

Open

# Planning Committee

## Agenda

6.00 pm  
Tuesday, 10th January 2012  
The Earl Baldwin Suite  
Duke House  
Clensmore Street  
Kidderminster



## Planning Committee

### Members of Committee:

	<b>Chairman: Councillor S J Williams</b>
	<b>Vice-Chairman: Councillor G C Yarranton</b>
<b>Councillor J Aston</b>	<b>Councillor D R Godwin</b>
<b>Councillor I Hardiman</b>	<b>Councillor M J Hart</b>
<b>Councillor H J Martin</b>	<b>Councillor C D Nicholls</b>
<b>Councillor F M Oborski</b>	<b>Councillor J W Parish</b>
<b>Councillor M Price</b>	<b>Councillor M A Salter</b>

### 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.

If you have any queries about this Agenda or require any details of background papers, further documents or information you should contact Sue Saunders, Civic Centre, Stourport-on-Severn.  
Telephone: 01562 732733 or email [susan.saunders@wyreforestdc.gov.uk](mailto:susan.saunders@wyreforestdc.gov.uk)

### 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.

## 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, 10th January 2012

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 13 <sup>th</sup> December 2011.	6
<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.	13
<b>6.</b>	<b>Applications Pending Decision</b>  To receive a schedule of planning and related applications which are pending.	69

7.	<p><b>Planning and Related Appeals</b></p> <p>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.</p>	88
8.	<p><b>Monthly Progress Report on performance against NI 157 targets for determining planning applications</b></p> <p>To consider a report from the Director of Planning &amp; Regulatory Services that provides Members with a monthly progress report on performance against National Indicators (NI 157, formerly BV109).</p>	100
9.	<p><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></p>	
10.	<p><b>Exclusion of the Press and Public</b></p> <p>To consider passing the following resolution:</p> <p>“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”.</p>	

Part 2

Not open to the Press and Public

11.	<p><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></p>	
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WYRE FOREST DISTRICT COUNCIL

PLANNING COMMITTEE

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

13TH DECEMBER 2011 (6.00 PM)

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**Present:**

Councillors: S J Williams (Chairman), G C Yarranton (Vice-Chairman),  
D R Godwin, I Hardiman, P B Harrison, M J Hart, H J Martin, C D Nicholls,  
F M Oborski, J W Parish, M Price and M A Salter.

**Observers:**

There were no members present as observers.

**PL.77 Apologies for Absence**

Apologies for absence were received from Councillor J Aston.

**PL.78 Appointment of Substitutes**

Councillor P B Harrison was appointed as a substitute for Councillor J Aston.

**PL.79 Declaration of Interests**

Councillor S J Williams declared a personal prejudicial interest in application number 11/0643/FULL, 1 Fold Court, The Village, Chaddesley Corbett as the applicant is a personal friend.

Councillor M J Hart declared a personal prejudicial interest in application number 11/0630/FULL, 17 Jay Park Crescent, Kidderminster as the applicant is a personal friend.

**PL.80 Minutes**

**Decision: The minutes of the meeting held on 8th November 2011 be confirmed as a correct record and signed by the Chairman.**

**PL.81 Applications To Be Determined**

The Committee considered those applications for determination (now incorporated in Development Control Schedule No. 492 attached).

**Decision: The applications now submitted be determined, in accordance with the decisions set out in Development Control Schedule No. 492 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.82 Applications Pending Decision**

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

**Decision: The schedule be noted.**

**PL.83 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.84 Monthly Progress Report on performance against NI157 targets for determining planning applications**

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

**Decision: The details be noted.**

**PL.85 Wyre Forest District Council (Land at Clarence Way, Mortimer Grove, Gloucester Way and March Grove, Bewdley) Tree Preservation Order No. 357**

A report was considered from the Director of Planning and Regulatory Services that asked the Committee to determine whether the Tree Preservation Order No. 357 (2010) relating to trees on Land at Clarence Way, Mortimer Grove, Gloucester Way and March Grove, Bewdley should be confirmed or not with the recommended modifications.

**Decision: The Tree Preservation Order be confirmed with the modifications listed in the report to the Planning Committee.**

**PL.86 Worcestershire County Council Landscape Character Assessment Supplementary Guidance**

A report was considered from the Director of Planning and Regulatory Services which sought approval for the Worcestershire Landscape Character Appraisal to be endorsed as a material consideration in the Development Management process.

**Decision: The Worcestershire County Council Landscape Character Assessment Supplementary Guidance be endorsed.**

**PL.87 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 involves the likely disclosure of “exempt information” as defined in paragraph 3 of Part 1 of Schedule 12A to the Act.**

**PL.88 Planning Enforcement Matter**

A report was considered from the Director of Planning and Regulatory Services regarding a new enforcement case at 16 Brookside Way, Blakedown.

**Decision: The Director of Legal and Corporate Services be given delegated powers to serve or withhold an Enforcement Notice to cease the unauthorised sale of vehicles from the residential property in the event that current negotiations are unsuccessful and the sale of cars from the property continues beyond 31<sup>st</sup> December 2011.**

**PL.89 Live Enforcement Cases**

The Committee considered a report which listed live enforcement cases as at the 24<sup>th</sup> November 2011.

**Decision: The report be noted.**

The meeting ended at 6.20 p.m.



**WYRE FOREST DISTRICT COUNCIL**

**PLANNING COMMITTEE**

**Tuesday 13<sup>th</sup> December 2011 Schedule 492 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>Application Reference:</b> 11/0587/FULL
<b>Site Address:</b> 27 WOODTHORPE DRIVE, BEWDLEY, DY12 2RH
<b>APPROVAL</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. B3 (Materials)</li> <li>4. J7 (Windows in the east elevation facing number 29)</li> <li>5. Landfill site</li> </ol>
Note SN12 (Neighbours' Rights)
<u>Reason for Approval</u>
The proposed extensions are considered to be of an appropriate scale and design to the main dwelling and will have an acceptable appearance in the street scene. The impact of the extensions upon neighbouring properties has been carefully assessed and it is considered that there will be no undue impact upon their amenity. The application is considered to be in accordance with D.17 of the Adopted Wyre Forest District Local Plan, CP11 of the Adopted Wyre Forest Core Strategy, QE.1, QE.3 of the West Midlands Regional Spatial Strategy, Design Guide SPG and PPS1.

<b>Application Reference:</b> 11/0602/FULL
<b>Site Address:</b> 1 MUSKOKA, BEWDLEY, DY12 2BJ
<b>APPLICATION DEFERRED.</b>

<b>Application Reference:</b> 10/0056/FULL
<b>Site Address:</b> SAIWEN, LOWER HEATH, STOURPORT-ON-SEVERN DY13 9PQ
<b>Delegated APPROVAL</b> be granted subject to:
<ul style="list-style-type: none"> <li>• the expiry of the statutory period of notice as served on the landowner;</li> <li>• no new material planning objections being received; and,</li> <li>• the following conditions:</li> </ul>

1. Strictly in accordance with approved drawings.
2. All caravans in accordance with levels shown in the FRA.
3. All plots shall not be occupied other than by gypsies and travellers.
4. Within three months of the date of decision submission of a site investigation with recommendations for remediation.
5. Within three months of the date of the decision details of the disposal of surface water and foul sewage.
6. The amenity block shall not be used for residential purposes.

Further to paragraph 5.4 of the report, officers at Wychavon District Council have advised that it is anticipated that the duplicate application reference W/11/02674 is likely to be reported to members of their Development Control Committee on 5<sup>th</sup> January 2012 with a recommendation that under Section 101(1) of the Local Government Act 1972 to delegate its decision making powers to Wyre Forest District Council. Therefore should this recommendation be approved there is a subsequent delegation to officers as follows:

Second recommendation

That with respect to the duplicate application made to Wychavon District Council (Ref. W/11/02674) **delegated APPROVAL** be granted subject to:

- Wychavon District Council Development Control Committee resolving to delegate their decision making powers to Wyre Forest District Council in respect of W/11/02674;
- no new material planning objections being received; and,
- the following conditions:
  1. Strictly in accordance with approved drawings.
  2. All caravans in accordance with levels shown in the FRA.
  3. All plots shall not be occupied other than by gypsies and travellers.
  4. Within three months of the date of decision submission of a site investigation with recommendations for remediation.
  5. Within three months of the date of the decision details of the disposal of surface water and foul sewage.
  6. The amenity block shall not be used for residential purposes.

The application is considered to be in accordance with H.2, H.9, H.14, D.10, NR.2, NR.11, NR.12 of the Adopted Wyre Forest District Local Plan, DS01, DS03, CP03, CP06, CP08 of the Adopted Wyre Forest Core Strategy, CF2, CF3, CF4, CF5 of the West Midlands Regional Spatial Strategy, 1, 7, 14, 15, 25, 26 of the Draft Site Allocations and Policies DPD, PPS1, PPS3, PPS4, PPG24, PPS25; Circular 01/06 and Draft PPS 'Planning For Traveller Sites.

<b>Application Reference:</b> 11/0623/FULL
<b>Site Address:</b> 20 CHICHESTER AVENUE, KIDDERMINSTER, DY11 5JA
<b>APPROVAL</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. B3 (Finishing materials to match)</li> </ol> <p><u>Reason for Approval</u></p> <p>The proposed siting, design and scale of the extensions are in keeping with the original dwelling which would retain its visual dominance. The proposals would have no significant impact upon the amenity currently enjoyed by neighbours and complies with Adopted Local Plan parking standards. The application is considered to be in accordance with D.17, TR.17 of the Adopted Wyre Forest District Local Plan.</p>

Councillor M J Hart left the meeting at this point.

<b>Application Reference:</b> 11/0630/FULL
<b>Site Address:</b> 17 JAY PARK CRESCENT, KIDDERMINSTER, DY10 4JP
<b>APPROVAL</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>2. B3 (Finishing materials to match)</li> </ol> <p><u>Reason for Approval</u></p> <p>The proposed kitchen and hall extension is considered appropriate in terms of scale and design. The proposed extension would offer no detriment to the character of the area or the street scene and the impact on the amenity enjoyed by the occupants of neighbouring properties would be minimal. The proposed development would accord with the provisions of Policy D.17 of the Adopted Wyre Forest District Local Plan (2004) and Policy CP11 of the Adopted Wyre Forest Core Strategy (2010).</p>

Councillor M J Hart came back to the meeting at this point.

<b>Application Reference:</b> 11/0637/FULL
<b>Site Address:</b> PLOT 2 KINGSFORD STORES, KINGSFORD LANE, WOLVERLEY, KIDDERMINSTER, DY11 5SA
<b>APPROVAL</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. Materials to match new dwelling</li> <li>4. Stability survey to be submitted prior to work commencing</li> <li>5. Method statement of working practices during construction</li> <li>6. details of surface water drainage</li> <li>7. Use of building as applied for</li> </ol>

Reason for Approval

The proposed garage is considered to be appropriate in this Green Belt location and has been sited and designed so as to minimise the impact of the structure on the surrounding area and adjacent Horse Brook. The proposal will have no adverse impact on neighbouring properties or the highway network. The application is considered to be in accordance with policies D.17, GB.1, GB.2, GB.6 of the Adopted Wyre Forest District Local Plan, CP11, CP12 of the Adopted Wyre Forest Core Strategy, D39 of the Worcestershire County Structure Plan, QE6 of the West Midlands Regional Spatial Strategy, PPS1, PPG2 and Policy 20 and Policy 25 (emerging SAAP DPD).

**Application Reference:** 11/0640/S106

**Site Address:** CASTLE LOCKS, CASTLE ROAD, KIDDERMINSTER DY11 6TH

**Delegated authority** be given to the Director of Legal and Corporate Services in consultation with the Director of Planning and Regulatory Services **to vary the Section 106 agreement.**

Councillor S J Williams left the meeting at this point.

**Application Reference:** 11/0643/FULL

**Site Address:** 1 FOLD COURT, THE VILLAGE, CHADDESLEY CORBETT, KIDDERMINSTER, DY10 4SA

**APPROVAL** subject to the following conditions.

1. A6 (Full with no reserved matters)
2. A11 (Approved plans)

Reason for Approval

The proposed solar panels are considered to be an appropriate addition to the dwelling as converted, and are considered to have no detrimental impact on the character and appearance of the Chaddesley Corbett Conservation Area. The impact of the panels upon neighbouring properties has been carefully assessed and it is considered that no undue or serious loss of amenity would occur as a result of the development. Accordingly, the proposal is considered to be in compliance with policy D.17, CA.1 of the Adopted Wyre Forest District Local Plan.

Councillor S J Williams came back to the meeting at this point.

**Application Reference:** 11/0647/S106

**Site Address:** SEVERN ROAD, STOURPORT-ON-SEVERN

**Delegated authority** be given to the Director of Legal and Corporate Services in consultation with the Director of Planning and Regulatory Services **to vary the Section 106 Agreement.**

**EXECUTIVE SUMMARY TO REPORT OF  
DEVELOPMENT MANAGER**

**Planning Committee**

**10/01/2012**

**PART A Reports**

<b>Ref.</b>	<b>Address of Site</b>	<b>Recommendation</b>	<b>Page No.</b>
11/0634/FULL	LAND OFF GREY GREEN LANE BEWDLEY	APPROVAL	14
11/0661/FULL	SION BARN HILLPOOL KIDDERMINSTER	REFUSAL	28

**PART B Reports**

<b>Ref.</b>	<b>Address of Site</b>	<b>Recommendation</b>	<b>Page No.</b>
11/0309/FULL	1 FREDERICK ROAD HOO FARM INDUSTRIAL ESTATE WORCESTER ROAD KIDDERMINSTER	DELAGATED APPROVAL	35
11/0310/FULL	UNIT 1 FREDERICK ROAD AND LAND TO THE WEST HOO FARM INDUSTRIAL ESTATE WORCESTER ROAD KIDDERMINSTER	DELAGATED APPROVAL	49
11/0655/TREE	1-6 ANTON CLOSE BEWDLEY	APPROVAL	63
11/0679/FULL	4 BROCKTON PLACE STOURPORT-ON-SEVERN	APPROVAL	66

WYRE FOREST DISTRICT COUNCIL

**PLANNING COMMITTEE**  
**10<sup>TH</sup> JANUARY 2012**

**PART A**

<b>Application Reference:</b>	11/0634/FULL	<b>Date Received:</b>	28/10/2011
<b>Ord Sheet:</b>	378947 275965	<b>Expiry Date:</b>	23/12/2011
<b>Case Officer:</b>	Paul Round	<b>Ward:</b>	Wribbenhall

**Proposal:** Conversion of redundant agricultural building to form new dwelling and associated work

**Site Address:** LAND OFF GREY GREEN LANE, BEWDLEY

**Applicant:** Central Building Design

<b>Summary of Policy</b>	H.9, D.4, D.10, GB.1, GB.2, GB.6, RB.1, RB.2, RB.3, RB.5, RB.6, NC.7, TR.17 (AWFDLP) DS04, CP01, CP02, CP03, CP11, CP12, CP14 (AWFCS) CTC.21, D.39 (WCSP) CF4, QE3, QE6 (WMRSS) Policies 2, 15, 18, 20, 23, 25, 26, 27 (emerging SAAP DPD) Design Quality SPG, Landscape Character Assessment SPG (WCC) PPS1, PPS1 (supplement on Climate Change), PPG2, PPS3, PPS7, PPS9 Draft National Planning Policy Framework
<b>Reason for Referral to Committee</b>	Third party has registered to speak at Committee
<b>Recommendation</b>	<b>APPROVAL</b>

**1.0 Site Location and Description**

1.1 The site is located off Grey Green Lane to the north of Bewdley Town Centre accessed from Gloucester Way to the south and Crundalls Lane to the north. The area is rural in character with open fields adjoining the site, to the east lies a residential property known as 'The Cottage' and to the south east lies the residential properties in Damson Way.

1.2 The site has a gated entrance which leads to a block built agricultural building in the centre of the site. Dilapidated wooden structures lie close to the eastern hedge. To the west lies a paddock which is also in the ownership of the applicant.

11/0634/FULL

- 1.3 The site lies within the West Midlands Green Belt, beyond the urban area. The County Council has recently (24<sup>th</sup> November 2011) adopted the Landscape Character Assessment and, within this now adopted document, this site is identified as falling within the Principal Timbered Farmlands Character Type.
- 1.4 The application seeks for conversion of this rural building to a single private dwelling. Associated access and parking works are also proposed. The application is supported by a Design and Access Statement, Structural Survey, Ecological Survey for the Building and an Ecological Survey

## **2.0 Planning History**

- 2.1 BB.0079/65 – Outline: Residential Development of 1.85 acres : Refused 22.07.1965
- 2.2 WF/1249/79 – Siting of touring caravan : Refused
- 2.3 WF/0422/84 – Rabbit Farm and Mobile Home : Approved 03.07.1984; Mobile Home temporary until 31.07.1985
- 2.4 WF/0725/84 – Rabbit Breeding Farm and Mobile Home : Approved 06.11.1984; Mobile Home temporary until 30.11.1985
- 2.5 WF/0737/85 – Rabbit Breeding Farm and temporary Mobile Home : Approved 15.10.1985; Mobile Home temporary until 31.10.1986
- 2.6 WF/0455/92 – Rabbit Breeding Building : Approved 15.09.1992
- 2.7 WF/0898/92 – Mobile Home : Refused 23.02.1993

## **3.0 Consultations and Representations**

- 3.1 Bewdley Town Council – Objection and recommend refusal on the grounds that:

(i) the site fell within an area that was designated as Green Belt and hence save for uses connected with agricultural operations, planning consent for any other uses should only be given in exceptional circumstances and that had not been demonstrated here as there was no reason why agricultural use could not be maintained. Furthermore the creation of a precedent of residential use was unacceptable in that it would prove difficult to resist further applications on adjoining sites which would lead in turn to an undesirable form of creeping development in an area that in Local Plan documents was intended primarily to be maintained as an open landscape area;

11/0634/FULL

(ii) the application was for a five bedroom dwelling house which in terms of potential numbers of future residents could generate a relatively high number of vehicle movements for which Grey Green Lane was unsuitable having regard to its narrow width and character of a single track country lane much used by walkers and horse riders.

- 3.2 Kidderminster Foreign Parish Council (adjoining Parish) – Objection and recommend refusal. The building has no architectural value for conservation or retention. We are concerned that the plans submitted will in effect lead to an entirely new building – totally unrecognisable in design to that of the original. We are also concerned that to cater for 1st floor accommodation, the eaves height will have to be increased, and also possibly the pitch of the roof - which we would oppose. We are also concerned about the access, and increase in vehicular traffic onto this narrow lane. Also, we feel that the building, with the extra accommodation being made with it having a 1st floor, may be split into more than one dwelling – thus increasing traffic flow further.
- 3.3 Highway Authority – No objection subject to conditions and notes.
- 3.4 Conservation Officer - The existing single storey building is constructed of re-used steel portal frames and concrete blockwork. It is particularly unattractive and lacks any architectural merit whatsoever.

The structural engineer notes that the roof will need complete replacement, but the walls may remain.

The proposals show a transformation into a rather attractive family home, with timber clad elevations under a slate roof, which must surely enhance the surroundings.

Restrained use of conservation-type roof-lights and sensibly proportioned windows enable full use to be made of the first floor for bedrooms, whilst the folding sliding doors bring light into the generously proportioned family accommodation to the rear of the ground floor.

There appears to be a lack of storage space – particularly for those effects which would usually be stored in a shed or garage. The building as adapted must be able to accommodate this in order to comply with Policies RB.1 (ii) and RB.5.

I suggest revised plans indicating storage within the building envelope are submitted; otherwise no objections.

- 3.5 Bewdley Civic Society – The Bewdley Civic Society, which has a membership of over 470, wishes to object to these proposals on the following basis:

1. The site is in designated Green Belt.



11/0634/FULL

2. We do not believe this is a barn conversion. We understand the building was first constructed in recent times to breed rabbits for commercial purposes. It is in no way an historic building and has no architectural merit whatsoever.
3. To grant permission for a building such as this would set a precedent insofar that the owners of any modern agricultural building in the green belt could, after a period of a few years, apply to convert same to a private dwelling citing this an example.
4. Not only is the building in the green belt but it is situated in a particularly attractive landscape area which is popular for walkers from the nearby areas of housing. Indeed it is a minor gateway to the town of Bewdley and while we acknowledge that the existing structure is an eyesore the conversion of the building to a dwelling will result in a compromise of design/practicability and will remain out of character with the surrounding area.
5. It appears that the building is redundant and we believe therefore that it should be removed and the landscape returned to its original attractive state for the benefit of all.

