

Open

Planning Committee

Agenda

6pm
Tuesday, 19th April 2022
Council Chamber
Wyre Forest House
Finepoint Way
Kidderminster



Planning Committee

Members of Committee:

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

Councillor J Aston

Councillor S J Chambers

Councillor P Harrison

Councillor L J Jones

Councillor C Rogers

Councillor V Caulfield

Councillor A Coleman

Councillor M J Hart

Councillor F M Oborski MBE

Councillor L Whitehouse

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 Louisa Bright, Wyre Forest House, Finepoint Way, Kidderminster, DY11 7WF. Telephone: 01562 732763 or email louisa.bright@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.

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At the start of the meeting the Chairman will confirm if all or part of the meeting is being filmed.

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By entering the meeting room and using the public seating area, you are consenting to be filmed and to the possible use of those images and sound recordings for webcasting and or training purposes.

If members of the public do not wish to have their image captured they should sit in the Stourport and Bewdley Room where they can still view the meeting.

If any attendee is under the age of 18 the written consent of his or her parent or guardian is required before access to the meeting room is permitted. Persons under 18 are welcome to view the meeting from the Stourport and Bewdley Room.

If you have any queries regarding this, please speak with the Council’s Legal Officer at the meeting.

*Unless there are no reports in the open session.

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 Head of Strategic Growth 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 Head of Strategic Growth.
- 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, 19th April 2022

Council Chamber Wyre Forest House, Finepoint Way, Kidderminster

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 15th March 2022.	7
5.	Applications to be Determined To consider the report of the Development Manager on planning and related applications to be determined.	11
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>Enforcement Case</p> <p>To receive a report from the Head of Strategic Growth on an updated enforcement Case.</p>	-
9.	<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>	

WYRE FOREST DISTRICT COUNCIL

PLANNING COMMITTEE

COUNCIL CHAMBER, WYRE FOREST HOUSE, FINEPOINT WAY, KIDDERMINSTER

15TH MARCH 2022 (6PM)

Present:

Councillors: C Edginton-White (Chairman), C J Barnett (Vice-Chairman), J Aston, V Caulfield, S J Chambers, A Coleman, P Harrison, M J Hart, L J Jones, F M Oborski MBE, C Rogers and L Whitehouse.

Observers:

There were no members present as observers.

PL.52 Apologies for Absence

There were no apologies for absence.

PL.53 Appointment of Substitutes

No substitutes were appointed.

PL.54 Declarations of Interests by Members

No declarations of interest were made.

PL.55 Minutes

Decision: The minutes of the meeting held on 15th February 2022 be confirmed as a correct record and signed by the Chairman.

PL.56 Applications To Be Determined

The Committee considered those applications for determination (now incorporated in Development Management Schedule No. 600 attached).

Decision: The applications now submitted be determined, in accordance with the decisions set out in Development Management Schedule No. 600 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.57 Decision: "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 items of business on the grounds that they involve the likely disclosure of "exempt information" as defined in paragraphs of Part 1 of Schedule 12A to the Act.

PL.58 New Enforcement Case

The Committee received a report from the Head of Strategic Growth on a new enforcement case.

Decision: The Solicitor to the Council receive delegated authority to serve or withhold and Enforcement Notice for the reasons and including the requirements detailed in the confidential report to the Planning Committee.

There being no further business the meeting ended at 6:49pm.

WYRE FOREST DISTRICT COUNCIL

PLANNING COMMITTEE

15th March 2022 - Schedule 600 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 Planning 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: 21/0525/FUL
Site Address: Land Off Clattercut Lane, Rushock, Droitwich Spa, Worcestershire
The Committee received representation from Cllr Terry Green (Rushock Parish Council) prior to a decision being made.
<p>APPROVED subject following conditions:</p> <ol style="list-style-type: none"> 1. A6 (Standard time limit) 2. Highways - Access, internal track and hardstanding provided. 3. Ecological mitigation. 4. Arboricultural Method Statement 5. Track construction to be of natural stone only. 6. The new visibility splays shall be replanted with a native mix of hedgerow plants. 7. Details of the proposed gates <p>Notes</p> <ol style="list-style-type: none"> a) Informative: Section 278 Agreement b) Land drainage consent.

Application Reference: 21/0647/FUL
Site Address: Land At Os 382233 274260, Stourport Road, Kidderminster, Worcestershire
APPROVED subject following conditions: <ul style="list-style-type: none"> 1. A6 (Standard Time) 2. B1a 3. Arboricultural Impact Assessment 4. Arboricultural Method Statement 5. Tree Protection 6. Landscaping 7. Lighting Strategy 8. Ecological/Biodiversity Plan implementation and review 9. Bat surveys 10. CEMP 11. No site clearance March – Sept without Ecological Clerk of Works 12. Electric Vehicle Charging Points 13. Sustainable Energy/Heating Plan 14. Provision of Defibrillator 15. Highway Access 16. Highway Parking 17. Cycle Parking 18. Pedestrian Route provision 19. Overflow car park and pedestrian route 20. Contaminated Land 21. Surface Water Drainage 22. Foul Water Drainage 23. Travel Plan

Application Reference: 21/0794/FUL
Site Address: Honeybrook Kennels, Bridgnorth Road, Kidderminster, DY11 5RR
APPROVED subject following conditions: <ul style="list-style-type: none"> 1. A6 (Standard Time) 2. B1a (Materials to be submitted for any new works) 3. J1 (Removal PD Rights) 4. No Demolition 5. No Additional Windows in roof 6. Electric Vehicle Charging Points 7. Cycle Parking 8. Access Track surfacing 9. Passing Bays 10. Parking, access and turning for the dwelling 11. Access and Visibility Splays 12. Floor level to be set at 67.04m AOD 13. Details of ecological enhancement to be submitted.
Note <ul style="list-style-type: none"> A. Highways B. Foul Drainage C. Removal of PD Rights D. Protected Species

