b> 10/0617/FULL
<b>Site Address:</b> YEW TREE COTTAGE, GREY GREEN LANE, BEWDLEY, DY12 1LR
<b>Deferred for one Committee cycle to allow for the application to be advertised as a Departure from the Development Plan.</b>
<b>Minded to APPROVE</b> subject to the following conditions:
<ol style="list-style-type: none"> <li>1. A6 (Full with no reserved matters)</li> <li>2. A11 (Approved Plans)</li> <li>3. B6 (External materials – approved plan)</li> <li>4. Hedge retention</li> </ol>
<u>Reason for Approval</u>
With reference to the special circumstances of the case, the proposed extensions are considered to be of an appropriate size, scale and design in relation to the dwelling curtilage as defined, and will have no perceptible impact upon the local streetscene. The impact of the extensions upon neighbouring properties has been carefully assessed and it is considered that no undue loss of privacy or amenity would occur as a result of the development. Accordingly, the proposal is considered to be in compliance with Policy CP11 of the Adopted Wyre Forest Core Strategy, notwithstanding the conflict with Policy D.17 of the Adopted Wyre Forest District Local Plan.

<b>Application Reference:</b> 10/0635/FULL
<b>Site Address:</b> FIVE ACRES, HEIGHTINGTON ROAD, BLISS GATE, KIDDERMINSTER, DY14 9SX
<b>APPROVED</b> subject to the following conditions:
<ol style="list-style-type: none"> <li>1. A6 (Full with no reserved matters)</li> <li>2. A11 (Approved plans)</li> <li>3. B6 (External details – approved plan)</li> <li>4. Building to be used for storage of plant hire and use as agricultural engineering as specified on the approved plan.</li> <li>5. No external storage except in the area specified on the approved plan which shall be restricted to permit no more than three vehicles and three pieces of equipment or machinery (not being vehicles)</li> <li>6. J1 (Removal of Permitted Development – Industrial)</li> <li>7. C6 (Landscaping – small scheme)</li> <li>8. C8 (Landscape implementation)</li> <li>9. Footpath to be laid out prior to first use of the building</li> <li>10. B15 (Bat Box)</li> <li>11. No operations shall take place within the site or the building, including vehicle movements except between the following hours: - Monday to Friday 06:00 and 22:00 and Saturday between 06:00 and 14:00. No operation on Sunday.</li> </ol>
Reason:
To minimise noise disturbance to neighbouring residents and to ensure that the development accords with Policy NR11 of the Adopted Wyre Forest District Local Plan.
Note

<p>Public Right of Way</p> <p><u>Reason for Approval</u></p> <p>The replacement building for storage and agricultural engineering and the designation of a storage area offer substantial benefits to area through the re-instatement of the public right of way and the removal of existing buildings. The new building and the increase storage area will not adversely impact on the character of the landscape, neighbouring properties, amenity or highway safety.</p>
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<p><b>Application Reference:</b> 10/0663/FULL</p>
<p><b>Site Address:</b> 26 BLACKWELL STREET, KIDDERMINSTER, DY10 2DU</p>
<p><b>APPROVED</b> subject to the following conditions:</p> <ol style="list-style-type: none"> <li>1. A6 (Full with no reserved matters)</li> <li>2. A11 (Approved plans)</li> <li>3. Provision of cycle storage.</li> </ol> <p><u>Reason for Approval</u></p> <p>The proposed conversion would offer no detriment to the character of the application property or to the character of the area. Whilst it is acknowledged that no parking would be provided by the development it is considered that the town centre location of the site and the proximity of public transport would minimise the need for parking. The proposal accords with the requirements of Policies H.7, RT.4, TC.2 and TR.17 of the Adopted Wyre Forest District Local Plan (2004).</p>

<p><b>Application Reference:</b> 10/0731/FULL</p>
<p><b>Site Address:</b> 13 NEW STREET, STOURPORT-ON-SEVERN, DY13 8UW</p>
<p><b>APPROVED</b> subject to the following conditions:</p> <ol style="list-style-type: none"> <li>1. A6 (Full with no reserved matters)</li> <li>2. A11 (Approved plans)</li> </ol> <p><u>Reason for Approval</u></p> <p>The proposed conversion would offer no detriment to the character of the application property or to the character of the area. Whilst it is acknowledged that no parking would be provided by the development, it is considered that the town centre location of the site and the proximity of public transport would minimise the need for parking. The proposal accords with the requirements of Policies H.7, RT.4, TC.2 and TR.17 of the Adopted Wyre Forest District Local Plan (2004).</p>

<p><b>Application Reference:</b> 10/0751/FULL</p>
<p><b>Site Address:</b> FORMER NATIONAL STANDARD, LAND AT CORNER OF STOURPORT ROAD AND, WALTER NASH ROAD WEST, KIDDERMINSTER, DY11 7PZ</p>
<p><b>Delegated authority to Approve or Refuse subject to the satisfactory outcome to consultation by the 30th March 2011</b></p> <ol style="list-style-type: none"> <li>i. the satisfactory conclusion of consultation with Worcestershire Regulatory Services on contaminated land and a no objection response being received; and</li> <li>ii. the following conditions:</li> </ol>

1. A6 (Full with No Reserved Matters)
2. A11 (Approved Plans)
3. B6 (External Details – Approved Plan)
4. Full specification of tree replacement and maintenance plan
5. C8 (Landscape Implementation)
6. Highway
7. Notwithstanding approved plans submission of fencing details to include paladin fencing in place of the palisade.
8. Submission of details of sustainability measures including photovoltaics
9. Any Contamination remediation conditions recommended by Worcestershire Regulatory Services
10. E2 (Foul and Surface Water)

Notes

- A. Highways
- B. No consent given for adverts

Reason for Approval

The use of the site is considered to be acceptable in this allocated employment area. The design of the buildings is compatible with the surrounding area and will provide an attractive frontage to the area. Despite the loss of protected trees it is considered that the regeneration of this site and the compensatory landscaping proposed is sufficient to outweigh the harm that would be created through the loss of trees. There are no highway issues that will result in harm to highway safety.

In the event that a satisfactory outcome cannot be achieved in respect of contamination by 30 March 2011, delegated authority is given to **REFUSE** the application for the following reason:

Insufficient and inadequate information has been provided to demonstrate to the Local Planning Authority that a contamination of the site can be satisfactorily remediated to allow safe use of the site for the use proposed. To allow the development in these circumstances would be contrary to Policy NR.2 of the Adopted Wyre Forest District Local Plan.

**Application Reference:** 10/0752/FULL

**Site Address:** ROSE COTTAGE, CLATTERCUT LANE, CHADDESLEY CORBETT, KIDDERMINSTER, DY10 4QT

**Delegated APPROVAL** subject to:

- a) the signing of a **Section 106 Agreement** to
  - i) prevent implementation of 10/0653/FULL;
  - ii) and require demolition of the existing dwelling within 3 months of occupation of the replacement dwelling, and
- b) the following conditions:
  1. A6 (Full with no reserved matters)
  2. A11 (Approved plans)
  3. B1 (Samples/details of materials)
  4. J1 (Removal of permitted development – residential)
  5. The annex accommodation shall not be occupied at any time other than by relatives or dependants of the occupiers of the main dwelling known as

- Rose Cottage, Clattercut Lane. At no time shall the annex be sold, let or otherwise severed from the main dwelling.
6. Demolition of existing property within 3 months of occupation of the new dwelling.

Reason for Approval

The proposal represents appropriate development in the Green Belt. It has been well designed to conform to this countryside location. The impact of the proposed dwelling on adjoining residential properties has been assessed and it is concluded that no undue harm will arise. There are no highway safety issues in this case. The application is therefore considered to be in accordance with policies H.9, H.18, GB.1, GB.2, GB.6, and TR.9 of the Adopted Wyre Forest District Local Plan, CP01, CP02, CP11, and CP12 of the Wyre Forest Core Strategy, D.39 of the Worcestershire County Structure Plan, QE3, and QE6 of the Regional Spatial Strategy, Planning Policy Statement 1, Planning Policy Statement 1 Supplement on Climate Change, Planning Policy Guidance 2, Planning Policy Statements 3, 4 and 7.

**Application Reference:** 11/0009/FULL

**Site Address:** MARKS & SPENCER PLC, UNIT 18-19, WEAVERS WHARF, KIDDERMINSTER, DY10 1AA

**APPROVED** subject to the following conditions:

1. A6 (Full with no reserved matters)
2. A11 (Approved plans)
3. Define use to ensure that the mezzanine is used for retail purposes (including cafeteria) in association with the existing store.

Reason for Approval

The proposal is considered to be acceptable in this location in terms of the principle of allowing the development, design, car parking and access for disabled people. To approve the application is in accordance with policies RT.1, TC.1, TC.2, KTC.1, D.1, NC.5, and IMP.1 of the Adopted Wyre Forest District Local Plan, DS02 and CP09 of the Wyre Forest Core Strategy, D.31 of the Worcestershire County Structure Plan, PA11 of the West Midlands Regional Spatial Strategy, and Planning Policy Statements 1 and 4.

**EXECUTIVE SUMMARY TO REPORT OF  
DEVELOPMENT MANAGER**

**Planning Committee**

**08/03/2011**

**PART A Reports**

<b>Ref.</b>	<b>Address of Site</b>	<b>Recommendation</b>	<b>Page No.</b>
11/0016/FULL	GORST HILL FARM ROCK KIDDERMINSTER	APPROVAL	17

**PART B Reports**

<b>Ref.</b>	<b>Address of Site</b>	<b>Recommendation</b>	<b>Page No.</b>
10/0617/FULL	YEW TREE COTTAGE GREY GREEN LANE BEWDLEY	APPROVAL	35
10/0732/FULL	LAND ADJACENT TO UNIT 11(TK Maxx) WEAVERS WHARF	APPROVAL	43
11/0051/FULL	HOBRO BARN HOBRO WOLVERLEY KIDDERMINSTER	REFUSAL	48
11/0054/RESE	FINEPOINT WAY FINEPOINT BUSINESS PARK OFF WALTER NASH ROAD KIDDERMINSTER	APPROVAL	54



**WYRE FOREST DISTRICT COUNCIL**

**PLANNING COMMITTEE**

**8<sup>TH</sup> MARCH 2011**

**PART A**

**Application Reference:** 11/0016/FULL      **Date Received:** 07/01/2011  
**Ord Sheet:** 373565 272841      **Expiry Date:** 04/03/2011  
**Case Officer:** Julia Mellor      **Ward:** Rock

**Proposal:** Installation of a 18.3m high (24.8m to upright tip of blade) freestanding 11kw twin blade wind turbine

**Site Address:** GORST HILL FARM, ROCK, KIDDERMINSTER, DY14 9YJ

**Applicant:** Mr D Nott

<b>Summary of Policy</b>	NR.11, NC.2 (AWFDLP) DS04 CP01 CP07 CP12 (AWFCS) CTC2 RST3 (WCSP) RR1 RR2 QE1 QE3 QE6 QE7 EN1 (WMRSS) PPS1 (incl. supplement) PPS4 PPS7 PPS9 PPS22
<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 application site is located within Gorst Hill Farm to the south west of Callow Hill and north east of Bliss Gate. The farm comprises an area of approximately 260 acres of arable land.

1.2 The application seeks consent for the installation of an 11kW wind turbine mounted on a free standing lattice mast with a hub height of 18.3m. The turbine would be twin bladed with a blade diameter of 13m; therefore the overall height to the tip of the blade would be approximately 24.8m. The mast would be positioned on a five metre square concrete base and sited to the south of the farmhouse and associated agricultural buildings within an open field.

1.3 The application site is located on land which forms part of the Landscape Protection Area.

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## 2.0 Planning History

- 2.1 WF/0884/95 - Change of use of agricultural building for caravan storage : Approved 23/01/96
- 2.2 WF(T)28 - 15m Tower, 3 Antennae, 2 Dishes and Cabin : Permitted 16/09/98
- 2.3 WF/0964/01 - Change of use of part of farmyard to external storage of caravans : Approved 16/12/01
- 2.4 WF.0731/01 – Erection of 20m replacement mast and additional equipment with enlarged compound : Refused 12/09/01
- 2.5 WF(T)76 – Replacement of existing 15m Orange mast to accommodate two dishes / six antennae for one 2 One and four dishes / six antennae for Orange and equipment cabin : Permitted 12/02/02
- 2.6 WF/1339/04 - Change of use of part of farmyard to area for outside storage of caravans : Withdrawn 1/2/05
- 2.7 09/0870/FULL - Change of use of agricultural land to use for external caravan storage : Refused 23/3/10
- 2.8 10/0301/FULL - Change of use of agricultural land to use for caravan storage on 340 m2 of redundant land adjacent to farm buildings (to allow the expansion of existing storage facility (WF/0946/91 & WF/0964/01) from 25 to 38 caravans : Refused 17/08/10

## 3.0 Consultations and Representations

- 3.1 Rock Parish Council – No objections
- 3.2 Highway Authority – No objections
- 3.3 Conservation and Countryside Officer (*Original Comments*) - Biodiversity wise I am satisfied that the information provided in the Design and Access Statement has demonstrated that the turbine operations pose a minimum of threat to biodiversity (bats and birds). I have little information relating to other species or habitat around the proposed turbine site but the provided photographs indicate a bleak agricultural landscape with little intrinsic biodiversity potential hence I feel we have little cause for concern. The only issue I feel still needs to be addressed is that the mast is to be situated on the top of a slope that leads down onto the Dick Brook Special Wildlife Site (SWS).

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Some potential for harm to this ecosystem exists from the potential of spoil and run off generated during the development stage of this application entering into the Brook. We will need to see some working methods that will address this.

*(Further Comments)* – I feel we need to have an appropriate method statement conditioned. The application is on a slope leading down to a SWS which is renowned for white clawed crayfish, a legally protected species which is vulnerable to siltation. Hence a brief description is not going to be good enough to have passed due diligence, particularly as the same statement also indicates that there are no water courses near the development that could be contaminated.

I do not feel we are asking too much here just reasonable measures to prevent materials used in or excavated from construction becoming mobilised and washed downhill into the Brook.

- 3.4 Central Networks – No objection.
- 3.5 Worcestershire County Council (Public Path Orders Officer) – No comments received.
- 3.6 Worcestershire Regulatory Services (Pollution Control) – Wind turbines have raised concerns over noise emission in many locations within the UK. Most of which have been very large commercial installations consisting of numerous units. Nevertheless careful consideration must be given to all such devices due to the noise generating potential of 'rotating vane' devices. The noise report submitted in support of the application is thorough and believed to be representative of peak working conditions of such turbine equipment which illustrate worst case scenarios. The levels of which are acceptable in terms of noise emissions and residential dwelling proximity. In terms of turbine size the Gaia 11kW is relatively small and it is therefore not anticipated that the installation will pose any disproportionate noise levels which would give rise to any justifiable complaints.
- 3.7 Natural England – We have considered the proposal against the full range of Natural England's interests in the natural environment. Based on the information provided, we have no objections. We welcome the consideration given to ecology, landscape and visual impacts in the Design and Access Statement and no further comments to make.
- 3.8 Ramblers Association - Unusually it is not worth mentioning the effect on any particular footpath as the height of the proposed turbine, if erected, will make it a significant landmark and will be visible from a great many paths in the area. Having said that we are not, in principle, opposed to wind turbines and hence have no objection to the proposal.

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3.9 National Air Traffic Services (NATS) - The proposed development has been examined by our technical and operational safeguarding teams and although the proposed development is likely to impact our electronic infrastructure we have no safeguarding objection to the proposal.

3.10 Civil Aviation Authority - The numbers of developments of small wind turbines continues to expand at a rapid rate and is resulting in increasing pressure on the planning application support services available at the CAA. Accordingly, in respect of the subject application, given the turbine location and maximum blade tip height (25 m), the CAA observations are limited to advising that the Council will need to consider the various generic issues that have previously been highlighted:

- Safeguarding of local aerodromes in respect of Governmental requirements to safeguard aerodromes and other technical sites.
- The need to establish the viewpoints of both NATS and the Ministry of Defence.
- Proliferation of wind turbines.

Beyond this, I do not believe that there are no site specific observations the CAA would wish to raise.

3.11 Worcestershire Wildlife Trust - Having read the associated reports and studied the area in which the turbine is to be placed I can confirm that we do not wish to object to the proposals provided that the usual controls over pollution and runoff during construction can be put in place.

3.12 Ministry of Defence – the principal safeguarding concern of the MoD with respect to the development of wind turbines relates to their potential to create a physical obstruction to air traffic movements and cause interference to Air Traffic Control and Air Defence radar installations. The MoD has no objection.

3.13 Neighbour/Site Notice/Press Notice : Six letters of objection have been received. In summary the objections refer to -

IMPACT UPON THE LANDSCAPE AND VISUAL AMENITY

- No amount of screening can mitigate the dominance of the turbine which will be an alien structure in a rural environment.
- The proposed turbine would be visible for a significant distance, seen clearly from the main tourist areas of the Wyre Forest, Rock, Far Forest etc. an area that is currently not tainted from even power lines and should be protected for future generations to enjoy, as well as to ensure that there is no detriment on our tourist industry which the community is heavily reliant on.