3.6 Neighbour/Site Notice – 35 letters of Objection have been received raising the following issues:

- Grey Green Lane is not suitable for any additional traffic, especially for emergency vehicles. Already seen an extremely high level of extra traffic using Crundalls Lane and Grey Green Lane as access to Bewdley, even though a signpost at the beginning of Trimpley Lane clearly states "NO ACCESS TO BEWDLEY". There are no pavements only hedges and ditches; motorists have to reverse into the hedges and ditches causing erosion of the hedges, trees & ditches. There is an open speed limit on the lane which clearly prompts speed that is in excess of safety for people hiking, taking their dog for a walk, no lighting extremely dangerous in the dark. If the application goes ahead we can look forward to extensive traffic changes that will have a great impact on Safety and the Environment.
- Looks as though it will be a care home or multi user which would not be suitable in this location.
- The site is Green Belt and will allow further development. There is a need to preserve what we have for the future generations.
- Our residential amenity is already disturbed by building works at Shaw Hedge Road [*former Wribbenhall First School*] we don't need any further disruptions.
- A two storey building would be out of place in this area. A simple bungalow would be a great improvement to the present scruffy and uncared for appearance, but the proposed building is completely out of character on that site. The proposal is far too large for this rural setting.

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- Having spoken to the Farmer who owns the land adjacent to this development, and have been told if this application goes ahead he will apply for and expect to receive planning permission to develop his fields, which means the area turns from pleasant country side to yet another CONCRETE JUNGLE.
- At the moment our view of the land where the development is proposed is screened by trees and hedges of sufficient height and I feel this should be a requirement that this is maintained so as not to impair the view of neighbours and walkers and other who enjoy the amenity of what is after all Green Belt. Any boundary should be green and not replaced by walls or fences.
- The proposed development is on a large plot of land and I am concerned if planning is granted at some stage in the future there is the potential for extensions or even other structures on the site. I would expect confirmation that no further development at the site would be allowed to take place.
- In my view this agricultural building was specifically built with the intention at some stage in the future to by pass Green Belt restrictions so a property could be built in the future as in now proposed. The only thing I have ever seen there is a horse! This practice should not be allowed to get around Green Belt rules.
- The Application states the site is redundant agricultural land this is not true it has not been used as such for over 15 years save for a short period when a pony and donkey were in the field, there have never been rabbits on site save wild ones. The land has been used to dump building materials. The wooden shed was demolished and the present building erected I believe without permission. I have been monitoring this site for some considerable time there is no doubt the Applicant is attempting by 'stealth' to obtain this permission it is clear from the Application the property is NOT going to be a normal dwelling but some form of 'care home'. The owner installed 'electrically operated gates which are hardly needed as an access to a 'shed' unless something is done now this property will be built and a retrospective application made.
- The current building is an ugly building which is out of keeping with the surrounding area and requires significant rebuilding.
- The proposal is contrary to Local Plan, Core Strategy, emerging Site Allocations & Policies DPD and the National Planning Framework.
- The building is not structural sound as required by policy and will require substantial re-building.
- Impact on privacy through direct overlooking and noise and light pollution.

#### **4.0 Officer Comments**

- 4.1 The application seeks to convert an existing vacant rural building to a single dwelling. In order to consider the application this report will deal with the application under the following headings:

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- Planning Policy and Principle of Development.
- Design and layout.
- Impact on visual amenity of Green Belt and the Surrounding Countryside.
- Highway Implications.
- Neighbouring Properties and Surrounding Uses.
- Ecology and Biodiversity.
- Sustainability Credentials and Building for the Future.
- Other issues.

#### PLANNING POLICY AND PRINCIPLE OF DEVELOPMENT

- 4.2 The site lies within the Green Belt where development is restricted. Green Belt policy as set out in policy GB.1 of the Local Plan, replicating Government advice in PPG2, allows the “re-use or conversion of buildings”, such development is appropriate subject to being in line with the policies for the re-use and adaptation of rural buildings also contained within the Local Plan. As such to ascertain whether the proposal is acceptable in principle in the Green Belt an assessment of policy RB.1 to RB.6 must be done.
- 4.3 The building itself was granted approval in 1992 as part of a rabbit breeding enterprise that had been on the site for since 1984. As such the building is lawful, and whilst comments have been made that it would preferable to remove the building, this cannot be achieved by the planning process. The building exists and cannot be removed. PPG2 states that it is not necessary to consider whether a building is needed or redundant and that these reasons should not be used to refuse permission. As such, the building is eligible for conversion.
- 4.4 Policy RB.1 sets out a seven fold criteria to base the acceptability of conversions. These criteria are considered, in turn, below
- i) *the building(s) are of permanent and substantial construction, of a form, bulk and general design in keeping with their surroundings;*

The building is of blockwork construction with a profiled sheet roof. Doors and high level windows are provided along with a large opening roller shutter door. The building is of a permanent and substantial construction. Whilst the design is not wholly attractive, it is of a form, bulk and general design of a typical rural agricultural building. PPG2 provides additional advice stating “*If a planning application is submitted for the re-use of a building which the Local Planning Authority considers has a significant adverse impact on the landscape in terms of visual amenity, it may be appropriate in connection with any proposed structural changes to impose conditions to secure an improvement in the external appearance of the building.*” Such alterations are proposed in providing a wooden clad appearance and tiled roof.

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- ii) *they are of a size suitable for re-use without extensions or extensive alterations, or the addition of new buildings within the curtilage;*

The proposal does not propose any extensions or outbuildings. All storage for the building and plant connected with the ground source heat pump will be located within the building's envelope. The only alterations proposed other than to external appearance of the building is the change in angle of the roof pitch which results in the raising the ridge by 500mm.

This has been justified in respect of materials and aesthetics. Extensive is defined by the Oxford English Dictionary as "*large in amount or scale*" looking at the development as a whole it is not considered that the alterations proposed are excessive in scale or amount.

- iii) *they are structurally sound, and in a condition capable of re-use without significant building works or complete reconstruction and in the case of residential proposals, the buildings are of an appropriate form for the intended use;*

A structural survey has been submitted as part of the application. The Applicant has confirmed that the following

*The Structural Engineer reports that the roof line is poor, with a pronounced dip at the centre. The proposal seeks to remove the existing roof and replace with a trussed rafter timber roof. The existing steel portal roof members will be cut back to leave just the stanchions insitu. The engineers further continues that the existing 200mm block walls are true and plumb and show no signs of distress. It is intended to erect a loadbearing timber frame inside the existing blockwork built up off a thickened reinforced concrete edge. This will have a two fold effect. It will allow the building to be insulated to current Building Regulations and also ensure no loading is taken on the existing external walls. The timber frame and first floor will be tied into the existing external walls which will provide a good overall stability to the existing structure. The existing floor slab of the building will be retained and insulation and screed will be added over the top to again give suitable insulation values.*

Although works are proposed to the roof structure and additional support is required, this is not considered to be significant building works, and fall into what is normally required for all conversions. Considerations need to be given in the round based on the totality of works. As no rebuilding of the walls is required and only works to the roof, it is considered that building is structurally suitable for conversion.

- iv) *the conversion works would have no significant detrimental effect on the fabric, character or setting of the building;*

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The works proposed whilst altering the visual appearance of the appearance of the building would actually improve the character of the building in its setting

v) *satisfactory access arrangements can be made;*

This is covered in detail later in the report, for the purposes of this paragraph Members will note the 'no objection' response from the Highway Authority.

vi) *the proposal does not lead to the dispersal of an activity, which would have an avoidable adverse impact on the local economy, or prejudice the vitality of nearby towns or villages;*

There will be no dispersal of activities.

vii) *they do not involve the conversion of domestic outbuildings*

The building is not currently, nor has it ever been to date, in domestic use.

4.5 Policy RB.2 seeks to promote the re-use of building for commercial uses prior to any residential proposals. In this location it is clear that a commercial operation either industrial or otherwise is unlikely to be the most appropriate re-use of the building and land due to the close proximity of residential properties and surrounding the road network.

4.6 Based on the above comments, I am satisfied that the works constitute appropriate development in the Green Belt and that in principle the building is suitable for re-use and conversion to residential accommodation. In this regard policies within the emerging Site Allocations and Policies DPD reflect the existing Local Plan policy framework.

#### DESIGN AND LAYOUT

4.7 The building is set into the ground and lies at the rear of the plot. The size of curtilage proposed is proportionate to the dwelling and excludes the paddock to the rear. Four parking spaces are provided within the site along with driveway access to the paddock at the rear. It is understood that this may be used by the future occupiers for horsecultural, however that is not currently proposed and will need to be the subject of a separate application in due course should that indeed be the intention.

4.8 The design of the building has attempted to provide a visual enhancement whilst still providing the appearance of a converted rural building. The Council's Conservation Officer has provided comments and supports the proposals from a design perspective. The resulting visual appearance of the building will blend much more into the surrounding countryside than what exists at present. I am happy that the design of the building is appropriate in this context and provides an over enhancement to surroundings

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IMPACT ON VISUAL AMENITY OF GREEN BELT AND THE SURROUNDING COUNTRYSIDE

- 4.9 As noted above the site falls within the Principal Timbered Farmlands Character Type which is described as being; *“A small to medium scale wooded, agricultural landscape characterised by filtered views through densely scattered hedgerow trees. This is a complex, in places intimate, landscape of irregularly shaped woodlands, winding lanes and frequent wayside dwellings and farmsteads. It is a landscape of great interest and exception, yet also one of balance.”*

The proposal would not result in harm to this character as no new buildings are proposed and the creation of a residential dwelling in this location would fall under the definition of “wayside dwellings”. In respect of materials the Landscape Character Assessment encourages the use of timber building styles. The proposed external works including timber cladding will reflect the prevailing character of the landscape in this location as described by the Landscape Character Assessment.

- 4.10 Policy GB.6 of the Local Plan seeks to protect the visual amenity of the Green Belt. It is acknowledged that the overall height of the building is to be raised by 500mm which has previously been justified in respect of design. Whilst this will make the building slightly taller, as the eaves level will remain unchanged the bulk of the building will stay the same. It is considered that this minimal change will not unduly impact of the visual amenities of the Green Belt or prejudice the purposes of including land within it, particularly given its location and surrounding topography.

HIGHWAY IMPLICATIONS

- 4.11 The majority of letters received from interested parties have made reference to the nature off Grey Green Lane and the likely traffic generation associated with the proposal based on the current traffic levels that use the lane.
- 4.12 The entrance to the site already contains a splayed frontage and 2 x five bar gates set back from the roadway. The proposal seeks to change the style of gate but maintain the position of the gateway. With some minor trimming works to the existing conifers a visibility splay of 2.4m x 11m can be provided, which is considered satisfactory.
- 4.13 The site is approximately 380m from the junction with Gloucester Way and approximately 400m from the junction with Crundalls Lane. It is fully understood that the nature of the lane is narrow with minimal passing places. It noted locally that the traffic along the lane has increased over the last few years.

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- 4.14 The building and land have a valid permission for Agricultural use and as such could be used for a number different activities using large vehicles. The fact that the site has not been used for such activities does not diminish its lawful use. It is considered that the use of the site for a single dwelling will not result in a substantial increase in vehicle movement over and above what could occur or result in increased harm to highway safety. It may be viewed that removing the potential of large vehicles using the lane could prove to be beneficial.
- 4.15 As indicated under paragraph 3.3, the Highway Authority has not objected to the proposal. On this basis I am satisfied that a suitable access can be provided for the dwelling proposed and that highway network is suitable for the development.

#### NEIGHBOURING PROPERTIES AND SURROUNDING USES

- 4.16 To the north, south and west of the site lies agricultural land. The closest residential properties to the east are 33 Damson Way (approx. 51m away from the building), 35 Damson Way (approx. 55m away from the building) and "The Cottage", Grey Green Lane (approx. 60m away from the building). Whilst there are properties in March Grove beyond the agricultural field to the south these are over 110m from the building. It is clear that as "The Cottage" directly faces the proposed conversion that the main consideration should be directed toward this property in respect of potential impact on neighbouring amenity.
- 4.17 "The Cottage" is set at a higher level than the site and has undergone improvements over recent years. It has been evidenced that the building can be partially seen from within the front garden area and from habitable room windows. The front elevation of the proposed conversion has been carefully planned by lowering the windows from the current level and ensuring that only one conservation roof light which serves a landing area is needed. As such only ground floor windows are proposed to the front elevation. Given the distance between the two properties of approximately 60m and approximately 36m between the proposed conversion the front garden to "The Cottage", I do not feel that a significant loss of amenity will occur to a point that a refusal of planning permission on this issue could be substantiated. This is particularly relevant due to the levels differences between the sites. No other properties will be adversely affected.

#### ECOLOGY AND BIODIVERSITY

- 4.18 The applicant has commissioned two ecological studies, one looking at the building and the other looking at its surrounds.

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- 4.19 Neither survey have found any significant evidence of biodiversity or protected species. In particular there is no evidence of bats within the building. It is recommended that the holly trees are retained as feeding habitat and that the hedgerows around the site are retained. This is accepted by the Applicant and shown on the submitted drawings. It is also recommended that bat and bird boxes are attached to surrounding trees to provide a biodiversity enhancement as required by PPS9. This too can be secured by a suitably worded condition.
- 4.20 The ecological and biodiversity aspects of the development have been addressed and found to be acceptable to the Council's Countryside Conservation Officer.

#### SUSTAINABILITY CREDENTIALS AND BUILDING FOR THE FUTURE

- 4.21 The applicant is keen on producing a development that has a reduced dependence on non-renewable fuels and, as a consequence, a lower carbon footprint.
- 4.22 In order to achieve this aim it is proposed to incorporate the following measures within the conversion:
- Increased levels of insulation to floors, walls and roof using materials that both insulate and regulate internal temperatures.
  - Rainwater Harvesting.
  - Ground Source Heat Pump.
- 4.23 All these measures will achieve energy conservation measures in excess of those required by the Building Regulations. Whilst solar panels are not suitable for the building given its orientation and position, other technologies are also being researched to potentially be used in the scheme.
- 4.24 It is clear that the Applicant has embraced the requirement of developers to be innovative and positive towards new technologies and being sustainable. Such measures as proposed can be secured by a suitably worded condition that will require their retention.
- 4.25 In addition to these measures, the Applicant has endeavoured to ensure the development meets a Lifetime Home Standard in providing accommodation that is adaptable for all situations. Such measures include;
- Reinforcement of stairwell to allow retro-fitting of stairlift;
  - Reinforcement of ceiling above bath to allow retro-fitting of hoist.
  - Reinforcement of bathroom walls to allow for fitting of hand and grab rails.
  - Provision of capped electrical outlets to adaption to provide additional electrical features such as a platform lift etc.
  - All taps to be suitable for people with limited hand dexterity.



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OTHER ISSUES

- 4.26 Some representations mention that the intended end use is for a nursing or care home. This is clearly not the case based upon the submitted scheme as the application is for a single dwelling and such measures are in line with Government's best practice advice. Any proposal for a care or nursing home would require a separate planning application which would be judged on the relevant planning considerations.
- 4.27 In response to these allegations the applicant has responded: "*The converted property will be used as one single dwelling and the rumours being spread that it is to be a nursing home are totally unfounded and untrue. The property would not be suitable for a nursing home due to its location and lack of bedrooms. The proposed property has 5 bedrooms which is conducive with a family home. There are two bedrooms on the ground floor which caters for any disabled or partially disabled family or visiting family. We are more than happy to allay Members fears by agreeing to a condition attached to any permission that the converted property shall only be used as a single dwelling family home*". It is my view that such a condition is not warranted in this situation.
- 4.28 Other concerns have been expressed that to allow this development will pave the way for more developments in Grey Green Lane. The proposal is merely for a conversion of the existing building, the application does not propose any further structures. Indeed it is normal to take away permitted development rights for any additional structures or extensions on the site, and this is recommended should the application succeed. The conversion of a rural building is appropriate with the Green Belt and its approval does not give any indication that other forms of development will be allowed.

**5.0 Conclusions and Recommendations**

- 5.1 The re-use of this agricultural building for a single dwelling is considered to be appropriate development in the Green Belt and can be converted in line with relevant Local Plan policy. The design of the building provides an enhancement to the building and its surrounds and results in little impact on the visual amenity of the Green Belt or the character of the landscape. Impact on neighbouring properties has been carefully considered however no undue impact will be caused. The access to the property is considered to be acceptable and any resulting trip generation will not result in a loss of highway safety. Matters of ecology, biodiversity and sustainable energy requirement have been fully considered within the proposed scheme in line with current advice.

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

1. A6 (Full with no reserved matters)
2. A11 (Approved plans)
3. B1 (Samples/details of materials)
4. No demolition
5. J1 (Removal of permitted development – residential)
6. B9 (Details of windows and doors)
7. B11 (Details of enclosure)
8. C2 (Retention of existing trees)
9. C9 (Hedge protection)
10. E2 (Foul and surface water)
11. F5 (Construction site noise/vibration)
12. Highways
13. Highways
14. B15 (Owl/bat box)
15. Sustainability measures

Notes

- A SN1 (Removal of permitted development rights)
- B SN3 (Protection of species)
- C Highways
- D The land edged blue is not affected by this application and remains as agricultural land.

Reason for Approval

The re-use of this agricultural building for a single dwelling is considered to be appropriate development in the Green Belt and can be converted in line with relevant local plan policy. The design of the building provides an enhancement to the building and its surrounds and results in little impact on the visual amenity of the Green Belt or the character of the landscape. Impact on neighbouring properties has been carefully considered however no undue impact will be caused. The access to the property is considered to be acceptable and any resulting trip generation will not result in a loss of highway safety. Matters of ecology, biodiversity and sustainable energy requirements have been fully taken account within the proposed scheme in line with current advice.



## Agenda Item No. 5

**Application Reference:** 11/0661/FULL      **Date Received:** 10/11/2011  
**Ord Sheet:** 389871 276704      **Expiry Date:** 05/01/2012  
**Case Officer:** Julia McKenzie-      **Ward:** Blakedown and  
Watts      Chaddesley

**Proposal:** Proposed Car Port (with pitched roof and photovoltaic tiles) and log store

**Site Address:** SION BARN, HILLPOOL, KIDDERMINSTER, DY10 4PF

**Applicant:** A Watson

<b>Summary of Policy</b>	GB.1 GB.2 GB.6 RB.5 D.17 (AWFDLP) CP11, CP12 (AWFCS) D39, (WCSP) PPG2
<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 Sion Barn is a barn conversion located in Hill Pool outside the village of Chaddesley Corbett in the parish of Broome. The site is washed over by Green Belt.
- 1.2 The proposal is for the erection of a car port to the front of the property.
- 1.3 Permitted development rights at the property were removed at the time of the original conversion.

### 2.0 Planning History

- 2.1 WF/0606/85 - Conversion of barn to dwelling : Approved 15/10/85
- 2.2 WF/0251/86 - Conversion of barn to dwelling : Approved 24/06/86
- 2.3 WF/1100/87 - Relocate entrance, erect LPG tank and brick wall : Approved 19/01/88
- 2.4 WF/1101/87 - Car Port : Refused 19/01/88. Dismissed on appeal
- 2.5 WF/1102/87 - Conservatory : Approved 19/01/88
- 2.6 WF/1103/87 - Enlargement of garage : Approved 19/01/88

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- 2.7 WF/0152/88 - Amendments to approved elevations
- 2.8 WF/0824/90 - Double garage and retention of arched entrance : Refused 6/11/90. Dismissed on Appeal
- 2.9 WF/0633/01 - Erection of porch extension : Approved 6/09/01
- 2.10 07/0193/FULL - Erection of conservatory on site of existing : Withdrawn 13/04/07
- 2.11 07/0529/FULL - Erection of a replacement conservatory : Refused 11/07/07

### **3.0 Consultations and Representations**

- 3.1 Broome Parish Council – No objection.
- 3.2 Neighbour/Site Notice – No representations received.

### **4.0 Officer Comments**

- 4.1 Sion Barn is a dwelling created through the re-use and adaptation of a building in the Green Belt. Permission was given to convert the building into a dwelling in 1985 and was only then considered acceptable because of the quality of the barns and the desirability of preserving buildings of character and local importance. The consent contained a number of conditions designed to preserve the character of the buildings as far as possible and permitted development rights were removed. The justification at the time for their removal was that 'permission was granted in order to retain the intrinsic architectural and historic merit of the building'.
- 4.2 It is proposed to erect a car port to the front of the existing garage (currently used as a music room) in order to provide an area for parking of cars and also a log store. The car port would measure 5.8 x 7.2m to a height of 5.7m to the top of the roof pitch. The gable of the roof would face east towards the drive entrance, comprising of matching tiles to the main house, but with built in photovoltaic (PV) solar panels on the south facing slope of the pitch. It would have a large expanse of pitched roof, 8.8m in length to the point where it joins the existing music room (former garage) roof. The agent has stated that the pitch has been designed in order to match the existing large window over the front door.
- 4.3 In 1985, at the time of conversion, the Authority became aware of significant departures from the then approved plans and as such four applications to rectify the situation were received and approval was subsequently given to three of these, with the fourth being refused and dismissed on Appeal, as summarised in paragraph 2.1 above.