EXECUTIVE SUMMARY TO REPORT OF DEVELOPMENT MANAGER

Planning Committee

Part A Applications

Ref:	Address of Site	Recommendation	Page No.
21/0598/FUL	Land To The Rear 5 Mill Lane Blakedown Kidderminster DY10 3NQ	Approval	12
21/1064/HYB	Land At Os 381800 271300 Former Parsons Chain Worcester Road Stourport On Severn Worcestershire	Delegated Approval	29
21/1154/HOU	Swallows Barn The Holloway Chaddesley Corbett DY10 4QD	Refusal	53

Part B Applications

Ref:	Address of Site	Recommendation	Page No.
21/0604/FUL	Heathlands 16/18 Birmingham Road Blakedown Kidderminster Worcestershire DY10 3JE	Delegated Approval	62
22/0003/FUL	1 Lea Lane Cookley Kidderminster Worcestershire DY10 3TA	Approval	72
22/0079/HOU	9 Beauchamp Avenue Kidderminster Worcestershire DY11 7AH	Approval	77

WYRE FOREST DISTRICT COUNCIL**PLANNING COMMITTEE****19 April 2022****PART A**

Application	21/0598/FUL	Date	14.06.2021
Reference:		Received:	
Ord Sheet:	387871 278601	Expiry	09.08.2021
		Date:	
Case Officer	Julia Mckenzie-Watts	Ward:	Wyre Forest Rural

Proposal: **Erection of 4 detached dwellinghouses with associated parking and amenity****Site Address:** **Land To The Rear, 5 Mill Lane, Blakedown, Kidderminster, DY10 3NQ****Applicant:** **Mr Carl Beddington**

Summary of Policy	CP02 CC1 (CS) UP7 UP5 CC7 CC1 CC2 (SAAPLP) 5A, 6B, 11A, 15D, 27A, 27C (EWFLP) Design Guidance SPD National Planning Policy Framework Planning Practice Guidance
Recommendation	APPROVAL
Reason for referral to committee	Statutory Consultee Objection and Approval Recommended Ward Member Request for Committee Consideration

**THE APPLICATION WAS DEFERRED FROM PLANNING COMMITTEE IN FEBRUARY
FOR A COMMITTEE SITE VISIT**

1.0 History

- 1.1 WF.1322/78 - Erection of 4 dwellings – Refused, dismissed on appeal
- 1.2 07/0169/FULL – Erection of 4 no. dwellings with access from Mill Close : Refused
- 1.3 07/0298/FULL – Erection of 4 no. detached dwellings : Refused
- 1.4 08/0839/FULL – Erection of three detached dwellings, access and turning area:
Approved

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- 1.5 13/0034/CERTP – Carrying out of development approved under planning application 08/0839/FULL (Erection of three detached dwellings, access and turning area) – Refused, allowed on appeal.

2.0 Consultation and Representations

- 2.1 Parish Council - Prior approval given for 3 dwellings. Request for District Councillor's referral to Planning Committee confirmed. The Parish Council does not support this application as it is regarded as over development, has an adverse visual impact on existing neighbouring houses, and fails to meet the criteria set out in the Churchill and Blakedown Neighbourhood Plan Policy CB5 -General Design Principles. The application does not meet Criteria 3, 4, 6, 8, 12 – amenity, access, backland, design (scale, density, layout), local setting. Policy CB17 – Scale & Type of New Residential Development. The application does not meet criteria 2 and 4 – access and amenity of neighbours. These Policies are supplemental to WFDC's own criteria as set out in Core Strategy CP11 and the emerging Local Plan 27a, in which we note paragraphs ii, iii, iv, and vii.
- 2.2 Highways - The proposed development is to be served by access off the turning head on Mill Close and it is understood that notice has been served on the properties affected (No. 17 & 19). The layout for 4 dwellings complies with the criteria for a Shared Private Drive in the Streetscape Design Guide therefore separate footways are not required and it is noted that the access width will be 4.8m to allow 2 vehicles to pass. The parking provision per dwelling also complies with standards and 6m turning aisle is available. It is noted that a planting strip has been added between the parking spaces for Plots 1 and 2 this planting must be maintained at a low level to ensure inter-visibility. Cycle parking is required for the 2no. bedroom bungalow however the 3 x 4no. bedroom dwellings have integral garages which can accommodate cycles and the 'Bin Collection Point' is suitably located for access by both residents and the refuse collection service. Connection to the highway is to be laid out as a dropped kerb crossover with works to be carried out by WCC contractors, Ringway Services as per the note below. It is acknowledged that the proposed site has sustainable credentials and the junction between Mill Close and Mill Lane is considered to be adequate for the scale of development proposed.
- 2.3 Countryside Manager - The application is in a location that has a few potential ecological restraints. There are no Habitats of principle importance on the site. However there are some Ivy covered trees around the perimeter and these trees have the potential to support bat species.

Prior to commencement of works on site the applicant will need to instigate a bat assessment and or survey, the results of this can then be used to provide avoidance and mitigation measures to prevent harm to bat species. If bats are found to be affected by this application the applicant may need to apply for a Bat licence.

The schemes lighting has potential to cause harm to bat species, on and adjacent to the site, and this will need to be considered as part of the bat assessments and surveying. A lighting design will need to be prepared in consultation with the ecologist to prevent light negatively impacting on bat habitat and features.

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- 2.4 Arboricultural Officer - I am now in a position to support the application. The protected tree overhanging plot 2 isn't overhanging as much as shown on the plan and minor reduction works would be acceptable, if the future owners wish to pursue this.

I am still a little concerned by the levels and how the change in levels would impact on all the trees on the boundary. I would recommend conditions added to any approval.