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- It is contrary to Policies LA1 LA2, Policy Worcestershire Structure Plan CTC2 Skyline & Hill Features and PPS7. (*Officer Comment – Policies LA1 and LA2 of the Wyre Forest Adopted Local Plan have been replaced by Policy CP12 of the Adopted Core Strategy*).
- There is already a large and unsightly telephone mast.
- The significant adverse effect on the landscape character and visual amenity contravenes the principles of a Landscape Protection Area.
- Paragraph 20 of PPS22 states that “*Of all renewable technologies wind turbines are likely to have the greatest visual and landscape effect.*” This proposal will have such a detrimental visual effect on this landscape.  
This proposal is neither informed by, appropriate to or integrates within the landscape.
- This application neither safeguards nor strengthens the components of landscape character. There is no particular attention to scale, layout or design detailing any relationship with existing buildings, features or vegetation.
- This proposal does not relate to the characteristics and sensitivity of the landscape.
- The proposal in paragraph 6.3 referring to wind turbines states that the significant energy generating capacity of the turbine is sufficient in this case to override the additional landscape impact associated with this type of installation consequently, therefore the applicant is accepting that there is a landscape impact associated with this type of installation.
- The submitted height comparison photomontage is a series of photographs which are not to scale, have been taken at different distances from the towers in question and give distorted impression of height impact with the Gaia Tower being photographed from the furthest distance from the camera, making it appear much smaller than it possibly is.

#### IMPACT UPON RESIDENTIAL AMENITY

- The installation of this turbine will affect our tranquillity in our garden and enjoyment of our hobbies as we utilise the existing bridleways.
- Will cause a significant impairment to this residential amenity which will continue for a generation and involve considerable loss to me and my family.
- The UK Noise Association recommends that wind turbines are not sited within 1 mile (1.6 km) of houses. The proposed turbine is, I would estimate, less than 100m from the nearest property and affects dozens of properties within 1 mile.

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- Research shows that wind turbines produce penetrating low frequency noise pollution both day and night, this can cause sleep disturbance and irregular heart rhythms making some people physically ill.

IMPACT UPON PUBLIC FOOTPATHS AND BRIDLEWAYS

- The turbine will have an adverse affect on walkers, riders and cyclists in the area, and have a detrimental effect to the normal daily life of householders in the area.
- The height, noise, shadow flicker and reflected light could easily cause a horse or it's rider to be seriously injured or at worst killed. Will the local landowner accept liability for this?

IMPACT UPON WILDLIFE

- The turbine will seriously affect our local wildlife, we have rare bats and birds (including buzzards, woodpeckers and owls) in the area and this is a serious concern.
- The destruction of birds and bats is inevitable with blades spinning at high speed.
- The collision risk for migratory birds is much higher as the area is not familiar and they may arrive at night.

SPECIFIC COMMENTS REGARDING GORST HILL FARM

- The activities at Gorst Hill Farm already have a detrimental effect on the area. We have to contend with extra cars throughout the strawberry picking season, and large caravans being towed to and from their storage.
- Previous history with this property demonstrates that once plans have not been opposed then further developments are slid in without permission, one wind turbine is the 'thin end of the wedge'.
- The Proposal states that the only alternative to wind turbines are photo voltaic panels but that these are inappropriate in that they would interfere with the ventilation capabilities of the agricultural buildings. This is an arable farm, no animals are housed within the agricultural buildings and the requirements for ventilation would not be affected by solar panels on the roofs.
- The farm is beginning to look like an industrial trading estate.
- Solar Voltaic Panels could be used in preference to wind turbines.

OTHER

- The turbine will be visible and may cause motorists to lose concentration on the main A456, the Tenbury Road has already been identified as having accident black spots.

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- The site is in a line where low flying military aircraft fly towards the Clee Hill radar, including jets and helicopters . These aircraft fly at ground hugging altitudes and the tower could therefore be a possible hazard.
- Several handgliders, paragliders and hot air balloonists pass over the area and I believe the height of this turbine will pose a significant safety risk.
- There has been no prior consultation with the local residents.
- The new Coalition Government has indicated that developments should not be permitted if the local community is opposed to a scheme and this will be enshrined in the Localism Bill later this year. I believe that the local community will give a strong mandate to refuse this application.
- I also believe this proposal goes against the spirit of Peter Luff's Bill – although I appreciate this turbine is a smidgeon below the 25m covered by the Bill.
- It would affect the resale price of my house.

A further two letters of support have been received.

- Although I must say visibly they are not pretty - they are environmentally friendly and this must be considered.
- I must comment in support of the idea of the wind turbine provided its productivity can justify its existence and the positioning has been done sensitively in this semi-rural location.
- Exhaustive measures with regards to its positioning have taken place to minimise the impact upon these properties.
- The presence of these structures is something we may all have to adjust to. It is during this period of adjustment and acceptance that our experiences may cloud our judgment of this progress in the long term if the community feels misled, or disregarded in their opinion of those directly affected.

#### **4.0 Officer Comments**

- 4.1 The current application for the construction of a wind turbine raises a number of considerations which are relevant to the determination of the proposal. As highlighted by the consultation exercise, comments have been received both in support of and in objection to the proposed installation.

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4.2 It is considered that the main considerations cover the following topic areas:

- Farm diversification;
- Wider environmental and social benefits;
- Visual impact;
- Impact upon residential amenity; and
- Ecology

#### FARM DIVERSIFICATION

4.3 The purpose of the proposed wind turbine is to capture the kinetic energy of the wind and convert it to electricity. The proposed turbine has an estimated output of 30 090 kWh per annum. The applicant's intention is to utilise the electricity generated to power his agricultural conveying equipment to move his arable produce in and out of store and to power large ventilation fans to dry grain. He writes:

*“The electricity consumption occurs mostly during and soon after the cereal harvest (August, September and October) but the electricity generation will be spread throughout the year. Therefore most of the electricity (70 – 90%) will be exported to the national grid for other people to use. Following installation of the turbine, the applicant shall connect the farm house to the barn so that the farm house, and in turn the entire farm, will get its electricity directly from the turbine and will be fully sustainable in terms of energy supply. Once this transition has been completed it is estimated that the amount of electricity exported to the national grid shall be more likely to be in the region of 50 – 60% spread throughout the year.”*

4.4 The applicant's estimated power consumption by the farm including the residential farmhouse is 21 500 kWh per year with the excess being exported and sold back to the grid. The proposed equipment has a predicted lifespan of 25 years, and the applicant has estimated that it will take between 7 and 10 years to recover the initial set up costs. On the basis that the proposed development would generate income in the future the proposed development is considered to form a type of farm diversification. (This would be in addition to the income generated from the existing caravan storage and telecoms mast on site).

4.5 Adopted Core Strategy Policy DS04 and Regional Spatial Strategy Policy (RSS) RR1 offers support for development which contributes to traditional rural employment and farm diversification.



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- 4.6 PPS 22: Planning for Renewable Energy acknowledges that in rural areas, renewable energy projects have the potential to play an increasingly important role in the diversification of rural economies. Furthermore the Companion Guide recognises the economic benefit from cheaper fuel bills.
- 4.7 PPS 7: Sustainable Development in Rural Areas advises that planning policies should support development proposals that will enable farmers to become more competitive and diversify into new agricultural opportunities.
- 4.8 PPS4: Planning for Sustainable Economic Growth advises that local planning authorities should set out criteria to be applied to planning applications for farm diversification and support such diversification providing that that they are consistent in their scale and environmental impact with their rural location.
- 4.9 As indicated above there is much development plan policy to support the proposal as it would diversify the local economy and support the existing traditional agricultural smallholding. There are however other material considerations which are discussed below.

#### WIDER ENVIRONMENTAL AND SOCIAL BENEFITS

- 4.10 The Energy White Paper: Our Energy Future – Creating Low Carbon Economy sets out the Government’s aspiration of 20% of our electricity being generated from renewable resources by 2020. Using renewable energy sources reduces carbon emissions which in turn contribute to a deceleration in the rate of global climate change. PPS22 indicates that, “... *the UK is particularly well placed to utilise wind power having access to something like 40% of the entire wind resource.*”
- 4.11 The RSS acknowledges that energy from wind is likely to become more feasible as technological advances widen the potential areas for use and it recognises that small wind turbines can contribute to local energy supply.
- 4.12 With respect to the current proposal the figures submitted as part of the application suggests that approximately 8590kWh of electricity will be fed back to the grid per annum. PPS22 estimates that an average UK household consumes 4100kWh per year, and therefore the excess energy would power two additional residential dwellings. In addition the energy generation from the wind turbine represents an annual saving of CO2 of approximately 17 tonnes of carbon.

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- 4.13 It is accepted that the power estimated to be generated by the turbine is not significant, however according to the key principles outlined in PPS22 the wider environmental and economic benefits of all proposals for renewable energy projects, whatever their scale, are material considerations that should be given significant weight in determining whether proposals should be granted planning permission. Furthermore planning authorities are advised that proposals should not be rejected simply because the level of output is small.
- 4.14 As with the economic benefits there is much local and national policy to support the development on the basis of it helping to meet the wider long term environmental aspirations set out by the Government. However the policies are keen to advise that the development should be appropriate to its locality.

#### VISUAL IMPACT

- 4.15 The proposed turbine would be sited in an open field which slopes down in a south westerly direction towards Dick Brook. The existing landscape is considered to comprise of large fields with woodland aligning the field boundaries and a tree lined valley base following the brook. The turbine would be installed approximately 67m south of the base to the existing telecoms mast and approximately 77m south of the existing silos.
- 4.16 Public Rights of Way and Bridleways encircle the application site with the closest (footpath No.669) running through the farm at a distance of approximately 94m from the proposed turbine. A bridleway (footpath nos. 600 / 601 / 602) also lies in a westerly direction beyond footpath No.669 at a distance of approximately 170m at its closest point.
- 4.17 The application site would be positioned on the boundary of two Landscape Character Types as defined by the County Council; those being named Forest Smallholdings and Dwellings and Timbered Plateau Farmlands. On the basis of walking along the adjacent rights of way it is considered that the landscape type which is most consistent with the visual appearance immediately surrounding the proposed location of the turbine is that described as Timbered Plateau Farmlands. Its primary characteristics are described as (1) an upstanding plateau of rolling topography dissected by broad valleys; (2) filtered medium / long distance views; (3) ancient wooded character; and (4) mixed hedges with scattered hedgerows oaks.

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- 4.18 Adopted Core Strategy Policy CP12 advises that the County Council Landscape Character Assessment will be used when determining applications for development. The Policy is keen to ensure that the landscape must be protected and where possible enhanced. The policy also refers to the appropriateness of the development within the landscape. This echoes PPS4 which advises that development should be consistent in scale and environmental impact with its rural location.
- 4.19 Policy QE1 of the RSS seeks to protect and enhance the distinctive character of the different parts of the region while PPS7 encourages the sensitive exploitation of renewable energy sources. Policy EC6 of PPS4 seeks to ensure that development is strictly controlled in the open countryside which should be protected for the sake of its intrinsic character and beauty.
- 4.20 It cannot be denied that the proposed turbine will have an impact upon the landscape not least because it would be a tall manmade feature positioned on a hillside reaching 24.8m to the upright tip of the blade, and at this present time a wind turbine is not a familiar sight within the district. PPS22 admits that of all renewable technologies, wind turbines are likely to have the greatest visual and landscape effect.
- 4.21 Members should also be aware of the planning history of the site. There is a telecoms mast at Gorst Hill Farm which measures approximately 17.5m to the top of the antennae. However a planning application to change the style of the mast, add a significant number of antennas and increase the overall height to 20m was refused on visual grounds. Furthermore, more recently in August 2010 an application to allow the expansion of the existing caravan storage facility on land to the northern side of the farm buildings was refused. Again one of the reasons referred to the visual impact.
- 4.22 Certainly the impact of the turbine upon the landscape is a material consideration which does not favour the proposal and needs to be weighed in the overall balance.

#### IMPACT UPON RESIDENTIAL AMENITY

- 4.23 The applicant's farmhouse lies approximately 150m to the north of the proposed turbine location, and the nearest non associated residential property is located approximately 185m to the northeast.
- 4.24 Neighbours have raised concern that the noise produced by the proposed turbine would affect the tranquillity enjoyed by existing residential occupiers.

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- 4.25 There are two distinct types of noise associated with a wind turbine, first the mechanical noise produced by the gearbox, generator and other parts of the drive train and secondly with aerodynamic noise produced by the passage of the blades through the air.
- 4.26 The agent on behalf of the applicant has submitted a noise assessment which indicates that the noise from the turbine would be well below the usual 43 dB (A) night time requirement at the nearest residential property. No adverse comments have been raised by Pollution Control officers.
- 4.27 Neighbours have also referred to the recommendation by the UK Noise Association that wind turbines are not sited within 1 mile of houses. In response the agent has indicated that the focus of this report was large scale wind farm turbines and wind farms in general as opposed to a single turbine. Furthermore he adds, *“In Wales, Technical Advice Note (TAN) 8: Planning for Renewable Energy sets out guidance on the proximity of large scale (100m plus tip height) wind turbines to residential dwellings. This states that ‘500m is currently considered a typical separation distance between a wind turbine and residential property to avoid unacceptable noise impacts’. If this guidance were adopted to small scale wind turbines, as proposed in this application, then for a turbine with a tip height of 25m (one quarter the size of those in the Welsh Guidance) then an acceptable distance may be 125m (one quarter the distance recommended in the Welsh Guidance).”*
- 4.28 Neighbours have also raised the concern of shadow flicker. This is an effect when under a certain combination of geographical position and time of day; the sun may pass behind the rotors of a wind turbine and cause a shadow over neighbouring properties. When the blades rotate the shadow flicks on and off. The agent has advised that shadow flicker is more likely to be prominent when perceived indoors through narrow window openings rather than in outdoor areas. The Companion Guide to PPS22 notes that flicker effects have been proven to occur only within ten rotor diameters of a turbine. *“Taking this into account, as the proposed turbine has a rotor diameter of 13m consideration should be given to the impact of shadow flicker on residential properties within 130m in this instance.”* In this case there are no such properties.

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4.29 The agent has also advised that due to the small scale nature of the proposed turbine the problem of scattering TV or radio signals is not relevant. The agent has contacted the operators of the two telecom masts within close proximity but has received no reply. Furthermore he has received a response from the Joint Radio Company Limited on behalf of the UK Fuel and Power Industry together with the Water Industry who assess the potential to interfere with radio systems operated by utility companies and has received no objection.

4.30 It is considered that there is no robust reason to refuse the application on the basis of the significant adverse impact to the amenity currently enjoyed by neighbours.

#### ECOLOGY

4.31 As stated previously the turbine would be sited on a slope which leads down to Dick Brook which forms part of a designated Special Wildlife Site (SWS). The impact upon this SWS together with the general affect upon birds, and bats has been considered.

4.32 The Design and Access Statement submitted with the application indicates that the closest Important Bird Area is 40 miles from the site at Walmore Common where there are significant numbers of breeding waders. The agent on behalf of the applicant has stated that "*Studies of birds increasingly show that the risk from wind turbines to most species is very low, far greater risk exists from overhead cables and moving cars.*" Notably PPS22 states that experience indicates that bird species and their habitats are rarely affected by wind turbine developments.

4.33 With respect to bats the proposed turbine would be sited within an open location with a significant distance from trees and buildings is considered by the agent to be an appropriate location. None of the ecologists consulted have raised objection subject to a particular condition requiring details of the construction methodology as suggested by the Council's Conservation and Countryside Officer.

4.34 It is not considered that there is sufficient reason to refuse the application on ecology grounds.

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OTHER

- 4.35 Other matters not covered above have been raised during the consultation process. The first is the potential impact upon horses using the bridleway and the siting and sound of the turbine frightening horses and causing them to unseat their riders. In response the agent has pointed towards advice from the British Horse Society which is reiterated in PPS22 which suggests a 200m separation distance. Whilst the closest bridleway lies at a distance of 170m. PPS22 recognises that this is not a statutory requirement and the agent advises that this distance is aimed at large wind farms rather than the current proposal.
- 4.36 In the submitted Design and Access Statement the agent remarks that consideration was given to other renewable sources of energy but they were dismissed. From reading the comments made by neighbours they feel that other sources were discounted too readily. The agent has provided further information indicating that in the case of photovoltaic (PV) panels;
- the roof of the agricultural buildings are domed are therefore unsuitable;
  - there are no suitable south facing roof spaces large enough to accommodate the necessary panels that would be needed to produce the equivalent amount of energy;
  - approximately 280 square metres of land would need to be covered by PV's to produce the equivalent energy output; and
  - the cost would be three times more than the proposed turbine making it uneconomically viable.
- 4.37 Neighbours have also raised distraction to motorists as a concern. In response PPS22 advises that, *"Drivers are faced with a number of varied and competing distractions during any normal journey, including advertising hoardings, which are deliberately designed to attract attention. At all times drivers are required to take reasonable care to ensure their own and others' safety. Wind turbines should therefore not be treated any differently from other distractions a driver must face and should not be considered particularly hazardous."*
- 4.38 In response to the concern regarding low flying military aircraft neither the Ministry of Defence, the Civil Aviation Authority (CAA) or the National Air Traffic Services have raised objection.

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- 4.39 PPS22 also states that experience indicates that properly designed and maintained wind turbines are a safe technology. At the time of the 2004 document there had been, “... *no example of injury to a member of the public.*” The agent has advised that he has submitted a developer proforma to the CAA who will contact the applicant if there are any civilian airfields, flying clubs or glider clubs that they deem to be affected by the proposal. The CAA has made no such contact to date.
- 4.40 Finally comments regarding health concerns have been raised as a result of penetrating low frequency noise pollution. PPS22 advises that, “*There is no evidence that ground transmitted low frequency noise from wind turbines is at a sufficient level to be harmful to human health.*” The agent has also refers to reports commissioned by the DTI and DEFRA which confirm this statement.
- 4.41 There are no matters raised by neighbours discussed above that are considered to be a robust planning reason to refuse the current proposal.