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- 4.4 Given the nature of the current application, it is appropriate to expand upon the details of the refused application, as follows:

WF/1101/87 - Erection of a car port was refused for the following reasons:

1. To permit a car port in this instance would be contrary to the Council's general principles of keeping alterations to the original fabric of the barn conversion to a minimum and it would set a serious precedent which would undermine this policy and make it increasingly difficult for the Council to maintain the architectural integrity of existing and future barn conversions.
  2. The design of the car port is alien to and would spoil the character and appearance of the existing dwelling which was only permitted to be converted because of its particular architectural interest.
- 4.5 The applicant appealed against the decision but it was subsequently dismissed. However, despite the dismissal of the appeal, the applicant proceeded with the erection of the refused car port and as such an Enforcement Notice was served in order to secure its removal from the site.
- 4.6 A further application, WF/0824/90 was submitted for the erection of a garage in the same position as the previously refused car port and also the retention of an arched entrance. This application was also refused for similar reasons to the earlier refusal and the applicant again appealed against the decision. The Inspector at the time, stated that 'The Council maintains that barn conversions should be self-contained and extension and additions kept to a minimum, and that there is no exceptional justification for the proposal, which is even worse in its visual impact than the earlier car port. It regards that the proposal is out of scale and character with existing building, and the sensitive character of the green belt as an additional factor justifying the refusal of insensitive and appropriate conversions.'
- 4.7 The Inspector commented further that the Council had taken consistent action to ensure compliance with national and local policy and that he concurred with the conclusions of the previous appeal in that it is overridingly important to safeguard the visual quality of the approved barn conversion, which was a major consideration in the original approval'.
- 4.8 The current application once again proposes the erection of a car port in the same position of the previously refused, and dismissed on appeal, applications referred to above.

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- 4.9 There are three distinct policies that apply in this case that relate to conversions:
- i. Policy GB.1 iv) which relates to development to converted dwellings,
  - ii. Policy RB.5 that deals with extensions to 'Barn Conversions' and
  - iii. Policy GB.1iii) d) that allows proportionate extension to dwellings in Green Belt areas.
- 4.10 The dwelling has had a number of extensions in the past, in particular the substantial raising of the garage roof and a conservatory. It is felt that the cumulative effect of the extended double garage on the prominent front elevation in conjunction with the car port would cause significant harm to the character of this former barn. The proposal is therefore considered to be contrary to the spirit of Policy RB.5 which is to protect former agricultural buildings from harm to their character and appearance caused by extensions.
- 4.11 With regard to Green Belt policy, although the further extensions to the property, including the current proposal, would not result in disproportionate extensions over and above the original dwelling, due to the harm that would be caused to the character of the barn and the conflict with Policy RB.5, the proposal would constitute 'inappropriate development' in this Green Belt location. The proposal is therefore also considered to be contrary to Policy GB.1 of the Adopted Local Plan. Government advice in PPG2 states that inappropriate development is harmful by definition and that very special circumstances must be demonstrated to outweigh any such harm.
- 4.12 As part of the application, the applicant has supplied a supporting letter which questions the interpretation of Policies LA.1 and RB.5 in relation to this application. (Members will be aware that Policy LA.1 of the Local Plan was replaced by Policy CP12 of the Core Strategy in December 2010). In respect of Policy RB.5, the applicant's representative considers that; *"the policy cannot reasonably be interpreted to prevent the type of development envisaged by the application, bearing in mind that the proposal is designed to create a structure which enables the property to be used for objectives which are supportive of the policy, namely the provision of (a) a log store which is in keeping with the character of the landscape, (b) a pitched roof which will incorporate concealed photovoltaic (PV) tiles, which if applied to the exterior of the only other south-facing roof of the property, would indeed detract from, and not integrate with, the landscape character, (c) a pitched roof and gable end whose design is in keeping with the dwelling and (d) a structure which would obscure the view of an adjoining barn constructed of corrugated metal sheeting of no architectural value to the surrounding landscape at all."*

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- 4.13 The Local Planning Authority considers that Policy RB.5 is the primary policy consideration for this application. Firstly, the dwelling is a former barn; it is therefore, by definition, a “dwelling created through the reuse and adaptation of a rural building” to which this policy applies. Policy RB.1 is of relevance in that it states that *“rural buildings will be acceptable for conversion to other uses, provided that... they are of a size suitable for re-use without extensions or extensive alterations, or the addition of new buildings within the curtilage.”* Policy RB.5 restricts extensions to dwellings created through the reuse and adaptation of rural buildings, stating that they will not be permitted. The proposed car port is therefore in direct conflict with this policy and this is clearly demonstrated with the dismissal of two previous appeals for a car port and a garage in the same location on the site. There have been no material changes in circumstances since these previous decisions.
- 4.14 No Very Special Circumstances have been put forward by the applicant in order to outweigh the harm of inappropriateness and the impact that the car port would have on the character of the barn that would be caused as a result of this scheme. No new evidence has been presented in order to justify a change in recommendation from the previous refusals.
- 4.15 The Council maintains the principle of keeping alterations to the original fabric of barn conversions to a minimum, in compliance with national and local policy. In this case, the safeguarding of the visual quality of the approved barn conversion which was a major consideration in the original approval remains the priority.
- 4.16 Finally, I am satisfied that the proposal would not cause undue harm to the amenity of neighbouring residents.

## **5.0 Conclusions and Recommendations**

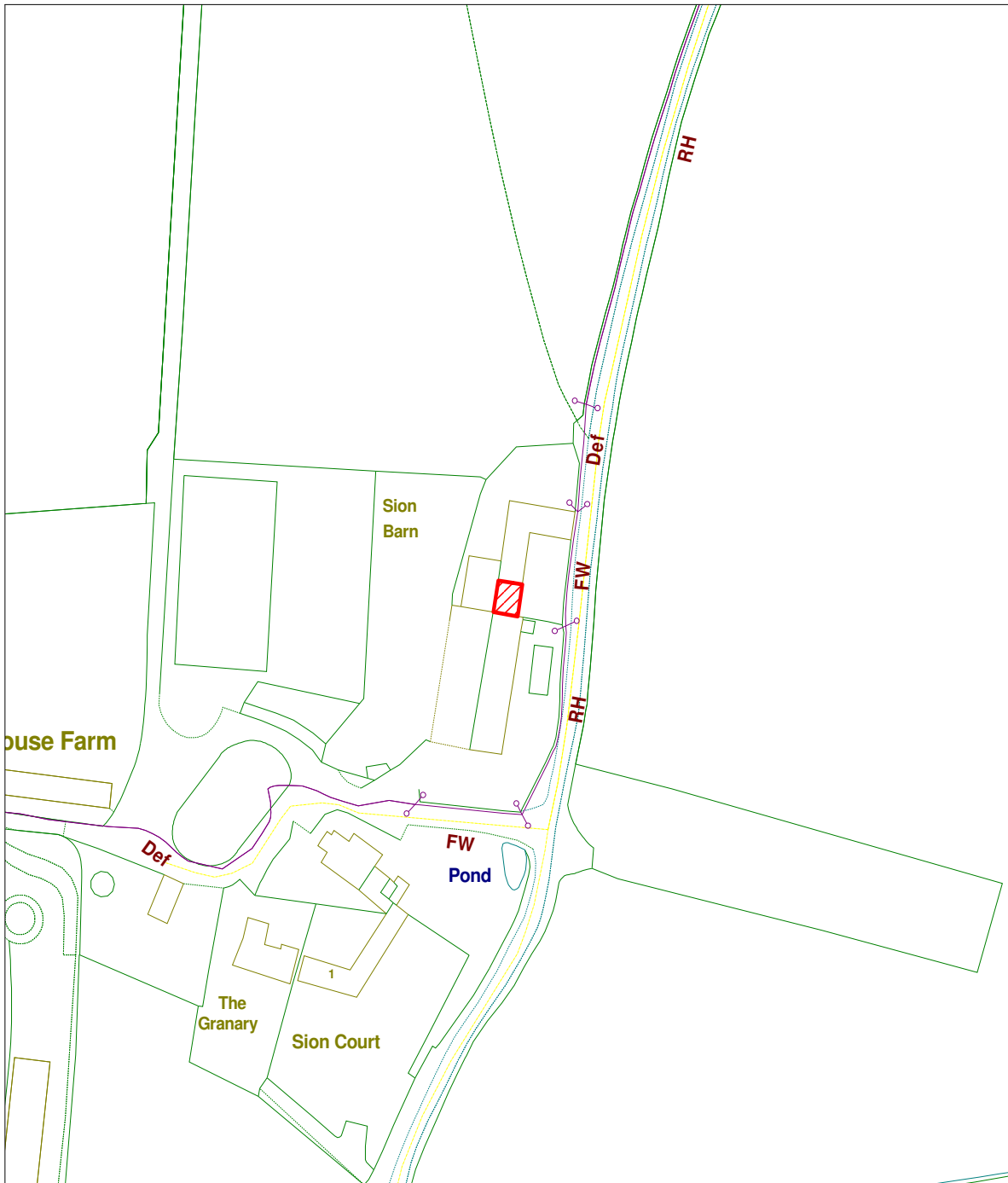
- 5.1 It is considered that the car port, by virtue of its scale and design, both individually and collectively when considered with other extensions would cause significant harm to the character and appearance of this former agricultural building. The proposal would thus result in inappropriate development in this Green Belt location. No very special circumstances have been proven to outweigh the harm caused by inappropriateness or the adverse impact on the character of the former barn.



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5.2 For the reasons outlined above and in consideration of Articles 1 and 8 of the Human Rights Act 1998 I therefore recommend that the application is **REFUSED** for the following reasons:

1. The site is located within the West Midlands Green Belt. The proposed development constitutes 'inappropriate development' in the Green Belt through the extension of a dwelling created through the re-use and adaptation of a rural building. In addition the proposed car port, by virtue of its scale and design, would cause harm to the character and appearance of the former barn and would, when considered alongside existing extensions, result in significant harm being caused to the character and appearance of this rural building. No very special circumstances have been demonstrated by the applicant to outweigh the harm created by reason of inappropriateness or the resulting harm to the character of the former barn. The proposal is therefore considered to be contrary to Policies RB.5 and GB.1 of the Adopted Local Plan, Policies CP11 and CP12 of the Adopted Core Strategy and Policy D39 of the Worcestershire County Structure Plan.
2. The design of the car port is alien to and would spoil the character and appearance of the existing dwelling which was only permitted to be converted because of its particular architectural interest. The proposal is therefore considered to be contrary to Policies RB.5 and GB.1 of the Adopted Local Plan, Policies CP11 and CP12 of the Adopted Core Strategy and Policy D39 of the Worcestershire County Structure Plan.



PLANNING AND REGULATORY SERVICES DIRECTORATE

**Sion Barn  
Hillpool  
DY10 4PF**



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

WYRE FOREST DISTRICT COUNCIL

**PLANNING COMMITTEE**  
**10<sup>TH</sup> JANUARY 2012**

**PART B**

<b>Application Reference:</b>	11/0309/FULL	<b>Date Received:</b>	25/05/2011
<b>Ord Sheet:</b>	383640 274176	<b>Expiry Date:</b>	24/08/2011
<b>Case Officer:</b>	Paul Wrigglesworth	<b>Ward:</b>	Aggborough and Spennells

**Proposal:** Change of use from wholesale cash and carry and storage and distribution use (Class B8) to bulky goods retail (Class A1) and associated works

**Site Address:** 1 FREDERICK ROAD, HOO FARM INDUSTRIAL ESTATE, WORCESTER ROAD, KIDDERMINSTER, DY11 7RA

**Applicant:** Arrowcroft (JB) Limited

<b>Summary of Policy</b>	RT.5, TR.17, D.4, D.10 (AWFDLP) DS02, CP08, CP09 (AWFCS) D25 (WCSP) PA13 (WMRSS) Policy 10 Site allocations and Policies Options Paper Design Quality SPG Planning Obligations SPD PPS1, PPS4; PPG15
<b>Reason for Referral to Committee</b>	'Major' planning application
<b>Recommendation</b>	<b>DELEGATED APPROVAL</b> <b>subject to Section 106 Agreement</b>

**1.0 Site Location and Description**

1.1 This site covers an area of 1.39 hectares and comprises the former Booker cash and carry premises located on Frederick Road and also includes an adjacent parcel of land that has a frontage on to Matthew Lane. The building has a gross floor space of 3,279 sq metres. To the front of the building is a car park with access on to Frederick Road and to the rear is a service yard/car parking area with access on to Edwin Avenue.

1.2 The surrounding area is industrial in character and is allocated for B1, B2 and B8 uses in the Adopted Wyre Forest District Local Plan.

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## 2.0 Planning History

2.1 WF.471/80 - Wholesale Food Cash and Carry : Approved 12.8.80

2.2 With respect to the adjoining parcel of land next to the Booker building (and car park) that makes up part of the application site, the following applications are relevant:

- a) WF.8/01 - Renewal of temporary permission for structure for use as rental office for 5 years : Approved 17.7.01
- b) WF.327/95 Change of use of land and building to vehicle hire and erection of building for 5 years : Approved 20.6.95
- c) WF.11/95 Retention and continued use of snack bar : Approved 5.1.95
- d) 07/0189/COUN –Change of use to receive and store in enclosed containers double bagged asbestos prior to disposal point : Approved 14.3.07

## 3.0 Consultations and Representations

3.1 Highway Authority – No objection subject to conditions.

3.2 Health and Safety Executive – Does not advise on safety grounds against granting of planning permission (standing advice).

3.3 HM Explosives Inspectorate – No response.

3.4 Severn Trent Water – No response.

3.5 Community and Partnership Services – No response.

3.6 Planning Policy Manager – See 'Officer Comments' below.

3.7 Neighbour/Site Notice/Advert – No representations received.

## 4.0 Officer Comments

4.1 The application seeks permission for the change of use of the existing building from a former cash and carry use (Use Class B8) to a bulky goods retailing unit. An adjoining linked area of land that fronts Matthew Lane which has been used for various uses including the parking of commercial vehicles is proposed to be used for external storage and display and loading and unloading, including a customer collection parking area. Two new roller shutter doors are shown to be fitted on this side of the building and the unit is shown to be serviced from here. An existing building is also proposed to be demolished.

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- 4.2 To the north of the building to be used, is a car parking area with access from Edwin Avenue which is proposed to be used for lorry parking and staff car parking. The customer car park to the front of the building facing Frederick Road is to be re-modelled to provide 81 car parking spaces.
- 4.3 The unit is to be operated by TFM Farm and Country Superstore Ltd (TFM) which is a specialist retailer catering primarily for the farming and rural community. Approximately 50% of their sales come from trade sales with 50% being retail.
- 4.4 The area of the building is proposed to be used as follows:
- Agricultural products, including farm machinery and parts, spares, animal feed and accessories (amounting to no less than 50% of the net area of the building);
  - DIY goods, ironmongery and builders merchant;
  - Tools and plant;
  - Gardening products and accessories;
  - Country pursuits (including fishing tackle, riding equipment, shooting equipment);
  - Outdoor Clothing and Footwear (amounting to no more than 15% of the net area of the building);
  - Household Goods (amounting to no more than 10% of the net area of the building); and
  - Domestic Electrical Goods (amounting to no more than 5% of the net area of the building).

#### THE PRINCIPLE OF ALLOWING THE DEVELOPMENT

- 4.5 The Development Plan is the starting point for considering this application. There are several main policies that have key components of relevance. The first group below relate to retail development and the second to employment land:
1. Policy PA13 of the West Midlands Regional Spatial Strategy (WMRSS) states that smaller scale out of centre retail developments (i.e. less than 10,000sq m gross) should be considered in the light of policies and proposals in the development plans and take full account of Government guidance including the requirement to demonstrate 'need' and the sequential test.
  2. Policy RT.5 (Local Plan) requires that there should be a need for the development and it must be demonstrated that the proposal cannot be accommodated within the Primary Shopping Area or Edge-of Centre locations.

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3. Policy DSO2 (Core Strategy) states that Kidderminster should be the focus for new retail development on brownfield sites and that Kidderminster town centre will meet the District's comparison retailing requirements for up to 25,000sqm up until 2026.
4. Policy CP09 (Core Strategy) gives support to safeguarding, maintaining and enhancing the vitality and viability of existing retail town centres. New development for retail and commercial uses should follow a sequential approach and be directed towards the town centre as the strategic centre in the District in the first instance.
5. Policy 10 (Site allocations and Policies Preferred Options Paper May 2011) N.B Only limited weight can be applied to this document as it is still at the second consultation stage of the adoption process) states that large scale retail development (2500 sq m net and above) should be targeted towards Kidderminster as the strategic centre of the District and new retail development of this size should only be permitted where a sequential test has been followed and demonstrated that if it is out of centre there will not be an adverse impact on the existing centre and that the development is capable of being located in a sequentially preferable location. The policy also asserts that the impact of new retail proposals will be carefully assessed using policies and guidance contained in PPS4 – Planning for Sustainable Economic Growth, and the accompanying good practice guide.
6. Kidderminster Central Area Action Plan (KCAAP) Preferred Options Paper (again only limited weight can be applied to this document as it is also at the second consultation stage) states that one of the objectives is to maximise the economic potential of the town centre including shopping, the evening economies and offices.

4.6 There are also policies designed to protect employment land:

1. Policy D25 of the County Structure Plan states that the development of suitable individual sites (on employment land) may be restricted to a specific use within Class B of the Use Classes Order 1987 (as amended) i.e. Business, general industrial and warehouse uses.
2. Policy CP08 (Core Strategy) makes clear that development that would result in a loss of employment land will only be acceptable where it is first demonstrated that
  1. The site is identified in an up-to date Employment Land Review as being suitable to be considered for alternative uses.
  2. The continued use of the buildings or their redevelopment for an employment use is not viable (in physical, operational or commercial terms) and this is supported by robust evidence such as the marketing of the site and evidence that the site is unviable to be developed for employment uses.

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3. The proposed use would be compatible with neighbouring uses and would not prejudice the amenity, viability or future development of other businesses.
  4. When considering alternative uses preference will be given to mixed use development prior to any single use development.
3. Policy 12 (Site Allocations and Policies Preferred Options Paper) (NB Please note that the same caveat as Policy 10 regarding the limited weight is applicable) states that retail development on employment areas (factory outlets) will not be permitted unless they are small scale uses related to or an ancillary part of a business use. Other forms of specialist retailing, including farm shops, garden centres and similar outlets selling goods manufactured on site will be permitted where the retail element is ancillary to the main use.
- 4.7 Two overarching strands that emerge from these policies, namely the importance of safeguarding the interests of the town centre (by ensuring that available sites are used and applying a retail impact assessment) and the need to protect employment land. These issues are addressed below.
- 4.8 The application is accompanied by a sequential test as required by Policies PA13, RT.5, CP09 Policy 10 and PPS4 (Planning for Sustainable Economic Growth). PPS4 requires sites to be assessed in terms of availability, suitability and viability in terms of scale, format, car parking and the possibility of disaggregation. The sequential test analysis submitted with the application has focused on vacant properties rather than redevelopment sites since this is the nature of the submitted application and because TFM is unable to bear the cost of a redevelopment scheme. The alternative sites looked are identified and summarised below:

SEQUENTIAL TEST:

- i) Former Woolworths site, 1 Worcester Street - this site was not considered suitable due to lack of any car parking directly adjacent to the building other than a small area to the rear of the building but there is also a change in levels that would make transferring the transfer of bulky goods very difficult. The buildings low ceilings, multi level configuration and lack of external storage make it unsuitable to meet TFM's operational requirements. Also the applicant's state that they would not expect the Council to see a combined trade/retail outlet in one of its key retail units.
- ii) Former Morrisons, Green Street/Oxford Street – this is now no longer available but was at the time the application was submitted, consequently the argument put forward by the applicant's agent is no longer relevant.

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- iii) Former Magistrates Court, Worcester Street - the building which benefits from a Class D1 Use falls within the wider 'Worcester Street Opportunity site' and is identified as part of a redevelopment area in the Kidderminster Central Area Action Plan – the applicant's agent states that proposals for conversion (demolition would be expected to be inappropriate given its architectural merit) would be unlikely to be appropriate as the Council wish to see mixed commercial/residential usage. Also the applicant's agent argues that the cost of converting the building to create a 'Country Store' is unviable and it does not provide a large retail area is unsuitable
- iv) Crossley Retail Park - no vacant units at the time of the application and as such the site is not sequentially available. Nevertheless, given the requirement for external storage space, delivery vehicle parking areas and the need to accommodate customers visiting the store in larger vehicles and or with trailers the site is unsuitable.
- v) Other Town Centre Vacant Shops - the amalgamation of Units 9 and 9a Weavers Wharf would only result in a floorspace of 1170sqm which is too small (TFM require 3,279sqm) and these units are not viable or suitable.