- 2.5 Severn Trent – no objection subject to the inclusion of a condition

- 2.6 WRS (Contaminated Land) – No comments in relation to contaminated land

- 2.7 North Worcestershire Water Management - To my knowledge this site is not at risk of flooding from any source. As the site is currently a back garden, the development will increase the amount of surface water being generated on the site. This extra volume should be kept on site, in order to avoid increasing flood risk elsewhere. No information has been submitted regarding the discharge of surface water, other than that on the application form it has been ticked that discharge will be made to the surface water sewer. It is the Council's policy that all developments fully explore the use of SuDS for the disposal of surface water and in line with the hierarchy included in the Building Regulations, discharge via infiltration would need to be ruled out first before an attenuated discharge to the surface water sewer would be considered. I believe that it is likely that this site will be suitable for infiltration drainage; according to this website: <http://www.landis.org.uk/soilscapes/index.cfm> the soils in the vicinity of the site are classed as Soilscape 10: Freely draining slightly acid sandy soils. On site permeability testing would be required to confirm infiltration is possible. If infiltration drainage is not possible then an alternative form of surface water disposal will need to be proposed, with appropriate attenuation to ensure that the development will not result in an increased amount of water leaving the site. We require all development to use a 100 year return period plus an appropriate allowance for climate change, to ensure that the development does not increase flood risk elsewhere. Where possible we would like accesses, car parking areas and driveways to be paved permeably. The Council has a SuDS guidance document which can be found here: <https://www.wyreforestdc.gov.uk/media/suzknvr4/wyre-forest-suds-design-evaluation.pdf>

I note that the application form does not detail that the properties will connect to the foul sewer system. A non mains drainage solution for this location would not be acceptable. A connection to the foul sewer system will need to be approved by Severn Trent Water. I understand they have been consulted upon this application already.

I note the proposal includes a diversion of the surface water and foul sewer that discharges via the site to ensure that these assets are accessible for future maintenance and are not located underneath the new dwellings. The proposed diversion will require Severn Trent Water's permission. I understand from the remarks made in the design and access statement that preliminary discussions have been had.

I regret that the applicant has not taken on board my pre-application advice to include information regarding the intended drainage methods in the planning application. As the selection of the surface water drainage methods can have knock-on effects, I believe it is advisable that this gets done in the early stages of the development.

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Having this information also assists the assessment of the potential impact of this application and provide us with the confidence that the development can be drained responsibly, without increasing the flood risk to others.

If you are nevertheless minded to approve this application before the requested information becomes available, then I would request that the a detailed surface water drainage condition gets attached.

2.8 WRS (Noise) - The proposed development site is in close proximity to the railway line to the south east. Therefore a condition is to be added to ensure that the applicant will submit a noise assessment for comments and approval in line with BS8233:2014, together with any necessary noise mitigation measures to ensure that both external and internal noise levels meet the recommendations of the standard.

2.9 Crime Risk Officer– no objections

2.10 Neighbour/Site Notice Representations

12 objections and 1 neutral comment received

Incorrect information contained in the tree statement by B.J.Unwin

The developer's statements attached to the planning application, and the plan on page 19, highlights areas which are close to existing properties and states 'respect existing dwellings with respectable offset distances'.

The plans as submitted totally disregard this for numbers 14 and 16 Mill Close. Furthermore, one questions why the owners of number 29 Wannerton Road had the opportunity to agree with the developer that a bungalow would be put at the south end of the site and the guarantee that the roof line would not be higher than 29 Wannerton Road? How can this be acceptable before any other owners of properties on the site boundary had been contacted?

The proposal does not support the Local Plan in regards to biodiversity.

The very minor amendment to the design proposed does not answer the points raised. overall, the proposal leads to over development and significantly impacts neighbouring properties including but not limited to: loss of privacy, loss of light, overlooking, access implications. It also fails to meet the criteria set out in the Churchill and Blakedown Neighbourhood Plan Policy CB5.

The land we feel will become over developed causing a great deal of vehicle activity across the top of our land at No 17. The access is very narrow and could easily cause a build-up of traffic across the top of our drive when larger vehicles try to access or leave the site. This narrow access does not seem to accommodate a footpath for pedestrians.

We have previously objected to the size and position of the houses on plots 1 and 2 and although the plans have been amended very slightly the amendments do not make any significant difference to the impact the houses will have on our property at 14 Mill Close, nor that of our neighbour at 16. The distance from our boundary has

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been increased very slightly to just under two metres which we still consider unacceptable. The roof design could also be amended to reduce the impact on our home. The request that consideration be given to positioning a bungalow(s) on plots 1 and 2 has been ignored. Objection to the plans has been made by the Blakedown and Churchill Parish Council but these objections have been ignored. The development is not in line with the local planning requirements and the stated need for bungalows in the village, not more four bedroom detached houses. The plans as submitted will result in over development of what has essentially been a garden. There is already limited width in Mill Close for parked cars and for the houses on the development site the provision for visitor parking is inadequate. Access to the site for emergency and utility service vehicles is very narrow and there is in very little provision for pedestrians.

I should like to object to this proposal. To my mind, the proposal should be regarded as over development of what is basically a former garden plot. It would have an adverse visual impact on existing neighbouring houses, and fails to meet the criteria set out in the Churchill and Blakedown Neighbourhood Plan Policy CB5 -General Design Principles. The application does not meet Criteria 3, 4, 6, 8, 12 - amenity, access, backland, design (scale, density, layout), local setting. Policy CB17 - Scale & Type of New Residential Development. The application does not meet criteria 2 and 4 - access and amenity of neighbours. These Policies are supplemental to WFDC's own criteria as set out in Core Strategy CP11 and the emerging Local Plan 27a, in which we note paragraphs ii, iii, iv, and vii. On that basis, I should like to suggest that there are sufficient policy grounds to reject this application.

Loss of privacy and overbearing, loss of light, flood risk, out of keeping with the character of the area, affect local Ecology

2.12 Applicant's Statement in Response to Concerns

OVERDEVELOPMENT

The proposed development density allows for existing site constraints to be accommodated (TPO RPAs, drainage easements etc.) whilst providing adequate levels of amenity and parking for the proposed dwellings, and therefore does not represent over development.

The proposed site density (approximately 21 units/ha) reflects that of adjacent Mill Close, which works out to be approximately 19.6 units / hectare. The proposed density is actually lower than the 30 units/hectare targeted by Wyre Forest District Council Core Strategy for new housing development in rural areas but is so to be in keeping with the local character.