## **5.0 Conclusions and Recommendations**

- 5.1 It is clear that there are local social and economic factors plus wider environmental benefits which support the proposal. The wind turbine would, according to the applicant, eventually meet the electricity requirements of his farm including his farmhouse whilst the excess generated would help to support the economy of his farming enterprise. Furthermore carbon savings would be in the in the order of 17 tonnes per annum.
- 5.2 However there needs to be a balancing exercise between these benefits in favour of the development and the impact of the turbine upon the countryside and the appearance of the landscape.
- 5.3 It is a fact that the site lies within the Landscape Protection Area and development policies seek to ensure that its appearance is not unduly harmed. However PPS22 states that local landscape designations should not be used in themselves to refuse planning permission for renewable energy development

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- 5.4 Furthermore it is also acknowledged that the proposed structure will be seen clearly from views to the west, south and east from the network of existing public footpaths and bridleways. However it is considered that the proposed siting of the turbine is not sufficiently remote or isolated from existing development that it would appear disproportionately dominant within the landscape. There is a range of existing agricultural buildings including the silos and telecoms mast which provide a backdrop and, it is considered, would reduce the impact of the structure, which is slender in form and would not block open views. Moreover as the turbine would be sited on land estimated to be 8m lower than the site where the existing telecoms mast is positioned its overall height would be approximately 0.7m lower than the mast.
- 5.5 In addition it is considered that when seen from the footpath network and residential properties that the scattering of development, the dispersed trees within the fields together with the tree lined field boundaries would reduce its prominence within the landscape.
- 5.6 Whilst the figures regarding the amount fed into the grid and the annual carbon saving are modest PPS22 indicates that applications should not be resisted simply because the output is small, and that the benefits of renewable energy projects are material considerations which should be given significant weight.
- 5.7 In this instance the benefits of the proposal when taken together are considered to outweigh the harm to the landscape and therefore the recommendation is for **APPROVAL** subject to the following conditions:
1. A6 (Full with no reserved matters)
  2. Development in accordance with submitted plans and details
  3. Notwithstanding any details submitted with the application, prior to the commencement of development details of the colour of the blade, nacelle and mast shall be submitted to and agreed in writing by the Local Planning Authority
  4. No development shall commence until a construction methodology has been submitted to and agreed in writing by the Local Planning Authority. The methodology shall explain how run off from materials used in or excavated during the construction phase will be prevented from adversely affecting the Dick Brook Special Wildlife Site. A timescale of the proposed installation shall also be submitted as part of the methodology. The construction shall be completed in accordance with the agreed methodology and timescale unless otherwise agreed in writing.  
Reason - To ensure that the mobilisation of any silt does not adversely affect the Dick Brook Special Wildlife Site.



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**NOTE**

The Ministry of Defence (Defence Estates Safeguarding) wishes to be consulted and notified of the progression of planning applications and submissions relating to this proposal, to verify that it will not affect defence interests. Therefore you must tell the Ministry of Defence

- The date construction starts and ends;
- The maximum height of construction equipment; and
- The latitude and longitude of every turbine.

If the application is altered in any way the Ministry of Defence must be consulted again as even the slightest change could unacceptably affect them.

Reason for Approval

The proposed development comprises a wind turbine at a rural location. The local economic and wider environmental benefits of the proposed installation have been balanced against the impact upon the appearance of the countryside. In this instance it is considered that the benefits of this renewable energy development would outweigh the limited harm to landscape. Other matters relevant to the amenity of residential neighbours together with users of the adjacent network of public footpaths and bridleways have been considered however it is considered that there is no robust reason to refuse the application.

PLANNING COMMITTEE

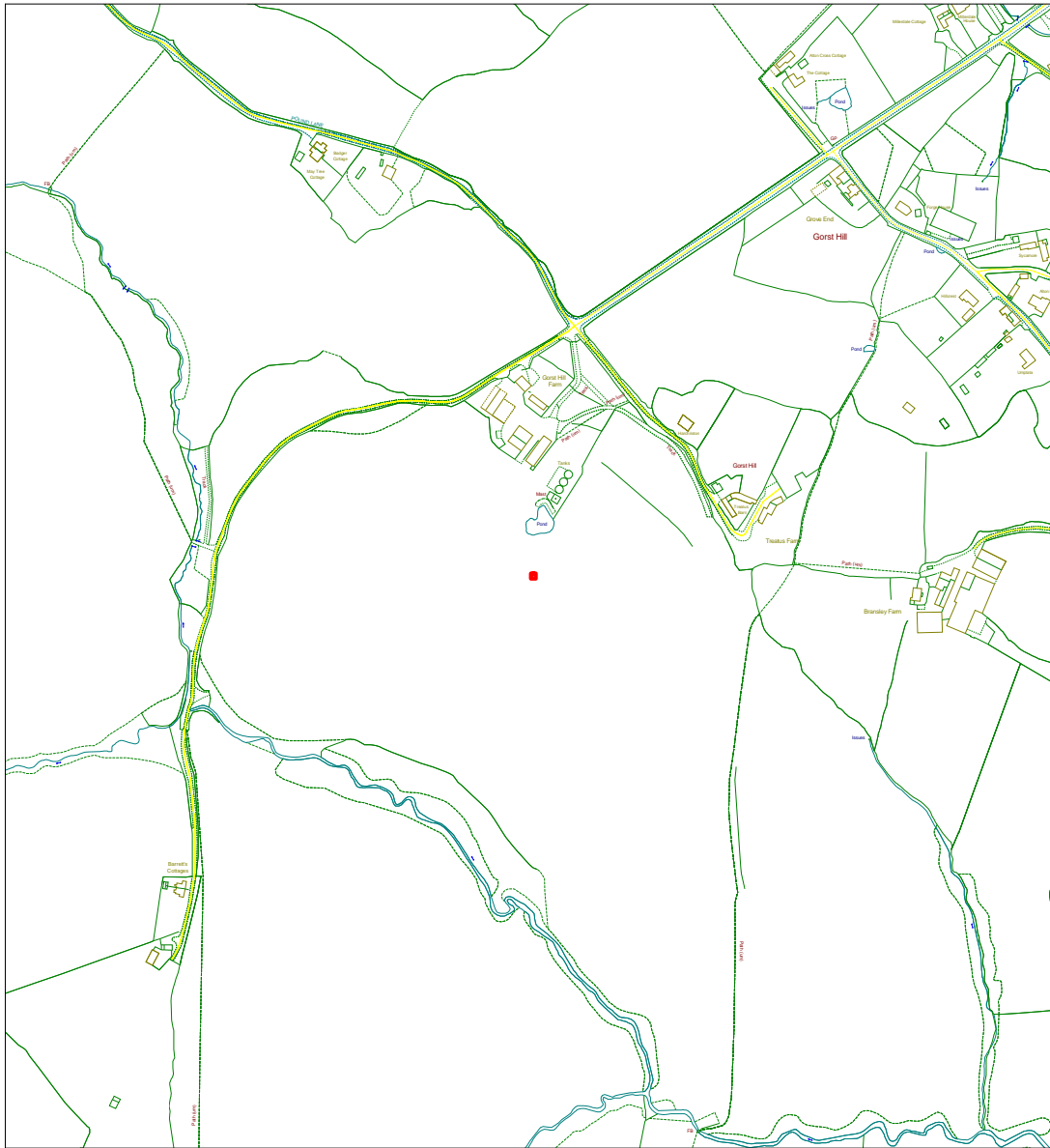
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**Wyre Forest District Council**

PLANNING AND REGULATORY SERVICES DIRECTORATE

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**WYRE FOREST DISTRICT COUNCIL**

**PLANNING COMMITTEE**

**8<sup>TH</sup> MARCH 2011**

**PART B**

<b>Application Reference:</b>	10/0617/FULL	<b>Date Received:</b>	14/10/2010
<b>Ord Sheet:</b>	379099 275643	<b>Expiry Date:</b>	09/12/2010
<b>Case Officer:</b>	Stuart Allum	<b>Ward:</b>	Wribbenhall

**Proposal:** Single storey side extension and store building

**Site Address:** YEW TREE COTTAGE, GREY GREEN LANE,  
BEWDLEY, DY121LR

**Applicant:** Mr & Mrs Hadley

<b>Summary of Policy</b>	D17 (AWFDLP) CP11 (WFCS)
<b>Reason for Referral to Committee</b>	Development Manager considers that application should be considered by Committee
<b>Recommendation</b>	<b>APPROVAL</b>

APPLICATION DEFERRED BY PLANNING COMMITTEE ON 8<sup>TH</sup> FEBRUARY 2011 TO  
ENABLE THE APPLICATION TO BE ADVERTISED AS A DEPARTURE

**1.0 Site Location and Description**

- 1.1 Yew Tree Cottage is a detached dwelling located in an allocated residential area to the north east of Bewdley town centre.
- 1.2 The site is flanked to the north by three detached dwellings at a slightly higher level, with a fourth positioned further away from the immediate boundary.
- 1.3 To the south, the site is bounded by three properties at a lower level, which are accessed from a spur off Kidderminster Road.
- 1.4 Grey Green Lane is very narrow, and the dwelling is accessed by way of a steep driveway leading from the highway which has no pedestrian footpath in this location.
- 1.5 The proposal involves the erection of a ground floor extension on the north facing side of the dwelling together with a small ground floor storage extension to the existing car port, and adjacent to the southern boundary of the site.

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## 2.0 Planning History

2.1 WF/0811/86 – Extension and alterations : Approved

## 3.0 Consultations and Representations

3.1 Bewdley Town Council – No objection to the proposal and recommend approval.

3.2 Neighbour/Site Notice – 3 letters of objection and one of ‘observation’ were originally received, which raised the following issues.

Main points summarised:-

- It appears that what exists now complies with WF/0811/86. The footprint and volume of the house has therefore been more than doubled from the original, and the car port increases the footprint to some 185% over the original.
- Proposal fails the test of Policy D.17 as it is:
  - i) Not subservient to the original building
  - ii) Not in keeping with the architectural characteristics of the original building. The roof over the dining room does not harmonise with the main roof of the house.
  - iii) Not in accordance with the suggestion that ‘flat roofed extensions will not be allowed’. The extension features a flat roof over the study and utility, and also features uPVC windows which we do not consider to be in keeping with the area.
  - iv) Not in accordance with the requirement to harmonise with the existing townscape. The proposal will represent overdevelopment of the plot when judged against the locality. The plot is too small for what is proposed. Furthermore it will be necessary to remove the established hedge on the northern boundary, therefore trees will be affected (‘NO’ ticked on application form) and trees not shown on plans.
  - v) Not in compliance with the requirements to preserve the residential amenity of neighbouring properties. The side extension will be clearly seen from principal lounge, breakfast/sitting room and bedroom windows.

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Furthermore, the proposal to add windows to the first floor on the existing north elevation reinforces such an infringement. Preliminary works on these windows has already been undertaken.

- Parking is very limited at this property and in Grey Green Lane generally. We can only foresee that future needs will increase if the cottage is extended. With regard to health and safety, in particular vehicular access on to a narrow lane, either reversing on/off with numerous young children using the lane to and from school with no footpath or lighting is far from ideal. Grey Green Lane is very narrow and without a pavement at the entrance of this property. School children pass the entrance in the morning and afternoon. There is nowhere for vehicles involved with the building process to park near the property, without causing serious obstruction, doing so would force pedestrians to walk in the road on a corner of the lane that is blind to traffic from both directions. This would cause a serious health and safety risk. During previous recent building works serious obstruction was caused to vehicles passing by the property. We would like to see the measures that would be taken to avoid such health and safety risks and obstruction, before this application is taken any further.
- We note that there is no general notice regarding this proposal warning other regular uses of Grey Green Lane of the plans.

Subsequent to the preparation of the Officer's report, copies of a further 3 letters as addressed to a local Ward Councillor have been received which re-emphasise the above points, as well as a letter from a planning consultant representing one of the objectors which calls into question the interpretation of Policy D.17 of the adopted Local Plan in terms of the 'original dwelling' and, in this case, the previous extensions to the property. Further commentary is made in respect of the proposed extension roof design and proposals to retain an existing hedge along the northern boundary of the property.

A further letter was submitted on behalf of an objector prior to 8<sup>th</sup> February 2011 Planning Committee commenting specifically on elements of the Officer's report, as previously reported via the Addenda and Corrections sheet. However, for clarity and completeness these comments are reproduced below:

*"My clients have read your revised report to the Committee on 8.2.11 and are disappointed by both its contents and conclusions for the following reasons:*

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*1. In your "Reason for Approval" on page 22 you state that the proposal is in "conflict" with Policy D17 of the Residual Local Plan. This in itself is a strong material reason to refuse the application. Your comment in the same paragraph that the proposal complies with Policy CP11 of the Core Strategy is true but this does not overrule D17. If CP11 was meant to replace D17, then D17 would not have been 'saved'.*

*2. You have again failed to address the fundamental importance of changing the definition of "original building". Out of nowhere, a new definition is being proposed. This is fundamentally important to all building extensions especially those in the Green Belt. If the Committee approve this application a precedent will be set.*

*If the Council wishes to amend its definition of "original" then it should do so by issuing a draft Supplementary Planning Document".*  
*(Officer Comment – No change in the definition of "original building" is being suggested, as confirmed under paragraph 4.3 of the Officer's report).*

*"3. Your report also fails to address the poor design of the proposed pitched roof over the dining room. This does not harmonise with the main house roof and as such fails the test in Policy D17".*

#### **4.0 Officer Comments**

4.1 Members will recall that this application was considered by the Planning Committee on 8<sup>th</sup> February 2011. However, whilst the Committee was minded to accept the recommendation to Approve the proposed extension, notwithstanding the non-compliance with Policy D.17 of the Adopted Local Plan, Members were advised that the application needed to be formally advertised as a Departure from the Local Plan. This has been undertaken in accordance with the Council's adopted procedures and in consideration with the requirements of the DCLG Circular 02/2009.

4.2 Members are advised that following the advertising of the application as a Departure, a single letter in response has been received on behalf of a previous objector. The letter raises no new issues in terms of policy interpretation and acknowledges that the Officer's report, and presentation to Committee on 8<sup>th</sup> February 2011, makes it clear that a conflict with Policy D.17 occurs. The letter reiterates previous claims that the Council is seeking to redefine what constitutes 'original'. This clearly is not the case.

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The letter goes on to call for the application to be 'called in' by the Secretary of State on the basis that the Council is being unreasonable in allowing the cumulative extensions to the original property. It is claimed that the Council is abusing the planning process. Members are advised that the application does not require referral to the Secretary of State, in accordance with Circular 02/2009 and the accompanying Direction.

4.3 Proposals involving the extension or alteration to an existing residential property, including curtilage buildings and previous extensions, must be considered in the context of Policy D.17 of the Adopted Wyre Forest District Local Plan, which seeks to ensure that extensions:

- i) be in scale and in keeping with the form, materials, architectural characteristics and detailing of the original building;
- 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 on the amenity of neighbouring residents or occupiers.

4.4 In this case, reference to the 1986 planning permission reveals that the two storey original building was of very diminutive proportions indeed. Available evidence appears to indicate that the building was certainly in use for living accommodation at that point even in its diminutive form, but suggests that the extension approved at that time transformed what had been an extremely rudimentary living unit into a larger and more sustainable dwelling.

4.5 The fact remains that the dwelling as extended following the 1986 permission is not the original building, which would have been the previously referred to rather diminutive building, calculated to have been approximately 31 square metres footprint with a total floorspace at ground and first floor of approximately 57.65 square metres. Paragraph 5.79 of the adopted Local Plan states that:

*“as a general principle ... extensions should be subservient to and reflect the scale and architectural character of the original building. Extensions both in themselves and when taken together with previous works should not dominate the original building”.*

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- 4.6 Consideration of the previously approved extensions to the original property pre-date the current adopted Local Plan and thereby Policy D.17. Those extensions resulted in the original dwelling having been more than doubled in size, and whilst the frontage and general character of the original building were to an extent unaffected, the extensions as approved, and constructed, could in no way be viewed in numerical as being subservient to the original dwelling.
- 4.7 The proposal as part of this application proposes an additional 30 square metres floor area in the form of a single storey extension, and would result in a dwelling of approximately 136 square metres in total habitable floorspace (excluding the carport and store).
- 4.8 Whilst planning policies guide to regulate development, it is always the case that each proposal should be judged on its merits and that if material circumstances dictate, a differing conclusion can be reached. This is such the situation and the following circumstances are considered to be of relevance
1. The resulting dwelling footprint would be approximately 100 square metres. This sits in the context of surrounding dwellings that are between 80 square metres and over 130 square metres. In this context the dwelling would not appear out of character or excessively large.
  2. The original dwelling was excessively small, the resulting dwelling would not result in an over large dwelling, in the context of the area of the plot.
  3. The proposed extension is single storey in nature and does not visually compete with the main elevation of the original dwelling which is still dominant, despite the amount of previous and proposed extensions.

On this basis it is considered that no harm would arise to the area through the overriding of the policy on this occasion, and due to these particularly unique circumstances such an approach will not be easily replicated elsewhere.

- 4.9 The proposed single storey side extension consists of a dining room, study and utility room and features a flat roof over half of its length. Whilst this design solution is not perfect, the use of a flat roof is not vetoed absolutely by policy, which seeks primarily to prevent such features from appearing on two storey extensions. The inclusion of a flat roof in these circumstances would, therefore, not be in conflict with paragraph (i) of Policy D.17.



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- 4.10 Regarding the size of the plot, or domestic curtilage, this is small, but not so small that the proposal would represent an overdevelopment, as suggested in the objection letters received. A reasonable amount of amenity space would exist even after the erection of the extensions, particularly at the front of the property where the private garden is elevation above Grey Green Lane.
- 4.11 Turning now to issues associated with neighbour amenity, 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. Following careful consideration of all the objections, including site visit appraisal of the application site from the dwellings in Gerlensta Court to the north, no breach has been identified. This is also the view in relation to the appropriate planning policies.
- 4.12 To clarify matters, the applicant intends to retain the existing boundary conifer hedge (approximate height 3 metres) although this is not indicated on the plans as proposed. A suitable condition is justified to ensure its retention. Even if this were not the case, the orientation and design of the proposed side extension is not judged to seriously impede upon the amenity, privacy and outlook of the neighbours, as has been suggested in the correspondence. In addition, the first floor bathroom window already installed on the southern elevation, in addition to another planned, are not changes which would attract a planning application in their own right.
- 4.13 The other matters raised, including proportionality and local character have been addressed, and the remaining issue of road safety highway parking and the risk of obstruction are substantially 'non-material' issues which are subject to other legislative enforcement.