4.9 There are no other units of a comparable size available.

4.10 The sequential test also looks at sites in the KCAAP but it concludes that in view of land acquisitions, planning applications, Compulsory Purchase Orders and construction would not meet the PPS4 test of being available within a reasonable period of time (i.e. 3-5years) and they do not consider it viable to locate to Weavers Wharf or Bromsgrove Street development (in addition there are operational problems with an in centre site). The applicant's agents analysis also notes that the KCAAP recognises that Crossley Retail Park is located 'out of centre' and so is not sequentially preferable to Hoo Farm.

#### RETAIL IMPACT

4.11 A detailed retail impact assessment accompanies the application based on the PPS4 requirements and the impact is assessed against in-centre trade/turnover and on the trade in the wider area, taking account of current and future consumer expenditure capacity in the catchment area up to five years from the time the application was made. The applicants have tested a range of retail impact scenarios. Under one scenario the store is expected to have a turnover of £6.2 Million by 2016. Using another approach (based on goods that are likely to be sold in the store) a turnover of £9.00 million is expected by the same date. The applicants estimate that 60% of their floorspace would be for agricultural/DIY/builder merchant/ ironmongery/gardening type goods, 15% used for sale of equipment relating to outdoor clothing and footwear, 10% for household goods and 5% for domestic electrical goods. In addition there will be large bulky goods in the external storage area.



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- 4.12 The applicants are of the view that given the focus on agricultural goods as well as its dual nature as both a trade and retail store that the main impact would be on the existing TFM store at Stableford (near Telford) and in addition the non agricultural element would draw trade from existing DIY stores such as Home base and B&Q which are not located within the town centre. The element of trade diverted from the town centre is estimated to be low due to the limited overlap of goods sold in the town centre. For example, there is only one store selling a similar range of DIY goods (John Beard Ironmongery in Oxford Street) and there are only 11 stores in the town centre (out of 301 –i.e. 3.6%) that have any overlap of products (excluding agriculture and DIY goods).
- 4.13 Nevertheless the impact of the retail element of sales has been assessed on the basis that it will draw trade from the town centre. Using the first scenario it is estimated that 33% of the proposed retail turnover of the store in 2016 would be drawn from the town centre. This represents a £1.5 million trade diversion from the town centre in 2016 (an impact of 0.8%). Using the second scenario the town centre trade diversion figure at 2016 is £3 million (comparison goods impact of 1.6%).
- 4.14 The Retail Assessment concludes that the range of town centre impact identified in both scenarios would be imperceptible and would have no detrimental impact on town centre vitality and viability including impact on the centre's investment, trade and turnover. Furthermore the report concludes that the development would have no impact on allocated sites and cannot be located within or on an edge of centre site, since the nature of the proposed goods sold in the store (i.e. generally very large bulky goods), and the type of vehicles needed to collect the goods (including larger vans/lorries and vehicles with trailers), are not conducive to a town centre/edge of centre location. In addition, the development is making use of an existing building to meet the requirements of TFM who sell a wide range of bulky goods. The applicants have also demonstrated that the development is of an appropriate scale.

#### EMPLOYMENT LAND IMPACT

- 4.15 Policy CP08 of the Core Strategy lays out the criteria against which applications should be judged (see above). The first of these is that the site should be identified in an up to date Employment Land Review as being suitable for consideration for employment uses. The applicant's agent makes the point that the Site Allocations document has not been published and in the absence of a site specific material that gives a clear steer on alternative uses the Council's decision should be based on whether the development would harm the supply of employment land provision.

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4.16 In this respect some weight can be given to the Site Allocations and Policy document since it is in the second consultation phase and it is clear this gives no steer towards retail uses on employment land other than as identified in Policy 12 (see above). However, it is nevertheless necessary to look at the situation in the round and gauge the weight to be given to it and the other policies in the Core Strategy against some key points that have been identified by the applicant:

- This is a brownfield site.
- 35 jobs new will be created by the development.
- The Council does not have a shortage of employment land .Paragraph 8.9 of the Core Strategy states:  
*'Even taking into account a flexible approach to the supply of employment land the analysis suggests that Wyre forest has enough employment land of the appropriate type to be able to accommodate its employment needs to 2026'.*
- The Core Strategy recognises that there is a large number of vacant and underused brownfield sites that will provide ideal areas for regeneration and employment floorspace. This accords with the Governments Budget statement which confirms that the creation of jobs is a material consideration in determining planning applications, including proposals which seek to bring commercial uses back into active economic use.
- The site has been marketed for a number of years but there is no interest from Class B users.

4.17 The second issue in Policy CP08 (see above) relates to the viability of the continued use of the buildings or their redevelopment for an employment use (in physical, operational or commercial terms) and the need for robust evidence of non viability of developing the site for employment uses such as the marketing of the site. In this regard the applicant's agent has stated that the site has been marketed since purchase in 2006 when two commercial agents (Harris Lamb and Rapleys) were instructed to market the property for either a tenant or purchaser.

4.18 The marketing for Class B8 uses (its permitted uses) including cash and carry, distribution users and also for light industrial uses and this has been carried out on both a regional and National scale. Later in 2007 King Sturge were employed and subsequently in October 2009 by CBRE but there has been little interest other than TFM.

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- 4.19 The compatibility with neighbouring uses and other businesses is another factor to be considered under Policy CP08 (see above). The applicant's agent points out that there are other trade centres on Hoo Farm including 'Travis Perkins' and 'Plumb Base and City Plumbing' and there are service centres 'Fist Stop' and 'Motor Technics' the latter two being relevant since TFM would have a service and repair centre for many of the tools and equipment sold. There are also trade outlets on Easter Park. The applicant's also point out that the former Cash and carry whilst being a B8 use is a quasi retail use and there are many similarities between that use and the proposed use. I accept the findings that there should be no concerns in terms of the proposed use being incompatible with neighbouring uses or businesses.
- 4.20 With regards to the last point of Policy CP08 this is a change of use rather than a redevelopment scheme and this is not particularly relevant except to say that there are a range of uses proposed within the building.
- 4.21 The Council's Planning Policy Manager has been consulted on the proposal and comments as follows:

'The proposal seeks to provide a change of use on an established employment area from use class B8 (storage and distribution) to use class A1 (Retail). The main difference between the two applications is that 11/309 seeks to provide a further storage area for goods but currently the land has not been acquired to enable this to happen.

As the planning policy considerations for both of the applications are similar, the comments provided relate to both applications submitted.

The proposed site is located on Hoo Farm Industrial Estate, which is the largest employment site within the Wyre Forest District. The site is allocated for employment use, which covers use classes B1, B2 and B8 as well as some Sui Generis Uses. The proposal seeks to implement a retail (A1) use within this area and would therefore need to be viewed as a departure from the Statutory Development Plan.

The applicant is a Farm and Country superstore and the applicant's agents have identified that the proposed goods to be sold are primarily 'bulky goods'. The nature of the goods to be sold is primarily related to farming and agriculture and can be very bulky in nature, although there remains a not insignificant element of the proposal which is for non-bulky goods.

There are a number of issues that need to be considered when assessing this application, and these are looked at in turn below.

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Retailing

National Planning Policy identifies that retail development should be targeted to the town centre in the first instance, before considering other locations. This sequential test is a key element of planning policy and one that the agents have undertaken as part of their submission.

One of the main points that requires consideration is that the Planning statement outlines that: The nature of TFM's business model does not lend itself to covering the cost of renting prime retail units, either within a town centre such as Kidderminster, or in one of the town's existing established retail parks. Whilst officers have sympathy with this approach it is considered that the same argument could be made from other similar retailers who currently occupy more central locations than being considered here. Therefore, there is a danger that the approval of this application could provide the precedent to consider the relocation of more central retailers, based on similar arguments relating to rent and financial constraints.

This could be at the detriment to the town centre and would appear be contrary to the guidance set out in PPS.4.

A number of discussions have taken place with the agents for this site and the application of the sequential test. During these discussions the agents have provided evidence as to why other, more sequentially preferable sites would not be feasible or appropriate for this particular use. Given the level of discussions and the detail included by the applicants a balance needs to be struck between the potential impact on the town centre and the benefits of providing an active economic use in this location, this is discussed further below.

Proposed Site (Employment)

In terms of this particular site, the Adopted Core Strategy provides a clear stance in terms of the retention for employment uses (B1, B2, B8) within allocated employment sites and the use being proposed in this instance does not conform to this.

However, what also needs consideration is the fact that the unit has been empty for a number of years and the proposal would look to reinstate 35 jobs into the area, which would be of economic benefit, and would provide 'employment'.

The last lawful use of the unit was a former cash and carry store and so the proposed development may not be that materially different to what is being proposed through this application. This is because the operations are similar in terms of trade counter and retail based sales.

A balance needs to be struck, therefore, between the retention of employment uses on a site that has been safeguarded for such a use and the requirement to be flexible and promote sustainable economic development, as identified by PPS.4. Although, the sustainability of this location is somewhat questioned.

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A key consideration in this application is, therefore, the effect that allowing a large retail based unit to operate within an out-of-centre location will have on this employment area and the others located around the District.

Transport

The fact that the proposed business is for farm and country goods (agricultural) means that there are potentially large vehicles that will need to visit the store and therefore there is some merit in considering a less central location to enable larger vehicles to visit with less disruption to the town centre. However, the site is not in a sustainable location in terms of access and customers travelling to the store would be reliant on private motor vehicles due to the lack of public transport availability. Therefore, the sustainability of introducing retail uses within this location is also questioned.

Concluding Thoughts

There are merits and disadvantages of the proposal. The opening up of a retail based unit in an out-of-centre location needs careful thought and the reasons for this fully appreciated and understood. The proposed site is also within an existing employment area, safeguarded for uses under the B use classes and would therefore be a departure from the Statutory Development Plan. The proposal does however bring economic benefits, and employment, in terms of re-utilising an existing vacant unit and creating local jobs.

The proposal will therefore need careful consideration based on the issues highlighted above. If you are minded to approve the application an appropriate condition to ensure that restrictions are in place in terms of the type of goods to be sold should be considered as well as a condition restricting any sub-division.'

4.22 The applicant's agent in response to the criticism with respect to the financial viability of TFM not being able to take a unit in a town centre location and the desire not to set a precedent on this matter points out that PPS4 accepts that certain types of retailing, including retailers selling bulky durable goods, are regarded as *"complementary to the role of the town centre retailing, and do not generate sufficient sales productivity to trade in prime town centre locations"* (PPS4 'Practice Guidance' – Para 6.31).

4.23 Furthermore,  
*'Our interpretation of this statement is that the Government acknowledges that it is not financially sound to require certain types of retailing in prime town centre locations. This is precisely the point we made in our original sequential assessment, and it is for this reason that TFM are not able to afford town centre rents. The other reasons why we do not consider the proposed development can be located in the town centre are:*

**Locational Requirements:** *TFM require a site in the urban area, to benefit from the infrastructure offered by such locations, whilst also being close to the edge of the urban area to make it easily accessible to the farming community.*

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**Operational Requirements:** *These requirements include:*

*Ensuring the building is of sufficient size to accommodate the wide range of products, as well as the bulky nature of TFM's products– this includes ensuring the accommodation has high ceilings;*

*Ensuring there is sufficient space to accommodate the external storage and display space required. This space is predominantly used for storing large bulky items which do not require internal storage (e.g. feeding troughs, animal pens, fencing, guttering, fuel tanks, manure, aggregates, etc);*

*Providing sufficient car parking, including elongated spaces able to accommodate customers arriving in larger vans/trucks and/or with trailers;*

*Ensuring there is sufficient on site space to park the three delivery vehicles that TFM will use to transport goods to customers and local businesses.*

*Based on these criteria our original sequential analysis concluded there were no town or edge of centre sites which met TFM's specific financial, locational and operational requirements.*

*PPS4 'Practice Guidance' provides advice on how to undertake a sequential assessment. One of the key messages in this document relevant to the application proposal is that it is "relevant to consider the scale and form of development proposed" and that "there will be instances where a specific need for a certain type and form of development can only realistically be accommodated in specific locations" (Practice Guidance Para 6.25). Based on the above guidance, we remain of the view that the application scheme cannot be located within Kidderminster town centre, and that the only realistic option for accommodating the new TFM store, is within a large single storey building with sufficient adjoining land to accommodate the external storage/display space, as well as the different sized customer (and TFM) vehicles.*

4.24 Other Issues that need to be considered are:

- The effect on neighbouring uses and the amenity of the area.
- Highway issues.
- Planning Obligations.

#### THE EFFECT ON NEIGHBOURING USES AND THE AMENITY OF THE AREA

4.25 As stated the site is located in an industrial area and the development is unlikely to have a serious physical impact on neighbouring uses. No objections have been received.

4.26 The main effect on the amenity of the area is likely to be from the external storage area but the applicants have agreed to the height of the storage is restricted to 4.5 metres in height (this is likely to affect racks of timber). The visual impact of this will be limited as the application site is not on the periphery of the estate and I do not consider this to be a significant problem.

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#### HIGHWAY ISSUES

- 4.27 Following a recommendation of refusal from the Highway Authority on the basis that a transport assessment and travel plan was required the application has been deferred for a considerable period of time. These documents have now been submitted and scrutinised by the Highway Authority and there are now no objections to the development subject to conditions.

#### PLANNING OBLIGATIONS

- 4.28 The applicant's have agreed to a 106 Obligation to enter into an agreement with regards to off-site bio diversity contribution. The Council's Countryside and Conservation Officer is of the view that a sum of £700 would be an appropriate amount to put up bird an owl boxes in the Spennells Valley on the basis that bats and owls would probably have resided on the Hoo Farm estate prior to the development of the industrial estate.
- 4.29 There are no other contributions that are considered to be appropriate.

### 5.0 Conclusions and Recommendations

- 5.1 Clearly a balanced judgement needs to be made against the effect on the town centre, the transport implications of a non central place location, the precedent that may be set for allowing a retail uses on industrial land and some policy statements on the one hand and on the other, the fact that this site has been marketed for the best part of 5 years with no serious takers together with considerations such as the use will provide 35 new jobs ( which is probably many more than a warehouse use) and the realisation that this use is not suitable in a town centre location due to the nature of the bulky goods to be sold.

Indeed these country store operations when they are on a large scale do not tend nationally to operate in or immediately adjacent to a town centre.

- 5.2 A retail impact assessment shows that the scale of trade diversion from the town centre will not give rise to significant detrimental impact or harm (which is the PPS4 test) and the sequential test also indicates that there are no other suitable sites to meet the requirements of the applicant. The application is also made at a time when there is no shortage of employment land.
- 5.3 On balance it is recommended that **delegated APPROVAL** be given subject to the signing of a **Section 106 Agreement** for off site bio diversity enhancement as mentioned above and the following conditions:
1. A6 (Full with no reserved matters)
  2. A11 (Approved plans)

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3. Notwithstanding the provisions of the Town and Country Planning Use Classes Order 1972 as amended or the Town and Country Planning (General Permitted Development) Order 1995 as amended (or any Order revoking and re-enacting that Order with or without modification), this permission gives no consent whatsoever for a general A.1 use but relates to a trade and specific retail use for the sale of the following range of goods strictly as defined below:
  - Agricultural products, including farm machinery and parts, spares, animal feed and accessories (amounting to no less than 50% of the net area of the building);
  - DIY goods, ironmongery and builders merchant; Tools and plant; Gardening products and accessories; Country pursuits (including fishing tackle, riding equipment, shooting equipment); Outdoor Clothing and Footwear (amounting to no more than 15% of the net area of the building, i.e. no more than 393sq m); Household Goods (amounting to no more than 10% of the net area of the building i.e. no more than 262 sq m); and Domestic Electrical Goods but not televisions, fridges, ovens, washing machines, (amounting to no more than 5% of the net area of the building i.e. no more than 131 sq m).
4. The yard and bulk store shall be used for retail sale and storage of bulky agricultural related goods and other ancillary bulky goods and shall not be used for any other purpose whatsoever including any other purpose in Class A1 and Class B8.
5. Notwithstanding the provisions of the Town and Country Planning Use Classes Order 1972 as amended or the Town and Country Planning (General Permitted Development) Order 1995 as amended (or any Order revoking and re-enacting that Order with or without modification) the building and yard shall trade as a single trade and retail unit only and there shall be no sub-division of this unit without the formal permission of the Local Planning Authority.
6. The goods stored in the external storage yard shall not exceed 4.5 metres in height.
7. Highway.

Reason for Approval

The application has been carefully considered in terms of the effect on the town centre and with regards to the loss of employment land but on balance after taking account of the retail assessment which demonstrates that there will not be a significant effect on the town centre, the nature of the business which does not lend itself to a town centre location, the absence of any suitable alternative sites, the lengthy marketing exercise that hasn't resulted in any Industrial/warehouse/office uses, the surplus of employment land, the number of jobs that will be created by the development on balance the proposal is considered to be acceptable as a departure from some of the policies contained within the Development Plan.



## Agenda Item No. 5

**Application Reference:** 11/0310/FULL      **Date Received:** 25/05/2011  
**Ord Sheet:** 383640 274176      **Expiry Date:** 24/08/2011  
**Case Officer:** Paul Wrigglesworth      **Ward:** Aggborough and Spennells

**Proposal:** Change of use from wholesale cash and carry (Class B8) to bulky goods retail (Class A1) and associated works

**Site Address:** UNIT 1 FREDERICK ROAD, AND LAND TO THE WEST, HOO FARM INDUSTRIAL ESTATE, WORCESTER ROAD, KIDDERMINSTER, DY11 7RA

**Applicant:** Arrowcroft (JB) Limited

<b>Summary of Policy</b>	RT.5, TR.17, D.4, D.10 (AWFDLP) DS02, CP08, CP09 (AWFCS) D25 (WCSP) PA13 (WMRSS) Policy 10 Site allocations and Policies Options Paper Design Quality SPG Planning Obligations SPD PPS1, PPS4; PPG15
<b>Reason for Referral to Committee</b>	'Major' planning application
<b>Recommendation</b>	<b>DELEGATED APPROVAL subject to Section 106 Agreement</b>

### 1.0 Site Location and Description

- 1.1 This site covers an area of 0.87 hectares (which is smaller than that described under application 11/0309) and comprises the former Booker cash and carry premises located on Frederick Road and also has a frontage onto Edwin Avenue. The building has a gross floorspace of 3,279 sq m. To the front of the building is a car park (76 spaces) with access onto Frederick Road and to the rear is a service yard with access onto Edwin Avenue.
- 1.2 The surrounding area is industrial in character and is allocated for B1 B2 and B8 uses in the Adopted Wyre Forest District Local Plan.

### 2.0 Planning History

- 2.1 WF.471/80 Wholesale Food Cash and Carry : Approved 12.8.80

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### **3.0 Consultations and Representations**

- 3.1 Highway Authority – No objection subject to conditions.
- 3.2 Health and Safety Executive – Does not advise on safety grounds against granting of planning permission (standing advice).
- 3.3 HM Explosives Inspectorate – No response.
- 3.4 Severn Trent Water – No response.
- 3.5 Community and Partnership Services – No response.
- 3.6 Planning Policy Manager – See ‘Officer Comments’ below.
- 3.7 Neighbour/Site Notice/Advert – No representations received.

### **4.0 Officer Comments**

- 4.1 The application seeks permission for the change of use of the existing building from a former cash and carry use (Use Class B8) to a bulky goods retailing unit. To the north of the building to be used is a car parking area with access from Edwin Avenue which is proposed to be used as a service yard. The customer car park to the front of the building facing Frederick Road is to be re modelled to provide 81 car parking spaces.
- 4.2 The unit is to be operated by TFM Farm and Country Superstore Ltd (TFM) which is a specialist retailer catering primarily for the farming and rural community. Approximately 50% of their sales come from trade sales with 50% being retail.
- 4.3 The area of the building is proposed to be used as follows:
  - Agricultural products, including farm machinery and parts, spares, animal feed and accessories (amounting to no less than 50% of the net area of the building);
  - DIY goods, ironmongery and builders merchant;
  - Tools and plant;
  - Gardening products and accessories;
  - Country pursuits (including fishing tackle, riding equipment, shooting equipment);
  - Outdoor Clothing and Footwear (amounting to no more than 15% of the net area of the building);

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- Household Goods (amounting to no more than 10% of the net area of the building); and
- Domestic Electrical Goods (amounting to no more than 5% of the net area of the building).