We feel this is an improvement on the extant permission for 3 units which feels as if it occupies more of the site due to the spread-out nature of the units and outbuildings that is more at odds with the surrounding context

Our proposed 4 unit scheme totals 483 sqm of living accommodation, which is only 48 sqm greater than the total 435 sqm proposed by the 3 unit extant scheme – which additionally had 5 garage spaces compare to our proposed 3. Two typically-sized garages would equate to approximately 36 sqm, leaving only approximately 12 sqm difference between the schemes.

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ADVERSE VISUAL IMPACT ON EXISTING NEIGHBOURING HOUSES

The proposed buildings have been positioned to try and reduce impact on the adjacent dwellings.

The two proposed dwellings to the northern part of the site have been positioned between no.s 14 and 16 to ensure that they don't impact on the entirety of these properties' rear boundaries and retain clear views across the site to the mature trees along the western boundary.

The staggered positioning of the extant 3 unit scheme would by contrast obscure much of the western site boundary when viewed from No.s 14 and 16 Mill Close.

The distance between nearest proposed dwelling and the rear boundaries of No.s 14 and 16 is 2.4-2.6m, which appears to be at least 1m further away than the closest point of the approved 3 unit scheme and the refused 4 unit scheme.

Whilst the extant scheme positions 2 storey accommodation further from the neighbouring boundary, our proposed scheme maintains a 14.6m – 14.7m distance from the rear elevations of the existing dwellings. This is in excess of typically required separation distances between rear and side elevations which provide quantitative guidance on what is otherwise a subjective assessment of what is acceptable and what could be considered adverse.

This is important since it is noted that all previous forms of proposed development have received objections from the neighbours and as the appeal inspector noted during consideration of the extant scheme, surrounding occupiers having enjoyed the open nature of the site for many years is not a reason in itself to resist further development.

During the previous committee hearing we noted the concern over the proposed window to the gable of Plot 2. This is to an en-suite bathroom and is proposed to have obscured glazing. We would accept a condition requiring this also to be fixed to maintain privacy and amenity to the adjacent properties – since the room can rely on its required mechanical extract for ventilation. We would also expect that as an en-suite bathroom, the room would not have extensive use throughout the day and would be limited in use to 1 or 2 family members.

POLICY CONSIDERATIONS

Policy CB5 - General Design Principles

- Noise should be no different from any other nearby residential property. In terms of noise or nuisance from traffic generation, the statutory highways consultee confirms that the provision of 4 new dwellings would not have an adverse impact.
- The statutory highways consultee confirms that the provision of 4 new dwellings would not have an adverse impact on traffic generation to Mill Close. All 4 dwellings comply with the LA's standards for parking provision and they should not therefore impact adversely on on-street parking to Mill Close.
- Whilst the proposals develop land to the rear of 5 Mill Lane, there is a separate access to the parcel of land, with a legal right of way across No. 19 Mill Close, thereby the scheme does not compromise a narrow, shared access through the site of No. 5 Mill Lane.

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- The plot of land is already separated from No. 5, which currently operates with generous levels of external amenity space, therefore the development does not adversely impact existing amenity space. Similarly, none of the properties to Mill Close lose any amenity space to the proposals.
- Typical overlooking separation distances are also maintained, without loss of privacy to adjacent dwellings.
- Size / Scale – The proposed dwellings are a mix of 2 storeys and single storey, reflecting the nearby existing properties of Mill Close and Mill Lane. The mix of 2 and 4 bed dwellings is also reflective of the area.
- Density – Proposed site density is approximately 21 units / ha which is in keeping with the adjacent Mill Close development parcel with approximate density of 19.6 units / ha.
- Layout – The layout achieves required levels of amenity and parking for the number of units proposed, as well as acceptable separation distances between each other and existing properties. It also allows for accommodation of existing site constraints, such as the required easement to existing drains and avoids tree root protection areas of TPO trees.
- Access – Access to the site is via a right of way across No. 19 Mill Close and the statutory highways consultee confirms that the proposed access arrangements are sufficient.
- An aerial view of the area demonstrates how currently the site is at odds with local development forms as an isolated parcel of green space that does not enjoy natural surveillance or overlooking to be valuable amenity space. The proposed development knits in well with the surroundings, completing the end of Mill Close with a small-scale bespoke development of appropriate density. The proposed development of the site will assist with natural surveillance and overlooking, preventing any potential anti-social behaviour.

Policy CB17 – Scale and Type of New Residential Development

- It has appropriate access. The statutory highways consultee confirms that the proposed access road is sufficient.
- It is recognised that occupiers of existing properties will generally prefer their views to remain unaltered and indeed every form of development on this site has been objected to. We understand the site was included originally in proposals for developing Mill Close itself and the likelihood of development has presumably been apparent since the principle of development is not contrary to planning policies. A balance needs to be struck between protecting existing living conditions and being able to provide new development where appropriate, and new homes for people. Planning policy documents help to determine objectively how this balance can be achieved, and the proposed development conforms to typically-required separation distances between dwellings that provide an acceptable level of amenity and privacy for occupiers.

CP11: QUALITY DESIGN AND LOCAL DISTINCTIVENESS

- In terms of the landscape quality of the local area, the proposals reflect the prevailing local character of detached dwellings with frontage parking and landscaping with private rear gardens. The green frontage to Plot 3 reflects the softening landscaping of several of the plots to Mill Close, helping to create an attractive and welcoming approach into the site. Plot 3 is also dual aspect, making

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use of a corner plot to front the development when approaching, whilst responding internally to the other new dwellings. Again, we feel this improves upon the previously approved extant scheme which had a predominant view of parking and garages as you looked into the site.

- The proposed development conforms to the typically-required separation distances between dwellings that aim to provide acceptable levels of amenity, daylight and sunlight, outlook and privacy whilst not being overbearing.
- The site is not particularly sensitive in terms of conservation area proximity, relevant heritage assets, prominent views, skylines etc. and the position is such that the development will not be particularly obvious to many other than immediate neighbours. The proposed design does therefore respond appropriately to the immediate context in terms of reflecting predominant house typologies, setting and local materials.
- The scale, height and massing of development must be appropriate to the setting of the site and the surrounding landscape character and townscape, including existing urban grain and density. The footprint should be appropriate for the locality and not represent over-development of the site. Again, the proposed development is in keeping with scale, height, massing and density and is appropriately designed in terms of materiality and elevational treatment to compliment the local context.

