

Open

Planning Committee

Agenda

To be held remotely
5pm
Thursday, 23rd April 2020



Planning Committee

Members of Committee:

Chairman: Councillor C Edginton-White
Vice-Chairman: Councillor J Aston

Councillor C J Barnett

Councillor S J Chambers

Councillor M J Hart

Councillor F M Oborski MBE

Councillor J W R Thomas

Councillor V Caulfield

Councillor P Harrison

Councillor L J Jones

Councillor C Rogers

Councillor L Whitehouse

Information for Members of the Public:-

If you have any questions regarding the agenda or the attached papers please do not hesitate to contact the officer named below.

The meeting is open to the public except for any exempt/confidential items. These items are normally discussed at the end of the meeting. Where a meeting is held remotely, "open" means available for live or subsequent viewing.

Members of the public will be able to hear and see the meetings by a videoconferencing tool – Details of the website for Councillors and members of the public to use, and access codes/passwords, will be made available separately.

This meeting is being held remotely online and will be recorded for play back. You should be aware that the Council is a Data Controller under the Data Protection Act 2018.

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 prior to 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.

If you have any queries about this Agenda or require any details of background papers, further documents or information you should contact Sian Burford, Assistant Committee Services Officer, Wyre Forest House, Finepoint Way, Kidderminster, DY11 7WF. Telephone: 01562 732766 or email sian.burford@wyreforestdc.gov.uk

Declaration of Interests by Members – interests of members in contracts and other matters

Declarations of Interest are a standard item on every Council and Committee agenda and each Member must provide a full record of their interests in the Public Register.

In addition, alongside the Register of Interest, the Members Code of Conduct (“the Code”) requires the Declaration of Interests at meetings. Members have to decide first whether or not they have a disclosable interest in the matter under discussion.

Please see the Members’ Code of Conduct as set out in Section 14 of the Council’s constitution for full details.

Disclosable Pecuniary Interest (DPI) / Other Disclosable Interest (ODI)

DPI’s and ODI’s are interests defined in the Code of Conduct that has been adopted by the District.

If you have a DPI (as defined in the Code) in a matter being considered at a meeting of the Council (as defined in the Code), the Council’s Standing Orders require you to leave the room where the meeting is held, for the duration of any discussion or voting on that matter.

If you have an ODI (as defined in the Code) you will need to consider whether you need to leave the room during the consideration of the matter.

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, Solicitor to the Council, or Corporate Director: Economic Prosperity & Place 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 Corporate Director: Economic Prosperity & Place.
- 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

To be held remotely

Thursday, 23rd April 2020

Part 1

Open to the press and public

Agenda item	Subject	Page Number
1.	Apologies for Absence	
2.	Appointment of Substitute Members To receive the name of any Councillor who is to act as a substitute, together with the name of the Councillor for whom he/she is acting.	
3.	Declarations of Interests by Members In accordance with the Code of Conduct, to invite Members to declare the existence and nature of any Disclosable Pecuniary Interests (DPI's) and / or Other Disclosable Interests (ODI's) in the following agenda items and indicate the action that they will be taking when the item is considered. Please see the Members' Code of Conduct as set out in Section 14 of the Council's Constitution for full details.	
4.	Minutes To confirm as a correct record the Minutes of the meeting held on the 17th March 2020.	7
5.	Applications to be Determined To consider the report of the Development Manager on planning and related applications to be determined.	13
6.	To consider any other business, details of which have been communicated to the Solicitor to the Council 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.	

7.	<p>Exclusion of the Press and Public</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>	
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Part 2

Not open to the Press and Public

8.	<p>To consider any other business, details of which have been communicated to the Solicitor to the Council 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.</p>	
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WYRE FOREST DISTRICT COUNCIL

PLANNING COMMITTEE

COUNCIL CHAMBER, WYRE FOREST HOUSE, FINEPOINT WAY, KIDDERMINSTER

17TH MARCH 2020 (6PM)

Present:

Councillors: V Caulfield, A Coleman, B S Dawes, P Harrison, M J Hart, L J Jones, N Martin, S Miah and J W R Thomas.

Observers:

There were no members present as observers

Cllr M J Hart was elected by the majority of the Committee and chaired the meeting in the absence of the Chairman and Vice Chairman.

PL.74 Apologies for Absence

Apologies for absence were received from Councillors:
C Edginton-White (Chairman), J Aston (Vice-Chairman), C J Barnett,
S J Chambers, F M Oborski MBE, C Rogers and L Whitehouse.

PL.75 Appointment of Substitutes

Councillor A Coleman was a substitute for Councillor Chambers,
Councillor B S Dawes was a substitute for Councillor Rogers, Councillor N Martin
was a substitute for Councillor Barnett and Councillor S Miah was a substitute for
Councillor F M Oborski MBE.

PL.76 Declarations of Interests by Members

No Declarations of Interests were made.

PL.77 Minutes

Decision: The minutes of the meeting held on 18th February 2020 be confirmed as a correct record and signed by the Chairman.

PL.78 Applications To Be Determined

The Committee considered those applications for determination (now incorporated in Development Management Schedule No.582 attached).

Decision: The applications now submitted be determined, in accordance with the decisions set out in Development Management Schedule No 582 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.79 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.

There being no further business, the meeting ended at 6:28pm

WYRE FOREST DISTRICT COUNCIL

PLANNING COMMITTEE

17th March 2020 Schedule 582 Development Management

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 Development Manager, Wyre Forest House, Finepoint Way, Kidderminster. However, a brief description can be seen in brackets alongside each standard condition, note or reason mentioned.

Application Reference: 19/0724/RESE
Site Address: FORMER LEA CASTLE HOSPITAL, PARK GATE ROAD, COOKLEY, KIDDERMINSTER, DY10 3PT
Application DEFERRED

Application Reference: 19/0668/FULL
Site Address: FIELD REAR OF COOKS NURSERY, BEWDLEY ROAD NORTH, STOURPORT-ON-SEVERN, DY13 8PX
The Committee received representation from Mike Clash - Objector and Cllr Vi Higgs (Stourport-on Severn Town Council). Due to Government guidelines on Coronavirus, their representation was made by written statement and read to the Committee by the Development Manager.
APPROVED subject to the following conditions: <ol style="list-style-type: none"> 1. A6 (Full with no reserved matters) 2. A11 (Approved plans) 3. The field shall only be used by a maximum of eight dogs at any one time. 4. No external lighting shall be installed on the site at any time. 5. The use hereby permitted shall be limited to the hours between 6am and 9pm and at no other times without the prior consent in writing of the Local Planning Authority. 6. No buildings shall be erected on the land 7. Details of the parking area to be submitted 8. Details of tree / hedge planting 9. Landscaping scheme 10. No tunnels, sand pits, agility apparatus or any other structures shall be provided on the site without formal planning permission 11. Register of users to be kept and made available for inspection at reasonable times

Application Reference: 19/0613/OUTL

Site Address: Adjacent and Rear of DUKE WILLIAM INN, CALLOW HILL, ROCK, KIDDERMINSTER, DY14 9XH

APPROVED subject to the following conditions:

1. A1 (Standard outline)
2. Approved Plans
3. A2 (Standard outline – reserved matters)
4. A3 (Submission of reserved matters)
5. Limit the development to no more than 6 bungalows
6. Limit the scale to bungalows only with no first floor accommodation
7. B1 (Samples/details of materials)
8. Boundary treatment/enclosure details including close boarded acoustic fencing to rear gardens of plots 1 and 5
9. Glazing and Ventilation product details
10. B13 (Levels details)
11. To secure highway site access works
12. To require vehicular and cycle parking in accordance with County Standards
13. To require a landscaping scheme (including retention of hedgerows and trees along perimeter of site and additional native species planting)
14. To require the landscaping scheme to be implemented
15. Scheme for Foul and Surface Water Drainage
16. Bird and Bat boxes
17. Ecological Enhancement Measures
18. To remove Permitted Development Rights for new front boundary treatments

Notes

- A S278 Agreement
- B Severn Trent Water

Application Reference: 19/0749/FULL

Site Address: WINTERFOLD HOUSE SCHOOL, WINTERFOLD, CHADDESLEY CORBETT, KIDDERMINSTER, DY10 4PW

APPROVED subject to the following conditions:

1. A6 (Full with no reserved matters)
2. A11 (Approved plans)
3. External materials including windows and doors
4. Site and Finished Floor Levels
5. Foul and surface water drainage
6. External Lighting Details
7. To secure Arboricultural Method Statement/ Tree Protection
8. To secure landscaping scheme including new tree planting and hedging around new treatment plant
9. To secure Bat Risk Avoidance Method Statement (RAMS)
10. All works to be undertaken directly under the supervision of a qualified Ecologist
11. Implementation of the ecological enhancement measures
12. To require further Ecology Surveys if works do not start by October 2020
13. Programme of Archaeological Work including WSI
14. Implementation of Archaeological WSI and recording

Note
Travel Plan.