## 5.0 Conclusions and Recommendations

- 5.1 Though this is an unusual case, and a degree of interpretation has been necessary in relation to the appropriate policies, the weight of evidence is with the applicant on this occasion, and, therefore, **APPROVAL** is recommended subject to the following conditions:
1. A6 (Full with no reserved matters)
  2. A11 (Approved Plans)
  3. B6 (External materials – approved plan)
  4. Hedge retention

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Reason for Approval

With reference to the special circumstances of the case, the proposed extensions are considered to be of an appropriate size, scale and design in relation to the dwelling curtilage as defined, and will have no perceptible impact upon the local streetscene. The impact of the extensions upon neighbouring properties has been carefully assessed and it is considered that no undue loss of privacy or amenity would occur as a result of the development. Accordingly, the proposal is considered to be in compliance with Policy CP11 of the Adopted Wyre Forest Core Strategy, notwithstanding the conflict with Policy D.17 of the Adopted Wyre Forest District Local Plan.

## Agenda Item No. 5

**Application Reference:** 10/0732/FULL      **Date Received:** 21/01/2011  
**Ord Sheet:** 383035 276535      **Expiry Date:** 18/03/2011  
**Case Officer:** Paul Wrigglesworth      **Ward:** Greenhill

**Proposal:** Development of single storey Class A3 restaurant / cafe unit and replacement public seating

**Site Address:** LAND ADJACENT TO UNIT 11(TKMaxx), WEAVERS WHARF, KIDDERMINSTER, DY101AA

**Applicant:** Henderson Global Investors

<b>Summary of Policy</b>	RT2 KTC.1 (AWFDLP) CP11 CP02 CP13 CP14 (AWFCS) QE3 (WMRSS) PPS1 PP4 PPS9 PPS25
<b>Reason for Referral to Committee</b>	Development Manager considers that the application should be considered by Committee
<b>Recommendation</b>	<b>APPROVAL</b>

### 1.0 Site Location and Description

1.1 The site for the proposed restaurant/café is the part of Weavers Wharf that includes a circular seating area. This open space lies adjacent to and between the River Stour and the TK Maxx building. The site area also includes an area of land on the opposite side of the river where replacement seating is proposed.

### 2.0 Planning History

- 2.1 06/0466/FULL – Erection of extensions and alterations including new shop fronts and remodelling of levels of Market Street for flood relief purposes : Withdrawn
- 2.2 08/0968/FULL - Erection of a glazed shop front extension to eastern elevation and change of use of part of ground floor to a restaurant and café use : Approved 18.12.08

### 3.0 Consultations and Representations

- 3.1 Highway Authority – No objection
- 3.2 Environment Agency – Views awaited

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- 3.3 British Waterways – No comments
- 3.4 West Mercia Police (Crime Risk Advisor) - No objection to the design of the building I would recommend that the windows are constructed with laminated glass to reduce the chances of them getting damaged. Any metal products used in the construction (such as lead flashing) should be kept to a minimum. If an air conditioning unit is to be installed it should be situated in an area that is well protected.
- 3.5 Seven Trent Water – No objection subject to a condition re drainage.
- 3.6 Countryside and Conservation Officer – No objection (see Officer Comments)
- 3.7 Worcestershire Wildlife Trust – Views awaited
- 3.8 Worcestershire Regulatory Services (Environmental Health) – Views awaited
- 3.9 Neighbour/Site Notice – No representations received
- 4.0 Officer Comments**
- 4.1 It is proposed to erect a single storey restaurant/café linked to the end elevation of the TK Maxx and situated on the area where there is public seating. The structure is of a contemporary design with glazed walls to the pedestrian street and most of the elevation facing the river. The structure incorporates an extensive overhanging roof canopy to the pedestrian area which will be in white panelling; the building fascias will be powder coated pressed metal (gun metal grey colour is proposed) and the walls where solid will be in timber panelling all of which should result in a crisp and largely transparent looking structure. Outside seating is proposed for customers both on the walkway side and in a 3 metre deep strip between the building and the river. A small retaining wall with railings will be required to protect a slight change in levels to accommodate seating along part of the pedestrian frontage.
- 4.2 This building will displace the existing circular seating area and it is proposed to replace this in a landscaped area diagonally opposite the café on the other side of the river. The new seating will however be in the form of two semi circles of seats rather than a single complete circle. The semi circular seats will face the river and semi circular brick paving bands will complete each the circle. The centre of the circles will also be paved so that they each represent the form of a chimney as in the existing arrangement. Additional benches will be provided for the public on the same side of the river as the new seating.

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Landscaping is proposed to compensate for the loss caused by the introduction of the new seating.

#### ISSUES

4.3 The main considerations in determining this application are:

- The principle of allowing the development
- The design of the building
- The loss of the seating/open space
- Ecology issues
- Flood Risk

#### THE PRINCIPLE OF ALLOWING THE DEVELOPMENT

4.4 Weavers Wharf lies within an area which is considered to fall within the primary shopping area. This is because of an indicative arrow on the proposals map in the Adopted Wyre Forest District Local Plan; due to various references to this effect in published documents since this date (e.g. The Wyre Forest Retail and Leisure Study Update February 2010) and applications since the development of Weavers Wharf have been dealt with on this basis.

4.5 The erection of a new unit within a primary shopping area for an A3 use such as this is permitted under the terms of Policy RT.2 of the Adopted Wyre Forest District Local Plan provided that it will:

- i) not result in a cluster of non-retail (A1) uses;
- ii) not unduly fragment the retail (A1) shop frontage;
- iii) be open for business during the day;
- iv) where applicable include an appropriate shop window and
- v) will not have an adverse impact on local amenity.

4.6 The proposal will not result in a clutter of non A1 uses and the principle of allowing a café has in any event been approved within and on this side of the TK Maxx building previously (by virtue of planning application 08/0968/FULL); it will not fragment the retail shop frontage as this will be the first unit after the river bridge when walking in a westerly direction; it will be open for business during the day and it will have an appropriate shop window. An A3 use will also not have an adverse effect on the amenity of the area in the sense of being a bad neighbour to residential uses as there are none in the vicinity of the site.

4.7 The application is consequently judged to be acceptable in principle.

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**DESIGN OF THE BUILDING**

- 4.8 The end of the TK Maxx building facing the river was originally envisaged to be the main entrance to the store but this entrance isn't used and as a result the rather plain looking windows and doors have posters in them rather than attractive shop window displays and overall the elevation looks rather bland and uninteresting. This is particularly unfortunate as this elevation is the focal point when looking into the Weavers Wharf area from Vicar Street.
- 4.9 The design of the proposed new restaurant/café is contemporary in its approach with large areas of glass facing the pedestrian street and on the return facing the river. It will complement the appearance of the TK Maxx building to which it is adjoined and add architectural interest to the Weaver Wharf development as a whole.

**THE LOSS OF THE SEATING AND OPEN SPACE**

- 4.10 This has been the main concern with this application but it must be noted that this area is not allocated as public open space and there is nothing to prevent the seats being removed by the site owners. Replacement public seating has been negotiated and will be provided as described under paragraph 4.1 above, and this is considered to be felt to be an acceptable arrangement.
- 4.11 In terms of the open area, whilst the space is well used in the summer months and on fine days the area is otherwise underused and the setting against the end of the TK Maxx building is rather unappealing. Whilst harbouring some misgivings about the loss of this space, on balance a new restaurant/café will result in visually more appealing and much more vibrant use of this potentially attractive riverside location.

**ECOLOGY ISSUES**

- 4.12 The Council's Countryside and Conservation Officer had originally expressed concerns about the placement of two of the public benches as they were to be sited on some waste land adjacent to the river frontage. This is close to a site which may be used by otters and the developers have consequently moved these seats on revised plans to the opposite side of the footpath. The Countryside and Conservation Office is satisfied with this new arrangement, and raises no objection.

**FLOOD RISK**

- 4.13 The views of the Environment Agency are awaited, but it is not anticipated that there will be an objection to this development.

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**5.0 Conclusions and Recommendations**

- 5.1 The proposal accords with policy advice and will both benefit the appearance of the TK Maxx building and add vitality to the Weavers Wharf development as a whole by increasing the active frontage to both the pedestrian and river frontage. These benefits are considered to outweigh the loss of the open seating area which will be re-sited in a different format on the opposite side of the river.
- 5.2 On balance it is recommended that **APPROVAL** be given subject to the following conditions:
1. A6 (Full with no reserved matters)
  2. A11 (Approved plans)
  3. The approved seating shall be installed prior to any other work on site commencing
  4. Samples of materials to be submitted.
  5. Landscaping
  6. Drainage

Reason for Approval

The application has been carefully considered with respect to the principle of allowing the development and with regard to issues that include the design of the building and its relationship with adjacent units; the provision of outdoor seating within Weavers Wharf; the effect on wildlife and on the floodplain and the application is consequently judged to be acceptable and compliant with the above mentioned policies in the Development Plan.

## Agenda Item No. 5

**Application Reference:** 11/0051/FULL      **Date Received:** 01/02/2011  
**Ord Sheet:** 381085 280922      **Expiry Date:** 29/03/2011  
**Case Officer:** Stuart Allum      **Ward:** Wolverley

**Proposal:** Single storey extension

**Site Address:** HOBRO BARN, HOBRO, WOLVERLEY,  
KIDDERMINSTER, DY115SZ

**Applicant:** Mr J Payne

<b>Summary of Policy</b>	GB.1, GB.2, GB.6, RB.1(ii), RB.6, D.17 (AWFDLP) CP11, CP12 (AWFCS) D.16, D.39 (WCSP) Design Quality SPG PPS2
<b>Reason for Referral to Committee</b>	Councillor request for application to be considered by Committee
<b>Recommendation</b>	<b>REFUSAL</b>

### 1.0 Site Location and Description

- 1.1 Hobro Barn is a detached three-bedroom residential conversion accessed from Bodenham Lane, Wolverley, in the Green Belt/Landscape Protection Area.
- 1.2 The footprint of the property is located adjacent to the northern boundary of the domestic curtilage, close to the vehicular access, which also serves two neighbouring dwellings.
- 1.3 This is a rural location characterised by a gently rolling landscape, generous rolling landscape, generous tree cover and small pools.

### 2.0 Planning History

- 2.1 WF.792/00 – Conversion of barn to dwelling : Approved 17/10/00
- 2.2 WF.1080/02 – Detached double garage : Refused 18/12/02; Allowed on Appeal 14/07/03
- 2.3 WF.1237/03 – Conservatory to side of barn : Refused 13/01/04; Dismissed on Appeal 13/10/04
- 2.4 10/0496/FULL – Single storey extension : Refused 21/10/10



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### **3.0 Consultations and Representations**

- 3.1 Wolverley and Cookley Parish Council – Views awaited
- 3.2 Highway Authority – Views awaited
- 3.3 Worcestershire County Council (Public Path Orders Officer) – Views awaited
- 3.4 Policy and Regeneration – Views awaited
- 3.5 Ramblers Association – We do not see that Wolverley and Cookley FP531 will be materially affected and hence have no objection.
- 3.6 Conservation Officer – Views awaited
- 3.7 Neighbour/Site Notice – No representations received

### **4.0 Officer Comments**

- 4.1 This is a resubmission following the refusal of an identical proposal under the scheme of delegation on 21 October 2010. The reasons for refusal were as follows:

*‘1. The application site lies within an area designated as part of the West Midlands Green Belt; the proposed development is considered inappropriate in this location as it would harm the openness of the Green Belt. The proposal is contrary to Policy GB.1 of the Adopted Wyre Forest District Local Plan, Policy D.39 of the Worcestershire County Structure Plan and the guidance of PPG2. There are no very special circumstances to justify why these policies should be overridden.*

*2. The proposed extension, when viewed cumulatively with the previously approved detached garage at close quarters, fails to demonstrate visual subservience in relation to the original dwelling. The resulting overall effect would therefore be to overwhelm the visual integrity of the original building. This is contrary to CP12 of the Wyre Forest District Local Development Framework Core Strategy, Policy D.17 of the Adopted Wyre Forest District Local Plan and guidance in the Adopted Supplementary Planning Guidance on Design’.*

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- 4.2 The original agricultural building was converted to residential use following approval in 2000. The basis of that approval was that the size of the building was considered suitable for residential use without the need for extensions. Subsequently however, a detached double garage was erected, having been allowed on Appeal following the Council's refusal of the application. Since these previous permissions, the current Local Plan was adopted in 2004, which of particular additional relevance incorporated Policy RB.5.
- 4.3 Policy RB.5 of the Adopted Wyre Forest District Local Plan makes it very clear that proposals for the extension of dwellings created through the re-use and adaptation of rural buildings will not be permitted. In this regard Members are advised that in 2004 an appeal against the Council's decision to refuse permission for a conservatory in exactly the same position as the extension proposed was dismissed by the Planning Inspectorate (WF.1237/03). The Inspector concluded that the conservatory as proposed at that time was contrary to PPG2, Policies 38 and 39 of the County Structure Plan and Policies GB.1, GB.2, GB.6, D.5, D.17 and RB.5 of the Local Plan.
- 4.4 Officers' concern in respect of this current application as with the previous is that the proposed development would result in further incremental encroachment, beyond the footprint of the original building, which would harm the openness of the Green Belt. That would be contrary to the purpose of including land in the Green Belt, which is to maintain the openness in perpetuity. The extension would also be contrary to Policy RB.5.
- 4.5 The grant of planning permission for the re-use of rural buildings in the Green Belt is regarded by the Council as exceptional circumstances by virtue of the fact that the buildings exist. Policy RB.1(ii) of the Adopted Wyre Forest District Local Plan seeks to ensure that such buildings are capable of being re-used without extension. In this case, the built form has already been extended by the provision of a double garage, as granted on Appeal in 2002.
- 4.6 A further addition, taken together with the garage, would represent a disproportionate increase to the original building, contrary to the aims and objectives of national guidance and policies of the development plan. On this basis, the proposal constitutes inappropriate development, which Planning Policy Guidance Note No.2 (Green Belts) advises is, by definition, harmful to the Green Belt. This is further reinforced via the Council's own Local Plan Green Belt policies. The Inspector's decision in respect of the previous conservatory proposal must also be a material consideration.

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4.7 In view of this conclusion, it is necessary to consider whether there are any very special circumstances, which will not exist unless the applicant can show that the harm resulting from inappropriateness is clearly outweighed by other substantial and overriding benefits.

4.8 In this regard the applicant has submitted a detailed supporting statement and NHS Consultant's letter providing evidence of claimed 'very special circumstances'. The letter as submitted is extremely detailed and contains personal information relating to the applicant's health which Officers do not consider appropriate to reproduce in full within a public document such as this report. However, the final summary paragraph is produced in part, as follows:

*"Mr Payne has (medical condition). His illness is likely to put increasing demands on him physically and in particular he is likely to have less energy and tire more easily over coming months. It is difficult to predict exactly what stage he will need one level accommodation, but to benefit from an extension to his barn, he would need this done in the very near future."*

4.9 The supporting statement as submitted follows on from the concluding paragraph of the NHS Consultant's letter, and states that:

*"The layout of the existing dwelling does not lend itself to internal conversion, which would meet (the applicant's) needs. The re-configuration of existing space on the ground floor has been contemplated. The study is a habitable room at the east end of the ground floor which was considered for conversion but this does not meet the space standards for disability bedroom accommodation ... The garage would offer sufficient space but is separated by several metres from the main house. An extension is therefore the only solution."*

4.10 Whilst Officers have every sympathy with the applicant, despite the claims made Officers are not convinced that alternatives to what is currently being proposed have been explored in sufficient detail. The conversion of the study, for instance, might be appropriate with a more modest and more sympathetic extension. Similarly, the conversion of the garage could be achieved with a modest link to the main dwelling. However, such schemes have not been submitted for proposal and Members must consider the current scheme as submitted.

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- 4.11 Again, whilst being sympathetic to the applicant's condition, this does not, in Officers' opinion, amount to very special circumstances sufficient enough to outweigh the harm, by definition, of the proposed extension to the openness of the Green Belt. Furthermore, the proposed extension would be contrary to Policy RB.5 of the adopted Local Plan.
- 4.12 With regard to issues of amenity and privacy, the rights enjoyed by the neighbouring properties under the provisions of Article 1 of Protocol 1 and Article 8 of the Human Rights Act 1998 have been balanced against the scope of the development in that context.
- 4.13 No potential breach has been identified, which is also the case in relation to the relevant planning policy on residential amenity.
- 4.14 The application raises no specific concerns regarding the effect on landscape quality or highways safety. However, and notwithstanding the information shown on the submitted site location plan, this application does not include any proposed works in the public highway, including the provision of 'passing places'. Revised plans confirming this are being sought.

## 5.0 Conclusions and Recommendations

- 5.1 Whilst being mindful of the personal circumstances of the applicant, Officers are not satisfied that sufficient consideration has been made to make better use of existing accommodation at the property. The extension as proposed would be contrary to Green Belt and Rural Buildings policies in particular. Officers have considered the circumstances as presented but do not consider that they amount to being 'very special circumstances', sufficient enough to outweigh the harm to the Green Belt.
- 5.2 In consideration of Article 1 of Protocol 1 and Article 8 of the Human Rights Act 1998, it is recommended that this application be **REFUSED** for the following reasons:
  - 1. The application site lies within an area designated as part of the West Midlands Green Belt; the proposed development consists of an extension to the dwelling which has been created through the re-use of a rural building and is considered inappropriate in this location as it would harm the openness of the Green Belt. The proposal is contrary to Policies GB.1 and RB.5 of the Adopted Wyre Forest District Local Plan, Policy D.39 of the Worcestershire County Structure Plan and the guidance of PPG2. There are no very special circumstances to justify why these policies should be overridden.