#### THE PRINCIPLE OF ALLOWING THE DEVELOPMENT

4.4 The Development Plan is the starting point for considering this application. There are several main policies that have key components of relevance. The first group below relate to retail development and the second to employment land:

1. Policy PA13 of the West Midlands Regional Spatial Strategy (WMRSS) states that smaller scale out of centre retail developments (i.e. less than 10,000sq m gross) should be considered in the light of policies and proposals in the development plans and take full account of Government guidance including the requirement to demonstrate 'need' and the sequential test.
2. Policy RT.5 (Local Plan) requires that there should be a need for the development and it must be demonstrated that the proposal cannot be accommodated within the Primary Shopping Area or Edge-of Centre locations.
3. Policy DSO2 (Core Strategy) states that Kidderminster should be the focus for new retail development on brownfield sites and that Kidderminster town centre will meet the District's comparison retailing requirements for up to 25,000sqm up until 2026.
4. Policy CP09 (Core Strategy) gives support to safeguarding, maintaining and enhancing the vitality and viability of existing retail town centres. New development for retail and commercial uses should follow a sequential approach and be directed towards the town centre as the strategic centre in the District in the first instance.
5. Policy 10 (Site allocations and Policies Preferred Options Paper May 2011) N.B Only limited weight can be applied to this document as it is still at the second consultation stage of the adoption process) states that large scale retail development (2500 sq m net and above) should be targeted towards Kidderminster as the strategic centre of the District and new retail development of this size should only be permitted where a sequential test has been followed and demonstrated that if it is out of centre there will not be an adverse impact on the existing centre and that the development is capable of being located in a sequentially preferable location. The policy also asserts that the impact of new retail proposals will be carefully assessed using policies and guidance contained in PPS4 – Planning for Sustainable Economic Growth, and the accompanying good practice guide.

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6. Kidderminster Central Area Action Plan (KCAAP) Preferred Options Paper (again only limited weight can be applied to this document as it is also at the second consultation stage) states that one of the objectives is to maximise the economic potential of the town centre including shopping, the evening economies and offices.

4.5 There are also policies designed to protect employment land:

1. Policy D25 of the County Structure Plan states that the development of suitable individual sites (on employment land) may be restricted to a specific use within Class B of the Use Classes Order 1987 (as amended) i.e. Business, general industrial and warehouse uses.
2. Policy CP08 (Core Strategy) makes clear that development that would result in a loss of employment land will only be acceptable where it is first demonstrated that:
  1. The site is identified in an up-to date Employment Land Review as being suitable to be considered for alternative uses.
  2. The continued use of the buildings or their redevelopment for an employment use is not viable (in physical, operational or commercial terms) and this is supported by robust evidence such as the marketing of the site and evidence that the site is unviable to be developed for employment uses.
  3. The proposed use would be compatible with neighbouring uses and would not prejudice the amenity, viability or future development of other businesses.
  4. When considering alternative uses preference will be given to mixed use development prior to any single use development.
3. Policy 12 (Site Allocations and Policies Preferred Options Paper) (NB Please note that the same caveat as Policy 10 regarding the limited weight is applicable) states that retail development on employment areas (factory outlets) will not be permitted unless they are small scale uses related to or an ancillary part of a business use. Other forms of specialist retailing, including farm shops, garden centres and similar outlets selling goods manufactured on site will be permitted where the retail element is ancillary to the main use.

4.6 Two overarching strands that emerge from these policies, namely the importance of safeguarding the interests of the town centre (by ensuring that available sites are used and applying a retail impact assessment) and the need to protect employment land. These issues are addressed below.

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- 4.7 The application is accompanied by a sequential test as required by Policies PA13, RT.5, CP09 Policy 10 and PPS4 (Planning for Sustainable Economic Growth). PPS4 requires sites to be assessed in terms of availability, suitability and viability in terms of scale, format, car parking and the possibility of disaggregation. The sequential test analysis submitted with the application has focused on vacant properties rather than redevelopment sites since this is the nature of the submitted application and because TFM is unable to bear the cost of a redevelopment scheme. The alternative sites looked are identified and summarised below:

SEQUENTIAL TEST:

- i) Former Woolworths site, 1 Worcester Street - this site was not considered suitable due to lack of any car parking directly adjacent to the building other than a small area to the rear of the building but there is also a change in levels that would make transferring the transfer of bulky goods very difficult. The buildings low ceilings, multi level configuration and lack of external storage make it unsuitable to meet TFM's operational requirements. Also the applicant's state that they would not expect the Council to see a combined trade/retail outlet in one of its key retail units.
  - ii) Former Morrisons, Green Street/Oxford Street – this is now no longer available but was at the time the application was submitted, consequently the argument put forward by the applicant's agent is no longer relevant.
  - iii) Former Magistrates Court, Worcester Street - the building which benefits from a Class D1 Use falls within the wider 'Worcester Street Opportunity site' and is identified as part of a redevelopment area in the Kidderminster Central Area Action Plan – the applicant's agent states that proposals for conversion (demolition would be expected to be inappropriate given its architectural merit) would be unlikely to be appropriate as the Council wish to see mixed commercial/residential usage. Also the applicant's agent argues that the cost of converting the building to create a 'Country Store' is unviable and it does not provide a large retail area is unsuitable
  - iv) Crossley Retail Park - no vacant units at the time of the application and as such the site is not sequentially available. Nevertheless, given the requirement for external storage space, delivery vehicle parking areas and the need to accommodate customers visiting the store in larger vehicles and or with trailers the site is unsuitable.
  - v) Other Town Centre Vacant Shops - the amalgamation of Units 9 and 9a Weavers Wharf would only result in a floorspace of 1170sqm which is too small (TFM require 3,279sqm) and these units are not viable or suitable.
- 4.8 There are no other units of a comparable size available.

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- 4.9 The sequential test also looks at sites in the KCAAP but it concludes that in view of land acquisitions, planning applications, Compulsory Purchase Orders and construction would not meet the PPS4 test of being available within a reasonable period of time (i.e. 3-5years) and they do not consider it viable to locate to Weavers Wharf or Bromsgrove Street development (in addition there are operational problems with an in centre site). The applicant's agents analysis also notes that the KCAAP recognises that Crossley Retail Park is located 'out of centre' and so is not sequentially preferable to Hoo Farm.

#### RETAIL IMPACT

- 4.10 A detailed retail impact assessment accompanies the application based on the PPS4 requirements and the impact is assessed against in-centre trade/turnover and on the trade in the wider area, taking account of current and future consumer expenditure capacity in the catchment area up to five years from the time the application was made. The applicants have tested a range of retail impact scenarios. Under one scenario the store is expected to have a turnover of £6.2 Million by 2016. Using another approach (based on goods that are likely to be sold in the store) a turnover of £9.00 million is expected by the same date. The applicants estimate that 60% of their floorspace would be for agricultural/DIY/builder merchant/ ironmongery/gardening type goods, 15% used for sale of equipment relating to outdoor clothing and footwear, 10% for household goods and 5% for domestic electrical goods. In addition there will be large bulky goods in the external storage area.
- 4.11 The applicants are of the view that given the focus on agricultural goods as well as its dual nature as both a trade and retail store that the main impact would be on the existing TFM store at Stableford (near Telford) and in addition the non agricultural element would draw trade from existing DIY stores such as Home base and B&Q which are not located within the town centre. The element of trade diverted from the town centre is estimated to be low due to the limited overlap of goods sold in the town centre. For example, there is only one store selling a similar range of DIY goods (John Beard Ironmongery in Oxford Street) and there are only 11 stores in the town centre (out of 301 –i.e. 3.6%) that have any overlap of products (excluding agriculture and DIY goods).
- 4.12 Nevertheless the impact of the retail element of sales has been assessed on the basis that it will draw trade from the town centre. Using the first scenario it is estimated that 33% of the proposed retail turnover of the store in 2016 would drawn from the town centre. This represents a £1.5 million trade diversion from the town centre in 2016 (an impact of 0.8%). Using the second scenario the town centre trade diversion figure at 2016 is £3 million (comparison goods impact of 1.6%).

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- 4.13 The Retail Assessment concludes that the range of town centre impact identified in both scenarios would be imperceptible and would have no detrimental impact on town centre vitality and viability including impact on the centre's investment, trade and turnover. Furthermore the report concludes that the development would have no impact on allocated sites and cannot be located within or on an edge of centre site, since the nature of the proposed goods sold in the store (i.e. generally very large bulky goods), and the type of vehicles needed to collect the goods (including larger vans/lorries and vehicles with trailers), are not conducive to a town centre/edge of centre location. In addition, the development is making use of an existing building to meet the requirements of TFM who sell a wide range of bulky goods. The applicants have also demonstrated that the development is of an appropriate scale.

#### EMPLOYMENT LAND IMPACT

- 4.14 Policy CP08 of the Core Strategy lays out the criteria against which applications should be judged (see above). The first of these is that the site should be identified in an up to date Employment Land Review as being suitable for consideration for employment uses. The applicant's agent makes the point that the Site Allocations document has not been published and in the absence of a site specific material that gives a clear steer on alternative uses the Council's decision should be based on whether the development would harm the supply of employment land provision.
- 4.15 In this respect some weight can be given to the Site Allocations and Policy document since it is in the second consultation phase and it is clear this gives no steer towards retail uses on employment land other than as identified in Policy 12 (see above). However, it is nevertheless necessary to look at the situation in the round and gauge the weight to be given to it and the other policies in the Core Strategy against some key points that have been identified by the applicant:
- This is a brownfield site.
  - 35 jobs new will be created by the development.
  - The Council does not have a shortage of employment land .Paragraph 8.9 of the Core Strategy states:  
*'Even taking into account a flexible approach to the supply of employment land the analysis suggests that Wyre forest has enough employment land of the appropriate type to be able to accommodate its employment needs to 2026'*
  - The Core Strategy recognises that there is a large number of vacant and underused brownfield sites that will provide ideal areas for regeneration and employment floorspace. This accords with the Governments Budget statement which confirms that the creation of jobs is a material consideration in determining planning applications, including proposals which seek to bring commercial uses back into active economic use.
  - The site has been marketed for a number of years but there is no interest from Class B users.

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- 4.16 The second issue in Policy CP08 (see above) relates to the viability of the continued use of the buildings or their redevelopment for an employment use (in physical, operational or commercial terms) and the need for robust evidence of non viability of developing the site for employment uses such as the marketing of the site. In this regard the applicant's agent has stated that the site has been marketed since purchase in 2006 when two commercial agents (Harris Lamb and Rapleys) were instructed to market the property for either a tenant or purchaser.
- 4.17 The marketing for Class B8 uses (its permitted uses) including cash and carry, distribution users and also for light industrial uses and this has been carried out on both a regional and National scale. Later in 2007 King Sturge were employed and subsequently in October 2009 by CBRE but there has been little interest other than TFM.
- 4.18 The compatibility with neighbouring uses and other businesses is another factor to be considered under Policy CP08 (see above). The applicant's agent points out that there are other trade centres on Hoo Farm including 'Travis Perkins' and 'Plumb Base and City Plumbing' and there are service centres 'Fist Stop' and 'Motor Technics' the latter two being relevant since TFM would have a service and repair centre for many of the tools and equipment sold. There are also trade outlets on Easter Park. The applicant's also point out that the former Cash and carry whilst being a B8 use is a quasi retail use and there are many similarities between that use and the proposed use. I accept the findings that there should be no concerns in terms of the proposed use being incompatible with neighbouring uses or businesses.
- 4.19 With regards to the last point of Policy CP08 this is a change of use rather than a redevelopment scheme and this is not particularly relevant except to say that there are a range of uses proposed within the building.
- 4.20 The Council's Planning Policy Manager has been consulted on the proposal and comments as follows:

'The proposal seeks to provide a change of use on an established employment area from use class B8 (storage and distribution) to use class A1 (Retail). The main difference between the two applications is that 11/309 seeks to provide a further storage area for goods but currently the land has not been acquired to enable this to happen.

As the planning policy considerations for both of the applications are similar, the comments provided relate to both applications submitted.

The proposed site is located on Hoo Farm Industrial Estate, which is the largest employment site within the Wyre Forest District. The site is allocated for employment use, which covers use classes B1, B2 and B8 as well as some Sui Generis Uses. The proposal seeks to implement a retail (A1) use within this area and would therefore need to be viewed as a departure from the Statutory Development Plan.



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The applicant is a Farm and Country superstore and the applicant's agents have identified that the proposed goods to be sold are primarily 'bulky goods'. The nature of the goods to be sold is primarily related to farming and agriculture and can be very bulky in nature, although there remains a not insignificant element of the proposal which is for non-bulky goods.

There are a number of issues that need to be considered when assessing this application, and these are looked at in turn below.

#### Retailing

National Planning Policy identifies that retail development should be targeted to the town centre in the first instance, before considering other locations. This sequential test is a key element of planning policy and one that the agents have undertaken as part of their submission.

One of the main points that requires consideration is that the Planning statement outlines that: The nature of TFM's business model does not lend itself to covering the cost of renting prime retail units, either within a town centre such as Kidderminster, or in one of the town's existing established retail parks. Whilst officers have sympathy with this approach it is considered that the same argument could be made from other similar retailers who currently occupy more central locations than being considered here. Therefore, there is a danger that the approval of this application could provide the precedent to consider the relocation of more central retailers, based on similar arguments relating to rent and financial constraints.

This could be at the detriment to the town centre and would appear be contrary to the guidance set out in PPS.4.

A number of discussions have taken place with the agents for this site and the application of the sequential test. During these discussions the agents have provided evidence as to why other, more sequentially preferable sites would not be feasible or appropriate for this particular use. Given the level of discussions and the detail included by the applicants a balance needs to be struck between the potential impact on the town centre and the benefits of providing an active economic use in this location, this is discussed further below.

#### Proposed Site (Employment)

In terms of this particular site, the Adopted Core Strategy provides a clear stance in terms of the retention for employment uses (B1, B2, B8) within allocated employment sites and the use being proposed in this instance does not conform to this.

However, what also needs consideration is the fact that the unit has been empty for a number of years and the proposal would look to reinstate 35 jobs into the area, which would be of economic benefit, and would provide 'employment'.

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The last lawful use of the unit was a former cash and carry store and so the proposed development may not be that materially different to what is being proposed through this application. This is because the operations are similar in terms of trade counter and retail based sales.

A balance needs to be struck, therefore, between the retention of employment uses on a site that has been safeguarded for such a use and the requirement to be flexible and promote sustainable economic development, as identified by PPS.4. Although, the sustainability of this location is somewhat questioned.

A key consideration in this application is, therefore, the effect that allowing a large retail based unit to operate within an out-of-centre location will have on this employment area and the others located around the District.

#### Transport

The fact that the proposed business is for farm and country goods (agricultural) means that there are potentially large vehicles that will need to visit the store and therefore there is some merit in considering a less central location to enable larger vehicles to visit with less disruption to the town centre.

However, the site is not in a sustainable location in terms of access and customers travelling to the store would be reliant on private motor vehicles due to the lack of public transport availability. Therefore, the sustainability of introducing retail uses within this location is also questioned.

#### Concluding Thoughts

There are merits and disadvantages of the proposal. The opening up of a retail based unit in an out-of-centre location needs careful thought and the reasons for this fully appreciated and understood. The proposed site is also within an existing employment area, safeguarded for uses under the B use classes and would therefore be a departure from the Statutory Development Plan. The proposal does however bring economic benefits, and employment, in terms of re-utilising an existing vacant unit and creating local jobs.

The proposal will therefore need careful consideration based on the issues highlighted above. If you are minded to approve the application an appropriate condition to ensure that restrictions are in place in terms of the type of goods to be sold should be considered as well as a condition restricting any sub-division.'

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4.21 The applicant's agent in response to the criticism with respect to the financial viability of TFM not being able to take a unit in a town centre location and the desire not to set a precedent on this matter points out that PPS4 accepts that certain types of retailing, including retailers selling bulky durable goods, are regarded as *"complementary to the role of the town centre retailing, and do not generate sufficient sales productivity to trade in prime town centre locations"* (PPS4 'Practice Guidance' – Para 6.31).

4.22 Furthermore,  
*'Our interpretation of this statement is that the Government acknowledges that it is not financially sound to require certain types of retailing in prime town centre locations. This is precisely the point we made in our original sequential assessment, and it is for this reason that TFM are not able to afford town centre rents. The other reasons why we do not consider the proposed development can be located in the town centre are:*

***Locational Requirements:*** *TFM require a site in the urban area, to benefit from the infrastructure offered by such locations, whilst also being close to the edge of the urban area to make it easily accessible to the farming community.*

***Operational Requirements:*** *These requirements include:  
Ensuring the building is of sufficient size to accommodate the wide range of products, as well as the bulky nature of TFM's products– this includes ensuring the accommodation has high ceilings;*

*Ensuring there is sufficient space to accommodate the external storage and display space required. This space is predominantly used for storing large bulky items which do not require internal storage (e.g. feeding troughs, animal pens, fencing, guttering, fuel tanks, manure, aggregates, etc);*

*Providing sufficient car parking, including elongated spaces able to accommodate customers arriving in larger vans/trucks and/or with trailers;*

*Ensuring there is sufficient on site space to park the three delivery vehicles that TFM will use to transport goods to customers and local businesses.*

*Based on these criteria our original sequential analysis concluded there were no town or edge of centre sites which met TFM's specific financial, locational and operational requirements.*

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*PPS4 'Practice Guidance' provides advice on how to undertake a sequential assessment. One of the key messages in this document relevant to the application proposal is that it is "relevant to consider the scale and form of development proposed" and that "there will be instances where a specific need for a certain type and form of development can only realistically be accommodated in specific locations" (Practice Guidance Para 6.25). Based on the above guidance, we remain of the view that the application scheme cannot be located within Kidderminster town centre, and that the only realistic option for accommodating the new TFM store, is within a large single storey building with sufficient adjoining land to accommodate the external storage/display space, as well as the different sized customer (and TFM) vehicles.*

4.23 Other Issues that need to be considered are:

- The effect on neighbouring uses and the amenity of the area.
- Highway issues.
- Planning Obligations.

#### THE EFFECT ON NEIGHBOURING USES AND THE AMENITY OF THE AREA

4.24 As stated the site is located in an industrial area and the development is unlikely to have a serious physical impact on neighbouring uses. No objections have been received.

4.25 The main effect on the amenity of the area is likely to be from the external storage area but the applicants have agreed to the height of the storage is restricted to 4.5 metres in height (this is likely to affect racks of timber). The visual impact of this will be limited as the application site is not on the periphery of the estate and I do not consider this to be a significant problem.

#### HIGHWAY ISSUES

4.26 Following a recommendation of refusal from the Highway Authority on the basis that a transport assessment and travel plan was required the application has been deferred for a considerable period of time. These documents have now been submitted and scrutinised by the Highway Authority and there are now no objections to the development subject to conditions.

#### PLANNING OBLIGATIONS

4.27 The applicant's have agreed to a 106 Obligation to enter into an agreement with regards to off-site bio diversity contribution. The Council's Countryside and Conservation Officer is of the view that a sum of £700 would be an appropriate amount to put up bird an owl boxes in the Spennells Valley on the basis that bats and owls would probably have resided on the Hoo Farm estate prior to the development of the industrial estate.

4.28 There are no other contributions that are considered to be appropriate.

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## 5.0 Conclusions and Recommendations

5.1 Clearly a balanced judgement needs to be made against the effect on the town centre, the transport implications of a non central place location, the precedent that may be set for allowing a retail uses on industrial land and some policy statements on the one hand and on the other, the fact that this site has been marketed for the best part of 5 years with no serious takers together with considerations such as the use will provide 35 new jobs ( which is probably many more than a warehouse use) and the realisation that this use is not suitable in a town centre location due to the nature of the bulky goods to be sold.

Indeed these country store operations when they are on a large scale do not tend nationally to operate in or immediately adjacent to a town centre.

5.2 A retail impact assessment shows that the scale of trade diversion from the town centre will not give rise to significant detrimental impact or harm (which is the PPS4 test) and the sequential test also indicates that there are no other suitable sites to meet the requirements of the applicant. The application is also made at a time when there is no shortage of employment land.

5.3 On balance it is recommended that **delegated APPROVAL** be given subject to the signing of a **Section 106 Agreement** for off site bio diversity enhancement as mentioned above and the following conditions:

1. A6 (Full with no reserved matters).
2. A11 (Approved plans).
3. Notwithstanding the provisions of the Town and Country Planning Use Classes Order 1972 as amended or the Town and Country Planning (General Permitted Development) Order 1995 as amended (or any Order revoking and re-enacting that Order with or without modification), this permission gives no consent whatsoever for a general A.1 use but relates to a trade and specific retail use for the sale of the following range of goods strictly as defined below:
  - Agricultural products, including farm machinery and parts, spares, animal feed and accessories (amounting to no less than 50% of the net area of the building);
  - DIY goods, ironmongery and builders merchant; Tools and plant; Gardening products and accessories; Country pursuits (including fishing tackle, riding equipment, shooting equipment); Outdoor Clothing and Footwear (amounting to no more than 15% of the net area of the building, i.e. no more than 393sq m); Household Goods (amounting to no more than 10% of the net area of the building i.e. no more than 262 sq m); and Domestic Electrical Goods but not televisions, fridges, ovens, washing machines, (amounting to no more than 5% of the net area of the building i.e. no more than 131 sq m).