Application Reference: 19/0803/FULL

Site Address: RED LION, 70 CASTLE ROAD, COOKLEY, KIDDERMINSTER, DY10 3TB

APPROVED subject to the following conditions:

1. A6 (Full with no reserved matters)
2. A11 (Approved plans)
3. B1 (samples/details of materials)
4. Access, turning area and parking facilities
5. Provision of cycle parking
6. Details of walls, fences and other means of enclosure to be submitted
7. Details of hard and soft landscaping to be submitted
8. Removal of permitted development rights
9. Provision of electric charging point
10. Tree protection plan
11. No lighting
12. Details of bat roost to be submitted and approved in writing by the Local Planning Authority
13. Root protection zone
14. Site clearance works to be carried out by hand and under the supervision of an ecological clerk of works.
15. All excavations to be covered at night
16. Hedgehog fencing

Notes

- A. Severn Trent Water
- B. Clearance works to take place outside of nesting season

Application Reference: 20/0030/HOU

Site Address: 33 STANKLYN LANE, STONE, KIDDERMINSTER, DY10 4AP

APPROVED subject to the following conditions:

1. A6 (Full with no reserved matters)
2. A11 (Approved plans)
3. B6 (External details – approved plan)
4. The prefabricated timber garden office building shall be used for purposes incidental to the primary use of the dwelling house
5. J1 (Removal of PD rights for outbuildings [Part 1, Class E])

**EXECUTIVE SUMMARY TO REPORT OF
DEVELOPMENT MANAGER**

Planning Committee

Part A Report

Ref:	Address of Site	Recommendation	Page No.
19/0054/FULL	Former Stourport Sports Club Harold Davies Drive Stourport on Severn DY13 0AA	Approval	14

Part B Reports

Ref:	Address of Site	Recommendation	Page No.
20/0021/FULL	Home Farm 25 Franche Court Drive Kidderminster DY11 5RL	Approval	29
20/0108/FUL	Land Adjacent 1 Westhead Road Cookley Kidderminster Worcestershire	Approval	35
20/0152/HOU	71 Bewdley Road North Stourport On Severn DY13 8PX	Approval	41

WYRE FOREST DISTRICT COUNCIL

PLANNING COMMITTEE

23rd APRIL 2020

PART A

Application Reference:	19/0054/FULL	Date Received:	29/01/2019
Ord Sheet:	380830 270880	Expiry Date:	30/04/2019
Case Officer:	Helen Hawkes	Ward:	Areley Kings & Riverside

Proposal: Change of use of land from leisure centre & associated parking to a holiday touring caravan site for up to 51 touring pitches with associated reception building, parking and landscaping

Site Address: FORMER STOURPORT SPORTS CLUB, HAROLD DAVIES DRIVE, STOURPORT-ON-SEVERN, DY130AA

Applicant: Bewdley Caravans

Summary of Policy	DS01, DS02, CP01, CP03, CP05, CP07, CP08, CP10, CP11, CP12, CP13, CP14 (CS) SAL.PFSD1, SAL.DPL1, GPB1, SAL.CC1, SAL.CC2, SAL.CC7, SAL.UP5, SAL.UP6, SAL.UP7, SAL.UP9, SAL.SK2 (SAAPLP) Design Guide SPD Adopted Streetscape Design Guide National Planning Policy Framework National Planning Practice Guidance
Reason for Referral to Committee	'Major' Planning Application
Recommendation	APPROVAL

1.0 Planning History

1.1 WF/0466/04 – Extension to provide fitness suite with associated external alterations : Regulation 4 Approved 1.07.2004

2.0 Consultations and Representations

2.1 Stourport-on-Severn Town Council – No objection and recommend approval.

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- 2.2 Highway Authority No objection to the revised site layout plan subject to conditions to require engineering details of the closure of the existing turning head provision and the installation of the new turning head provision which shall include new footway, dropped kerb works and highway demarcation. Conditions are also required to require the proposed accesses and parking facilities to be provided and for details of cycle storage and electric vehicle charging points for 2 parking spaces to be submitted and agreed. Informative are also recommended to make the applicant aware that they will need to enter into a Section 278 Agreement and a Section 38 Agreement for the necessary highway work that is required as part of this development.

The Highway Authority advises that there is an existing traffic generation associated with the former sports centre which will be greater than the proposed caravan site therefore the change of use is accepted. It is noted that the application is for a touring caravan site rather than residential or mixed which represents a different trip pattern again.

The parking provision of 1 space per pitch is acceptable and cycle parking to support the sustainable credentials of the site will be expected.

The proposed site is located on Harold Davies Drive which is adopted highway for approximately two thirds of its length with an existing turning head currently marked up as unauthorised disabled parking bays. This turning head will need to be removed and the section of the highway stopped up via a Stopping Up Order (S247 Town and Country Planning Act). A new turning head will be required as shown on the submitted plan and this will entail a dedication of land through the Section 38 process. Further details of the layout of the turning head to include a 2m footway and demarcation between the highway and private road will be required. The existing turning head should not be closed up until the proposed turning head is installed to ensure continuity of provision.

The NPPF encourages the use of low emission vehicles and it is recommended that 2 electric vehicle charging points for communal use are provided and are kept available to all occupants of the site towards future proofing the site.

- 2.3 Environment Agency - The Local Planning Authority should be satisfied that the development passes the sequential test. In terms of the exception test, the revised Flood Risk Assessment, topographical information and proposed site plan do not adequately show the impacts of fluvial flood risk. As such, a more in-depth assessment of flood risk is required. It is also recommended that the Local Planning Authority consults with their Emergency Planners and the Emergency Services to determine whether they consider the development to be safe in accordance with the guiding principles of the Planning Practice Guidance. Furthermore, access and egress by vehicular means is also a matter for your Emergency Planners and the Emergency Services.

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Based on the additional information submitted (Technical Note prepared by Weetwood Consultants (dated 04/02/2020)), we are now in a position to remove our standing objection.

The Environment Agency notes that the applicant has confirmed that the site will be used for touring caravans only. This is key information that should help inform the Council's Emergency Planning team in being able to assess the effectiveness of the sites flood evacuation plan. It is advised that any plots located in flood zone 3b would flood prior to the rest of the site and to greater depths and therefore it is recommended that this is considered by the Emergency Planners when assessing the flood evacuation management plan. It is recommended that the Local Planning Authority considers a condition to limit the occupancy times for the site, to exclude higher risk months, over the autumn and winter. A condition is recommended to require a Flood Evacuation Management Plan to be submitted and agreed and an informative to require the applicant/future occupiers to be set up on the Environment Agency's flood warning system.

- 2.4 North Worcestershire Water Management Officer - Following the submission of a flood depth map with a flood evacuation route and details on hardsurfacing, no objection to the application has been provided, subject to conditions to require: a site drainage strategy; details of hardsurfacing of pitches; and a flood event evacuation plan. It is also requested that conditions are attached to prevent: the storage of caravans; alterations to the ground level; and use of the site for static caravans for permanent residential use.
- 2.5 Arboricultural Officer – Following the submission of a detailed landscaping plan, I have no objection to the application subject to a condition to require a landscape management plan.
- 2.6 Senior Housing & Enforcement Officer – No objection subject to a condition to require the site to only be used for holiday use between specific occupation periods and not for use as a 12 month holiday use, in order to prevent the site being occupied as permanent residences. An informative is also recommended to make the applicant aware that they may need to apply for a site licence before the land is used for the siting of caravans.
- 2.7 Parks and Countryside Manager Following the submission of revised details showing a dedicated bat hotel/tower building and lighting plan, no objection to the application has been provided, subject to conditions to require a ecological management plan and monitoring programme for the bat mitigation and to secure the lighting details, bat and bird boxes and precautionary measures relating to itinerant animals.
- 2.8 WCC Education – No objection, as there is no requirement to mitigate the impact of the development on education provision. The proposal, as submitted, is for touring caravans and therefore temporary short stay provision. The proposals are unlikely to yield children requiring an early years or education provision.