3.0 Site Location and Description

- 3.1 The 0.20 hectare application site is located in the village of Blakedown and occupies an area of land at the bottom of the garden of No. 5 Mill Close which is also known as The Rectory. The land originally formed part of the residential curtilage of the Vicarage when the building was approved in 1957, it has now been fenced off to form a separate piece of land. The site falls from east to west by approximately three metres.
- 3.2 The land is overgrown and lies adjacent to residential properties located in Mill Lane (number 5). Mill Close numbers 12, 14, 16 and 19), and Wannerton Road (numbers 29 and 46). Vehicular access is proposed to be gained via a private drive from the cul-de-sac turning head of Mill Close. This access approach is in separate ownership and it is understood that Notice has been served on the appropriate third parties.
- 3.3 The site contains a number of unprotected trees, however there are trees immediately adjacent to the development site which are protected by a Tree Preservation Order. There are two underground service pipes which run through the site from the eastern boundary and divert south through the site, continuing past the south boundary of the site into Wannerton Road.
- 3.4 Permission was granted for the erection of three dwellings that were considered to be more contemporary in style than those situated nearby in Mill Lane, Wannerton Road and Mill Close. It was considered at the time that the site is visually more closely related to properties in Mill Close but the development would have the ambience of a separate entity albeit joined by a private drive to that estate road. In these circumstances he could see no need to repeat the same house types or layout as the properties in Mill Close and to do so would result in a less interesting form of development and possibly even a more invasive form of development in terms of distances between properties.

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- 3.5 In 2013 a certificate application (13/0034/CERTP) was submitted to gain agreement that works had commenced on site. The Council refused the application as it felt that the works that had been carried out were di minimus in nature and therefore did not constitute implementation of the 2008 Planning consent, however the certificate was allowed on appeal.
- 3.6 Therefore, in light of the allowed appeal in relation to the 2013 certificate application, there is an extant permission on the site and a realistic fallback position available for the erection of three detached dwellings accessed off Mill Close and these could be erected on the site at any time subject to the discharge of the remainder of the planning conditions attached to the approval.
- 3.7 The use of the site for residential development has already been approved and implemented. Therefore, the current application is solely to gain approval for an increased number of dwellings to the approved 2008 application. The current application seeks for 3 dwellings and a single bungalow rather than the extant permission which was for 3 large detached two storey dwellings.

4.0 Officer Comments

- 4.1 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.

PRINCIPLE OF DEVELOPMENT

- 4.2 Paragraph 70 of the National Planning Policy 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’.
- 4.3 The application site lies within an area allocated for residential on the Adopted Policies Map and is accessible to local shops, schools and Blakedown Train Station. The site has a previous permission for residential development which is extant and can be completed. The addition of a single bungalow on the site does not change the ‘in principle’ consideration.

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DESIGN/DENSITY/LAYOUT

- 4.4 Policy CP11 of the Adopted Core Strategy, Policy SAL.UP7 of the Adopted Site Allocations and Policies Local Plan, Emerging Policy 27A and Paragraph 130 of the Framework all require good design and for new developments to integrate well with the existing development and to add to the overall quality of an area.
- 4.5 Section 12 of the NPPF sets out how to achieve well-designed places and states that the creation of high quality buildings and places is fundamental to what the planning and development process should involve.
- 4.6 The Adopted Supplementary Planning Document on Design sets out how small scale developments (1-9 homes) are predominantly driven by the context and character of their surroundings. The design should respond to the context, creating better places and making a positive addition to how the places function wherever possible. The design should fit into or help establish the place. The Council would expect new development proposals to consider how will the proposal fit in with the existing scale, density, building line, eaves and ridge heights and elevational detailing of both the immediate property and the wider surroundings. Policy CB5 of the Churchill and Blakedown Neighbourhood Plan sets out how new development proposals should be designed sensitively to ensure that the high quality built environment of the Parish is maintained and enhanced. New designs should respond in a positive way to the local character through careful and appropriate use of traditional and high quality materials and detail. Proposals should also demonstrate consideration of height, scale and massing, to ensure that new development delivers a positive contribution to the street scene and adds value to the distinctive character of the area.
- 4.7 The proposed development consists of the following:
- 1no. two bedroom bungalow apartments
 - 3no. four bedroom detached houses with attached garages.

Each four bedroom house is to be provided with three car parking spaces, plus the garage space where applicable, whilst the bungalow will have two car parking spaces. All plots will have timber cycle sheds 2.4m x 1.2m within the rear garden (details of which are to be submitted as requested by Highways). High quality block paving has been introduced and low level planting between the front car parking spaces of Plots 1 and 2 to soften the large area of hardstanding that was shown on the initial submitted plans.

- 4.8 The approved 2008 scheme gained consent for three large detached properties each with a large footprints in comparison with the properties in Wannerton Road and Mill Close. The majority of the accommodation was at ground floor level with some additional bedrooms above, each had either a single or double attached garage with additional parking to the front. The dwelling closest to the properties in Mill Close was directly behind number 14 albeit the nearest point was a single storey projection attached to the side of the two storey element of the house. The plot adjacent to number 29 Wannerton Road and number 19 Mill Close was a sprawling property with a mixture of single and two storey elements.