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2. The proposed extension, when viewed cumulatively with the previously approved detached garage at close quarters, fails to demonstrate visual subservience in relation to the original dwelling and would extend a dwelling which has previously been created via the conversion of a former rural building. The resulting overall effect would therefore be to overwhelm the visual integrity of the original building. This is contrary to Policies D.17 and RB.5 of the Adopted Wyre Forest District Local Plan, Policy CP11 of the Adopted Wyre Forest Core Strategy and guidance in the Adopted Supplementary Planning Guidance on Design.

## Agenda Item No. 5

**Application Reference:** 11/0054/RESE      **Date Received:** 02/02/2011  
**Ord Sheet:** 381720 273479      **Expiry Date:** 04/05/2011  
**Case Officer:** Paul Round      **Ward:** Lickhill

**Proposal:** Proposed three storey office development, together with ancillary parking and landscaping

**Site Address:** FINEPOINT WAY, FINEPOINT BUSINESS PARK, OFF WALTER NASH ROAD, KIDDERMINSTER, DY117FB

**Applicant:** HXRUK (KP DEV) LTD

<b>Summary of Policy</b>	D.4, D.10, D.11, D.15, D.16, NR.2, GB.6, TR.17 (AWFDLP) DS01, CP01, CP02, CP08, CP12, CP13, CP15 (AWFCS) D.26, D.43, T.1 (WCSP) PA1, QE3 (WMRSS) Design Quality SPG PPS1, Supplement to PPS1 (Climate Change), PPS4, PPS9, PPS22, PPS23, PPG13
<b>Reason for Referral to Committee</b>	'Major' planning application
<b>Recommendation</b>	<b>APPROVAL</b>

### 1.0 Site Location and Description

- 1.1 The site forms a 0.25ha (0.61 acre) site located within the Finepoint business park development, which is situated on the boundary of Stourport on Severn and Kidderminster bounded by Minster Road to the east and Walter Nash Road West to the north. The site lies directly to the south west of the recently approved, but as yet unimplemented site for the Council's Single Site offices. The site is affected by a Tree Preservation Order.
- 1.2 The site is surrounded on all sides by business development with the nearest residential development being approximately 380m to the north-west. The Green Belt and Landscape Protection Area lie beyond the business park to the south. The County Council has identified the landscape surrounding the business park as part of the Sandstone Estatelands landscape character type, which is described as an open, rolling landscape characterised by an ordered pattern of large, arable fields, straight roads and estate plantations. Despite the fact that this is a functional landscape, the consistent geometric pattern can convey a strong sense of visual unity.

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- 1.3 The application is submitted in reserved matters form seeking approval of siting, design, external appearance, landscaping and access for new offices along with car parking and other associated works.

**2.0 Planning History**

- 2.1 Various applications have been submitted on the site. Those of relevance are:-
- 2.2 WF.526/00 – Industrial Units (Outline) : Approved
- 2.3 WF.1255/04 – Variation of condition to extend period for submission of reserved matters and implementation : Approved
- 2.4 05/1245/FULL – Variation of conditions to allow phased development of the site : Approved
- 2.5 06/0530/RESE –10 Industrial Units and Access Road (Phase 1) : Approved
- 2.6 07/0875/RESE –B2 / B8 Development (City Link - Phase 2) : Approved
- 2.7 08/0912/RESE – 3 storey office development (Pure Offices - Phase 3) : Approved (not implemented)
- 2.8 09/0087/FULL - Variation of condition 4 of 05/1245/FULL to allow alterations to phasing of development – Approved
- 2.9 10/0254/FULL - New substation to serve future development – Approved (not implemented – expires 11<sup>th</sup> December 2011)
- 2.10 10/0551/RESE - Erection of new Civic Offices for Wyre Forest District Council with associated car parking (Part Phase 4) – Approved (not implemented)
- 2.11 11/0055/RESE - Proposed Distribution Centre with three storey offices, together with ancillary serving, parking and landscaping – Pending Consideration.

**3.0 Consultations and Representations**

- 3.1 Stourport-on-Severn Town Council – Views awaited
- 3.2 Highway Authority – Views awaited

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3.3 Arboricultural Officer - Views awaited

3.4 Neighbour/Site Notice – No representations received

**4.0 Officer Comments**

4.1 The principle of this development has been established by the outline approval. It therefore falls to consider the detail on the proposal via the Reserved Matters submission. Whilst it is appreciated that the application proposes office development, the outline application included office accommodation at the level proposed in this location. In consideration of this application I will comment on each of the Reserved Matters.

**MEANS OF ACCESS**

4.2 The access to the development will be directly off the existing access road that formed part of the phase 1 development. As part of that phase and the original outline, the Highway Authority assessed the junction both with Walter Nash Road and with Minster Road, and judged it to be capable of accommodating the traffic involved with the whole development. As such I do not consider that there are any outstanding access issues to be addressed in respect of this application. .

**SITING**

4.3 The proposed office block will be situated adjacent to the south western boundary of the Council owned land. It is orientated to run parallel to the Minster Road to which it will front onto. The entrance will be to the rear and facing the access and car parking. The office building will be located approximately 28.5m from the approved Council offices.

4.4 Surrounding the building, car parking is proposed in a logical and ordered way along with cycle and disabled parking provision. Footpath linkages also exist with the surrounding development, allowing freedom of movement within the site.

4.5 No neighbouring properties or uses, including the Council's proposed offices, will be adversely affected by the proposals.

4.6 Overall, the positioning of the development accords with the original masterplan and will not prejudice the visual amenities of the area. As such I consider that the siting of the building is acceptable.



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#### DESIGN AND EXTERNAL APPEARANCE

4.7 In respect of the design and external appearance of the development, the three storey building is of clear modern design utilising glazed elements and silver and white wall finishes. Brise Soleil are proposed to shade the windows both of which will be aluminium and coloured turquoise. The building will be three storey flat roof design with plant room above and will reach a total height of approximately 13.5m, allowing a visual rise from the 11.5m high phase 3 offices to the 14.5m proposed Council offices, and giving a conformity of height along the Minster Road frontage.

4.8 I consider that the design and external appearance of the development is acceptable and ties in with the surrounding buildings. It is worthy of note that the design and external appearance of the previously approved Council's offices is of a marked difference to what is hereby proposed. However, this aids with the distinction between Civic and commercial buildings on the Finepoint development site.

#### LANDSCAPING

4.9 The areas of landscaping effectively break up the service / parking areas and will give a green approach to the estate road and the internal spaces of this site. Although there are only small areas of landscaping, these are maximised through a detailed and carefully prepared soft landscaping plan. A hedgerow is proposed along the boundary with the Minster Road and the Council's site, with a number of White Stem Birch trees around the site. The remaining areas will be landscaped with shrub and ground cover planting with a single Scots Pine sited to the north to define the design of the building. The views of the Arboricultural Officer are awaited.

#### OTHER MATTERS

4.10 Members will be aware of the Government's agenda for seeking energy efficient developments and that Policy CP01 of the now adopted Core Strategy DPD gives a structure for decision making in this context. To support this aim the applicant has stated:

*"The development will be designed and built to meet and exceed the requirements of the Building Regulations, specifically with regard to energy efficiency. Using specialist consultants, the services will be designed and specified to minimise the running costs and impact upon the environment whilst at the same time being mindful of installation costs and rates of return.*

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*Any of the following list of measures could be used either as a combination of measures or in total to represent the equivalent of a minimum of 10% on site energy generation:*

- *Increased Air Tightness*
- *PIR Lighting Control*
- *Low Maintenance Landscaping*
- *Materials - recycled and sustainable materials*
- *Sustainable Urban Drainage and Ecology*
- *Solar Water Heating*
- *Photovoltaic Cells”*

4.11 This approach conforms to the policy objective of sustainable development as required by national and local policy

## **5.0 Conclusions and Recommendations**

5.1 I consider that the submitted reserved matters in respect means of access, siting, design, external appearance and landscaping are acceptable and in conformity with the principles established at the time of the original outline permission for the Finpoint site. The design and appearance of the building is considered appropriate and the relationship to the recently approved Single Site offices for the Council is also appropriate.

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

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

### Reason for Approval

The proposed development is acceptable in terms of its access, siting, design, external appearance and landscaping and is compliant with Development Plan policies, and consistent with the principles established at the time of the original Outline planning permission.

## Wyre Forest District Council

Planning Committee Meeting 08 March 2011

### List of Pending Applications

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

WF No.	Valid Date	Target Date	Address of Site	Description of Proposal	Applicant	Case Officer
WF/0469/05	29/04/2005	24/06/2005	1 OX BOW WAY KIDDERMINSTER DY102LB	Full : Change of use of 3m strip of land, enclosure with timber fence - Variation to Conditions 11 and 12 of WF.222/94; Variation to Section 106 Agreement, 3 metre strip of land to rear of	The Owners of,	Paul Round
08/0034/LIST	17/01/2008	13/03/2008	20, 21 & 22 HORSEFAIR KIDDERMINSTER DY102EN	Demolition of 20, 21 & 22 Horsefair	Wyre Forest Community Housing Ltd	Paul Wrigglesworth
08/0035/FULL	17/01/2008	13/03/2008	20,21,22 & 23 HORSEFAIR KIDDERMINSTER DY102EN	Demolition of existing buildings and erection of 5 No affordable dwellings	Wyre Forest Community Housing Ltd	Paul Wrigglesworth

WF No.	Valid Date	Target Date	Address of Site	Description of Proposal	Applicant	Case Officer
08/0445/S106	01/05/2008	26/06/2008	FORMER STOURVALE WORKS DEVELOPMENT OFF OXBOW WAY KIDDERMINSTER DY102LB	Variation of S106 Agreement to allow alternative access arrangements to Puxton Marsh and non-provision of on site play area.	Cofton Ltd	Paul Round
08/0495/FULL	19/05/2008	18/08/2008	THE OLD POST OFFICE SITE BLACKWELL STREET KIDDERMINSTER DY102DY	Retention/Refurbishment of Old Post Office frontage building, demolition to rear and construction of 54 apartments with undercroft parking.	Regal Executive Homes	Paul Wrigglesworth
08/0500/FULL	22/05/2008	21/08/2008	LAND AT CORNER OF THE TERRACE/TENBURY ROAD CLOWS TOP KIDDERMINSTER DY14 9HG	Erection of 12 dwellings with associated parking & access	Marcity Developments Ltd	Paul Round
08/0768/OUTL	08/08/2008	07/11/2008	FORMER CARPETS OF WORTH FACTORY SEVERN ROAD STOURPORT-ON-SEVERN	Redevelopment of site to provide a mixed use development consisting of 159No. residential properties, Class A retail uses, Class B employment, Class C1 hotel and Class D2 assembly & leisure (outline)	Arab Investments Ltd	John Baggott
08/0787/FULL	12/08/2008	07/10/2008	93-94 NEW ROAD KIDDERMINSTER DY101AE	Erection of 8 flats, one shop and 2 office units, after demolition of existing shops.	Gordon Strain	Paul Wrigglesworth
08/1044/FULL	12/11/2008	11/02/2009	FORMER VICTORIA SPORTS FIELD SPENNELLS VALLEY ROAD KIDDERMINSTER	Erection of a hotel (C1); public house/restaurant (A4); indoor and outdoor bowling facility (D2), access, car parking, landscaping and associated works (Resubmission of 07/1165/FULL)	Victoria Carpets Ltd	Julia Mellor
09/0156/S106	03/03/2009	28/04/2009	TARN 1-16 SEVERN ROAD STOURPORT-ON-SEVERN	Variation of S.106 agreement attached to WF1208/04 to change tenure of affordable housing units	West Mercia Housing Group	Paul Round

WF No.	Valid Date	Target Date	Address of Site	Description of Proposal	Applicant	Case Officer
09/0181/FULL	13/03/2009	08/05/2009	LOWER HOUSE BARN ARELEY LANE STOURPORT-ON-SEVERN DY130TA	Retrospective application for the retention of the use of land for inclusion within the residential curtilage including retention of the shed and decking	Mr B Young	Stuart Allum
09/0223/FULL	30/03/2009	25/05/2009	39 LOAD STREET BEWDLEY DY122AS	Change of use from shop (A1) to tattoo studio (Sui Generis)	Etch Body Art	Stuart Allum
09/0575/CERTE	12/08/2009	07/10/2009	30 MALHAM ROAD STOURPORT- ON-SEVERN DY138NR	Storage of motorcycles in own garage for use as motorcycle training establishment	Mr T Meola	Paul Round
09/0588/OUTL	18/08/2009	17/11/2009	FORMER CARPETS OF WORTH FACTORY SEVERN ROAD STOURPORT-ON-SEVERN	Redevelopment of site to provide a mixed use development consisting of 159No. residential properties, Class A retail uses, Class B employment, Class C1 hotel and Class D2 assembly & leisure (outline)	Arab Investments Ltd	John Baggott
09/0598/CERTE	21/08/2009	16/10/2009	STABLE COTTAGE FOXMEAD CALLOW HILL ROCK KIDDERMINSTER DY149XW	Use of existing former stable block building as a dwelling.	Mr & Mrs M Kent	Julia Mellor
09/0602/S106	24/08/2009	19/10/2009	WM MORRISON SUPERMARKETS PLC GREEN STREET KIDDERMINSTER DY101AZ	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	Wm Morrison Supermarkets PLC	John Baggott
10/0056/FULL	05/02/2010	02/04/2010	SAIWEN LOWER HEATH STOURPORT-ON-SEVERN DY139PQ	Change of use of land to the rear of Sai Wen for a gypsy caravan site; for the siting of five static caravans, one mobile home, two touring caravan pitches, the erection of an amenity block and retention of existing dwelling for residential use	Mrs Betsy Wilson	Julia Mellor

WF No.	Valid Date	Target Date	Address of Site	Description of Proposal	Applicant	Case Officer
10/0121/CERTE	10/03/2010	05/05/2010	THE ORCHARD WORCESTER ROAD HARVINGTON KIDDERMINSTER DY104LY	Use part of site for the storage and sale of motor vehicles	MR N PERRINS	Paul Round
10/0181/CERTE	30/03/2010	25/05/2010	DOVEYS COTTAGE ROCK KIDDERMINSTER DY149DR	Use of land as residential curtilage associated with Doveys Cottage for a period in excess of ten years.	Mr Keith Billingsley	Paul Round
10/0348/FULL	16/06/2010	11/08/2010	BEWDLEY TENNIS CLUB STOURPORT ROAD BEWDLEY DY121BD	Erection of floodlights on to three tennis courts (Additional information received)	BEWDLEY TENNIS CLUB	Stuart Allum
10/0446/FULL	03/08/2010	28/09/2010	LAND ADJOINING 7 HARTLEBURY ROAD STOURPORT-ON-SEVERN DY139NL	Construction of three 2No. Bed houses & two 2 No. bed flats, new vehicle access (resubmission of extant planning permission 07/0614/FULL)	Mr J Barnett	Julia McKenzie-Watts
10/0445/LIST	04/08/2010	29/09/2010	THE TONTINE SEVERN SIDE STOURPORT-ON-SEVERN DY139EN	Re-pointing external brickwork, replacing facing bricks. Cast iron replacement rainwater pipes	RAYBONE DEVELOPMENTS LTD	Stuart Allum
10/0460/FULL	10/08/2010	05/10/2010	THE GABLES REST HOME 18 BROOMFIELD ROAD KIDDERMINSTER DY115PB	Single storey front and rear extension for 7 additional bedrooms, enlarged lounge and dining room, first floor front extension for lift and replace existing garage with office / laundry	Mr T Ramnial	James Houghton
10/0472/CERTP	17/08/2010	12/10/2010	HORSELEY COTTAGE HOBRO WOLVERLEY KIDDERMINSTER DY115TA	Conversion of existing garage to form ancillary accommodation. Proposed garden store	Mr C Fortnam	Paul Round

WF No.	Valid Date	Target Date	Address of Site	Description of Proposal	Applicant	Case Officer
10/0485/FULL	20/08/2010	15/10/2010	BROOME GROVE WORCESTER ROAD CLENT STOURBRIDGE DY9 0HS	Demolition and rebuilding of tractor shed, installation of manege and change of use of field to the keeping of horses: Entrance piers and gates	Mr B Hadlington	James Houghton
10/0505/FULL	26/08/2010	25/11/2010	BRIARS HOTEL 100 HABBERLEY ROAD KIDDERMINSTER DY115PN	Erection of 13 No. detached dwellings with associated access, parking and amenity space (substitution of house types previously approved under planning permission 08/0731/FULL)	Elan Real Estate Ltd	Julia McKenzie-Watts
10/0523/FULL	10/09/2010	10/12/2010	THE WATERMILL PARK LANE KIDDERMINSTER DY116TL	Fifty-one bed hotel and associated works	Marston's Pubs Ltd & Travelodge Hotels Ltd	Paul Wrigglesworth
10/0550/FULL	20/09/2010	20/12/2010	LAND ADJACENT TO SEBRIGHT ROAD KIDDERMINSTER DY115UE	The construction of ten affordable dwellings	Wyre Forest Community Housing	Paul Round
10/0558/FULL	23/09/2010	23/12/2010	CAR PARKING AREA AT END OF CHURCH STREET KIDDERMINSTER DY102AW	Extension of time period for implementation of Planning Permission 07/0829/FULL for a mixed re-development comprising offices, bistro and 14 apartments with under croft car parking	Wilkins Kennedy	Paul Wrigglesworth
10/0598/FULL	07/10/2010	02/12/2010	LAND ADJACENT TO 35 LONG ACRE KIDDERMINSTER DY102HA	Renewal of Planning Permission 07/0823 to erect a 3 No. bedroom dwelling	Mr S Milward	Paul Wrigglesworth
10/0617/FULL	14/10/2010	09/12/2010	YEW TREE COTTAGE GREY GREEN LANE BEWDLEY DY121LR	Single storey side extension and store building	Mr & Mrs Hadley	Stuart Allum
10/0633/FULL	22/10/2010	21/01/2011	PUXTON DRIVE KIDDERMINSTER DY115DR	Erection of 71 dwellings and associated roadworks	Bellway Homes West Midlands Ltd	Paul Round