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- 2.9 WCC Archaeologist – No objection subject to conditions to require a programme of archaeological works to be undertaken and recorded.
- 2.10 West Mercia Police Designing Out of Crime Officer – No objection.
- 2.11 Cadent and National Grid – No objection and recommend that an informative is attached to ensure the applicant is aware that due to the presence of Cadent and/or National Grid apparatus in proximity to the specified area, the contractor should contact Cadent's Plant Protection before any works are carried out to ensure the apparatus is not affected by any of the proposed works.
- 2.12 Severn Trent Water – No objection subject to a condition to require foul and surface water drainage details.
- 2.13 Conservation Officer – No objection subject to conditions to require landscaping, hedgerow retention and landscape maintenance plan.
- 2.14 Neighbour/Site Notice – 2 letters of objection received from nearby occupiers and the following comments have been made:
- Inadequate information about on-site provision to deal with foul water to determine whether this application will have a negative impact on the current sewerage network, which already has operational issues in the summer months from the adjacent caravan site.
 - Over development.
 - It is wrong to allow a caravan park to be built right next to the riverside, as many tourist visit Stourport because of the nice views from the river.
 - Increase in traffic.
 - Summer traffic is already a nightmare and this will make it worse.
 - Stourport does not need yet another caravan park.

1 letter of observation has been made to this application advising that the right of access for the Stourport Sports Association should be maintained throughout the development and thereafter.

3.0 Site Location and Description

- 3.1 The application site extends to an area of approximately 1.4 hectares and is currently occupied by the former Stourport Sports Club, associated disused building and hardstanding. The site is located on both sides of Harold Davies Drive, off the A451 and within walking distance of the town centre within Stourport-on-Severn. The site contains a number of mature trees and falls within Flood Zones 2 and 3 due to its close proximity to the River Severn.

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- 3.2 Adjoining the site to the southwest is the Old Beam public house, a grade II listed building and beyond is a caravan site for static caravans. To the east is sporting grounds belonging to Stourport Rugby, Football and Cricket clubs and to the north is the Stourport Rowing club, the locally listed Former Toll House and other business units that extend along the river embankment. On the opposite side of the river is the Stourport No. 1 Conservation Area. Beyond the cricket club grounds to the southwest of the site is another caravan park consisting of static caravans. The wider area surrounding the site is predominantly residential in character.
- 3.3 This application is for the demolition of the existing building and change of use of land for the siting of 51 touring caravans with associated reception building, parking, access and soft landscaping.
- 3.4 The proposed site layout includes a turning area within the site to allow large refuse vehicles to turn around and exit the site in a forward gear. All refuse collections will take place on site.
- 3.5 The application has been submitted with a Flood Risk Assessment, Ecological Impact Assessment, Transport Statement and a Heritage Statement.

4.0 Officer Comments

- 4.1 The main considerations for this application are whether the proposed use of the site as a holiday caravan park for 51 touring caravans is acceptable in principle and whether there would be any adverse impacts on visual amenity including the setting of the nearby heritage assets, on highway safety, flood risk and on ecology.

PRINCIPLE OF DEVELOPMENT

- 4.2 The application site relates to the former Stourport-on-Severn Leisure Centre, which was sold in 2016 to the applicant, following the Council's decision to consolidate the former Glades Sports Centre within Kidderminster with Stourport-on-Centre Sports Centre and the development of Wyre Forest Leisure Centre (approved under application 15/0015/RESE). Policy SAL.DPL11 of the Adopted Site Allocations and Policies Local Plan advises that community facilities should be safeguarded and that applications involving the loss of any community facility to an alternative use must be first justified, which should include evidence to show it is no longer economically viable and that it has been actively marketed for at least 12 months or that suitable alternative provision can or has been provided in an appropriate location. As an alternative sports centre has been provided by the development of Wyre Forest Leisure Centre, I am satisfied that there would be no conflict with Policy SAL.DPL11.

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- 4.3 The proposed use of the site as a holiday caravan site for touring caravans would accord with Policy CP10 of the Adopted Core Strategy, which seeks to support local tourism opportunities within the market towns of Stourport-on-Severn and Bewdley providing the development:
- does not have a detrimental effect on the character of the area;
 - does not affect the surrounding infrastructure;
 - benefits the local community and is proportionate to the size of the settlement in which it is located;
 - where feasible, involves the re-use of existing buildings or is part of farm diversification; and
 - is consistent with other policies in the plan.
- 4.4 I am satisfied that this development would meet the above criteria set out within Policy CP10 and would actively promote sustainable tourism opportunities within Stourport-on-Severn. The development is considered to be proportionate to the size of Stourport-on-Severn and would be well contained by the proposed landscaping, which would provide screening for the site from public viewpoints outside the site.
- 4.5 The application is for a change of use of land with the only form of built development being the low scale reception building and although the application would enable the temporary stationing of 51 touring caravans, it is unlikely to result in a detrimental effect on the character of the area. The site is also easily accessible to the town centre by walking and cycling and is considered to be a sustainable location for providing tourism accommodation and supporting local businesses.
- 4.6 The location of the application site within the existing urban area also ensures that the proposed redevelopment does not conflict with Policy CP12 (Landscape Character) of the Adopted Core Strategy, which restricts applications for caravans within the District's rural areas.
- 4.7 I therefore consider that the proposed holiday caravan use of the site, in particular the site's location, is acceptable in principle, subject to the following site specific considerations.

SITE LAYOUT AND VISUAL IMPACT

- 4.8 The site is currently occupied by the former Stourport Sports Club, associated disused building and hardstanding for car parking. The existing building is a prominent building due to its double height and built form, having previously consisted of several gymnasiums and a swimming pool. It is dilapidated in appearance due to not having been used in years and being damaged by fire. As such, it is noticeable that the existing building contributes negatively to the character of the area and particularly to the setting of the grade II listed Old Beam PH.

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- 4.9 The proposed development would involve the demolition of the existing building and replacement with touring caravan pitches. The development would include new tree and shrub planting around the peripheries of the site, which would help to screen and limit views of the caravans from outside of the site. The proposed reception building would be single storey in height to ensure it is small in scale and does not appear domineering from wider public viewpoints. In addition, the impact on visual amenity would be further reduced because the proposed holiday caravan park would be seasonal. I am of the view that the development would significantly improve the visual amenity of the site compared to its present state and would not detract from the character of the local area, in accordance with Policies CP11 and CP12 of the Adopted Core Strategy, Policies SAL.UP7 and SAL.UP9 of the Adopted Site Allocations and Policies Local Plan.
- 4.10 I note that one letter of objection has raised concern about the proposed development and that it would result in over development of the site. Although the caravan pitches would be spaced tightly together in rows with very little spacing between each one and a lack of greenery within the site, there would be a good level of landscaping around the peripheries of the site to help screen the touring caravans from wider public viewpoints. The applicant has also advised that most of the visitors to the site will visit the town centre for leisure instead of staying on the caravan park site and therefore do not require any on-site recreation or play areas. I am satisfied that the proposals would not result in an over development or over intensive use of the site and that it would provide adequate holiday accommodation for visitors.

PARKING AND HIGHWAY SAFETY

- 4.11 Policy CP03 of the Adopted Core Strategy seeks to limit the effect of traffic impact on the local highway network through enhancing accessibility, delivering transport infrastructure, taking account of air quality and setting parking standards for new developments. Policies SAL.CC1 and SAL.CC2 of the Adopted Site Allocations and Policies Local Plan and Paragraph 108 of the Framework are also consistent with Policy CP03.
- 4.12 Extensive discussions have been taken place with the Highways Authority during the course of this application to ensure the applicant carries out appropriate highway works so that there is a clear delineation between the public highway and the private road on Harold Davies Drive and a new turning head provision is provided to better serve vehicles towing caravans. The proposed site layout plan has been amended to reflect these requirements and the engineering details will need to be agreed by condition and as part of the Section 278 and Section 38 Agreements.

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- 4.13 Amended plans have also been received to show that a waiting area, visitor parking and refuse storage facilities will be provided on site and adjacent to the reception building. The Highway Authority are satisfied that the internal layout of the site, including parking provision would be sufficient and in line with the WCC Adopted Streetscape Design Guide and Policy SAL.CC2 of the Adopted Site Allocations and Policies Local Plan. In addition, conditions are recommended by the Highways Authority to require cycle storage facilities and at least 2 electric vehicle charging points to be provided. I have recommended conditions accordingly.
- 4.14 In terms of traffic generation, the submitted Transport Statement states that the proposed development is likely to generate a maximum of 6 two-way trips in the AM peak hour and 9 two-way trips in the PM peak hour and that the existing sports centre would have generated far more trips compared to the proposed use. It is concluded within the Transport Statement that the proposed trips would easily be accommodated on the local highway network, in line with Paragraph 109 of the Framework, which advises that developments should only be refused on highway grounds if the development is likely to lead to an unacceptable or severe impact on highway safety.
- 4.15 The Highway Authority are satisfied that based on the information from the Transport Statement that there would be a reduction in vehicle movements to the site compared to the previous use of the site as a Sports Centre. I also agree with this and do not consider that the proposals would give rise to an increase in traffic generation, vehicle movement or congestion in the surrounding highway network and that subject to conditions regarding access alterations, parking, cycle storage, electric vehicle charging points and the demarcation of the public highway, the proposal is acceptable having regard to Policy CP03 of the Adopted Core Strategy, Policies SAL.CC1 and SAL.CC2 of the Adopted Site Allocations and Policies Local Plan and Paragraphs 108, 109 and 110 of the Framework.