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- 4.9 The southern parcel of the development (plots 3 and 4) has been reworked from the 2008 approval in order to create a greater offset distance between the house and bungalow and the gable of number 19 Mill Close. The proposed bungalow to Plot 4 has been positioned to the south of the site, sensitively responding to the neighbouring properties at number 19 Mill Close but also numbers 29 and 46 Wannerton Road as the site is at a higher level than Wannerton Road. The rear of the bungalow would face number 29 Wannerton Road with a 7m separation distance to the boundary, which is far more separation space than the 2008 approval and therefore due to this distance and the nature of the property from the ground floor windows would overlooking will be minimal on the rear amenity of this property. Similarly there would be an 8m separation distance between the front of the bungalow and the rear fence boundary with number 19 Mill Close,
- 4.10 Plot 3 which is a two storey detached dual aspect unit corner property has been carefully positioned to frame the entrance onto the site, whilst Plots 1 and 2 have been positioned to maximise their distance from existing dwellings on Mill Close, reducing their impact on the existing dwellings.
- 4.11 The agent has set out how the proposals offer locally inspired materials, combined with a soft contemporary architectural vernacular. The choice of buff brickwork reflects the varied range of finishing materials within the local area, referencing the larger dwellings along Mill Lane to the north and Wannerton Road to the south of the site. The material palette adds aesthetic value and provides a legible scheme, with key locations being signified with subtle material changes including buff stack brick bonding and extruding brick details, adding depth and detail the street scene, enhancing the character of the local architectural vernacular. Other architectural details incorporated include recessed windows, simple window profiles, flat entrance canopies, clipped eaves and slate roof tiles. The proposals also reference the existing dwellings along Mill Close, including gable frontages and horizontal banding, which have been subtly adapted to suite this contemporary residential scheme. In order to ensure that the proposed materials are suitable for use on the site, a condition will be added requesting the submission and approval of all materials to be used on the development.
- 4.12 The application site appears as a separate entity albeit joined by a private drive to that estate road and in these circumstances, as with the previous approval I see no need to repeat the same house types or layout as the properties in Mill Close and to do so would result in a less interesting form of development and possibly even a more invasive form of development in terms of distances between properties.
- 4.13 The proposed development density reflects that of the local area (21 units per hectare) and allows for the existing site constraints to be accommodated whilst providing adequate level of amenity and parking for the development and therefore would not represent overdevelopment. I am satisfied that the development has an acceptable design that would reflect the scale and appearance of the housing in the surrounding area and I therefore consider that the development would be in accordance with Policy CP11 of the adopted Core Strategy, Policy SAL.UP7 of the adopted Site Allocations and Policies Local Plan, the National Design Guide and paragraph 127 of the Framework.

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IMPACT ON ADJACENT RESIDENTIAL PROPERTY

- 4.14 The majority of objections raised relate to the impact the plots 1 and 2 would have on the occupiers of numbers 14 and 16 Mill Close and the Parish have also raised this as a concern and the fact that the proposal would materially harm the living conditions of the occupiers of neighbouring properties. Concern has also been raised in that the application would not comply with Policy CB5 of the Churchill and Blakedown Neighbourhood Plan which sets out how new development proposals should be designed sensitively to ensure that the high quality built environment of the Parish is maintained and enhanced.
- 4.15 The site is slightly lower than Mill close, however due to concerns raised by neighbours, Plots 1 and 2 have been moved 1 metre further away from the boundary with numbers 14 and 16 Mill Close, the house types have been narrowed in width by 450mm, reduced in length by 225mm and the eaves lowered by 150mm which has allowed the overall height of the dwellings to be reduced by more than 200mm in order to further reduce any impact on these properties. The main impact in terms of massing is the effect of Plot 2 insofar as it relates to the rear of two dwellings at number 14 and 16 Mill Close. It is acknowledged that numbers 14 and 16 would partly face the blank side wall of plot 2 (apart from an obscurely glazed en-suite window) but the separation distance has been increased. The distance between the rear wall of number 14 and the side elevation of plot 2 is now approximately 14.7m and approximately 14.6m from the rear of number 16 and the side of plot 2. This distance is in excess of the typical distanced required of 12.5m to a blank gable wall.
- 4.16 Within the site, plots 3 would have a separation distance of 10.9m to the boundary with number 29 Wannerton Road and the corner of plot 3 to the corner of number 29 would be approximately 20 metres. In terms of the relationship between Plot 3 and number 19 Mill Close, the house has been designed so that the only first floor windows that would directly look towards the front garden of this property would be a landing window and an obscurely glazed en-suite.
- 4.17 The current design and layout has demonstrated that a suitable arrangement of dwellings can be achieved whilst providing adequate separation distances of more than the common separation distances of 12.5 for two storey dwellings between the rear facing windows and gable ends of Plots 1 and 2 and the properties in Mill Close and the relationship between the rear of plot 3 and the rear of number 29 and the front of Plot 3 and the front of Number 19 Mill Close. The proposed houses and single bungalow would all have an acceptable internal size and layout and would provide adequate gardens that would be useable and private.
- 4.18 The design of the dwellings and bungalow would respond in a positive way to the local character as the traditional and high quality materials and the architectural detailing of the other properties in the vicinity have been carefully considered. The proposals demonstrate consideration of height, scale and massing in order to ensure that the new development will add value to the distinctive character of the area as required by Policy CB5 of the Churchill and Blakedown Neighbourhood plan.

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- 4.19 The development in my view accords with Policy CB5 of the Churchill and Blakedown Neighbourhood plan, Policy CP11 of the Adopted Core Strategy, Policy SAL.UP7 of the Adopted Site Allocations and Policies Local Plan and Emerging Policy 27A which amongst other matters seeks to prevent serious detrimental impact to neighbouring properties.

HIGHWAY ISSUES

- 4.20 This application like the previous one has resulted in a large number of objections from neighbouring property with regard to the extra traffic that will be generated.
- 4.21 The layout for 4 dwellings complies with the criteria for a Shared Private Drive in the Streetscape Design Guide therefore separate footways are not required and it is noted that the access width will be 4.8m to allow 2 vehicles to pass. The parking provision per dwelling also complies with standards and 6m turning aisle is available. It is noted that a planting strip has been added between the parking spaces for Plots 1 and 2 this planting must be maintained at a low level to ensure inter-visibility. Cycle parking is required for the 2no. bedroom bungalow however the 3 x 4no. bedroom dwellings have integral garages which can accommodate cycles and the 'Bin Collection Point' is suitably located for access by both residents and the refuse collection service. Connection to the highway is to be laid out as a dropped kerb crossover with works to be carried out by WCC contractors, Ringway Services as per the note below. It is acknowledged that the proposed site has sustainable credentials and the junction between Mill Close and Mill Lane is considered to be adequate for the scale of development proposed
- 4.22 The Highway Authority has considered the matter and is of the view that the development is acceptable. In this regard and I would agree with this view. Although the development will no doubt generate more traffic the additional trips involved should not constitute a serious problem for the capacity of Mill Close and should not have a serious impact on neighbouring property either in terms of congestion or noise.