WF No.	Valid Date	Target Date	Address of Site	Description of Proposal	Applicant	Case Officer
10/0659/RESE	04/11/2010	03/02/2011	SITE ADJACENT TO ROWBERRYS NURSERIES LOWER CHADDESLEY KIDDERMINSTER	Erection of a new primary school, together with caretakers accommodation, swimming pool, car parking, creation of new access off A448, landscaping and associated highway and infrastructure works (Reserved Matters following Outline Consent 07/0482/OUTL)	The Trustees of Chaddesley Corbett Primary School	John Baggott
10/0663/FULL	05/11/2010	31/12/2010	26 BLACKWELL STREET KIDDERMINSTER DY102DU	Conversion and modification of first and second floors to form 2No. self contained one bedroom flats	Mr D Cox	James Houghton
10/0669/LIST	05/11/2010	31/12/2010	HARBOROUGH COURT HARBOROUGH HALL BIRMINGHAM ROAD BLAKEDOWN KIDDERMINSTER DY103LH	Alterations and extensions to 3No. existing dwellings into adjacent outbuilding and the conversion of existing outbuildings to provide 1No. additional dwelling	Mr L Turner	Paul Wrigglesworth
10/0670/FULL	05/11/2010	31/12/2010	HARBOROUGH COURT HARBOROUGH HALL BIRMINGHAM ROAD BLAKEDOWN KIDDERMINSTER DY103LQ	Alterations and extensions to 3No. Existing dwellings into adjacent out-buildings and the conversion of existing out-buildings to provide 1No. Additional dwelling, ancillary accommodation for Barn Cottage together with the provision of new drive access and new Bio-Disc Treatment Plant	Mr L Turner	Paul Wrigglesworth
10/0695/FULL	19/11/2010	14/01/2011	THE TYTHE HOUSE BROOME STOURBRIDGE DY9 0ET	Erection of Timber stables and Tack room (To replace Planning Permission 06/1287/FULL)	Mr & Mrs D Potter	Stuart Allum
10/0712/ADVE	01/12/2010	26/01/2011	13 YORK STREET STOURPORT-ON-SEVERN DY139EF	Retention of internally illuminated fascia sign	Stourport Healthcare Ltd - Mr M J Falconer	Paul Round



WF No.	Valid Date	Target Date	Address of Site	Description of Proposal	Applicant	Case Officer
10/0737/CERTE	16/12/2010	10/02/2011	EASTHAMS FARM LOW HABBERLEY KIDDERMINSTER DY115RQ	Use of building as an independent dwelling	Mr R Jones	Paul Round
10/0744/FULL	21/12/2010	15/02/2011	PLAY AREA THE SLAD STOURPORT-ON-SEVERN DY139JW	Refurbishment of existing play area	Wyre Forest Community Housing	James Houghton
10/0749/FULL	23/12/2010	17/02/2011	CHURCH HOUSE BROOME STOURBRIDGE DY9 0HA	Demolition of existing large garage and garden store and the erection of a replacement garage and garden store on same footprint	Mr P Abel	Paul Wrigglesworth
10/0750/CAC	23/12/2010	17/02/2011	CHURCH HOUSE BROOME STOURBRIDGE DY9 0HA	Demolition of existing garage and erection of a new garage	Mr P Abel	Paul Wrigglesworth
10/0751/FULL	29/12/2010	30/03/2011	FORMER NATIONAL STANDARD LAND AT CORNER OF STOURPORT ROAD AND WALTER NASH ROAD WEST KIDDERMINSTER DY117PZ	Change of use of site and construction of a new two storey car showroom building, single storey valet unit, associated refuse enclosures and fencing, plus hard and soft landscaping to a brownfield site	CMS Kidderminster	Paul Round
10/0752/FULL	30/12/2010	24/02/2011	ROSE COTTAGE CLATTERCUT LANE CHADDESLEY CORBETT KIDDERMINSTER DY104QT	Replacement dwelling with attached annexe for disabled dependant	Mr R Latham	Paul Round
11/0001/TREE	05/01/2011	02/03/2011	YEW TREE HOUSE 2A JELLEYMAN CLOSE KIDDERMINSTER DY116AD	Removal of Yew Tree	Mr & Mrs Baylis	Alvan Kingston
11/0002/FULL	05/01/2011	02/03/2011	16 THE SERPENTINE KIDDERMINSTER DY116NX	Two storey side extension to provide kitchen, laundry, wc, bedroom, ensuite and house bathroom	Mr M Royle	Julia McKenzie- Watts

WF No.	Valid Date	Target Date	Address of Site	Description of Proposal	Applicant	Case Officer
11/0003/TREE	05/01/2011	02/03/2011	34 SANDBOURNE DRIVE BEWDLEY DY121BN	Crown lift Coast Redwood at front of property and fell Sycamore in rear garden	Mr Goodwin	Alvan Kingston
11/0004/TREE	05/01/2011	02/03/2011	BLAKESHALL HALL BLAKESHALL WOLVERLEY KIDDERMINSTER DY115XP	Various tree works	Mr C Hind	Alvan Kingston
11/0006/FULL	06/01/2011	03/03/2011	3 HEIGHTINGTON ROAD BLISS GATE ROCK KIDDERMINSTER DY149YB	Two storey side extension	Mr K Bore	Julia Mellor
11/0008/TREE	07/01/2011	04/03/2011	LAND BETWEEN 8-11 TABBS GARDENS KIDDERMINSTER DY102DT	Removal of branches from two Ash trees	Westside Forestry Ltd	Alvan Kingston
11/0011/LIST	07/01/2011	04/03/2011	11 CHURCH STREET KIDDERMINSTER DY102AH	Installation of oval hanging sign on metal bracket above front door apex	PAINTERS SOLICITORS	Julia McKenzie-Watts
11/0012/ADVE	07/01/2011	04/03/2011	11 CHURCH STREET KIDDERMINSTER DY102AH	Installation of hanging sign above front door apex	PAINTERS SOLICITORS	Julia McKenzie-Watts
11/0013/LIST	07/01/2011	04/03/2011	29 CHURCH STREET KIDDERMINSTER DY102AU	Installation of oval hanging sign on metal bracket above front door apex	PAINTERS SOLICITORS	Julia McKenzie-Watts
11/0014/ADVE	07/01/2011	04/03/2011	29 CHURCH STREET KIDDERMINSTER DY102AU	Hanging sign above front door apex	PAINTERS SOLICITORS	Julia McKenzie-Watts
11/0016/FULL	07/01/2011	04/03/2011	GORST HILL FARM ROCK KIDDERMINSTER DY149YJ	Installation of a 18.3m high (24.8m to upright tip of blade) freestanding 11kw twin blade wind turbine	Mr D Nott	Julia Mellor
11/0017/ADVE	10/01/2011	07/03/2011	CURRYS LTD CARPET TRADES WAY CROSSLEY RETAIL PARK KIDDERMINSTER DY116DY	2 no replacement signs and 4 new box signs all internally illuminated	DSGI	Julia McKenzie-Watts
11/0018/LIST	11/01/2011	08/03/2011	25-26 WYRE HILL BEWDLEY DY122UG	Replace 9 windows to front of property	Mr S Lisle	James Houghton

WF No.	Valid Date	Target Date	Address of Site	Description of Proposal	Applicant	Case Officer
11/0019/FULL	11/01/2011	08/03/2011	APPLECROFT BROOME STOURBRIDGE DY9 0HA	Proposed extension	Mr D Clement	Paul Wigglesworth
11/0020/FULL	12/01/2011	09/03/2011	OLD SCHOOL HOUSE STAKENBRIDGE LANE CHURCHILL KIDDERMINSTER DY103LT	Dismantling and rebuilding existing garage in new location and external landscape works	MR R OWEN	Stuart Allum
11/0022/FULL	14/01/2011	11/03/2011	2 STATION VIEW STATION ROAD BEWDLEY DY121BT	Replacement rear conservatory	Five star Windows	Stuart Allum
11/0023/FULL	14/01/2011	11/03/2011	4 AGGBOROUGH CRESCENT KIDDERMINSTER DY101LG	Rear two storey extension with tiled pitched roof	Mr J Green	Julia McKenzie- Watts
11/0024/FULL	17/01/2011	14/03/2011	HOLBEACHE LODGE TRIMPLEY BEWDLEY DY121PB	Two storey rear extension, erection of detached garage and formation of new vehicular access	Mr J Corbo	Paul Round
11/0025/FULL	18/01/2011	15/03/2011	ISABELLES ALBERT ROAD KIDDERMINSTER DY101SP	Demolition of existing building and rebuild a two storey building comprising of a two bedroom and one bedroom flat	Mrs M Edwards	Stuart Allum
11/0027/FULL	18/01/2011	15/03/2011	WEST MIDLAND SAFARI PARK SPRING GROVE BEWDLEY DY121LF	Erection of refreshment servery building and covered picnic area along with childrens play area following removal of existing `cine-dome`	Mr D Chorley	Paul Round
11/0028/FULL	19/01/2011	16/03/2011	26 LOW HABBERLEY KIDDERMINSTER DY115RA	Single and two storey rear extensions and front bay window extension	Mr & Mrs N Stone	Julia McKenzie- Watts
11/0031/TREE	20/01/2011	17/03/2011	GREENACRES DOWLES ROAD GREENACRES LANE BEWDLEY DY122RE	Reduce T1 by 50% and remove T2	Mr Loveridge	Alvan Kingston

WF No.	Valid Date	Target Date	Address of Site	Description of Proposal	Applicant	Case Officer
11/0032/TREE	20/01/2011	17/03/2011	10 CAMPION WAY BEWDLEY DY121HW	Fell Lime tree	MRS H LAD	Alvan Kingston
11/0033/FULL	20/01/2011	17/03/2011	CURRYS LTD CARPET TRADES WAY CROSSLEY RETAIL PARK KIDDERMINSTER DY116DY	Installation of condensers in external galvanised enclosure	Dixon Retail Ltd	James Houghton
10/0732/FULL	21/01/2011	18/03/2011	LAND ADJACENT TO UNIT 11(TKMaxx) WEAVERS WHARF KIDDERMINSTER DY101AA	Development of single storey Class A3 restaurant / cafe unit and replacement public seating	Henderson Global Investors	Paul Wrigglesworth
11/0037/RESE	24/01/2011	21/03/2011	BIRCHLANDS SHATTERFORD BEWDLEY DY121TP	Erection of Agricultural Workers Dwelling (Submission of reserved matters for layout, scale, appearance, access and landscaping)	Mr D Bebb	Paul Round
11/0038/FULL	24/01/2011	21/03/2011	THE HILL 41 HARTLEBURY ROAD STOURPORT-ON-SEVERN DY139JA	Replacement garage, store and home office	Mr W Franklyn	James Houghton
11/0035/OUTL	25/01/2011	22/03/2011	LAND ADJOINING WARD BUNGALOW CLEOBURY ROAD ROCK KIDDERMINSTER DY149EB	Erection of two storey dwelling (Outline Application with all matters reserved)	Mr Roberts	Julia McKenzie- Watts
11/0036/TREE	25/01/2011	22/03/2011	45/46 MARLPOOL LANE KIDDERMINSTER DY115DD	Crown lift a mature oak (under shared ownership)	Miss Shuck	Alvan Kingston
11/0039/FULL	25/01/2011	22/03/2011	BROOKFIELD FARM BELBROUGHTON STOURBRIDGE DY9 0DL	Construction of an Agricultural Storage Lagoon for slurry / dirty water	BROOKFIELD FARMS	Stuart Allum

WF No.	Valid Date	Target Date	Address of Site	Description of Proposal	Applicant	Case Officer
11/0040/FULL	25/01/2011	22/03/2011	111 SUTTON PARK ROAD KIDDERMINSTER DY116JG	Single storey rear extension to enclose swimming pool, single storey and canopy extensions to front and rear, detached garage (Renewal of Planning Permission 08/0144/FULL)	Mrs M McLean	James Houghton
11/0041/ADVE	25/01/2011	22/03/2011	WEST MIDLAND SAFARI PARK SPRING GROVE BEWDLEY DY121LF	Retention of internally illuminated free standing sign and provision of internally illuminated light boxes within existing sign structures	WEST MIDLAND SAFARI PARK	Paul Round
11/0042/FULL	28/01/2011	25/03/2011	THE STABLES LOW HABBERLEY FARM LOW HABBERLEY KIDDERMINSTER DY115RE	Velux roof windows	MR DAVID PARK	James Houghton
11/0043/LIST	28/01/2011	25/03/2011	THE STABLES LOW HABBERLEY FARM LOW HABBERLEY KIDDERMINSTER DY115RE	Velux roof windows	MR DAVID PARK	James Houghton
11/0044/FULL	28/01/2011	25/03/2011	2 BORRINGTON ROAD KIDDERMINSTER DY103ED	Two storey side extension for additional bedrooms, utility and reception room	Mr & Mrs Conway	Julia McKenzie-Watts
11/0045/TREE	31/01/2011	28/03/2011	7 CARDINAL DRIVE KIDDERMINSTER DY104RZ	Crown lift a yew tree; fell a fir tree	Mr M Hayes	Alvan Kingston
11/0046/FULL	31/01/2011	28/03/2011	42 LIONFIELDS ROAD COOKLEY KIDDERMINSTER DY103UG	Erection of a single storey conservatory/glasshouse to rear of the property	Mr J Howles	James Houghton
11/0047/FULL	31/01/2011	28/03/2011	NEW OAK BARN AUSTCLIFFE ROAD COOKLEY KIDDERMINSTER DY103UP	Extension to existing Stable Block to form 2 No. additional Stables and demolition of existing Dutch Barn	MR D BORASTON	Stuart Allum

WF No.	Valid Date	Target Date	Address of Site	Description of Proposal	Applicant	Case Officer
11/0048/FULL	31/01/2011	28/03/2011	MARSALA CALLOW HILL ROCK KIDDERMINSTER DY149XL	Erection of first floor extension, including dormer windows, over approved single storey flat roof rear extension	Mr R S Hayer	James Houghton
11/0057/ADVE	31/01/2011	28/03/2011	LIDL UK GMBH VALE ROAD STOURPORT-ON-SEVERN DY138YJ	3No. Internally illuminated fascia signs and 1No. Internally illuminated 7m pole sign	LIDL UK GMBH	Paul Round
11/0049/FULL	01/02/2011	29/03/2011	1 SEVERNSIDE STOURPORT-ON- SEVERN DY139EN	Change of use of first floor office to coffee shop and provision of outdoor seating area to side	Mrs L Round	Julia Mellor
11/0050/LIST	01/02/2011	29/03/2011	1 SEVERNSIDE STOURPORT-ON- SEVERN DY139EN	Internal works to convert first floor to coffee shop	Mrs L Round	Julia Mellor
11/0051/FULL	01/02/2011	29/03/2011	HOBRO BARN HOBRO WOLVERLEY KIDDERMINSTER DY115SZ	Single storey extension	Mr J Payne	Stuart Allum
11/0053/RESE	02/02/2011	04/05/2011	PLOT 1 FINEPOINT WAY FINEPOINT BUSINESS PARK OFF WALTER NASH ROAD KIDDERMINSTER DY117FB	Proposed Distribution Centre with three storey offices, together with ancillary serving, parking and landscaping	HXRUK (KP DEV) LTD	Paul Round
11/0054/RESE	02/02/2011	04/05/2011	FINEPOINT WAY FINEPOINT BUSINESS PARK OFF WALTER NASH ROAD KIDDERMINSTER DY117FB	Proposed three storey office development, together with ancillary parking and landscaping	HXRUK (KP DEV) LTD	Paul Round
11/0058/FULL	02/02/2011	30/03/2011	LEM CROFT NEW ROAD FAR FOREST KIDDERMINSTER DY149TG	Proposed conservatory/sun room and front porch extension	Miss S Watkins	Julia McKenzie-Watts

WF No.	Valid Date	Target Date	Address of Site	Description of Proposal	Applicant	Case Officer
11/0056/FULL	03/02/2011	31/03/2011	48 CONNAUGHT AVENUE KIDDERMINSTER DY116LS	First floor balcony to rear of property over existing ground floor extension (with side Screen)	Mr D Benfield	Paul Wrigglesworth
11/0059/FULL	03/02/2011	31/03/2011	28 MILFORD AVENUE STOURPORT-ON-SEVERN DY138QY	Side extension to kitchen and dining room	Mr Rose	James Houghton
11/0061/FULL	03/02/2011	31/03/2011	ARELEY KINGS VILLAGE HALL ARELEY COMMON STOURPORT- ON-SEVERN DY130NB	Installation of solar panels	MR GRAHAM BALDWIN	Stuart Allum
11/0055/TREE	04/02/2011	01/04/2011	24 THE CROFT KIDDERMINSTER DY116LX	Various Tree Works	MrJ Davenport	Alvan Kingston
11/0062/FULL	04/02/2011	01/04/2011	9 SEVERN QUAY BEWDLEY DY122DQ	Alter existing window at first floor level to become french doors and construct bridge link with spiral stairs to provide access to existing walled garden	Mrs C Mathieson	James Houghton
11/0063/FULL	04/02/2011	01/04/2011	12 PHEASANT CLOSE KIDDERMINSTER DY104HJ	Proposed bedroom extension with en-suite, garage conversion to study / utility room	Mr P Parker	James Houghton
11/0065/FULL	04/02/2011	01/04/2011	15 LONGBOAT LANE STOURPORT-ON-SEVERN DY138AE	Two storey side and rear extension	Mr & Mrs Li	James Houghton
11/0064/FULL	07/02/2011	04/04/2011	19 BROOKSIDE WAY BLAKEDOWN KIDDERMINSTER DY103NE	First floor side and single storey rear extensions	Ms J Baker	James Houghton
11/0066/FULL	07/02/2011	04/04/2011	2 HERMITAGE WAY STOURPORT- ON-SEVERN DY130DA	Two storey and single storey extensions to rear and porch and canopy to front	Mr R Parker	James Houghton