FLOOD RISK

- 4.16 Paragraph 155 of the Framework states that inappropriate development in areas at risk of flooding should be avoided by directing development away from areas at highest risk (whether existing or future). Where development is necessary in such areas, the development should be made safe for its lifetime without increasing flood risk elsewhere.
- 4.17 The entire site is located in Flood Zone 2 and a large proportion is located in Flood Zone 3. Also, the Council has evidence that Harold Davies Drive is vulnerable to flooding and that it would not provide a safe dry evacuation route during a flood event.

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- 4.18 A site for touring caravans would be classed as 'more vulnerable' to flood risk as set out in the National Planning Practice Guidance, which would be acceptable in Flood Zone 2; in Flood Zone 3 this use would only be acceptable following the application of the Sequential and Exception Test as set out in Paragraph 163 of the Framework. Paragraph 163 advises that development should only be allowed in areas at risk of flooding where, in the light of this assessment (and the sequential and exceptions tests, as applicable) it can be demonstrated that (in terms of this development): is appropriately flood resistant and resilient; any residual risk can be safely managed; and that safe access and escape routes are included, where appropriate, as part of an agreed emergency plan.
- 4.19 A site specific flood risk assessment has been submitted in support of this application, which included a sequential test of alternative sites and a report on how to manage flood risk. In the sequential test, a total of 76 alternative sites were considered, which were of a comparable size as the application site and each were discounted for various reasons, including not being: suitable in terms of location; available; or sequentially preferable on flood risk grounds compared to the application site. I am satisfied that the sequential test has been applied accordingly.
- 4.20 Paragraphs 160 and 161 of the Framework advises that for the exception test to be passed it should be demonstrated that:
- a. the development would provide wider sustainability benefits to the community that outweigh the flood risk; and
 - b. the development will be safe for its lifetime taking account of the vulnerability of its users, without increasing flood risk elsewhere, and, where possible, will reduce flood risk overall.

Both elements of the exception test should be satisfied for development to be allocated or permitted.

- 4.21 On the first point (a), I do believe that the proposed holiday park for touring caravans would bring economic benefits to the District in terms of supporting local tourism opportunities, which would contribute to the vitality and viability of the town centre within Stourport-on-Severn. Also, the demolition of the disused Sports Centre building and the additional planting that is proposed would significantly improve the visual amenity of the area and the built environment of this part of the town. I therefore consider that there are benefits, which would outweigh the harm associated with flood risk.

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- 4.22 In terms of the second point (b), the applicant has advised the following:
- the proposed surfacing for the pitches are likely to comprise all weather surface, which is typically semi-permeable;
 - the finished floor level for the reception building would be raised to a minimum of 21.06m AOD, in order to provide a freeboard of 300 mm above the estimated 1:100 + CC (35%) annual probability in-channel flow; and
 - Touring caravans will be removed off the site prior to the flood.
- 4.23 The North Worcestershire Water Management Officer has advised that from a flood risk perspective it is important that the use of the site is restricted to touring caravans only between the months of 1st March to 31st October, and that the site would not include static caravans intended for permanent residential use or be used for the storage of caravans. It is also considered necessary to recommend conditions to secure details of the hard surfacing for the pitches to ensure they are permeable, to require a flood event site evacuation plan and to prevent any changes to the ground level unless prior approval is given first by the Local Planning Authority. I consider that it is necessary and reasonable to recommend these conditions in order to make the site safe for its intended use. The use of the site between March and October is also consistent with the nearby holiday park at Stourport Motor Yacht and Bungalow Association, located off Moor Hall Lane, which also adjoins the River Severn.
- 4.24 Subject to the imposition of these conditions, I consider that the application would satisfy both the sequential and exceptions test.

ECOLOGY

- 4.25 The application is submitted with a full ecological survey which identified the presence of a large number of bats including a maternity roost (containing over 200 bats) and 3 satellite roosts within the existing building. Nesting birds were also noted in the existing building. During the consideration of the application, the proposed development was revised to incorporate mitigation for the loss of the roosts in the form of a new bat tower building that would be sited in the southeast corner of the site within a densely landscaped area. Also, following a request by Officers, a lighting plan was submitted to show that there would be no significant residual effect on protected species, including on the proposed bat tower. Further enhancements would be provided through the provision of new bat and bird boxes, tree/scrub/hedgerow retention and new planting as part of the development to increase the biodiversity value of the site.

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- 4.26 The Parks and Countryside Manager raises no objection to the application subject to conditions to secure the recommended ecological mitigation and enhancement measures and lighting details. I concur with this view and have recommended the conditions accordingly. Subject to these conditions, the development would accord with Policy SAL.UP5 of the Adopted Site Allocations and Policies Local Plan and Paragraph 175 of the Framework, which seek to ensure any unnecessary harm to protected species is fully mitigated or compensated for, and that a net gain in biodiversity is provided in all new developments.

HISTORIC ENVIRONMENT

- 4.27 The Worcestershire County Council's Archaeologist has advised that the site has potential for medieval and post-medieval archaeology to be surviving underground and that it is recommended that a condition is attached to require a programme of archaeological works to be undertaken to see if there is below ground archaeology. I have recommended a condition accordingly.
- 4.28 In addition, the site lies in close proximity to the Grade II listed Old Beams Public House, the locally listed Former Toll House and the Stourport No. 1 Conservation Area. The submitted Heritage Statement concludes that 'The demolition of the Leisure Centre complex will remove a discordant element of the Stourport riverside scene and improve the setting of The Old Beams. The Old Beams Inn is an important medieval entity in what is predominantly a Georgian and Victorian town creation. Its continued survival and enhancement is important to the overall special interest of Stourport demonstrating significant agricultural associations in an important industrial centre. The river margins of Stourport are a kaleidoscope of the gaudy and the picturesque. The Leisure Centre was a bland monolith so its removal will positively impact on the artistic character of the town'.
- 4.29 The Conservation Officer has advised that 'There there will inevitably be some added visual impact from 51 touring caravans and their vehicles being parked on the site, this will to a large extent be mitigated by the demolition of the leisure centre. That demolition will enhance views from the Conservation Area across the flood plain towards The Old Beams as well as enhancing the immediate setting of the Old Beams itself. It will also serve to enhance the setting of the former Toll House adjacent to the bridge. With some carefully considered boundary planting and some additional planting across the site the environs of The Old Beams could in the late spring, summer and early autumn months be substantially improved and the visual impact of the parked vehicles reduced to a degree such that there is no additional harm to the significance of The Old Beams'.
- 4.30 I agree with the view of the Conservation Officer and consider that the proposed development would not result in a greater impact on the setting of the heritage assets surrounding the site compared to the existing leisure centre and associated parking.

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- 4.31 The Conservation Officer also advises that the permanent use of the site for the whole year would result in harm to the visual amenity of the area and to the setting of nearby heritage assets, including the Grade II listed Old Beams PH, the locally listed Toll House and the Stourport No. 1 Conservation Area because a large number of trees and vegetation around the site boundary would have no leaves during the winter months. I agree that the lack of screening provided by trees and vegetation during the late autumn and winter months would increase views of the caravans from wider public views. I therefore consider it necessary to prevent the use of the site during the winter months and have recommended a condition accordingly. Other conditions are recommended to secure the proposed landscaping scheme and to require details of the proposed boundary treatment, external materials to be used for the reception building and details of hardsurfacing for the pitches.
- 4.32 The proposed development would therefore accord with Policy SAL.UP6 of the Adopted Site Allocations and Policies Local Plan. Conditions have been recommended to secure the landscaping, hedgerow retention and a landscape maintenance plan.

OTHER MATTERS

- 4.33 I note from public participation that one writer has expressed the need to ensure the right of access for the Stourport Sports Association is maintained throughout the development and thereafter. I agree that this is important to retain public access to the adjacent sporting grounds and have therefore recommended a condition to require a construction management plan to be submitted to ensure this access remains free of obstruction during the construction phase and laying out of the site for its proposed use. The applicant has also confirmed that they are obliged to retain public right of way along Harold Davis Drive.