TREES

- 4.23 Concern was initially raised by the Council's Arboricultural officer who had concerns over the protected pines in the rear garden of number 29 Wannerton Road and how much useable space would be available to the future occupier of plot 2 due to the location of a large, protected trees which it was thought to be overhanging the rear garden of plot 2. A site visit was undertaken, and the Arboricultural Officer is happy that the location of the tree does not overhang as much as initially thought and minor reduction works by the future occupier would be acceptable if the owners wanted to pursue this. There is therefore a no objection response to the application subject to the inclusion of conditions relating to the need for the submission of a detailed landscaping plan, the submission of a watching brief for the connection of the new underground pipe, no change is levels within the root protection areas of any of the retained trees, all information within the submitted Tree Protection Plan to be adhered to and a site meeting once all of the ground protection and protective fencing has been installed. I concur with the Tree Officer that concerns raised by neighbours have been investigated and can be overcome by the imposition of planning conditions.

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DRAINAGE

- 4.24 Policies CP02 of the Adopted Core Strategy, Policy SAL.CC7 of the Adopted Site Allocations and Policies Local Plan and Policy CB5 of the Chuchill and Blakedown Neighbourhood Plan (point 17) encourage the use of Sustainable Drainage Systems. SuDS provide a way of managing rainwater by mimicking natural drainage. It is North Worcestershire Managements policy that all new developments consider the use of SuDS, for all new major development as this is a national requirement.
- 4.25 NWWM have commented that no information has been submitted with the application in relation to the intended drainage methods to be used on the site and the selection of the surface water drainage methods can have knock-on effects and therefore it is advisable that this considered in the early stages of the development. Having this information also assists the assessment of the potential impact of this application and provide us with the confidence that the development can be drained responsibly, without increasing the flood risk to others.
- 4.26 The agent has been made aware of the concerns raised and has confirmed that details will be provided as part of any conditions imposed. The fact that an approved development is extant adds to this, the additional property will not result in any additional surface water issues, there is sufficient space to accommodate the drainage requirements based on a suitably design scheme.
- 4.27 Whilst the addition of a condition rather than having the information upfront is not the preferred option, the inclusion of the suggested condition will ensure that the details are submitted to NWWM for agreement prior to the commencement of any works taking place on the site in order to ascertain that the development can be drained properly.

OTHER ISSUES

- 4.28 Following concerns raised with regards to ecology, the Councils Countryside Manager has requested that a bat survey is undertaken prior to the commencement of works on site and also further details on proposed lighting to be submitted if bats are found on the site.
- 4.29 As the proposed development site is in close proximity to the railway line to the south east, Worcestershire Regulatory Service Noise team have requested that a condition is added to any approval which requires the submission of a noise assessment in line with BS8233:2014, together with any necessary noise mitigation measures to ensure that both external and internal noise levels meet the recommendations of the standard. No other objections have been raised in terms of noise.
- 4.30 A condition is to be added requiring the installation of a defibrillator on the site, details of the location of this are to be agreed by a condition.
- 4.31 No information has been submitted in terms of the provision of sustainable forms of energy and heating and therefore conditions will be added to allow the applicant to submit a full sustainability and energy statement in order to allow the consideration of alternative provision for the development.

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5.0 Conclusions and Recommendations