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4. The yard and bulk store shall be used for retail sale and storage of bulky agricultural related goods and other ancillary bulky goods and shall not be used for any other purpose whatsoever including any other purpose in Class A1 and Class B8.
5. Notwithstanding the provisions of the Town and Country Planning Use Classes Order 1972 as amended or the Town and Country Planning (General Permitted Development) Order 1995 as amended (or any Order revoking and re-enacting that Order with or without modification) the building and yard shall trade as a single trade and retail unit only and there shall be no sub-division of this unit without the formal permission of the Local Planning Authority.
6. The goods stored in the external storage yard shall not exceed 4.5 metres in height.
7. Highway.

Reason for Approval

The application has been carefully considered in terms of the effect on the town centre and with regards to the loss of employment land but on balance after taking account of the retail assessment which demonstrates that there will not be a significant effect on the town centre, the nature of the business which does not lend itself to a town centre location, the absence of any suitable alternative sites, the lengthy marketing exercise that hasn't resulted in any Industrial/warehouse/office uses, the surplus of employment land, the number of jobs that will be created by the development on balance the proposal is considered to be acceptable as a departure from some of the policies contained within the Development Plan.

<b>Application Reference:</b> 11/0655/TREE	<b>Date Received:</b> 09/11/2011
<b>Ord Sheet:</b> 379759 276078	<b>Expiry Date:</b> 04/01/2012
<b>Case Officer:</b> Alvan Kingston	<b>Ward:</b> Wribbenhall

**Proposal:** Fell a Common Lime, behind No.10 Campion Way

**Site Address:** 1-6 ANTON CLOSE, BEWDLEY, DY12 1HX

**Applicant:** Mrs H Lad

<b>Summary of Policy</b>	D.4 (AWFDLP)
<b>Reason for Referral to Committee</b>	Statutory or non-statutory Consultee has objected and the application is recommended for approval
<b>Recommendation</b>	<b>APPROVAL</b>

### 1.0 Site Location and Description

1.1 The Common Lime within this application is one of a number of trees that were once part of a tree lined driveway for Warstone House. The avenue of Limes is now situated in small rear gardens on a relatively new development.

### 2.0 Planning History

2.1 09/0821/TREE - Cut back / reduce two trees : Approved 19.1.10

### 3.0 Consultations and Representations

3.1 Bewdley Town Council - Objection received. This and other lime trees on this estate are a significant feature and amenity for the area and should be retained as mature trees wherever possible and subject to crowning, lopping or other pruning measures where there is a specific problem to address;

This estate was granted permission on the basis that the trees were in situ and although there have been applications and changes in the intervening period, there should be no automatic assumption that consent for felling is given. In this case the reasons put forward by the applicant are insufficient to justify felling when other tree management measures would be sufficient. It is further noted that the application does not come from the owner of the building which may be most affected by the presence of this tree but by a neighbour.

3.2 Ward Members – No representations received.

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3.3 Neighbour/Site Notice – No representations received.

#### 4.0 **Officer Comments**

- 4.1 The proposed work is to fell a mature Common Lime (*Tilia x europaea*) that is growing within the rear communal garden of 1 – 6 Anton Close, Bewdley.
- 4.2 There have been a number of applications to fell, pollard and prune the trees growing within the gardens of Anton Close and Champion Way in recent years. The main reason for this is the number and size of trees, which used to form an avenue, but now find themselves within small rear gardens.
- 4.3 As a result of the very poor relationship between the mature Lime trees and the nearby dwellings there is significant pressure on the trees to be felled or have inappropriate pruning, which has already taken place in some cases.
- 4.4 The recent new Tree Preservation Order (TPO) that was served and approved by Committee attempted to take the amenity of the trees, their longevity and the relationship they had with the nearby properties into account.
- 4.5 This exercise resulted in the application tree being omitted from the new TPO, due to its proximity to nearby dwellings, moderate lean and fluting along the stem.
- 4.6 Tree Preservation Order No.2 is due to be revoked in the early part of 2012, which will result in this tree not being covered by a TPO and therefore free to be pruned or removed at the owner's wishes.
- 4.7 Although I have great sympathy for the views of Bewdley Town Council and agree that the trees within the gardens of Anton Close and Champion Way are an important feature within the landscape, there are trees that have an unsustainable future due to their size and proximity to dwellings. This is mainly due to residents being unprepared for the disbenefits of having large mature trees in small gardens.
- 4.8 The new Tree Preservation Order has taken these issues into account and has omitted a small number of trees from the new Order, which includes this tree.
- 4.9 Therefore refusing this application will only give this tree a temporary reprieve as once the old Order is revoked it could be felled without any need for formal consent.



11/0655/TREE

**5.0 Conclusions and Recommendations**

5.1 It is recommended that the works are **APPROVED** subject to the following conditions:-

1. TPO1 (Standard time)
2. C17 (TPO Schedule of Works)

Schedule of Works

Only the following works shall be carried out:

Common Lime (*Tilia x europaea*) – Fell.

<b>Application Reference:</b> 11/0679/FULL	<b>Date Received:</b> 18/11/2011
<b>Ord Sheet:</b> 380307 270307	<b>Expiry Date:</b> 13/01/2012
<b>Case Officer:</b> Paul Round	<b>Ward:</b> Areley Kings

**Proposal:** Retention of 2No Bungalows and Garages non compliant with previously approved scheme under 07/0375/FULL

**Site Address:** 4 BROCKTON PLACE, STOURPORT-ON-SEVERN, DY13 0LE

**Applicant:** Mr A Evans

<b>Summary of Policy</b>	H.2, TR.17 (AWFDLP) DS01, DS03, CP01, CP03, CP11, CP12 (AWFCS) QE3 (WMRSS) PPS1, PPS3
<b>Reason for Referral to Committee</b>	Planning application represents departure from the Development Plan
<b>Recommendation</b>	<b>APPROVAL</b>

## 1.0 Site Location and Description

- 1.1 The site occupies an elevated position at the head of a cul-de-sac in a residential area of Stourport-on-Severn. This application seeks permission for the erection of 2 no. three bedroom bungalows with garaging following the demolition of the former dwelling. A similar scheme on the neighbouring plot (formerly 3 Brockton Place) was granted consent in 2006.
- 1.2 The application is essentially a retrospective one and seeks for retention of two bungalows on the site that have built without compliance with the previous approval given in 2007, as referred to in paragraph 2.1 below.

## 2.0 Planning History

- 2.1 07/0375/FULL – Two Bungalows : Approved 31.5.07.

## 3.0 Consultations and Representations

- 3.1 Stourport-on-Severn Town Council – No objections and recommend approval.
- 3.2 Highway Authority – View awaited.
- 3.3 Arboricultural Officer – No objections.

11/0679/FULL

3.4 Neighbour/Site Notice : 1 letter received with the following comment:

“My husband and I have no reason to criticise the development of numbers 4 and 4a Brockton Place, but in fact to congratulate the designer/builder in the manner in which they have been built and presented”.

#### **4.0 Officer Comments**

4.1 An application was approved in 2007 and granted permission for two bungalows on the site. Whilst the original bungalow was demolished in 2007 works did not commence until 2010 and was completed earlier this year. One of the plots has been subsequently occupied.

4.2 It has recently transpired that none of the conditions required by the permission had been submitted and that the buildings had not been built in accordance with the approved plan. This has resulted in the 2007 permission being lost and has led to the current application to retain the bungalows as built (i.e. a retrospective application).

4.3 Since the original 2007 permission, Members will be aware that in 2010 national guidance in the form of PPS3 ‘Housing’ was revised to exclude garden land from the definition of previously developed land. Policies of the Local Plan and Core Strategy require development to be on previously developed land. Whilst the majority of the two bungalows occupy the footprint of the original dwelling parts of them do encroach onto what would have been the garden land serving the previous, since demolished, property and, as such, have to be seen as being contrary to policy.

4.4 The design of the properties is a vast improvement on what previously existed and provides a completion of development that had already begun at No.3, finishing off the cul-de-sac. In fact in 2007 following demolition there was clear intention that this should be a building plot and, as such, consideration of this site could be construed as such.

4.5 It is not ideal to seek for planning permission once properties have been developed, however on this occasion given the minimal encroachment, the enhancement to the street frontage and the fact that this was a development plot since 2007 (before the 2010 PPS3 amendment) it is considered that there is sufficient weight in favour of the development that just tips the balance in order to support the application.

4.6 Visually the development is acceptable. The only work left to finish is the final surface on the driveway, which can be conditioned to be completed within three months of any permission which may be forthcoming. No neighbouring properties have been affected.

4.7 The application has been advertised as a departure from the Local Plan. No representations have been received following this process.

11/0679/FULL

## 5.0 Conclusions and Recommendations

5.1 On balance, notwithstanding the non-previously development nature of part of the site, it is considered that there are sufficient positive arguments in favour of the retention of the development. The buildings are well designed and provide a completeness to the street scene that had previously been accepted and approved in 2007. There are no highway or neighbour amenity issues in this case.

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

1. Completion of driveway within three months of this permission.

Note

Approved Drawings

### Reason for Approval

On balance, notwithstanding the non-previously development nature of part of the site, it is considered that there are sufficient positive arguments in favour of the retention of the development. The buildings are well designed and provide a completeness to the street scene. There are no highway or neighbour amenity issues in this case. For these reasons the proposal is considered to be in accordance with the above listed policies.

## Wyre Forest District Council

Planning Committee Meeting 10 January 2012

### 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
08/1044/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
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

WF No.	Valid Date	Target Date	Address of Site	Description of Proposal	Applicant	Case Officer
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
09/0598/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
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
10/0472/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
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
10/0598/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
11/0146/FULL	10/03/2011	05/05/2011	50 STOURPORT ROAD BEWDLEY DY121BL	Part change of use of domestic property to day nursery for up to 16 children	Mrs K Hopkins	James Houghton

WF No.	Valid Date	Target Date	Address of Site	Description of Proposal	Applicant	Case Officer
11/0297/LIST	19/05/2011	14/07/2011	KNIGHT HOUSE WOLVERLEY VILLAGE WOLVERLEY KIDDERMINSTER DY115XD	Front stone canopy porch, re-roofing main roof, conversion of existing garage to sitting room. Re-skinning existing rear and side single storey extensions, new balcony guard rail, new windows to rear elevation	Mr G Hawkins	James Houghton
11/0309/FULL	25/05/2011	24/08/2011	1 FREDERICK ROAD HOO FARM INDUSTRIAL ESTATE WORCESTER ROAD KIDDERMINSTER DY117RA	Change of use from wholesale cash and carry and storage and distribution use (Class B8) to bulky goods retail (Class A1), creation of egress onto Edwin Avenue and associated works	Arrowcroft (JB) Limited	Paul Wrigglesworth
11/0310/FULL	25/05/2011	24/08/2011	UNIT 1 FREDERICK ROAD AND LAND TO THE WEST HOO FARM INDUSTRIAL ESTATE WORCESTER ROAD KIDDERMINSTER DY117RA	Change of use from wholesale cash and carry (Class B8) to bulky goods retail (Class A1) and associated works	Arrowcroft (JB) Limited	Paul Wrigglesworth
11/0308/FULL	31/05/2011	26/07/2011	KNIGHT HOUSE WOLVERLEY VILLAGE WOLVERLEY KIDDERMINSTER DY115XD	Double detached garage with guest room above. Timber garden room and garden pond	Mr G Hawkins	James Houghton
11/0359/FULL	13/06/2011	08/08/2011	90 ST. JOHNS AVENUE KIDDERMINSTER DY116AZ	Rear first floor extension	Ms JULIE HOPKINS	Stuart Allum



WF No.	Valid Date	Target Date	Address of Site	Description of Proposal	Applicant	Case Officer
11/0420/FULL/O	15/07/2011	14/10/2011	LAND AT CHURCHFIELDS KIDDERMINSTER	HYBRID APPLICATION: AREA A - FULL DETAILS: PROPOSED FOODSTORE (USE CLASS A1) AND PETROL FILLING STATION; ASSOCIATED PLANT, MEANS OF ENCLOSURE, RECYCLING, PARKING AND HIGHWAY WORKS INCLUDING NEW LINK ROAD BETWEEN THE RINGWAY AND CHURCHFIELDS; DEMOLITION OF EXISTING BUILDINGS, WITH EXCEPTION OF THE 1902 BUILDING (PART DEMOLITION PART RETENTION AND CHANGE OF USE TO CAFE, CUSTOMER AND COLLEAGUE FACILITIES). AREA B - OUTLINE: PROPOSED RESIDENTIAL DEVELOPMENT OF UP TO 26 UNITS WITH ASSOCIATED ACCESS AND PARKING; DEMOLITION OF EXISTING BUILDINGS. (LAYOUT AND ACCESS TO BE DETERMINED).	Asda Stores Ltd	Julia Mellor
11/0435/FULL	18/07/2011	12/09/2011	23 & 29 YORK STREET 1 & 1A BRIDGE STREET STOURPORT-ON- SEVERN DY139EH	Internal and external works to create 4 No. 1 bed flats	SUNCREST HOLDINGS LTD	Julia McKenzie- Watts
11/0436/LIST	18/07/2011	12/09/2011	23 & 29 YORK STREET 1 & 1A BRIDGE STREET STOURPORT-ON- SEVERN DY139EH	Internal and external works to create 4 No. 1bed flats	SUNCREST HOLDINGS LTD	Julia McKenzie- Watts
11/0439/FULL	21/07/2011	15/09/2011	HERONS PARK NURSING HOME HERONSWOOD ROAD KIDDERMINSTER DY104EX	Provision of additional bedroom converted from existing accommodation in association with approved scheme for 24 bedroom extension (09/0731)	ROYAL BAY CARE HOMES	Paul Wrigglesworth

WF No.	Valid Date	Target Date	Address of Site	Description of Proposal	Applicant	Case Officer
11/0449/FULL	21/07/2011	15/09/2011	2 QUEENS ROAD STOURPORT-ON-SEVERN DY130BH	Variation of condition 3 of Planning Permission 10/0745/FULL to allow alternative extraction scheme to be installed	Mr S Gogna	Stuart Allum
11/0448/OUTL	26/07/2011	20/09/2011	LAND ADJACENT TO 42 BRIAR HILL CHADDESLEY CORBETT KIDDERMINSTER DY104SH	Erection of a single storey dwelling	Mr A Gregory	Stuart Allum
11/0458/FULL	27/07/2011	21/09/2011	THE SALON BROUGHTON COTTAGE THE VILLAGE CHADDESLEY CORBETT KIDDERMINSTER DY104SA	Single storey extension to rear with internal modifications to create separate living accommodation; replacement of rear flat roof with pitched truss gable roof; single storey extension to side to provide entrance to flats	MISS V PAVLOVIC	Stuart Allum
11/0460/LIST	27/07/2011	21/09/2011	THE SALON BROUGHTON COTTAGE THE VILLAGE CHADDESLEY CORBETT KIDDERMINSTER DY104SA	Single storey extension to rear with internal modifications to create separate living accommodation; replacement of rear flat roof with pitched truss gable roof; single storey extension to side to provide entrance to flats	MISS V PAVLOVIC	Stuart Allum
11/0464/LIST	29/07/2011	23/09/2011	236 WESTBOURNE STREET BEWDLEY DY121BS	Installation of satellite dish on chimney	Mrs J B Roberts	James Houghton
11/0469/FULL	01/08/2011	26/09/2011	RICHMOND ROAD BEWDLEY	Erection of 5 No. affordable dwellings	Wyre Forest Community Housing	James Houghton
11/0471/FULL	01/08/2011	26/09/2011	CLENT AVENUE BIRCHEN COPPICE KIDDERMINSTER	7 No. Affordable Dwellings (5 no. 2 bed and 2 no. 3 bed - alternative scheme to planning approval 08/0311/FULL)	Wyre Forest Community Housing	Julia McKenzie-Watts

WF No.	Valid Date	Target Date	Address of Site	Description of Proposal	Applicant	Case Officer
11/0534/RESE	23/08/2011	22/11/2011	FORMER CARPETS OF WORTH SEVERN ROAD STOURPORT-ON- SEVERN DY139EX	Redevelopment of the site to provide a mix of uses including Residential, Class A Retail Uses, Class B Employment, Class C Hotel and Class D Assembly and Leisure (Reserved Matters following Outline Approval 09/0588/OUTL - Access, Appearance Landscaping, Layout and Scale to be considered)	STOURPORT CORPORATION NV	John Baggott
11/0545/FULL	26/08/2011	21/10/2011	TOP ACRE OFF CURSLEY LANE SHENSTONE KIDDERMINSTER DY104DX	Application under S.73 to vary conditions 1 and 2 of Planning Permission 06/1062/FULL to remove all reference to the limited time period of 5 years for the stationing of caravans for residential purposes, the laying of hardstanding and erection of a close boarded and gravel board fence	MRS S J SMITH	John Baggott
11/0533/CAC	30/08/2011	25/10/2011	CLENSMORE STREET KIDDERMINSTER DY102JY	Reduction of front wall of existing Cornmill building and associated wall to canal (to facilitate redevelopment of the site for residential purposes under planning application reference 11/0163/FULL)	Bellway Homes	Julia Mellor
11/0543/CERTE	31/08/2011	26/10/2011	SMITHS TURNING 5A WHITEHILL ROAD KIDDERMINSTER DY116JH	The use of an area of land as garden land	MR J CADDICK	Paul Wrigglesworth
11/0551/FULL	08/09/2011	03/11/2011	UNIT 16 WILDEN INDUSTRIAL ESTATE STOURPORT-ON-SEVERN DY139JY	Repairs to reinstate damage to edge of yard	Mr K Lee	Stuart Allum
11/0588/FULL	28/09/2011	23/11/2011	45 COMBERTON PARK ROAD KIDDERMINSTER DY103DY	Two-storey side extension and bay window to front	Mr R J Dean	Stuart Allum

WF No.	Valid Date	Target Date	Address of Site	Description of Proposal	Applicant	Case Officer
11/0596/FULL	05/10/2011	30/11/2011	LAND OFF RIBBESFORD ROAD BEWDLEY	Change of use of land to commercial stud farm and erection of stabling	Mr & Mrs P Parker	James Houghton
11/0609/TREE	17/10/2011	12/12/2011	ELFIN GLEN GORST HILL ROCK KIDDERMINSTER DY149YH	Removal of an oak tree	MR P ROGERS	Alvan Kingston
11/0632/FULL	27/10/2011	22/12/2011	GREENACRES WORCESTER ROAD CLENT STOURBRIDGE DY9 0EP	Extensions and alterations to detached dwelling	Mrs R J Coton	James Houghton
11/0633/FULL	27/10/2011	22/12/2011	12 LYNDHOLM ROAD KIDDERMINSTER DY101TJ	Rear Conservatory	Mr & Mrs Carey	Stuart Allum
11/0634/FULL	28/10/2011	23/12/2011	LAND OFF GREY GREEN LANE BEWDLEY	Conversion of redundant agricultural building to form new dwelling and associated work	Central Building Design	Paul Round
11/0635/LIST	28/10/2011	23/12/2011	STRAWBERRY FIELDS BARN CLEOBURY ROAD BEWDLEY DY122QJ	Installation of wood burning stove and associated external flue	MR J LEACH	James Houghton
11/0636/FULL	31/10/2011	26/12/2011	HODGE HILL FARM BARN BIRMINGHAM ROAD KIDDERMINSTER DY103NS	Change of use of existing outbuilding to form 5No. Residential dwellings with associated garaging and parking (Renewal of Planning Permission 08/0659/FULL)	MOOR PARK TRUST	Paul Wrigglesworth
11/0639/FULL	31/10/2011	26/12/2011	27 ENDEAVOUR PLACE STOURPORT-ON-SEVERN DY139RL	First floor side extension over existing garage	Mr M Ballard	James Houghton
11/0640/S106	31/10/2011	26/12/2011	CASTLE LOCKS CASTLE ROAD KIDDERMINSTER DY116TH	Variation of Section 106 Agreement to allow reduced Public Open Space contributions	GREAT TITCHFIELD DEVELOPMENTS LTD	Paul Round

WF No.	Valid Date	Target Date	Address of Site	Description of Proposal	Applicant	Case Officer
11/0646/FULL	02/11/2011	28/12/2011	STONE HOUSE STONE KIDDERMINSTER DY104BG	Extension to form swimming pool, extension over snooker room to form housekeeping accommodation, erection of garage building, reduction of rear levels, alterations to fenestration and internal layout (Renewal of Planning Permission 08/1058/FULL)	Mr J Broadhurst	Stuart Allum
11/0647/S106	02/11/2011	28/12/2011	SEVERN ROAD STOURPORT-ON- SEVERN	Variation of Section 106 agreement to enable a change to the timescale relating to the approval and implementation of Public Art	Tesco Stores Ltd	Julia Mellor
11/0645/FULL	03/11/2011	29/12/2011	60 HIGHFIELD ROAD KIDDERMINSTER DY102TJ	Proposed extension to provide "granny flat"	Mrs L Cubbin	Julia McKenzie-Watts
11/0650/FULL	07/11/2011	02/01/2012	13 SEVERN SIDE SOUTH BEWDLEY DY122DX	Single-storey rear extension to form garden room, internal alterations to form ground floor toilet, new porthole window to passageway	Mr S Kocher	Stuart Allum
11/0651/LIST	07/11/2011	02/01/2012	13 SEVERN SIDE SOUTH BEWDLEY DY122DX	Single-storey rear extension to form garden room, internal alterations to form ground floor toilet, new porthole window to passageway	Mr S Kocher	Stuart Allum
11/0653/FULL	09/11/2011	04/01/2012	18 WYRE HILL BEWDLEY DY122UE	New ground and first floor windows in side elevations and dropped kerb	Mr J Rushgrove	Julia McKenzie-Watts
11/0655/TREE	09/11/2011	04/01/2012	1-6 ANTON CLOSE BEWDLEY DY121HX	Fell a Common Lime, behind No.10 Campion Way	Mrs H Lad	Alvan Kingston