5.0 Conclusions and Recommendations

- 5.1 The proposed holiday park for up to 51 touring caravans would support local tourism opportunities and with additional planting around the peripheries of the site to help screen the caravans, it is considered that there would be no detrimental effect on the amenity of the area and therefore the principle of use is acceptable subject to conditions to restrict the use. During this application, further information has been submitted to demonstrate that the proposed use would not result in flood risk elsewhere or be at risk of flooding and that appropriate mitigation can be provided to compensate for any loss of existing bat roosts and to secure a net gain to biodiversity value. It has also been demonstrated that the site can operate as a holiday park for touring caravans without an unacceptable or severe impact on highway safety. The proposal therefore would accord with the requirements of the Development Plan and the relevant policies contained within the National Planning Policy Framework.

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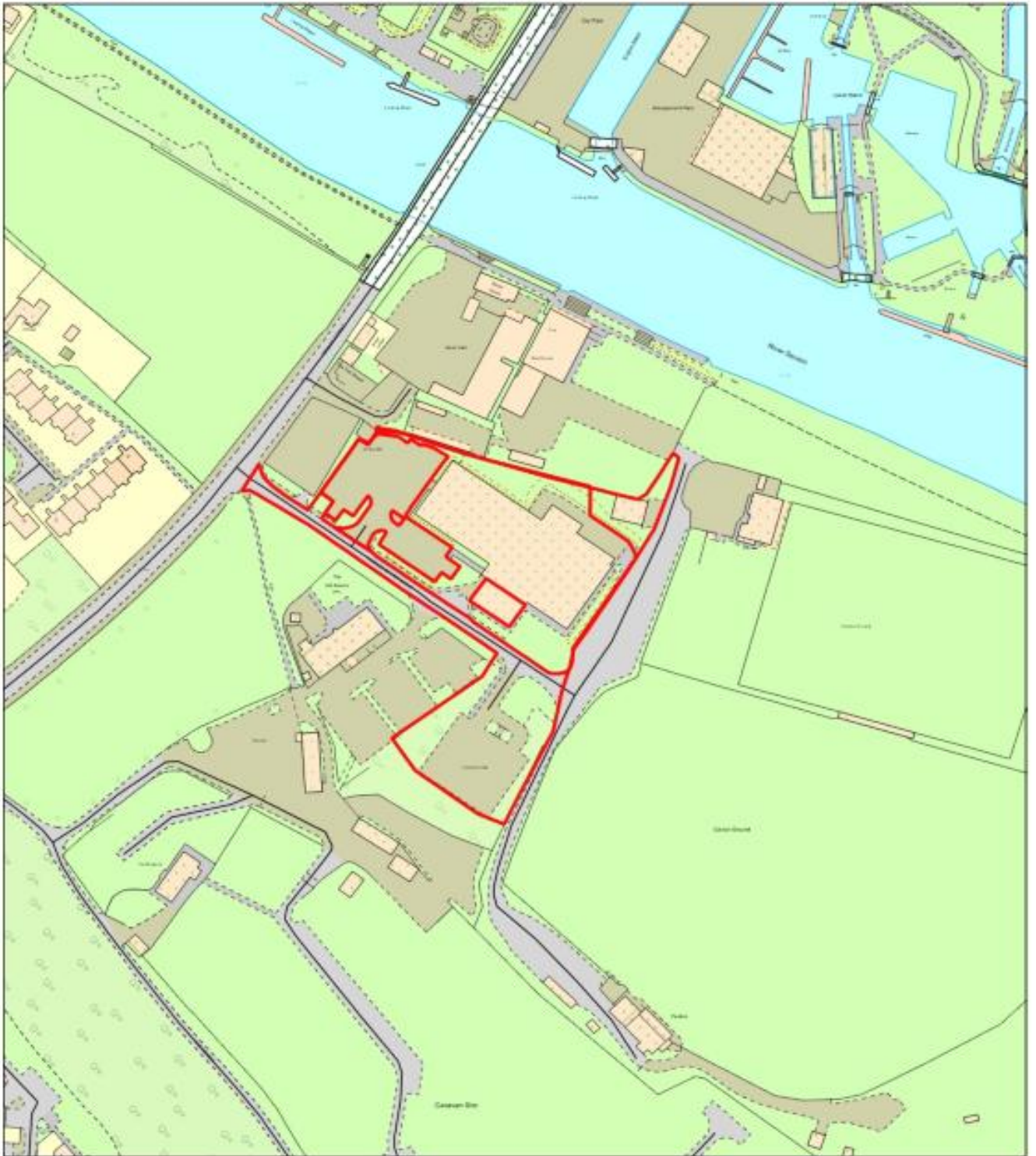
5.2 It is therefore recommended that the application is **APPROVED** subject to the following conditions:

1. A6 (Full with no reserved matters)
2. A11 (Approved plans)
3. B1 (samples/details of materials)
4. Removal of Permitted Development Rights for any new boundary treatments
5. There shall be no hard surfacing of the pitches for the touring pitches and access
6. External Lighting Strategy to be implemented
7. Refuse Storage Facilities to be implemented
8. Details of soft landscaping to be submitted
9. Landscaping management and maintenance Plan
10. Retention of trees
11. Details of Bat Tower structure to be submitted
12. Ecological management plan and monitoring programme
13. Implementation of bird and bat boxes
14. No more than 51 touring holiday caravans shall be stationed on the site
15. The caravan pitches shall be occupied for holiday purposes by touring caravans only, and shall not be occupied by static caravans or mobile homes as a person's sole or main place of residence
16. The applicant/site manager shall keep an up-to-date written register of all persons visiting the site for the purposes of recreation and the number of touring caravans there on any day. The written register shall be maintained daily thereafter and be made available to the Local Planning Authority for inspection at reasonable notice
17. The land shall only be used for the stationing of caravans on tour during the period between 1st March and 31st October, and for occupation for no more than 3 weeks with no return until a period of 2 weeks has lapsed
18. No caravans, motor homes, campervans or other vehicle or structure adapted for human habitation which would fall within the definition of a caravan shall be stored or left unoccupied on the site at any one time
19. Flood Evacuation Management Plan
20. No alterations to ground levels unless agreed in writing by the Local Planning Authority.
21. Site Drainage Strategy
22. Foul Water Drainage
23. Programme of Archaeological Investigations
24. Archaeological recording
25. Engineering details of closure of existing turning provision and the installation of new turning head provision with footpaths, dropped kerb works and highway demarcation
26. Accesses and parking facilities to be provided as agreed
27. Cycle storage facilities
28. 2no. Electric vehicle charging points

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Notes

- A. Waste and recycling collection
- B. Site Licence for siting of touring caravans
- C. Site Rules
- D. Flood Risk Evacuation Plan
- E. Section 278 Agreement
- F. Section 38 Agreement
- G. Cadent Gas Limited to be contacted before starting works



Economic Prosperity and Place Directorate

Former Stourport Sports Club

Harold Davies Drive

Stourport-on-Severn



WYRE FOREST DISTRICT COUNCILPLANNING COMMITTEE23rd APRIL 2020**PART B**

Application Reference:	20/0021/FULL	Date Received:	13/01/2020
Ord Sheet:	382071 278486	Expiry Date:	09/03/2020
Case Officer:	Julia McKenzie-Watts	Ward:	Franche & Habberley North

Proposal: Erection of a detached dwellinghouse including vehicular access and associated works

Site Address: HOME FARM, 25 FRANCHE COURT DRIVE, KIDDERMINSTER, DY115RL

Applicant: Mr D Howles

Summary of Policy	DS01, CP01, CP02, CP03, CP07, CP11, CP12, CP14 (CS) SAL.PFSD1, SAL.DPL1, SAL.CC1, SAL.CC2, SAL.CC7, SAL.UP1, SAL.UP5, SAL.UP7 and SAL.UP9 (SAAPLP) Design Guidance SPD National Planning Policy Framework Planning Practice Guidance
Reason for Referral to Committee	Planning application represents departure from the Development Plan
Recommendation	APPROVAL

1.0 Planning History

- 1.1 WF/0047/00 – Erection of a dwelling house and garage and alteration to existing access : Approved 11.4.00
- 1.2 WF/0304/05 – Erection of detached dwelling house : Withdrawn 31.5.05
- 1.3 WF/0760/05 – Erection of detached dwelling house : Approved 9.9.05
- 1.4 09/0484/FULL - Proposed rear two storey extension : Approved 1.9.09
- 1.5 18/0774/CERTP - Single storey rear extension : Approved 16.1.19

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2.0 Consultations and Representations

- 2.1 Wolverley and Cookley Parish Council – No objection
- 2.2 Highway Authority – There is no further objection and in accordance with the plan No. 18-3224-02a, the cycle parking condition can be removed. Recommend inclusion of one condition.
- 2.3 Severn Trent Water – As the proposal has minimal impact on the public sewerage system I can advise we have no objections to the proposals and do not require a drainage condition to be applied.
- 2.4 Countryside and Parks Manager – This application has come with a competent and appropriate ecological study. There are no ecological constraints affecting this application. The ecologist has recommended conditions regarding bird and bat boxes.
- 2.5 North Worcestershire Water Management – As the applicant is willing to connect the new foul water discharge to the mains drainage system. I therefore believe that there would not be a reason to withhold approval of this application on water management grounds and recommend approval subject to a condition.
- 2.6 WRS (Noise) – No objection
- 2.7 WRS (Contaminated Land) – The information provided is not sufficient to allow a decision to be made as to whether the site is suitable for its proposed end use in terms of potential contamination, therefore full contaminated land conditions are being recommended at this stage because little information relating to potential contamination has been submitted to date.
- 2.8 Neighbour/Site Notice – No representations received.