WF No.	Valid Date	Target Date	Address of Site	Description of Proposal	Applicant	Case Officer
11/0067/LIST	07/02/2011	04/04/2011	H S B C 15 LOAD STREET BEWDLEY DY122AE	Proposed alterations and repairs	Euro-Tel Design Ltd	Julia McKenzie- Watts
11/0068/FULL	07/02/2011	04/04/2011	64 BORRINGTON ROAD KIDDERMINSTER DY103EJ	Change of use of amenity land and erection of a boundary fence with gravel boards and railings. Access for parking of vehicles via gated entrance	Mr S Maclaren	Julia McKenzie- Watts
11/0069/FULL	07/02/2011	04/04/2011	HOLBEACHE HOUSE TRIMPLEY BEWDLEY DY121PA	Conversion of redundant agricultural buildings and squash court to form four residential units. Demolition of steel framed buildings and erection of detached car port and garden store/workshop	Mr J Corbo	Paul Round
11/0070/FULL	07/02/2011	04/04/2011	UPPER NORCHARD FARM NETHERTON LANE DUNLEY STOURPORT-ON-SEVERN DY130UJ	Extension and alteration to existing house to provide additional accommodation. Construction of a detached garage and log store	Mr & Mrs D'Aniello	Paul Round
11/0071/LIST	07/02/2011	04/04/2011	UPPER NORCHARD FARM NETHERTON LANE DUNLEY STOURPORT-ON-SEVERN DY130UJ	Extension and alteration to existing house to provide additional accommodation. Construction of a detached garage and log store	Mr & Mrs D'Aniello	Paul Round
11/0072/FULL	09/02/2011	06/04/2011	LIVERIDGE FARM RIBBESFORD BEWDLEY DY122UA	Construction of horse manege with alterations to ground level (Resubmission of Planning Application 10/0728/FULL)	Mr M Ellis	Stuart Allum
11/0075/FULL	09/02/2011	06/04/2011	30 OAKFIELD ROAD KIDDERMINSTER DY116PN	Proposed side and rear extension to form enlarged kitchen and utility	Mr P Collins	Julia McKenzie- Watts



WF No.	Valid Date	Target Date	Address of Site	Description of Proposal	Applicant	Case Officer
11/0082/FULL	09/02/2011	06/04/2011	BLUNTINGTON FARM BRIAR HILL CHADDESLEY CORBETT KIDDERMINSTER DY104NW	Change of use of redundant agricultural buildings to form single dwelling (re-submission of applications 10/0588/FULL and 10/0589/LIST, revised to propose demolition of existing dutch barn and replacement with smaller new-build outbuilding to provide garaging and storage for the residential conversion)	King Henry VIII Endowed Trust	Paul Wrigglesworth
11/0073/FULL	10/02/2011	07/04/2011	1-3 EXCHANGE STREET BANK BUILDINGS KIDDERMINSTER DY101BT	Alterations associated with the change of use from A1 to A3/A4/A5	Mr S Culwick	Stuart Allum
11/0074/LIST	10/02/2011	07/04/2011	1-3 EXCHANGE STREET BANK BUILDINGS KIDDERMINSTER DY101BT	Alterations in association with the change of use from A1 to A3/A4/A5	Mr S Culwick	Stuart Allum
11/0076/CERTP	10/02/2011	07/04/2011	THE HAVEN BLAKESHALL WOLVERLEY KIDDERMINSTER DY115XR	Proposed single storey outbuilding	MR & MRS POWELL	Paul Round
11/0077/FULL	10/02/2011	07/04/2011	28 DOTTEREL PLACE KIDDERMINSTER DY104UD	Two storey side extension	Mr&Mrs Horton	James Houghton
11/0007/FULL	11/02/2011	08/04/2011	40 LINDEN AVENUE KIDDERMINSTER DY103AA	Two storey side and single storey rear extension	Mr A Higgs	James Houghton
11/0078/CERTP	11/02/2011	08/04/2011	156 KIDDERMINSTER ROAD BEWDLEY DY121JD	Formation of room in roof space with rear dormer extension and front roof light	MR & MRS HUMPHREY	Paul Round
11/0080/FULL	11/02/2011	08/04/2011	4 CHURCHILL LANE BLAKEDOWN KIDDERMINSTER DY103NB	Extension to existing single garage including provision for new dormer windows/roof lights	Mr & Mrs C Murphy	Julia McKenzie-Watts

WF No.	Valid Date	Target Date	Address of Site	Description of Proposal	Applicant	Case Officer
11/0079/FULL	14/02/2011	11/04/2011	56 CASTLE ROAD COOKLEY KIDDERMINSTER DY103TE	Single storey rear extension	Mrs G Blunn	James Houghton
11/0081/FULL	14/02/2011	11/04/2011	SEVERN VALLEY RAILWAY (HOLDINGS) PLC STATION DRIVE KIDDERMINSTER DY101QX	The re-erection of the former GWR Bridgnorth Motor Garage on the Severn Valley railway site at Kidderminster	SEVERN VALLEY RAILWAY (HOLDINGS) PLC	Stuart Allum
11/0083/FULL	14/02/2011	11/04/2011	PLAY AREA BASKERVILLE ROAD KIDDERMINSTER	Refurbishment of play area including new play equipment and outdoor sports court	Wyre Forest Community Housing	James Houghton
11/0084/FULL	14/02/2011	11/04/2011	COTTAGE FARM BROOME STOURBRIDGE DY9 0HA	Rebuild of existing rear wing with extension and first floor (including dormer windows)	Mr & Mrs E Clement	Paul Wrigglesworth
11/0086/FULL	15/02/2011	12/04/2011	GLEBE HOUSE CHURCHILL KIDDERMINSTER DY103LU	Proposed 25m x 50m manege	Mr A Allen	James Houghton
11/0087/FULL	15/02/2011	12/04/2011	19 TRINITY FIELDS KIDDERMINSTER DY102DF	Proposed rear and side single storey extension	Mr P Bassett	James Houghton
11/0090/FULL	15/02/2011	12/04/2011	FORMER STONE C OF E SCHOOL STONE KIDDERMINSTER DY104BE	Part Demolish Existing School Building. Conversion to form detached 4 bedroom house and construction of new 3 bedroom bungalow.	John Broadhurst	Paul Wrigglesworth
11/0088/FULL	16/02/2011	13/04/2011	9 BRINDLEY STREET STOURPORT-ON-SEVERN DY138JA	First floor rear extension to provide additional domestic space	Mr J Sehmi	Stuart Allum

WF No.	Valid Date	Target Date	Address of Site	Description of Proposal	Applicant	Case Officer
11/0094/FULL	16/02/2011	13/04/2011	SEAGARS LAMBSIE LANE SHENSTONE KIDDERMINSTER DY104DA	Extensions to side and rear elevations (Amendments to Planning Permission 10/0346/FULL) and detached double garage	Mr J Wallis	Paul Wrigglesworth
11/0095/FULL	16/02/2011	13/04/2011	64 COMBERTON ROAD KIDDERMINSTER DY103DX	Proposed first floor extension and front lean to roof	Mr & Mrs A Perkin	James Houghton
11/3002/AG	16/02/2011	16/03/2011	HORSELEY HILL FARM HORSELEY HILL WOLVERLEY KIDDERMINSTER DY115TD	Agricultural storage building	Mr J Colley	Paul Round
11/0089/LIST	17/02/2011	14/04/2011	12 KIDDERMINSTER ROAD BEWDLEY DY121AG	Renewal of roof covering to North Elevation. New timber window to rear elevation. New flat roof covering. New lead downpipes to South elevation.	Mr D Wilson	Julia McKenzie- Watts
11/0091/FULL	17/02/2011	14/04/2011	LAND ADJ THE MANOR HOUSE YIELDINGTREE BROOME STOURBRIDGE DY9 0EQ	Erection of 2 No. Solar Collector Arrays	Mr Mark Billingham	Paul Wrigglesworth
11/0092/FULL	17/02/2011	14/04/2011	76 AGGBOROUGH CRESCENT KIDDERMINSTER DY101LG	Demolition of existing attached out building and detached garage and the erection of new single storey side and rear extension to form new garage , utility, wc and conservatory	Mr S Rowan	Julia McKenzie- Watts
11/0093/FULL	17/02/2011	14/04/2011	16 OAKHILL AVENUE KIDDERMINSTER DY101LZ	Two Storey Side and Rear Extension to form enlarged Kitchen Utility & New Bedroom Over. Single Storey Rear Dining Room and Conservatory Extension		James Houghton

<b>WF No.</b>	<b>Valid Date</b>	<b>Target Date</b>	<b>Address of Site</b>	<b>Description of Proposal</b>	<b>Applicant</b>	<b>Case Officer</b>
11/0096/FULL	18/02/2011	15/04/2011	BROOME HOUSE BLAKESHALL WOLVERLEY KIDDERMINSTER DY115XR	Proposed rear glazed extension to house to link out building and proposed extension to existing garage to create garden/changing room	Mr James Cove	Paul Round
11/0097/FULL	21/02/2011	18/04/2011	7 MERTON CLOSE BEWDLEY DY122NY	Proposed rear extension	Mr A Keysell	Julia McKenzie-Watts
11/0098/FULL	21/02/2011	18/04/2011	2 PARK DINGLE BEWDLEY DY122JY	Provision of new driveway with drop kerb to give access from Wyre Hill	Mrs J Whiston	James Houghton
11/0099/FULL	22/02/2011	19/04/2011	119 ABBERLEY AVENUE STOURPORT-ON-SEVERN DY130LU	Extension to existing porch	Mr & Mrs McCammon	Stuart Allum

## WYRE FOREST DISTRICT COUNCIL

Planning Committee

08 March 2011

### PLANNING AND ENFORCEMENT APPEALS

Appeal and Application Number	Planning Inspectorate Reference	Appellant	Site (Proposal)	Form of Appeal and Start Date	Written Reps. or Statement Required By	Proof of Evidence required by	Public Inquiry, Hearing or Site Visit date	Decision
WFA1366 09/0588/OUTL	APP/R1845/A/10 /2128377/NWF	Arab Investments Ltd	FORMER CARPETS OF WORTH FACTORY SEVERN ROAD  Redevelopment of site to provide a mixed use development consisting of 159No. residential properties, Class A retail uses, Class B employment, Class C1 hotel and Class D2 assembly & leisure (outline)	HE  18/05/2010	29/06/2010		02/03/2011 Earl Baldwin Suite,	

Appeal and Application Number	Planning Inspectorate Reference	Appellant	Site (Proposal)	Form of Appeal and Start Date	Written Reps. or Statement Required By	Proof of Evidence required by	Public Inquiry, Hearing or Site Visit date	Decision
WFA1374 08/1056/CERT	APP/R1845/X/10 /2137298	Mr D Warren	8 BRIAR HILL CHADDESLEY CORBETT KIDDERMINSTER  Certificate of Lawfulness Application for a proposed rear extension	WR 01/10/2010	12/11/2010		10/01/2011	Allowed  01/02/2011
WFA1375 10/0274/FULL	APP/R1845/A/10 /2138592/NWF	Mr J Matthews	OXBINE CALLOW HILL ROCK KIDDERMINSTER DY149XB  Demolition of existing bungalow and replacement with 3No dwellings (amendment to schemes previously approved under applications 09/0505/FULL and 09/0506/FULL	WR 19/10/2010	30/11/2010		06/01/2011	Dismissed  03/02/2011

Appeal and Application Number	Planning Inspectorate Reference	Appellant	Site (Proposal)	Form of Appeal and Start Date	Written Reps. or Statement Required By	Proof of Evidence required by	Public Inquiry, Hearing or Site Visit date	Decision
WFA1376 10/0500/FULL	APP/R1845/A/10 /2140347/NWF	Mr G Attwood	ROBIN HOOD DRAYTON ROAD BELBROUGHTON STOURBRIDGE DY9  Re-Erection of former pig-sty in form previously approved under consent 10/0323 for use as an outdoor bar area	HE 17/11/2010	29/12/2010		05/04/2011 Earl Baldwin Suite,	
WFA1377 10/0475/FULL	APP/R1845/A/10 /2142256/NWF	Mr Russell Stevens	PARKHALL BIRMINGHAM ROAD KIDDERMINSTER  Erection of timber framed building for storage of marquees and associated fixtures and fittings (Resubmission of 10/0141/FULL)	WR 14/12/2010	25/01/2011		28/02/2011	

Appeal and Application Number	Planning Inspectorate Reference	Appellant	Site (Proposal)	Form of Appeal and Start Date	Written Reps. or Statement Required By	Proof of Evidence required by	Public Inquiry, Hearing or Site Visit date	Decision
WFA1378 10/0205/FULL	APP/R1845/A/10 /2142317/WF	Mr J Atkinson	ADJACENT TO 140 BEWDLEY HILL KIDDERMINSTER DY116BT  Erection of a detached dwelling, creation of rear access with garage	WR 17/12/2010	28/01/2011			
WFA1379 10/0428/FULL	APP/R1845/A/11 /2143452/NWF	Banner Homes Midlands Ltd	CASTLE ASH BIRMINGHAM ROAD BLAKEDOWN KIDDERMINSTER  Construct new access, access road and erection of 4 detached houses together with new garage for existing house	HE 10/01/2011	21/02/2011			



Appeal and Application Number	Planning Inspectorate Reference	Appellant	Site (Proposal)	Form of Appeal and Start Date	Written Reps. or Statement Required By	Proof of Evidence required by	Public Inquiry, Hearing or Site Visit date	Decision
WFA1380 10/0490/FULL	APP/R1845/D/11 /2143644	Mr & Mrs Hoare	WOODLAND COTTAGE TANNERS HILL BEWDLEY DY122LH  Proposed first floor extension with balcony	WR 13/01/2011				
WFA1381 10/0692/FULL	APP/R1845/A/11 /2145175/WF	Mr N Newman	419 HURCOTT ROAD KIDDERMINSTER DY102QQ  Change of use of annex to independent residential use	WR 01/02/2011	15/03/2011			
WFA1382 10/0578/FULL	APP/R1845/A/11 /2146900	Mr A North	LAND OFF KINVER LANE KINVER ROAD STABLES CAUNSALL  Rebuild and extend feed shed	WR 15/02/2011	29/03/2011			

Appeal and Application Number	Planning Inspectorate Reference	Appellant	Site (Proposal)	Form of Appeal and Start Date	Written Reps. or Statement Required By	Proof of Evidence required by	Public Inquiry, Hearing or Site Visit date	Decision
WFA1383 10/0655/FULL	APP/R1845/A/11 /2147093	Emily Convy	18 WESTHEAD ROAD COOKLEY KIDDERMINSTER DY103TG  Conversion of existing dwelling into two dwellings	WR 17/02/2011	31/03/2011			
WFA1384 10/0301/FULL	APP/R1845/A/11 /2146884	Mr David Nott	GORST HILL FARM ROCK KIDDERMINSTER DY149YJ  Change of use of agricultural land to use for caravan storage on 340 m2 of redundant land adjacent to farm buildings. This allows the expansion of existing storage facility (WF/0946/91 & WF/0964/01) from 25 to 38 caravans	HE 21/02/2011	04/04/2011			



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# Appeal Decision

Site visit made on 10 January 2011

**by Antony Fussey JP BSc(Hons) DipTP MRTPI**

**an Inspector appointed by the Secretary of State for Communities and Local Government**

**Decision date: 1 February 2011**

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**Appeal Ref: APP/R1845/X/10/2137298**

**8 Briar Hill, Chaddesley Corbett, Kidderminster, Worcs, DY10 4SQ**

- The appeal is made under section 195 of the Town and Country Planning Act 1990 as amended by the Planning and Compensation Act 1991 against a refusal to grant a certificate of lawful use or development (LDC).
  - The appeal is made by Mr D Warren against the decision of Wyre Forest District Council.
  - The application Ref 08/1056/CERTP, dated 1 December 2008, was refused by notice dated 27 January 2009.
  - The application was made under section 192(1)(b) of the Town and Country Planning Act 1990 as amended.
  - The development for which a certificate of lawful use or development is sought is a proposed rear extension.
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## Decision

1. I allow the appeal, and I attach to this decision a certificate of lawful use or development describing the proposed operation which I consider to be lawful.

## Preliminary Matters

2. A 2 storey extension, broadly similar to that in this appeal, has been built to the rear of the appeal property. It is the subject of an extant and unappealed enforcement notice, which required its demolition by 27 November 2010. The main difference from the extension before me is that the existing one has a rear gable, rather than the proposed monopitched roof descending to eaves at the boundary with no 10. It also appears from the neighbour's unchallenged measurement that these eaves are higher than the maximum 3.0m shown on the application drawings. In addition, bedroom 3's window, in the original house, is larger than that shown. For the avoidance of doubt, this appeal relates to the extension as proposed in the LDC application.
3. No. 10's residents have made representations about the existing extension's impact on their living conditions, and also referred to its appearance. While not in any way denigrating these concerns, in this appeal my powers are limited to considering whether the proposed extension could be lawfully erected without a specific planning permission from the Council.

## Reasons

4. The Town and Country Planning (General Permitted Development) Order 1995 (GPDO) itself grants planning permission for certain types of development where these accord with specified limitations and conditions. The issue in this appeal is whether the proposed extension would comply with these, set out in various Classes of Part 1 to Schedule 2 of the Order, and hence whether it would benefit from the planning permission granted by the GPDO.