WF No.	Valid Date	Target Date	Address of Site	Description of Proposal	Applicant	Case Officer
11/0660/FULL	10/11/2011	05/01/2012	VICARAGE FARM THE VILLAGE CHADDESLEY CORBETT KIDDERMINSTER DY104SA	Stable block and change of use of land for the keeping of horses	Mr & Mrs A Davis	Paul Wrigglesworth
11/0661/FULL	10/11/2011	05/01/2012	SION BARN HILLPOOL KIDDERMINSTER DY104PF	Proposed car port (with pitched and photovoltaic tiles) and log store	Mr A Watson	Julia McKenzie-Watts
11/0662/FULL	10/11/2011	05/01/2012	HODGE HILL NURSERIES BIRMINGHAM ROAD KIDDERMINSTER DY103NR	Change of use from retail sales of restricted category goods to retail sales of bird and pet foods	MR P NEEDHAM	Paul Wrigglesworth
11/0663/FULL	14/11/2011	09/01/2012	FISHERS CASTLE SANDY LANE HARVINGTON KIDDERMINSTER DY104NF	Proposed alterations to existing loft conversion over garage including insertion of dormer windows	MR J PATTERSON	Stuart Allum
11/0664/FULL	14/11/2011	09/01/2012	NEW HOUSE FARM BELBROUGHTON ROAD BLAKEDOWN KIDDERMINSTER DY103JH	Variation of Condition 5 of Planning Permission WF/0193/01 (Restricting floodlighting) to now read "Floodlighting of the manege hereby approved shall be limited to three lights, fitted with cowls or hoods, fixed at height of 4.3m to the south elevation of the adjacent stable building (identified as Stable 1 on plan 3149/200) and shall not be operated during night-time hours 21:00 to 06:30" (Retrospective)	Mr J Raggett	James Houghton
11/0665/FULL	15/11/2011	10/01/2012	OAKFIELD FARM CAKEBOLE CHADDESLEY CORBETT KIDDERMINSTER DY104RQ	Proposed kitchen, utility and bedroom extension with en-suite	Mr N Meredith	Stuart Allum
11/0666/FULL	15/11/2011	14/02/2012	WHARTON PARK GOLF CLUB LONGBANK BEWDLEY DY122QW	Erection of building for Golf Driving Range and Associated Works	WHARTON PARK GOLF CLUB	Paul Round

WF No.	Valid Date	Target Date	Address of Site	Description of Proposal	Applicant	Case Officer
11/0667/FULL	15/11/2011	10/01/2012	RHONELEA MUSTOW GREEN KIDDERMINSTER DY104LD	Proposed two storey extensions and front single storey extension with lean to and canopy to front of dwelling. Resubmission of withdrawn application ref: 11/0574/FULL.	Mr A Davis	Julia McKenzie-Watts
11/0668/FULL	15/11/2011	10/01/2012	CHADDESLEY GARAGE CHADDESLEY CORBETT KIDDERMINSTER DY104QN	Install 16 solar pv panels onto the south facing roof of this property to generate electricity	HINGLEY & CALLOW OILS LTD T/A	Stuart Allum
11/0673/FULL	15/11/2011	10/01/2012	CALLOW GAS UNIT 6 RUSHOCK TRADING ESTATE RUSHOCK DROITWICH WR9 0NR	Install 16 solar pv panels onto the south west facing roof	CALLOW GAS	Paul Wrigglesworth
11/0674/FULL	16/11/2011	11/01/2012	5 WILLOWFIELD DRIVE KIDDERMINSTER DY115DN	Two single storey side extension	Mr & Mrs Morgan	James Houghton
11/0672/FULL	17/11/2011	12/01/2012	D M S CHROMIUM PLATING LTD FIRS INDUSTRIAL ESTATE KIDDERMINSTER DY117QN	Erection of single storey extension to rear of existing works to form additional storage - overcladding part of existing front elevation and office to enhance appearances	D M S CHROMIUM PLATING LTD	Julia McKenzie-Watts
11/0677/FULL	17/11/2011	12/01/2012	FROG HALL COTTAGE HEIGHTINGTON BEWDLEY DY122XR	Proposed Two Storey Side Extension and Rear Decking. Diversion of Existing Footpath	Mr B Norgrove	James Houghton
11/0671/TREE	18/11/2011	13/01/2012	HIGHBANK CLEOBURY ROAD BEWDLEY DY122PG	Crown Ash Tree by 25 %	Mrs a McKie	Alvan Kingston
11/0675/FULL	18/11/2011	13/01/2012	10 ADAM STREET AND REAR OF 6 ADAM STREET KIDDERMINSTER DY116PS	Erection of 4 No. flats with no car parking (Demolition of builder yard buildings)	MESSRS CONNOLLY & JONES	Paul Wrigglesworth

WF No.	Valid Date	Target Date	Address of Site	Description of Proposal	Applicant	Case Officer
11/0676/FULL	18/11/2011	13/01/2012	6 ADAM STREET KIDDERMINSTER DY116PS	Demolition of bungalow and erection of three terraced houses with garage and parking to the rear of number 5	Mr P T Jones & Sons	Paul Wigglesworth
11/0678/FULL	18/11/2011	13/01/2012	LOWER BARNS COTTAGE HOLLIES LANE FRANCHE KIDDERMINSTER DY115RN	Two storey rear extension and single storey side extension	Mrs P Patterson	Julia McKenzie-Watts
11/0679/FULL	18/11/2011	13/01/2012	4 BROCKTON PLACE STOURPORT-ON-SEVERN DY130LE	Retention of 2 No bungalows and garages non compliant with previously approved scheme under 07/0375/FULL	Mr A Evans	Paul Round
11/0680/FULL	21/11/2011	16/01/2012	KING CHARLES HIGH SCHOOL HILL GROVE HOUSE COMBERTON ROAD KIDDERMINSTER DY101XA	New Floodlights and Security boundary fencing to exterior Astro turf pitch	KING CHARLES HIGH SCHOOL	James Houghton
11/0682/FULL	21/11/2011	16/01/2012	2 ASPEN WALK STOURPORT-ON- SEVERN DY138TZ	Relocation of side boundary fence	Mr J Minor	James Houghton
11/0684/LIST	21/11/2011	16/01/2012	VICTORIA BRIDGE ARLEY BEWDLEY	Replacement of existing timber inspection platform with new GRP platform	Severn Valley Railway (Holdings) Plc	John Baggott
11/0685/FULL	21/11/2011	16/01/2012	SEVERNSIDE CARAVAN PARK SANDY LANE TITTON STOURPORT- ON-SEVERN DY139PY	Alterations and extensions to existing clubhouse to provide improved toilet facilities and a functions room	Allens Caravans	James Houghton
11/0681/FULL	22/11/2011	21/02/2012	37 & 38 OLDNALL ROAD KIDDERMINSTER DY103HN	Demolition of existing properties and erection of care home under use class C2 and associated works	Castle Oak Developments Ltd	Paul Wigglesworth



WF No.	Valid Date	Target Date	Address of Site	Description of Proposal	Applicant	Case Officer
11/0683/LIST	22/11/2011	17/01/2012	STONE HOUSE STONE KIDDERMINSTER DY104BG	Extension to form swimming pool, extension over snooker room to form housekeeping accommodation, erection of garage building, reduction of rear levels, alterations to fenestration and internal layout (Renewal of Listed Building Consent 08/1059/LIST)	Mr J Broadhurst	Stuart Allum
11/0687/FULL	22/11/2011	17/01/2012	FIRS NURSING HOME 105 HABBERLEY ROAD KIDDERMINSTER DY115PW	Proposed office extension, orangery, internal alterations and disabled ramped access.	Rebjon Care Ltd	Julia McKenzie-Watts
11/0688/TREE	24/11/2011	19/01/2012	11 THE CHESTNUTS KIDDERMINSTER DY117BN	Pollard a common lime	Mrs Turvey	Alvan Kingston
11/0689/TREE	24/11/2011	19/01/2012	YEW TREE HOUSE LEA LANE COOKLEY KIDDERMINSTER DY103TA	Fell a yew tree	Mrs K Brookes	Alvan Kingston
11/0690/FULL	24/11/2011	19/01/2012	97 FRANCHE ROAD KIDDERMINSTER DY115BJ	First floor extension and alterations to existing property	Mr C Katsionis	Stuart Allum
11/0691/FULL	24/11/2011	19/01/2012	119 KIDDERMINSTER ROAD BEWDLEY DY121JE	Provision of vehicular access and parking area	Mr R Round	Julia McKenzie-Watts
11/0694/FULL	24/11/2011	19/01/2012	DENORA 100 STOURPORT ROAD KIDDERMINSTER DY117BQ	Two storey side extension to provide additional reception/waiting area at ground floor and decontamination room at first floor with additional staff area	Dr A Pandey	Julia McKenzie-Watts
11/0693/ADVE	25/11/2011	20/01/2012	PENNY BLACK BULL RING KIDDERMINSTER DY102AZ	Display of illuminated and non-illuminated signs to exterior	J D Wetherspoon	Stuart Allum
11/3007/AG	25/11/2011	23/12/2011	SHENSTONE HOUSE FARM SHENSTONE KIDDERMINSTER DY104DH	Polytunnel (24.38m x 6.71m x 2.74m high)	Mr M Talbot	Stuart Allum

WF No.	Valid Date	Target Date	Address of Site	Description of Proposal	Applicant	Case Officer
11/0695/COUN	28/11/2011	22/12/2011	STOURPORT ROAD BEWDLEY DY121AF	Construction of a two stepped concrete plinth to allow safer access to the existing STW cabinet. Construction of a hand rail along the existing wall to match the existing rail	Severn Trent Water Ltd	Paul Round
11/0696/FULL	28/11/2011	23/01/2012	PARWELD LTD BEWDLEY BUSINESS PARK LONG BANK BEWDLEY DY122TZ	Proposed warehouse extension to existing factory (B8). New industrial unit (B1) and associated car parking	C PARKER INVESTMENTS LTD	Julia McKenzie- Watts
11/0697/FULL	28/11/2011	23/01/2012	CEFN RHOS SLADD LANE WOLVERLEY KIDDERMINSTER DY115TE	Conversion of part of attic space to form additional accommodation with associated installation of a dormer window and roof lights	Pearce Design Consultants - Mr A Pearce	Julia McKenzie- Watts
11/0698/FULL	28/11/2011	23/01/2012	29 CHURCH WALK STOURPORT- ON-SEVERN DY130AL	Single storey extensions to front and rear	Mr A Armstrong	James Houghton
11/0699/FULL	28/11/2011	23/01/2012	HAWKBATCH COTTAGE ARLEY BEWDLEY DY123NH	Rear bedroom extension to first floor	Mr G Tennant	James Houghton
11/0700/FULL	28/11/2011	23/01/2012	13 TURTON STREET KIDDERMINSTER DY102TH	Single storey rear extensions with attached garage	Mr S Houldsworth	Stuart Allum
11/0701/FULL	28/11/2011	23/01/2012	27 WOODLANDS ROAD COOKLEY KIDDERMINSTER DY103TL	First floor side extension over existing garage	Mr & Mrs Jones	Stuart Allum
11/3008/TE	28/11/2011	23/01/2012	OUTSIDE THE MASONIC HALL 11 SEVERN ROAD STOURPORT-ON- SEVERN DY139HB	Installation of telecommunications cabinet	BT Openreach	Paul Round
11/0702/FULL	29/11/2011	24/01/2012	HALIFAX PLC 27-28 VICAR STREET KIDDERMINSTER DY101DA	Installation of 2 new replacement air conditioning units, enclosed by a metal cage, at roof level	Lloyds Group Property	Julia McKenzie- Watts

WF No.	Valid Date	Target Date	Address of Site	Description of Proposal	Applicant	Case Officer
11/0703/RESE	30/11/2011	29/02/2012	FORMER MORGAN CERAMICS SITE BEWDLEY ROAD STOURPORT-ON- SEVERN DY138QR	Erection of 98No. dwellings with associated garaging and ancillary car parking, hard and soft landscaping and ancillary works	Redrow Homes Midlands	Paul Round
11/0704/FULL	30/11/2011	25/01/2012	FORMER MORGAN CERAMICS SITE BEWDLEY ROAD STOURPORT-ON- SEVERN DY138QR	Erection of single detached dwelling house with detached single garage, with proposed access off Bewdley Road	Redrow Homes Midlands	Paul Round
11/0705/FULL	30/11/2011	25/01/2012	HIGH HOBRO FARM LITTLE HOBRO LANE WOLVERLEY KIDDERMINSTER DY115SX	Conversion of barn to dwelling and associated works	Mrs J Wilton	Paul Round
11/0708/FULL	30/11/2011	25/01/2012	WYRE FOREST GYMNAS TIC SCHOOL UNIT 1 4 LISLE AVENUE KIDDERMINSTER DY117DL	Two storey side extension	Wyre Forest Gymnastic School	Paul Wrigglesworth
11/0706/FULL	01/12/2011	26/01/2012	ROBIN HOOD PH DRAYTON ROAD DRAYTON BELBROUGHTON DY9 0BW	Layout and provision of replacement children's play equipment and fencing (retrospective)	Mr G Attwood	Paul Round
11/0707/FULL	01/12/2011	26/01/2012	2 CHESHIRE GROVE KIDDERMINSTER DY116AY	Single storey side extension	Mrs J Weatherstone Mrs J Weatherstone	Julia McKenzie- Watts
11/0709/FULL	02/12/2011	27/01/2012	YEW TREE COTTAGE CLATTERCUT LANE RUSHOCK DROITWICH WR9 0NN	Replacement porch	Mr R Kendrick	Stuart Allum
11/0710/FULL	02/12/2011	27/01/2012	20 HIGH CLERE BEWDLEY DY122EY	Single storey rear extension	Mr E Whetton	Stuart Allum

WF No.	Valid Date	Target Date	Address of Site	Description of Proposal	Applicant	Case Officer
11/0711/FULL	05/12/2011	30/01/2012	28-29 SANDY LANE INDUSTRIAL ESTATE STOURPORT-ON-SEVERN DY139QB	Change of use from B1 General Industrial land to Gypsy Caravan Site for 6 pitches	Mrs Y Sandford	Paul Round
11/0712/FULL	05/12/2011	30/01/2012	RED LION 70 CASTLE ROAD COOKLEY KIDDERMINSTER DY103TB	Erection of porch on the north elevation of pub	Mr R Surman	James Houghton
11/0719/FULL	05/12/2011	30/01/2012	DENTAL SURGERY 54 CONNAUGHT AVENUE KIDDERMINSTER DY116LS	Modification (including garage use) extension and change of use from a flat to ancillary uses in association with dental surgery	DR G Birth	Paul Wrigglesworth
10/0056/FULL	06/12/2011	31/01/2012	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, and up to 3 touring caravan pitches, the erection of an amenity block and retention of existing dwelling for residential use	Mrs Betsy Wilson	Julia Mellor
11/0713/TREE	06/12/2011	31/01/2012	1A CHURCH WALK STOURPORT-ON-SEVERN DY130AL	Re-pollard horse chestnut to the previous pollard points	Mr J Install	Alvan Kingston
11/0714/FULL	06/12/2011	31/01/2012	SEVERNSIDE CARAVAN PARK SANDY LANE TITTON STOURPORT-ON-SEVERN DY139PY	Replacement of flood damaged implement store	Allens Caravans	James Houghton
11/0715/FULL	06/12/2011	31/01/2012	9 PERRIN AVENUE KIDDERMINSTER DY116LL	Two storey side and rear extension with side extension built over existing ground floor	Mr & Mrs Wright	James Houghton
11/0716/FULL	06/12/2011	31/01/2012	35 IMPERIAL AVENUE KIDDERMINSTER DY102RA	Two storey side extension	Mr & Mrs Walker	James Houghton

WF No.	Valid Date	Target Date	Address of Site	Description of Proposal	Applicant	Case Officer
11/0717/FULL	06/12/2011	31/01/2012	37 CHESTNUT GROVE KIDDERMINSTER DY115QA	Single storey side extension to provide accommodation for disabled person	Mrs C Rigsby	Stuart Allum
11/0718/FULL	07/12/2011	01/02/2012	19 GOLDEN HIND DRIVE STOURPORT-ON-SEVERN DY139RJ	Two storey side extension	Mr I Patrone	Julia McKenzie-Watts
11/0721/FULL	08/12/2011	02/02/2012	MEADOW GRANGE 76 BELBROUGHTON ROAD BLAKEDOWN KIDDERMINSTER DY103JH	Construction of a new porch and realignment of windows relating	Mr J Raggett	Stuart Allum
11/0722/ADVE	08/12/2011	02/02/2012	SPECSAVERS OPTICIANS 2 COVENTRY STREET KIDDERMINSTER DY102DG	Erection of new internally illuminated fascia signage and projecting sign	Specsavers Opticians	Julia McKenzie-Watts
11/0723/FULL	08/12/2011	02/02/2012	UNIT 1 112 WORCESTER ROAD HOOBROOK INDUSTRIAL ESTATE KIDDERMINSTER DY101HY	Change of Use from Car Showroom (Sui Generis) to B1(c) and B8 Storage and Distribution	N J & N R CROXFORD	Paul Wrigglesworth
11/0725/LIST	09/12/2011	03/02/2012	1 to 5 ALM HOUSES BROCKENCOTE CHADDESLEY CORBETT KIDDERMINSTER DY104PZ	Repair, insulate and re-cover roofs (pitched and flat). Insulate outbuilding cavity walls. Replace entrance doors. Double glaze / secondary glaze existing windows. Re-furbish kitchens and bathrooms. Ventilation added to kitchen and bathrooms. Upgrade heating with new gas fired radiator boiler system. Proposed satellite antenna.	Trustees of Margaret Delabere Almshouses	Stuart Allum
11/0727/FULL	09/12/2011	03/02/2012	95 STOURPORT ROAD BEWDLEY DY121BJ	Proposed demolition of existing conservatory and erection of single storey extension	Mr & Mrs P Jackson	Stuart Allum

WF No.	Valid Date	Target Date	Address of Site	Description of Proposal	Applicant	Case Officer
11/0728/FULL	09/12/2011	03/02/2012	UPPER ARLEY MEMORIAL HALL SPORTS AND SOCIAL CLUB UPPER ARLEY BEWDLEY DY121XA	Demolition of existing hall and construction of new Village/Community Hall (Renewal of 08/0985/FULL)	Upper Arley Parish Council	Paul Round
11/0729/CAC	09/12/2011	03/02/2012	UPPER ARLEY MEMORIAL HALL SPORTS AND SOCIAL CLUB UPPER ARLEY BEWDLEY DY121XA	Demolition of existing Hall (Renewal of 08/0986/CAC)	Upper Arley Parish Council	Paul Round
11/0726/FULL	12/12/2011	06/02/2012	ASHFIELD HOUSE SUGAR LOAF LANE IVERLEY KIDDERMINSTER DY103PB	Change of use from house with multiple occupancy (supported living) to use as 6 bedded residential home for adults (18 - 65) with learning disabilities, some of whom may have mental health problems.	Camphill Village Trust	Stuart Allum
11/0724/FULL	13/12/2011	07/02/2012	28 MITTON STREET STOURPORT- ON-SEVERN DY139AG	Part demolition, construction of extension and conversion to two 2-bedroom dwellings with rear access and parking from Mitton Close	Mr P Arnold	Paul Round
11/0730/FULL	14/12/2011	08/02/2012	ISIS CHURCH LANE BEWDLEY DY122UH	Extensions and modifications to dwelling and erection of attached garage including demolition of existing detached garage	Mr C Roden	Paul Round
11/0731/TREE	14/12/2011	08/02/2012	58B PINERIDGE DRIVE KIDDERMINSTER DY116BG	Remove one pine tree	Mr A Brown	Alvan Kingston
11/0733/LIST	14/12/2011	08/02/2012	THE POST HOUSE 14 LOAD STREET BEWDLEY DY122AE	Install free standing air-conditioning unit, on flat roof of single storey office at rear of building with pipes to run to second floor level	K DREWE INSURANCE BROKERS LTD	Stuart Allum
11/0732/TREE	15/12/2011	09/02/2012	14 THE CHESTNUTS KIDDERMINSTER DY117BN	Fell Chestnut Tree	Mr N Bailey	Alvan Kingston