3.0 Site Location and Description

- 3.1 Franche Court Drive is a road which consists of large detached properties with prominent front garages; it is located within a residential area on the outskirts of Kidderminster immediately adjacent to the West Midlands Green Belt. Home Farm, number 25 Franche Court Drive is located at the end of the road and is the original farmhouse pre dating the other properties in the street. The application site itself relates to a piece of garden land to the side of Home Farm which is currently separated from the main house by a 1.8m high close boarded fence and houses a static caravan and a large metal storage container.
- 3.2 The current application seeks for the erection of a single detached dwelling. The accommodation would consist of a living room, kitchen dining room, utility and downstairs WC with three bedrooms and bathroom above. The property would be provided with two parking spaces and a fenced rear garden with a cycle store. The new dwelling would have a side and rear amenity area of 192 square metres and leave the host property with 191 square metres.

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- 3.3 The new dwelling has been designed to emulate features of the farmhouse rather than the other properties in the street with matching materials, brick arches over the windows and brick banding at first floor level. It is noted that the front of the property would appear similar to the host dwelling, however the rear elevation features modern full height glazing to maximise the views to the rear.

4.0 Officer Comments

- 4.1 The main considerations in this application are whether the development would be acceptable in principle and the likely impacts on highway safety, existing residential amenity and local character.

POLICY CONTEXT AND STATUS OF THE DEVELOPMENT PLAN

- 4.2 The National Planning Policy Framework (the Framework) advises that the purpose of the planning system is to contribute to the achievement of sustainable development. Achieving sustainable development means that the planning system has three overarching objectives (economic, social and environmental) which are interdependent and need to be pursued in mutually supportive ways. Also, to ensure sustainable development is pursued in a positive way, the decision taking should apply a presumption in favour of sustainable development which means approving development proposals that accord with an up-to-date development plan without delay. As such, the starting point for all decision making is the Development Plan when the most important policies applicable to the proposed development are considered to be up-to-date.
- 4.3 In respect of the Development Plan, Policy DS01 ‘Development Locations’ of the Adopted Core Strategy identified the assessed needs for the District when the current Development Plan was adopted in 2013 and at that time housing numbers were set based on data derived from the Regional Spatial Strategy, which has subsequently been withdrawn. This policy is therefore out of date.
- 4.4 Having taken account of recent case law, in particular *Wavendon Properties Ltd v SSHCLG* [2019] and *Peel Investments (North) Ltd v SSHCLG* [2019], it is clear that the out datedness of one policy does not cause the whole Plan to become out-of-date. It is considered that given the Council’s position of housing delivery, the most ‘important’ policies is that of location, in this case Policy SAL.DPL1. This policy is considered to be consistent with the Framework.
- 4.5 In addition, the Council has now undertaken a comprehensive assessment of housing need for its Local Plan Review which has taken in account the Government’s Standardised Methodology and includes additional growth. Furthermore, the Council is able to demonstrate in excess of a 5 year housing land supply against its identified housing needs target. Therefore, when taken as a whole it is considered that the Council’s Development Plan is not out-of-date. It is appreciated that this stance differs from that which has previously been reported. Officers are satisfied that this position represents the most current legal position when considered under current Development Plan policies.

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PRINCIPLE OF DEVELOPMENT

- 4.6 Approval was given in 1999 for the erection of two dwellings and again in 2000 for a single detached dwelling on land adjacent to Home Farm, 25 Franche Court Drive, but permission lapsed on both occasions and no building works ever took place on the site. The current application seeks permission for the erection of a single detached dwelling on the same piece of land which is partially separated from the side of number 25 by an existing 1.8m high close boarded fence. There is currently a static caravan and a steel container on the land. As the site comprises non-previously developed land (PDL), the proposed development would be contrary to Policy DS01 of the Adopted Core Strategy and Policy SAL.DPL1 of the Adopted Site Allocations and Policies Local Plan, which seek to concentrate new residential development on PDL and therefore the application represents a departure of the Development Plan.
- 4.7 Notwithstanding this conflict, Members should note that Policies DS01 and DS02 of the Adopted Core Strategy and SAL.DPL1 of the Adopted Site Allocations and Policies Local Plan also seek to concentrate new housing development on sites within the urban areas of Kidderminster and Stourport-on-Severn first before applying a sequential approach in the assessment of other preferable locations within the District.
- 4.8 This later approach to location is consistent with paragraph 68 of the Framework, which states that ‘small and medium sized sites can make an important contribution to meeting the housing requirement in an area, and are often built-out relatively quickly. To promote the development of a good mix of sites local planning authorities should (amongst other things): support the development of windfall sites through their policies and decisions – giving great weight to the benefits of using suitable sites within existing settlements for homes’.
- 4.9 The application site lies within an area allocated for residential on the Adopted Policies Map and is accessible to local shops, schools and services. I am not aware of any physical site constraints that would prevent development on this site, in terms of flood risk or contamination. The plot is of a sufficient size to accommodate a single dwellinghouse without resulting in an over development of the site.
- 4.10 I therefore consider that the principle of residential development, in terms of location, use and amount, is acceptable subject to the following assessment of site specific issues.

DESIGN AND IMPACT ON LOCAL CHARACTER / GREEN BELT

- 4.11 The proposed detached dwelling would be positioned to mirror number 25 which is set slightly forward of the established street scene that exists in Franche Court Drive. It is proposed to use bricks and tiles to complement the existing dwelling albeit with more modern full height glazing to the rear in order to maximise the views to the rear. A condition is recommended to ensure that materials are submitted and approved in writing in order that the dwelling is constructed in similar materials to the adjacent property. Overall, I am satisfied that the development has an acceptable design that would reflect the scale, appearance and layout of existing housing development adjoining the site in Franche Court Drive and no 45 degree rule issues would be created as a result of the erection of a dwelling.

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- 4.12 The site is bounded to the side and rear by the West Midlands Green Belt and currently houses a static caravan and a steel container and therefore the impact of the dwelling would ne considered to have less of an impact than the current situation on the Green Belt.
- 4.13 I therefore consider that the development would be in accordance with Policy CP11 of the adopted Core Strategy, Policies SAL.UP1, SAL.UP7 of the adopted Site Allocations and Policies Local Plan and paragraph 127 of the Framework.

ECOLOGY

- 4.14 An ecological survey has been submitted which the Council's Countryside Manager considers to be sufficient. A number of conditions have been recommended relating to the provision of a bird and a bat box and also a wall mounted bat shelter and habitat bat box. A completion certificate from the applicant's ecologist will be required to be submitted to the Local Authority upon completion of the conditioned works.

PARKING AND HIGHWAY SAFETY

- 4.15 Two parking spaces are to be provided to the front of the property and the provision of a cycle storey in the rear garden with a path to provide access from the front driveway. There is no doubt that the proposed development would minimally increase the traffic movement on Franche Court Drive, however, developments can only be prevented or refused on highway grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe (paragraph 109 of the Framework).
- 4.16 The Highway Authority has undertaken a robust assessment of the planning application and has concluded that the proposal is not contrary to Paragraph 109 of the Framework and that there are no justifiable grounds on which an objection could be maintained. I concur with this view and do not consider that a refusal could be defended at an appeal, given that the site can provide adequate off-street car parking, circulation space and turning facilities, which complies with County Council's Adopted Streetscape Design Guide. The Highway Authority has recommended the inclusion of a condition added to any approval in order to ensure that the driveway, access and parking facilities have been provided.