5. The Council's case has expanded since it refused the application. Its decision said that, firstly, the proposal would include, but not consist of, an alteration to the dwellinghouse's roof, so it could not benefit from permitted development rights in Classes A or B. The appellant did not contest this, and the Council cited an appeal decision (APP/L3625/X/09/2106182) which held that an extension butting into an original roof did indeed involve an alteration to it.
6. The decision went on to say that, in terms of Class C (which relates to other alterations to a roof) the proposal would protrude more than 150mm beyond the plane of the original roof, and so would not meet the limitation in C.1 (a). From this the Council concluded that it would require specific planning permission.
7. However, subsequently the Dept of Communities and Local Government issued Technical Guidance on Permitted Development Rights for Householders (TG), to aid interpretation of recent changes to the GPDO. It advises that changes to a house's roof are not permitted development under Class A, but may be under Class B or C. *"For example, where a proposed two storey extension at the rear of a house has a roof that joins onto the main roof of the original house, the works will need to meet the requirements of both Class A (which covers the enlargement of the house) and Class C (which covers any alterations to the roof) in order to be permitted development"*.
8. As the appellant points out, the TG says in relation to the Council's point under Class C, *"This limitation to projection from the roof plane should not be applied in cases where the roof of an extension to a house that is permitted development under Class A is joined to the roof of the original house. In such cases, the roof of the extension should not be considered as protruding from the original roof"*. The Council's contention is therefore now contrary to the TG's advice and so is not well-founded.
9. The Council's statement introduced two arguments that the proposal would breach Class A's provisions. In my view condition A.3 (c) does not refer to matters of appearance, but to the angle of the roof pitch. The submitted plans indicate that the angles of the proposed pitch and that of the original house are similar, at about 45 degrees. There would therefore be no breach of this condition.
10. The existing extension has two eaves lines, one significantly higher than the 3m set out in limitation A.1 (g). Therefore, even if the other were no higher than 3m (which does not appear to be the case), the existing extension does not benefit from permitted development rights.
11. The TG says *"For the purpose of measuring height, the eaves of a house are the point where the lowest point of a roof slope, or a flat roof, meets the outside wall. The height of the eaves will be measured from the natural ground level at the base of the external wall of the extension to the point where the external wall would meet (if projected upwards) the upper surface of the roof slope"*.
12. The proposal would have only one eaves which would accord with this definition, and so is the only one to be assessed under A.1(g); the top of the monopitch would be a "ridge", not an eaves. The submitted plan shows a figured dimension of the eaves' maximum height of 3m. The line on the plan representing this height appears to relate to the slope's upper surface, and so to accord with the TG's definition. However, the plan says "no part of the

eaves to extend above 3.0m above FGL". I interpret this as meaning "finished ground level", whereas the GPDO refers to "natural ground level". However a specific clarification could resolve any possible discrepancy or doubt.

13. There is no allegation that the proposal breaches any other provisions of the GPDO. In my opinion, the TG and the details on the application plan show, subject to the above clarification, that the Council's concerns are not sustained.
14. For the reasons given above I conclude, on the evidence now available, that the Council's refusal to grant a certificate of lawful use or development in respect of a proposed rear extension in accordance with the submitted plans was not well-founded and that the appeal should succeed. I will exercise the powers transferred to me under section 195(2) of the 1990 Act as amended.

*Antony Fussey*

INSPECTOR



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## Appeal Decision

Site visit made on 6 January 2011

**by R J Yuille MSc Dip TP MRTPI**

**an Inspector appointed by the Secretary of State for Communities and Local Government**

**Decision date: 3 February 2011**

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**Appeal Ref: APP/R1845/A/10/2138592**

**Oxbine, Callow Hill, Rock, Kidderminster, DY14 9XB**

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
  - The appeal is made by Mr John Matthews against the decision of Wyre Forest District Council.
  - The application Ref: 10/0274/FULL, dated 06/05/10, was refused by notice dated 23/07/10.
  - The development proposed is the demolition of existing bungalow and replacement with 3 No dwellings (amendment to schemes previously approved under applications 09/0505/FULL and 09/0506/FULL).
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### Decision

1. I dismiss the appeal.

### Background

2. The appeal site consists of a bungalow and garden within the settlement boundaries of Callow Hill as defined in the Wyre Forest District Local Plan (the Local Plan). Policy H.2 of this plan, a policy that has been 'saved' and is still in effect, allows for infill development on sites within this settlement as long as they are on previously developed land. Planning permissions already exist (09/0505/FULL & 09/0506/FULL) for the demolition of this bungalow and its replacement with three dwellings but when these were granted, garden land was regarded as previously developed land.
3. This has changed and garden land is no longer included within the definition of previously developed land. Another change is that the Wyre Forest Core Strategy (the Core Strategy) was adopted in December 2010. Policy DS01 of this plan also limits development in Callow Hill to previously developed land (or brownfield sites as it calls them) but adds the requirement that any housing should "...meet local need identified through rural exception sites in appropriate circumstances." The aim of this policy is to focus development on regenerating the main towns in the area and preventing out migration from the Birmingham and Black Country Conurbation.
4. This policy was not in force when the Council made its decision on the appeal scheme but it now forms part of the development plan and is relevant to the determination of this appeal.

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## Main Issues

5. The main issues in this appeal are; firstly, the effect of the proposed development on the aims of focussing development on regenerating the main towns in the area and preventing out migration from the Birmingham and Black Country Conurbation; and, secondly, its effect on highway safety.

## Reasons

### *Focus on the Main Towns*

6. The existing but unimplemented planning permissions on the site do not change its status. It is and remains predominantly garden land and as such is excluded from the definition of previously developed land. The fact that the appeal scheme is described as an amendment to the existing planning permissions on the site is irrelevant in this context. What is proposed is a new scheme with different access arrangements and with increased floorspace.
7. Such a scheme must be considered in the light of planning policy as it now exists and the appeal scheme fails the requirement, set out in Local Plan Policy H.2 and Core Strategy Policy DS01 that housing in Callow Hill should be on previously developed or brownfield land.
8. In addition, where development does take place in small settlements like Callow Hill, it should meet local needs and be on rural exception sites. In other words open market housing will not be permitted in such settlements. While there is an indication that the existing occupants of Oxbine would live in one of the dwellings this is not a requirement and there is no evidence that these houses would be intended to meet local needs as opposed to being open market housing.
9. While the existing planning permissions on the site are a material consideration they do not outweigh the harm that would be caused to the aims of the recently adopted Core Strategy Policy DS01, together with Local Plan Policy H.2, the aims of which are restrict development in Callow Hill to previously developed land and, in the case of the former policy, to focus housing on the main towns in the area and prevent out migration from the conurbation.

### *Parking*

10. It is accepted that the appeal scheme would provide sufficient parking but, while the Highway Authority has raised no objection to the scheme, the Council is concerned that the layout of these spaces would be such that it would be difficult, when all the spaces were occupied, for vehicles to exit the site in a forward gear. On the submitted layout it is certainly the case that cars in the parking spaces on Plot A would have to reverse across the width of the site and either make use of the parking spaces on Plot C, if they were available, or use the hardstanding in front of the house on Plot C to turn within the site. This would be an inconvenient manoeuvre. The alternative would be for these cars to back on to the A456 which, given the volume and speed of traffic on this road, would be a dangerous manoeuvre.
11. However, The appellant has submitted an alternative parking layout (Drg:10-84/02) which demonstrates one way in which these problems could be overcome. While this drawing does not form part of the appeal scheme it does indicate that a suitable parking layout could be provided on the site and if that

layout were not acceptable then there is adequate space at the back of the site to accommodate parking spaces if required.

12. It would be possible to deal with the inadequate parking layout in the appeal scheme by way of a planning condition requiring the submission of details showing an acceptable parking layout. In this way any scheme would meet the aims of Local Plan Policy TR.9 in that it would not cause harm to highway safety.

### **Conclusions**

13. While it would be possible to overcome the inadequacies in the submitted parking layout by way of a planning condition this does not outweigh the harm that the appeal scheme would cause to the aims of focussing housing development on the main towns in the area and avoiding out migration from the conurbation. For these reasons and having regard to all other matters raised the appeal should be dismissed.

*RJ Yuille*

Inspector



**WYRE FOREST DISTRICT COUNCIL****PLANNING COMMITTEE**  
**8<sup>TH</sup> MARCH 2011****Monthly progress report on performance against NI 157 targets for determining planning applications**

<b>OPEN</b>	
<b>DIRECTOR:</b>	Director of Planning and Regulatory Services
<b>CONTACT OFFICER:</b>	John Baggott – Extension 2515 John.Baggott@wyreforestdc.gov.uk
<b>APPENDICES:</b>	None

**1. PURPOSE OF REPORT**

- 1.1 To provide Members with a monthly progress report on performance against national indicators (NI 157, formerly BV 109).

**2. RECOMMENDATION**

- 2.1 **That the report be noted.**

**3. BACKGROUND**

- 3.1 At Full Council in May 2006 it was agreed as part of the Recovery Plan that a report on the performance against best value performance indicators (BVPI 109, now NI 157) be reported to the Planning (Development Control) Committee on a monthly basis. The first of the series of monthly reports was reported to the Planning (Development Control) Committee on 13<sup>th</sup> June 2006.

- 3.2 The national targets for determining planning applications are as follows:

NI 157 a (Major applications)	-	60% within 13 weeks.
NI 157 b (Minor applications)	-	65% within 8 weeks.
NI 157 c (other applications)	-	80% within 8 weeks.

- 3.3 In addition to these national targets there are Local targets set out within the Business Plan for 2010/11. These are as follows:

Major applications	-	65% within 13 weeks.
Minor applications	-	80% within 8 weeks.
Other applications	-	90% within 8 weeks.

**4. PERFORMANCE****Major applications**

- 4.1 The following table shows the quarterly performance figures for major applications for the period from 1<sup>st</sup> January 2008 to 31<sup>st</sup> December 2010.

- 4.2 It also shows the performance at the time of compiling the report within the 4<sup>th</sup> Quarter of 2010/11 although the relevant period does not end until 31<sup>st</sup> March 2011 and as such these figures may be subject to further change.
- 4.2 As previously advised, due to the continued low number of new major applications that have been received over recent months, performance in this area has been affected due to the number of older, more complex, major applications which have reached final determination and which have already gone beyond 13 weeks. Whilst every effort will continue to be made to manage these applications effectively, performance may be affected in future quarters.

Quarter	No. determined	No. determined within 13 weeks	% determined within 13 weeks
1 January – 31 March 2008	7	6	85.71%
1 April – 30 June 2008	14	11	78.57%
1 July – 30 September 2008	10	6	60%
1 October – 31 December 2008	5	4	80%
1 January – 31 March 2009	4	4	100%
1 April – 30 June 2009	3	2	66.67%
1 July – 30 September 2009	5	2	40%
1 October – 31 December 2009	9	8	88.89%
1 January – 31 March 2010	5	3	60%
1 April – 30 June 2010	9	6	66.67%
1 July – 30 September 2010	3	2	66.67%
1 October – 31 December 2010	13	9	69.23%
1 January – 31 March 2011 (figures taken 16 February 2011)	3	2	66.67%

**Minor applications**

4.3 The following table shows the quarterly performance figures for minor applications for the period from 1<sup>st</sup> January 2008 to 31<sup>st</sup> December 2010. It also shows the performance at the time of compiling the report within the 4<sup>th</sup> Quarter of 2010/11 although the relevant period does not end until 31<sup>st</sup> March 2011 and, as such, these figures may be subject to further change. Performance within this category has consistently met the national targets. However, with the continued relatively low numbers of new minor applications having been received, performance in this category is now proving to be even more of a challenge.

Quarter	No. determined	No. determined within 8 weeks	% determined within 8 weeks
1 January – 31 March 2008	68	60	88.24%
1 April – 30 June 2008	69	52	75.36%
1 July – 30 September 2008	57	43	75.44% (as corrected)
1 October – 31 December 2008	55	42	76.36%
1 January – 31 March 2009	41	31	75.61%
1 April – 30 June 2009	56	47	83.93%
1 July – 30 September 2009	40	31	77.50%
1 October – 31 December 2009	50	37	74.00%
1 January – 31 March 2010	33	24	72.73%
1 April – 30 June 2010	29	23	79.31%
1 July – 30 September 2010	36	27	75.00%
1 October – 31 December 2010	36	27	75.00%
1 January – 31 March 2011 (figures taken 16 February 2011)	17	13	76.47%

**Other applications**

4.4 The following table shows the quarterly performance figures for other applications for the period from 1<sup>st</sup> January 2008 to 31<sup>st</sup> December 2010. It also shows the performance at the time of compiling the report within the 4<sup>th</sup> Quarter of 2010/11 although the relevant period does not end until 31<sup>st</sup> March 2011 and, as such, these figures may be subject to further change.

## Agenda Item No. 8

Whilst performance in this category fell short of the national target during the 2<sup>nd</sup> Quarter of 2010/11, the 3<sup>rd</sup> Quarter saw an immediate improvement in performance against the national target. Performance remains below the challenging current local target of 90%.

Quarter	No. determined	No. determined within 8 weeks	% determined within 8 weeks
1 January – 31 March 2008	172	142	82.56%
1 April – 30 June 2008	185	170	91.89%
1 July – 30 September 2008	162	144	88.89%
1 October – 31 December 2008	113	100	88.50%
1 January – 31 March 2009	99	89	89.90%
1 April – 30 June 2009	129	114	88.37%
1 July – 30 September 2009	135	115	85.19%
1 October – 31 December 2009	94	80	85.11%
1 January – 31 March 2010	84	72	85.71%
1 April – 30 June 2010	124	111	89.52%
1 July – 30 September 2010	119	94	78.99%
1 October – 31 December 2010	109	91	83.49%
1 January – 31 March 2011 (figures taken 16 February 2011)	55	45	81.82%

### 5. **FINANCIAL IMPLICATIONS**

5.1 There are no financial implications.

### 6. **LEGAL AND POLICY IMPLICATIONS**

6.1 There are no legal or policy implications.

### 7. **RISK MANAGEMENT**

7.1 There are risk management issues if performance continues to fail to meet the national targets.

**8. EQUALITY IMPACT ASSESSMENT**

- 8.1 This report relates to the analysis of performance levels against national and local indicators. There are no equality impact issues to be addressed.

**9. CONCLUSION**

- 9.1 Members are advised of continued concerns in respect of the performance against major applications targets, due to the relatively low number of new major applications being received which would offset the older, more complex, major applications which are nearing determination. Similarly, performance against minor applications has suffered, and every effort is being made, insofar as is possible, to manage new applications effectively to ensure that performance in this area shows an improvement during future quarters. In terms of the others category of applications, performance in this area fell below the national targets during the 2<sup>nd</sup> Quarter of 2010/11, with an immediate improvement in the 3<sup>rd</sup> Quarter.
- 9.2 Members are also advised that following the resignation of one of the Senior Development Control Officers, the number of planning case officers has now been reduced by 1 FTE. In the current economic climate there is no immediate likelihood of this post being filled. This will inevitably have an adverse impact upon performance in all categories of applications.
- 9.3 The Council has no control over the number and timing of applications being submitted for determination, but undoubtedly the economic climate has had an impact upon the number of new applications, in all categories, which have been received over recent months.

**10. CONSULTEES**

- 10.1 None

**11. BACKGROUND PAPERS**

- Report on Recovery Plan (Full Council) – May 2006
- Monthly progress reports – Planning (DC) Committee (June 2006 – May 2009)
- DCLG : Planning Performance Statistics – Planning (DC) Committee (August 2006 – May 2009)
- Monthly progress reports – Planning Committee (June 2009 – February 2011)
- DCLG : Planning Performance Statistics – Planning Committee (August 2009 – November 2010)

## **TERMS OF REFERENCE – PLANNING COMMITTEE**

- (1) Determines planning and related applications, other than those which depart materially from the Development Plan, and makes representations on planning applications to be determined by the County Council and neighbouring authorities.

Is responsible for:-

- (2) All matters relating to conservation areas (other than designation), tree preservation orders, hedgerows, building preservation notices, advertisement control (other than designation of Special Areas of Control), listed buildings, footpath diversion and stopping up and related matters.
- (3) Administration and enforcement of the Building Act 1984 (as amended), Building Regulations and allied functions.
- (4) Section 106 and 106A of the Town and Country Planning Act 1990 and the making and modification or discharge of planning obligations and undertakings.
- (5) Decisions on the methods of appeal.
- (6) Such other matters as may be referred to this Committee by the Council, Cabinet or Scrutiny Committees.

Exercises the Council's functions under Parts VII and VIII of the Town and Country Planning Act 1990, as set out below, and any subsequent amending and complementing legislation and in particular authorises:-

*(All sections referred to are contained in the Town and Country Planning Act 1990 unless specifically stated).*

- (1) The issue of the following notices: -
- Section 172 Enforcement Notice
  - Section 171E Temporary Stop Notice
  - Section 183 Stop Notice
  - Section 187A Breach of Condition Notice
  - Section 187B Injunction
  - Section 215 Maintenance of Waste Land Notice
  - Section 38 Planning (Listed Buildings and Conservation Areas) Act 1990 : Listed Building Enforcement Notice
  - Section 24 Planning (Hazardous Substances) Act 1990 : Hazardous Substances Contravention Notice.
- (2) Prosecution proceedings for breach of the Notices listed in 1. above and for breach of:-
- Section 210 Tree Preservation Orders
  - Section 224 Advertisement Regulations
- (3) The issue of the following:-
- Section 171C Planning Contravention Notices
  - Section 330 Requests for Information.
- (4) Prosecution proceedings for non-compliance with Notices and/or Requests listed in 3. above and/or for making mis-statements/false/misleading statements in complying with the Notices and/or Requests (Section 171D and 330).
- (5) Section 102 - Making of a Discontinuance Order.