WF No.	Valid Date	Target Date	Address of Site	Description of Proposal	Applicant	Case Officer
11/0734/FULL	15/12/2011	09/02/2012	6 LOMBARD STREET STOURPORT-ON-SEVERN DY138DT	Proposed change of use at part of ground floor from Class A1 shop to Class A2 financial and professional services to include new shopfront, satellite dishes and 2 no. air conditioning units to the side.	Coral Racing Ltd	James Houghton
11/0735/FULL	15/12/2011	09/02/2012	AUSTCLIFFE FARM AUSTCLIFFE ROAD COOKLEY KIDDERMINSTER DY103UR	Take down the existing garage and re-clad existing steel-frame storage building with additional door, windows and roof light openings	Mr W J Fletcher	Paul Round
11/0736/FULL	15/12/2011	09/02/2012	HODGE HILL NURSERIES BIRMINGHAM ROAD KIDDERMINSTER DY103NR	Installation of 42 Solar PV Panels on south facing roof slope	HODGE HILL NURSERIES	Stuart Allum
11/0737/FULL	15/12/2011	09/02/2012	THE SWATHES ROCK KIDDERMINSTER DY149DH	Two storey extensions to sides and rear of existing cottage	Mr M Winfield	Stuart Allum
11/0738/FULL	15/12/2011	09/02/2012	11 HERMITAGE WAY STOURPORT-ON-SEVERN DY130DA	Two storey side extension and single storey rear extension	Mr I Adams	James Houghton
11/0739/CERTP	16/12/2011	10/02/2012	CHANCES CLOSE WORCESTER ROAD HARVINGTON KIDDERMINSTER DY104LU	Proposed two storey extension	Mr M Daneshfar	Paul Wrigglesworth
11/0740/CERTE	16/12/2011	10/02/2012	44 ROUSBINE CARAVAN PARK CALLOW HILL ROCK KIDDERMINSTER DY149DD	Residential occupation of unit 44 by Site Warden	Mr & Mrs Lunnon	Paul Round

## WYRE FOREST DISTRICT COUNCIL

Planning Committee

10 January 2012

### 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
WFA1392 11/0486/ENF	APP/R1845/C/11 /2158124	Mrs I Harding	12 STOKESAY CLOSE KIDDERMINSTER DY101YB  Unauthorised erection of boundary wall (Enforcement Case No 10/0048/ENF)	WR  10/08/2011	21/09/2011			
WFA1393 11/0489/ENF	APP/R1845/C/11 /2158189	Mr G Attwood	LAND AT THE ROBIN HOOD PH DRAYTON ROAD DRAYTON  Unauthorised erection of a building (Enforcement Case 10/0173/ENF)	WR  11/08/2011	22/09/2011		21/11/2011	Dismissed  08/12/2011



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
WFA1395 10/0635/FULL	APP/R1845/A/11 /2158862	Willmar Hire	FIVE ACRES HEIGHTINGTON ROAD BLISS GATE KIDDERMINSTER  Replacement storage and agricultural machinery workshop building	HE  01/11/2011	13/12/2011	27/12/2011	24/01/2012 Loom Room,	
WFA1396 11/0383/FULL	APP/R1845/A/11 /2159374	Mr M Daneshfar	DRIVING TEST CENTRE 21 CASTLE ROAD KIDDERMINSTER  Internal alterations and conversion to form 3no 3 bedroom apartments	WR  31/08/2011	12/10/2011			
WFA1397 11/0193/LIST	APP/R1845/E/11 /2155253	Ms Emily Field	5 RICKETTS PLACE STOURPORT ROAD BEWDLEY DY121DW  To add velux window to rear roof	WR  20/09/2011	01/11/2011			

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
WFA1398 11/0498/FULL	APP/R1845/A/11 /2163375	Mr T Smith	THE HOLLIES TRIMPLEY LANE SHATTERFORD BEWDLEY DY121RL  Change of use of land to site one static caravan for one gypsy family	HE 07/11/2011	19/12/2011			
WFA1399 11/0428/FULL	APP/R1845/D/11 /2163281	Mr D Warren	8 BRIAR HILL CHADDESLEY CORBETT KIDDERMINSTER  Two storey side extension	WR 10/11/2011				
WFA1400 11/0443/LIST	APP/R1845/E/11 /2164038	Mr M Jackson	1, 2 & 3 HIGH STREET BEWDLEY DY122DH  Retrospective application for retention and alteration of external render	WR 18/11/2011	30/12/2011			

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
WFA1401 11/0503/TREE/2214	APP/TPO/R1845	Mr L Fisher	7 LUDGATE AVENUE KIDDERMINSTER DY116JP  Remove overhanging branches, thin and balance cedar tree in front garden	HE 01/12/2011	12/01/2012			



The Planning  
Inspectorate

Quality Assurance Unit  
Temple Quay House  
2 The Square  
Bristol, BS1 6PN

Direct Line: 0117 372 8252  
Customer Services: 0117 372 6372

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Mr P Jones  
Wyre Forest District Council  
Planning, Health & Environment  
Division  
Duke House  
Clensmore Street  
Kidderminster  
Worcestershire  
DY10 2JX

Your Ref:  
Our Ref: APP/R1845/C/11/2158189  
Date: 8 December 2011

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Dear Mr Jones

**Town and Country Planning Act 1990**  
**Appeal by Mr G Attwood**  
**Site at Land At Robin Hood Public House, Drayton, Belbroughton,**  
**Worcestershire DY9 0BW**

I enclose a copy of our Inspector's decision on the above appeal together with a copy of the decision on an application for an award of costs.

If you have queries or complaints about the decision or the way we handled the appeal, you should submit them using our "Feedback" webpage at [www.planningportal.gov.uk/planning/appeals/planninginspectorate/feedback](http://www.planningportal.gov.uk/planning/appeals/planninginspectorate/feedback). This page also contains information on our complaints procedures and the right of challenge to the High Court, the only method by which the decision can be reconsidered.

If you do not have internet access, or would prefer hard copies of our information on the right to challenge and our complaints procedure, please contact our Quality Assurance Unit on 0117 372 8252 or in writing to the address above.

Please note the Planning Inspectorate is not the administering body for High Court challenges. If you would like more information on the strictly enforced deadlines for challenging, or a copy of the forms for lodging a challenge, please contact the Administrative Court on 020 7947 6655.

You should also note that there is no statutory provision for a challenge to a decision on an application for an award of costs. The procedure is to make an application for judicial review. This must be done promptly. Please contact the Administrative Court for further information.

Yours sincerely



pp Ben White

EDL1

*You can use the Internet to submit documents, to see information and to check the progress of this case through the Planning Portal. The address of our search page is - <http://www.pcs.planningportal.gov.uk/pcsportal/casesearch.asp>  
You can access this case by putting the above reference number into the 'Case Ref' field of the 'Search' page and clicking on the search button*



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## Appeal Decision

Site visit made on 21 November 2011

by **JP Roberts BSc(Hons), LLB(Hons), MRTPI**

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

Decision date: 8 December 2011

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**Appeal Ref: APP/R1845/C/11/2158189**

**Land at the Robin Hood Public House, Drayton, Belbroughton,  
Worcestershire DY9 0BW**

- The appeal is made under section 174 of the Town and Country Planning Act 1990 as amended by the Planning and Compensation Act 1991.
- The appeal is made by Mr G Attwood against an enforcement notice issued by Wyre Forest District Council.
- The notice was issued on 7 July 2011.
- The breach of planning control as alleged in the notice is, without planning permission, the erection of a building.
- The requirements of the notice are:
  - (1) Demolish the building.
  - (2) Remove from the land all building materials and rubble arising from compliance with requirement (1) above.
- The period for compliance with the requirements is 3 months.
- The appeal is proceeding on the grounds set out in section 174(2) (a) and (g) of the Town and Country Planning Act 1990 as amended.

**Summary of Decision: The appeal is dismissed and the notice is upheld.**

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### Application for costs

1. An application for costs was made by a group of local residents against Mr G Attwood. This application is the subject of a separate Decision.

### Main Issues

2. The site lies in the West Midlands Green Belt. The main issues are:
  - i) whether the development amounts to inappropriate development, and if so, whether the harm caused by inappropriateness and any other harm is clearly outweighed by other considerations so as to constitute very special circumstances necessary to justify the development, and
  - ii) whether the period for compliance is reasonable.

### Reasons

Ground (a)

3. The building subject of the enforcement notice is located in a field to the south of the Robin Hood public house, near to an enclosed children's play area. The building is constructed in timber and on 2½ sides there are regularly spaced timber uprights, and a horizontal timber member linking them. The remainder is more open, with just a few uprights. Internally there are 3 posts. The

- building is erected on a concrete pad, and is roofed in profiled steel. The building measures about 11m by 7.25m.
4. Of relevance to this appeal is an application for the re-erection of a former pig-sty in the form previously approved under consent 2010/0323 as an outdoor bar area. That application followed the demolition of the former pig-sty for which permission had been granted for use as an outdoor bar area, but as a result of the demolition, the permission had lapsed. Work on re-erecting the building commenced, but was halted after the intervention of the Council's enforcement team, and an application was submitted for the re-building. That was refused on 21 October 2010, and an appeal against the refusal was dismissed on 10 May 2010. The Inspector found that the building amounted to inappropriate development, harmed the openness of the Green Belt and that other considerations did not clearly outweigh the identified harm so as to amount to very special circumstances to justify the development.
  5. The deemed application for consideration here is not wholly the same as that before the previous Inspector. The building is physically different, in that it is more or less open sided, and the use to which it is intended to be put is different. The appellant indicates that the building would be used by patrons as a shelter from wind and rain, and during the winter for storage of picnic tables.
  6. Both Worcestershire Structure Plan Policy D39 and Saved Wyre Forest Local Plan Policy GB.1 indicate that inappropriate development will not be permitted in the Green Belt, with certain exceptions. These exceptions include development providing essential facilities for outdoor recreation. The Inspector in the previous case found that an outdoor bar in connection with a public house did not fall within such a category.
  7. Irrespective of arguments about whether the appeal site may be lawfully used in connection with the public house, or whether the intended use constitutes outdoor recreation, neither a sun/rain shelter nor a picnic bench store are essential to that use. They would both be minor uses incidental to the primary use of the public house. Saved LP Policy GB.3 also requires that any ancillary buildings necessary for outdoor sport and recreation must be directly related to the needs of the use of the land and be restricted to the minimum size necessary. There is no evidence to show that this latter criterion would be satisfied.
  8. Accordingly, the building amounts to inappropriate development, which is by definition, harmful and would be contrary to the development plan policies referred to above.
  9. As a result of its largely open sides, the appeal building has less substance than the one subject of the previous appeal. Nevertheless, it is a substantial structure in a largely open field, located on a high part of the field. Although there was a pig-sty on the site previously, that has gone and as a new chapter in the planning history has resulted from its demolition, I attach little weight to it. Thus the appropriate comparator as far as openness is concerned is the cleared site.
  10. The ridged roof, although of a shallow pitch, gives the building solidity and contributes to the impression of significant massing. The timber work to the sides of the building allows views through the building, but the parts where

there are numerous uprights and connecting cross-members, also contribute to the building's substance, as does the concrete base. Whilst I accept that the building may not result in the same loss of openness as the building subject of the previous appeal, it would nevertheless have a tangible and harmful effect on openness. As openness is the most important attribute of the Green Belt, this harm attracts substantial weight.

11. Although it is not part of the Council's case, representations from local people criticise the appearance of the building. The appeal site is located well away from the public highway, and some distance from the nearest houses. Even so, the building itself has an incongruous appearance as a result of its incomplete construction. This does not constitute good design, which is a key objective of Planning Policy Statement 1: *Delivering Sustainable Development* (PPS1), and this adds to my concerns.
12. Local residents expressed concerns about the effect of noise in connection with the previous proposal, which the Inspector felt could be addressed by conditions. Although the building is not now proposed to be used as an outdoor bar, it would nevertheless be used by patrons of the public house, and the lack of solid enclosures would not act as a barrier to sound. However, conditions relating to the use of amplified music could adequately deal with the most likely source of noise disturbance. Whilst there may still be some potential for noise from large numbers of patrons gathering in the building, this residual concern would not justify dismissing the appeal on its own, but it adds to my reasons for doing so.
13. The appellant argues that the building would help to safeguard the public house as a local community facility. The previous Inspector found that such considerations were not weighty ones, and the more low key uses now proposed would make an even lesser contribution towards the continued success of the public house. No new evidence has been provided about viability. Whilst regard has been had to Wyre Forest Core Strategy Policy CP.07 which deals with community wellbeing, and to policies in PPS4 *Planning for Sustainable Economic Growth* which promote economic growth and enterprise, these considerations attract little weight.
14. The appellant points to other significant development having occurred in the vicinity of the site, and it was obvious on my visit that new housing had been constructed nearby. I have not been told of the particular details of these permissions, and therefore I am unable to compare them with this proposal. Even though the building in question is of small scale in comparison with the more recent residential development nearby, this is an insufficient reason to justify not applying well-established Green Belt policy.
15. The appellant also argues that the enforcement notice requirement to demolish the building would result in a waste of building materials and would be contrary to sustainability aims. Whilst it is a legitimate aim to use scarce resources in the most sustainable manner, and bearing in mind that the building uses relatively few materials, this argument does not justify the retention of harmful development.
16. The building results in harm through inappropriateness, and through loss of openness. I have also found some harm resulting from its appearance. PPG2 notes that the Secretary of State attaches significant weight to harm to the Green Belt. When balancing the benefit of the building to the public house, I



conclude that this does not clearly outweigh the harm that I have found, and therefore very special circumstances to justify the development do not exist.

17. It follows that the appeal on ground (a) fails, and planning permission is refused.

Ground (g)

18. The appellant seeks a compliance period of 6 months. The only reason put forward in support of this ground of appeal is that the appellant has other, unspecified, commercial commitments. However, the demolition of the building, the removal of resultant materials and the restoration of the land to its former condition would not take long to carry out, and it would leave ample time to make the necessary arrangements for the work to be done.
19. I therefore conclude that the 3 month compliance period is reasonable, and therefore the appeal on ground (g) fails.
20. For the reasons given above, I conclude that the appeal is dismissed and the enforcement notice is upheld.

*JP Roberts*

INSPECTOR



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## Costs Decision

Site visit made on 21 November 2011

**by JP Roberts BSc(Hons), LLB(Hons), MRTPI**

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

**Decision date: 8 December 2011**

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### **Costs application in relation to Appeal Ref: APP/R1845/C/11/2158189 Land at Robin Hood Public House, Drayton, Belbroughton DY9 0BW**

- The application is made under the Town and Country Planning Act 1990, sections 174, 322 and Schedule 6, and the Local Government Act 1972, section 250(5).
  - The application is made by a group of local residents (whose names are shown in a schedule attached as an Annex) for a full award of costs against Mr G Attwood.
  - The appeal was against an enforcement notice alleging the erection of a building without planning permission.
- 

### **Decision**

1. The application for an award of costs is refused.

### **Reasons**

2. The application and the appellant's response were made in writing.
3. Circular 03/2009 advises that, irrespective of the outcome of the appeal, costs may only be awarded against a party who has behaved unreasonably and thereby caused the party applying for costs to incur unnecessary expense in the appeal process. The Circular also makes clear that the parties normally meet their own expense in dealing with planning appeals.
4. Annex D to the Circular deals with costs and third parties, and says that if third parties choose to participate in the appeal process, they do so on their own initiative, and that awards to third parties will only be made in exceptional circumstances. Moreover, at paragraph D5, it says that third parties will not have costs awarded to them where unreasonable behaviour by one of the principal parties relates to the substance of the case. The Circular goes on to identify circumstances where unreasonable behaviour may result in an award of costs to third parties, but these relate to procedural misconduct, which is not relevant here.
5. The application for an award of costs in this case relates to the substance of the appellant's case, and thus an award of costs in this situation would be plainly contrary to the advice in the Circular. I therefore conclude that there are no exceptional circumstances which would justify an award of costs to third parties in this case, and the application is refused and no award is made.

*JP Roberts*

INSPECTOR

ANNEX

Mr & Mrs D Turner

Mr B Newman

Mrs L Richards

Mr M & Mrs E Crawley

Mr & Mrs E Skidmore

Mr E Robbins

Mr & Mrs L Wilkes

Mrs B Davies

Mr & Mrs G Taylor

Mr & Mrs P Barley

Mr & Mrs M Prichard

Mr & Mrs R Green

Mr & Mrs N Darby

Mr & Mrs P Henman

Mr & Mrs D Prichard

Mr & Mrs G Whateley

**WYRE FOREST DISTRICT COUNCIL**

**PLANNING COMMITTEE**

**10<sup>TH</sup> JANUARY 2012**

**Monthly progress report on performance against NI 157 targets for determining planning applications**

<b>OPEN</b>	
<b>RESPONSIBLE OFFICER:</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.

- 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 2011/12. These are as follows:

Major applications	-	65% within 13 weeks.
Minor applications	-	75% within 8 weeks.
Other applications	-	85% 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 2010 to 30<sup>th</sup> September 2011. It also shows the performance at the time of compiling the report within the 3<sup>rd</sup> Quarter of 2011/12 although the relevant period did not end until 31<sup>st</sup> December 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 and more complex major applications which have reached final determination and which have already gone beyond 13 weeks. Whilst every effort has been made to manage these applications effectively, performance in this category is becoming increasingly difficult and performance during both the 1<sup>st</sup> and 2<sup>nd</sup> Quarters of 2011/12 has regrettably fallen below the National target. Performance is likely to continue to be affected in the current and future quarters.

Quarter	No. determined	No. determined within 13 weeks	% determined within 13 weeks
1 January – 31 March 2010	5	3	60.00%
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	6	4	66.67%
1 April – 30 June 2011	5	2	40.00%
1 July – 30 September 2011	6	3	50.00%
1 October – 31 December 2011 (figures taken 19 December 2011)	10	5	50.00%

**Minor applications**

- 4.3 The following table shows the quarterly performance figures for minor applications for the period from 1<sup>st</sup> January 2010 to 30<sup>th</sup> September 2011. It also shows the performance at the time of compiling the report within the 3<sup>rd</sup> Quarter of 2011/12 although the relevant period did not end until 31<sup>st</sup> December 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, added to older more complex applications reaching final determination, performance in this category is now proving to be a real ongoing challenge.

Quarter	No. determined	No. determined within 8 weeks	% determined within 8 weeks
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	26	19	73.08%
1 April – 30 June 2011	39	26	66.67%
1 July – 30 September 2011	27	16	59.26%
1 October – 31 December 2011 (figures taken 19 December 2011)	32	18	56.25%

**Other applications**

- 4.4 The following table shows the quarterly performance figures for other applications for the period from 1<sup>st</sup> January 2010 to 30<sup>th</sup> September 2011. It also shows the performance at the time of compiling the report within the 3<sup>rd</sup> Quarter of 2011/12 although the relevant period did not end until 31<sup>st</sup> December 2011 and, as such, these figures may be subject to further change.
- 4.5 Performance in this category has consistently met, or been close to meeting, the national targets, but in managing performance during the 1<sup>st</sup> Quarter of 2011/12 an unusually high number of older applications came to final determination at the end of the Quarter. These had to be suitably managed, with the result being a significant proportion of these applications were determined at the start of the 2<sup>nd</sup> Quarter of 2011/12, which has had a direct impact upon the performance figures for the 2<sup>nd</sup>

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Quarter, with performance regrettably falling short of the national target. This trend has continued into the 3<sup>rd</sup> Quarter and in doing so causes genuine concern.

Quarter	No. determined	No. determined within 8 weeks	% determined within 8 weeks
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	97	84	86.60%
1 April – 30 June 2011	109	88	80.73%
1 July – 30 September 2011	112	79	70.54%
1 October – 31 December 2011 (figures taken 19 December 2011)	92	68	73.91%

### 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 continues to suffer. Performance in the others category has also deteriorated. This is of particular concern. Every effort is being made, insofar as is possible, to manage new applications within all categories effectively to ensure that performance in this area shows an improvement during future quarters.
- 9.2 Members are advised that the number of planning case officers was reduced by 1 FTE, with effect from 1<sup>st</sup> January 2011. The impact of this lost post is now being felt within Development Control which in turn is having an adverse impact upon performance in all categories of applications. Added to which, the numbers of chargeable pre-application enquiries and applications which are not recorded under the NI 157 (e.g. discharge of conditions and non-material amendments) has shown a marked increase in recent months, which in turn has had an knock-on effect overall performance against NI157.
- 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 – December 2011).
- DCLG : Planning Performance Statistics – Planning Committee (August 2009 – May 2011).