FLOODING RISK AND DRAINAGE

- 4.17 North Worcestershire Water Management has raised no objection to the application. A site drainage strategy for the proposed development his required to be submitted which shall include details of surface water drainage measures for all impermeable areas and details of foul water drainage. If technically possible foul water will be discharged to the mains sewerage system but if this not possible then details of alternative non mains drainage arrangements shall be submitted. The development would therefore accord with Policy CP07 of the adopted Core Strategy, Policy SAL.CC7 of the adopted Site Allocations and Policies Local Plan and paragraph 108 of the Framework.

CONTAMINATED LAND

- 4.18 The history of the site suggests that contamination issues may potentially be a significant issue and therefore in order to ensure that the site is suitable for its proposed use and accordance with the National Planning Policy Framework, a

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conditions is recommended in order to ensure that the site is suitable for its proposed use taking account of ground conditions, pollution arising from previous uses and any proposals for mitigation including land remediation.

5.0 Conclusions and Recommendations

- 5.1 The application site lies within a residential area of Kidderminster adjacent to the West Midlands Green Belt close to local shops and services and is therefore a sustainable location for new housing development. It is considered that the dwellinghouse can be accommodated on this land without resulting in an adverse impact on the local character, adjacent Green Belt or the amenities of occupiers of existing dwellings. Adequate parking will be provided to the front of the new dwelling in line with highways advice and a store for cycle parking.
- 5.2 On balance, the proposed scheme is considered to represent an acceptable development of the site and the benefits in terms of developing this windfall site and boosting the supply of housing land within the District. I therefore conclude that the proposal would represent sustainable development, as defined in the Framework and that a departure of the Development Plan can be justified.
- 5.3 It is therefore recommended that the application be **APPROVED** subject to the following conditions:
1. A6 (Full with no reserved matters)
 2. A11 (Approved plans)
 3. B1 (Samples/details of materials)
 4. Highways
 5. Details of walls, fences and other means of enclosure to be submitted
 6. Details of hard and soft landscaping to be submitted
 7. Removal of PD rights
 8. Details of electric charging point
 9. Drainage condition
 10. Contaminated land
 11. Details of bat and bird box to be submitted
 12. Certificate of completion of works to be submitted by Applicant's Ecologist

Note

- A Waste and recycling collection

Application Reference:	20/0108/FUL	Date Received:	06.03.2020
Ord Sheet:	384466 279755	Expiry Date:	01.05.2020
Case Officer:	Julia Mckenzie-Watts	Ward:	Wyre Forest Rural

Proposal: Erection of detached dwellinghouse, including associated works (Re-Submission of 19/0667/FULL)

Site Address: Land Adjacent, 1 Westhead Road, Cookley, Kidderminster, Worcestershire

Applicant: Mr N Jones

Summary of Policy	CP01 CP02 CP03 CP11 CP12 CP14 DS01 DPL1 CC1 CC2 CC7 UP5 UP7 UP9 PFSD1 Design Guidance SPD National Planning Policy Framework Planning Practice Guidance
Reason for Referral to Committee	The application is a departure from the development plan
Recommendation	Approval

1.0 Planning History

1.1 20/0108/FUL Erection of detached dwellinghouse, including associated works (Re-Submission of 19/0667/FULL)

2.0 Consultations and Representations

Parish Council Recommend Approval

Highways Authority (WCC) It is noted that there is an extant permission on this site (19/0667/FULL) and this application is a re-submission. Accordingly, the previous access and parking condition can be applied. Any extension to the existing dropped kerb must be carried out by WCC contractors Ringway as per the note below. The Highway Authority has undertaken a robust assessment of the planning application and concludes that the proposal is not contrary to Para. 109 NPPF and therefore there are no justifiable grounds on which an objection could be maintained.

Severn Trent Water With Reference to the above planning application the company's observations regarding sewerage are as follows. As the proposal has minimal impact on the public sewerage system I can advise we have no objections to the proposals and do not require a drainage condition to be applied. Severn Trent Water advise that there may be a public sewer located within

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the application site. Although our statutory sewer records do not show any public sewers within the area you have specified, there may be sewers that have been recently adopted under the Transfer Of Sewer Regulations 2011. Public sewers have statutory protection and may not be built close to, directly over or be diverted without consent and contact must be made with Severn Trent Water to discuss the proposals. Severn Trent will seek to assist in obtaining a solution which protects both the public sewer and the building.

North Worcestershire
Management (WFDC)

Water

It is my understanding that this site is not at risk of flooding from any source. As the development site is currently part of back gardens, the proposed development will increase the amount of impermeable area and therefore the amount of surface water runoff. This extra volume should be kept on site, in order to avoid increasing flood risk elsewhere. I understand from the application form that the intention is to discharge additional surface water to a soakaway. No further information has been submitted. Discharge via infiltration is preferred where ground conditions allow. I have no reason to believe that the ground conditions here would not be suitable for soakaway drainage. I believe that the design and installation of a soakaway will be adequately covered by a future Building Control application as Buildings Regulations require that discharge to a soakaway should be ruled out first before discharge to a watercourse or an existing storm drain will be considered. The NPPF states that the Local Planning Authority should only consider development that does not increase flood risk off the site and that the effects of Climate Change need to be taken into account. The Building Regulations still refer to a 1 in 10 year return period but to comply with the NPPF we ask that surface water drainage schemes get designed to be able to deal with the 1 in 100 year design rainfall event on the site plus an allowance for climate change. BRE 365 (revised 2016) provides guidance for the design to these criteria. I would ask that the applicant confirms that the surface water drainage system for the site will be sized so it can cope with the 1 in 100 year rainfall event + 30% allowance for climate change, this can be dealt with by condition.

Contaminated Land Team (WRS)

20/0108/FUL WRS ref: 19/11747/PLAN WRS have reviewed the above planning application for potential contaminated land issues of which none have been identified for the proposed development. Therefore WRS have no adverse comments to make in relation to contaminated land.

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Nuisance Assessment Team (WRS) WRS have reviewed the application above and have no adverse comments to make in relation to noise or nuisance.

Countryside And Parks Manager (WFDC) There is no ecological information with this application but the site is reasonably separate from the wider countryside other than a condition that looks at protecting nesting birds by not carrying out vegetation clearance work during nesting season. we will also need to condition the requirement for the fitting of two nest boxes to replace the lost nesting opportunities.

Neighbour/Site Notice Representations None Received

3.0 Site Location and Description

3.1 The application site relates to a fenced off rectangular shaped plot of land within a residential area of Kidderminster. The site formed part of the rear gardens of numbers 41, 43 and 45 Castle Road Cookley all of which have large long gardens. The plot has been fenced off from these rear gardens with a larger piece taken from number 43 in order to allow for the creation of an additional side amenity area.

3.2 Westhead Road consists of a mixture of residential properties mostly terraced, semi-detached and a few detached in the immediate vicinity. The proposed detached dwellinghouse would be positioned adjacent to No. 1 Westhead road with three parking spaces provided to the front.

3.3 Approval was given in January 2020 for the same proposal, this application proposes an amended design to allow for a larger two storey element increasing the depth of the property from 10.6m to 11.9m and increasing the garden length from the approved 9.5m to 10.1m.

4.0 Officer Comments

4.1 The main considerations in this application are whether the development would be acceptable in principle and the likely impacts on highway safety, existing residential amenity and local character.

4.2 The National Planning Policy Framework (the Framework) advises that the purpose of the planning system is to contribute to the achievement of sustainable development. Achieving sustainable development means that the planning system has three overarching objectives (economic, social and environmental) which are interdependent and need to be pursued in mutually supportive ways. Also, to ensure sustainable development is pursued in a positive way, the decision taking should apply a presumption in favour of sustainable development which means approving development proposals that accord with an up-to-date development plan without delay. As such, the starting point for all decision making is the Development Plan

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when the most important policies applicable to the proposed development are considered to be up-to-date.

- 4.3 In respect of the Development Plan, Policy DS01 'Development Locations' of the Adopted Core Strategy identified the assessed needs for the District when the current Development Plan was adopted in 2013 and at that time housing numbers were set based on data derived from the Regional Spatial Strategy, which has subsequently been withdrawn. This policy is therefore out of date.
- 4.4 Having taken account of recent case law, in particular *Wavendon Properties Ltd v SSHCLG* [2019] and *Peel Investments (North) Ltd v SSHCLG* [2019], it is clear that the out datedness of one policy does not cause the whole Plan to become out-of-date. It is considered that given the Council's position of housing delivery, the most 'important' policies is that of location, in this case Policy SAL.DPL1. This policy is considered to be consistent with the Framework.
- 4.5 In addition, the Council have now undertaken a comprehensive assessment of housing need for its Local Plan Review which has taken in account the Government's Standardised Methodology and includes additional growth. Furthermore, the Council is able to demonstrate in excess of a 5 year housing land supply against its identified housing needs target. Therefore, when taken as a whole it is considered that the Council's Development Plan is not out-of-date. It is appreciated that this stance differs from that which has previously been reported. Officers are satisfied that this position represents the most current legal position when considered under current Development Plan policies.

PRINCIPLE OF DEVELOPMENT

- 4.6 The application is for the erection of one dwelling on a site that currently forms part of the rear gardens of numbers 41, 43 and 45 Castle Road, Cookley. As the site comprises non-previously developed land (PDL), the proposed development would be contrary to Policy DS01 of the Adopted Core Strategy and Policy SAL.DPL1 of the Adopted Site Allocations and Policies Local Plan, which seek to concentrate new residential development on PDL and therefore the application represents a departure of the Development Plan.
- 4.7 Paragraph 68 of the Framework states that 'small and medium sized sites can make an important contribution to meeting the housing requirement in an area, and are often built-out relatively quickly. To promote the development of a good mix of sites local planning authorities should (amongst other things): support the development of windfall sites through their policies and decisions – giving great weight to the benefits of using suitable sites within existing settlements for homes'. This adds weight to the consideration of development.
- 4.8 The application site lies within the village inset and is accessible to local shops, schools and services. I am not aware of any physical site constraints that would prevent development on this site, in terms of flood risk, contamination and land stability. The plot is of a sufficient size to accommodate one dwellinghouse without resulting in an over development of the site.

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DESIGN AND IMPACT ON LOCAL CHARACTER

- 4.9 The proposed detached dwelling would be immediately adjacent to number 1 Westhead Road. The accommodation would consist of an entrance hall, lounge, dining kitchen, utility, wc and garage with four bedrooms, en-suite and bathroom above. The garage of the dwelling would be in line with the garage of number 1 with the house coming forward from the front of number 1 by approximately 900mm and extending behind the rear wall of number 1 by approximately 1.9m. The new dwelling would include architectural features and similar building materials to respond well with the appearance of number 1 Westhead Road. Overall, I am satisfied that the development has an acceptable design that would reflect the scale, appearance and layout of existing housing development adjoining the site in Westhead Road and no 45 degree rule issues would be created as a result of the erection of a dwelling.
- 4.10 The side of the dwelling would be separated from the rear wall of the properties located in Castle Road by at least 23 metres and 1.7m to number 1. The erection of a dwelling on this site is unlikely to have an adverse impact on neighbouring properties in terms of privacy and light given the proposed plot size and degree of separation from the neighbouring properties to the side and rear. The rear windows and doors would face into the rear garden of the new property and would have no adverse effect on the surrounding neighbours.

HIGHWAYS AND ACCESS

- 4.11 The Highway Authority has raised no objection to the scheme as the plans show that the development would be capable of providing adequate parking provision for the proposed dwellinghouse. One condition and a note are to be added to the approval. I therefore consider that the proposed development would not have any detrimental impact on highway safety in the area.

OTHER MATTERS

- 4.12 North Worcestershire Water Management has no objection subject to a condition seeking confirmation that the surface water drainage system for the site will be sized so it can cope with the 1 in 100 year rainfall event + 30% allowance for climate change. On this basis the site can be suitably drained.
- 4.13 Worcestershire Regulatory Services have also raised no objections in respect of contaminated land and noise.

5.0 Conclusion and Recommendations

- 5.1 The application site lies within a residential area of Cookley, close to local shops and services and is therefore a sustainable location for new housing development. The proposed development has been subject to a number of amendments and it is considered that one dwellinghouse can be accommodated on this land without resulting in an adverse impact on the local character or the amenities of occupiers of existing dwellings. The parking layout has been amended to ensure adequate parking provision can be provided within the site. There are no matters of detailed harm that have been identified and taking account of the benefits, it is considered that the dwelling can be supported notwithstanding any conflict with the Development Plan.

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5.2 It is therefore recommended that the application be **APPROVED** subject to the following conditions:

1. Full with no reserved matters
2. Approved plans
3. samples/details of material
4. Site and Finished Floor Levels.
5. Boundary treatments
6. Details of landscaping scheme to include wildlife friendly plant species.
7. Implementation of Landscaping Scheme.
8. Scheme of surface water drainage.
9. Access, turning area and parking facilities including cycle parking to be provided.
10. Removal of permitted development rights

Notes

- A. Severn Trent Water
- B. Ringway Infrastructure Service to carry out all highway work
- C. Waste and recycling collection

Application Reference: 20/0152/HOU **Date Received:** 24.02.2020
Ord Sheet: 380033 272950 **Expiry Date:** 20.04.2020
Case Officer: Julia Mckenzie-Watts **Ward:** Lickhill

Proposal: Double storey rear extension and first floor side extension over garage.

Site Address: 71 Bewdley Road North, Stourport On Severn, DY13 8PX

Applicant: Mr Adam Hamilton

Summary of Policy	CP11 UP7 UP8 CC2 Design Guidance SPD National Planning Policy Framework Planning Practice Guidance
Reason for Referral to Committee	The Applicant is a serving Wyre Forest District Council Officer
Recommendation	Approval

1.0 History

1.1 20/0152/HOU Double storey rear extension and first floor side extension over garage.

2.0 Consultations and Representations

Parish Council Approval

Highways Authority (WCC) The highway Authority has undertaken a robust assessment of the planning application and concludes that there are no justifiable grounds on which an objection can be maintained. The existing 3no bedroom dwelling requires 2 parking spaces within the curtilage and it is noted that turning is provided. Whilst the applicant has submitted a plan to show 4 parking spaces, the proposed 5no bedroom development will require 3 parking spaces and turning facilities should be retained. Accordingly parking and turning for 3 vehicles should be properly provided and there is sufficient space on the frontage to make this provision, any dropped kerb works, if necessary must be carried out by WCC contractors Ringway

Neighbour/Site Notice Representations None Received

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3.0 Site Location and Description

- 3.1 Number 71 Bewdley Road North is a detached property located within a residential area to the north-west of Stourport-on Severn Town Centre. It is surrounded by other residential properties.
- 3.2 Approval was given in 2017 for the erection of a single storey utility and shower room to side of the property and replacement of existing sun room at the rear of the property which was not implemented. This current application proposes the erection of a first floor side extension above the existing garage and a two storey rear extension.
- 3.3 The application would result in a bedroom and office to the side with two enlarged bedrooms to the rear each with a Juliette Balcony.

4.0 Officer Comments

- 4.1 The applicant seeks consent for the addition of a first floor side extension above an existing garage and two storey rear extension with Juliette balconies to both rear bedrooms, the rear extension would be erected above a previously approved sunroom and existing kitchen.
- 4.2 Policy SAL.UP8 of the Adopted Wyre Forest District Site Allocations and Policies Local Plan sets out the Council's expectations for the addition of extensions to residential properties. The Policy requires that residential extensions should be in scale and in keeping with the form, materials and detailing of the original building; be subservient to and not overwhelm the original building, which should retain its visual dominance; harmonise with the existing landscape or townscape and not create incongruous features and not have a serious adverse effect on the amenity of neighbouring residents or occupiers.
- 4.3 The side extension is clearly subservient to the original dwelling with the required set back of 0.75m at first floor level and the rear two storey element would be sympathetic to the host dwelling. It is acknowledged that the extensions would considerably enlarge the existing dwelling, but on this occasion they have been designed in such a way as to complement the original architectural style and would not appear prominent within the street scene.
- 4.4 The proportions and positioning of the windows within the extensions, particularly from the front view point would be acceptable and the the proposed materials are considered to be acceptable as they would match with the existing dwelling.
- 4.5 The first floor and two storey elements of the proposal would have no significant or detrimental impact on the amenity currently enjoyed by the occupants of neighbouring properties in terms of light, privacy and outlook.
- 4.6 The highway authority have offered no objection to the scheme subject to the inclusion of a condition and a note added to the approval.

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5.0 Conclusions and Recommendations

5.1 The proposed extensions are considered to be appropriate. The first floor side extension is not be considered to be prominent in the street scene and this coupled with the design of the two storey rear extension would not detract from the character and appearance of the dwelling. The extensions would offer no significant detriment to the amenity enjoyed by the occupants of the neighbouring properties in terms of light, outlook and privacy.

- 1) A6 (Standard time)
- 2) B3 (Matching materials)
- 3) Highways condition

Note

- A) Highways