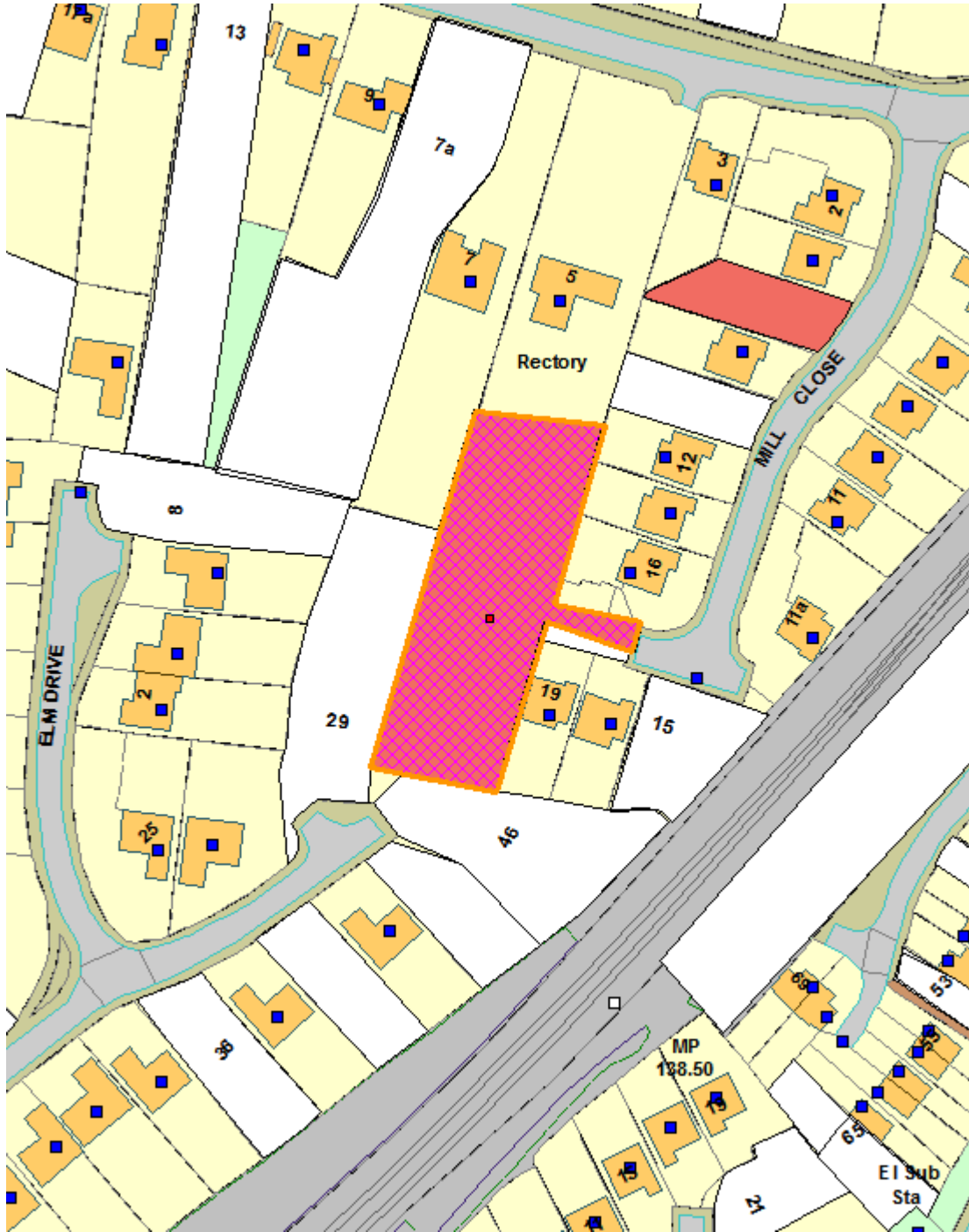
- 5.1 Developments such as this which would result in built development where there is none at present are usually controversial and unwanted by existing residents, however, as has been set out in the report the principal of development has been approved on the site and three properties could be built under the extant consent. It is acknowledged that the change of the site layout from the 2008 approval to the current application would see the two dwellings on plots 1 and 2 brought closer to the rear of the dwellings in Mill Close, however, as has been set out above the separation distances between the rear wall of these properties and the side of the new dwellings is considered to be adequate and there would be no side facing windows that would cause any overlooking. Plot 3 has been designed so that all first floor windows are not to habitable rooms (apart from the bedroom with a corner window but this faces the entrance road) and therefore overlooking of the amenity areas of the properties in Mill Close would be minimal, the garden length and separation distance between the rear elevation and 29 Wannerton Road is also considered to be acceptable. The provision of a Plot 4 which is a bungalow has been designed to minimise the impact on the properties in Mill Close and Wannerton Road to the side and rear due to its single storey nature.
- 5.2 The increase in the number of dwellings conforms with planning policy and guidance and amendments have been made to the scheme to take into account concerns raised by local residents. The proposed design of the properties takes reference from the wider local area with materials and detailing to create an interesting contemporary development which will result in a separate entity albeit joined by a private drive to Mill Close and therefore I agree with the case officer who approved the 2008 development that I can see no need to repeat the same house types or layout as the properties in Mill Close.
- 5.3 The application has been carefully considered with regards to the impact on the character of the area, the layout, design and density of proposed dwellings; the impact of the development on trees and Ecology, drainage, noise and impact on neighbouring property and with regards to car parking and highway safety issues and after considering these matters and others that have been raised by consultees the proposal is judged to be acceptable and in accordance with policies in the Development Plan.
- 5.4 Accordingly it is recommended that the application be **APPROVED** subject to the following conditions:
1. A6 (Full with no reserved matters)
 2. B1 (Samples/details of materials)
 3. B13 (Levels details)
 4. Submission of drainage plans
 5. Prior to commencement Suds details to be submitted and approved in writing by LPA.
 6. All drainage works to be carried out in accordance with the approved details.
 7. Development to take place in accordance with Tree Protection Plan (by Jim Unwin)
 8. No change in ground levels within the RPA's of any of the retained trees.

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9. Watching brief for the connection of the new underground pipe
10. Landscaping – small scheme
11. Landscape implementation
12. Prior to first occupation, submission of a scheme of noise mitigation measures F5 (Construction site noise/vibration)
13. Fixed obscure glazing to all side facing first floor bathroom/toilet ensuite windows
14. Access and parking
15. Cycle parking information to be submitted
16. Electric vehicle charging points to be provided
17. CEMP to be submitted and approved in writing
18. Submission of bat survey prior to commencement
19. Submission of external lighting scheme prior to commencement
20. Noise Survey and implementation of recommendations
21. Prior to first occupation of the dwellings, installation of defibrillator.
22. Submission of sustainability and energy statement to be submitted

Notes

- A Highway
- B Severn Trent
- C Refuse provision



Economic Prosperity and Place Directorate

Land To The Rear 5 Mill Lane Blakedown Kidderminster DY10 3NQ

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PART A

Application Reference:	21/1064/HYB	Date Received:	10.11.2021
Ord Sheet:	381800 271300	Expiry Date:	09.02.2022
Case Officer:	Helen Hawkes	Ward:	Mitton

Proposal: Hybrid Planning Application - Full Planning Application for Demolition and the Development of 94 Dwellings (Use Class C3). Outline Planning Application for the Development of a Care Home (Use Class C2) with Associated Access, or up to 16 dwellings (Use Class C3)

Site Address: Land At Os 381800 271300, Former Parsons Chain, Worcester Road, Stourport On Severn, Worcestershire,

Applicant: Taylor Wimpey (West Midlands)

Summary of Policy	DS01 CP01 CP02 CP03 CP11 CP12 CP14 (WFCS) DPL1 CC1 CC2 CC7 UP5 UP6 UP7 UP9 EA3 (SAAPLP) 5A, 6B, 6E, 8A, 8B, 8E, 9, 11A, 11B, 11D, 13, 15A, 15B, 15C, 15D, 16A, 16B, 16C, 20B, 20C, 24B, 26, 27A, 27C and 33.18 (EWFLP) Design Guidance SPD Planning Obligations SPD Affordable Housing SPD National Planning Policy Framework National Design Guide Planning Practice Guidance
Recommendation	DELEGATED APPROVAL SUBJECT TO S106 AGREEMENT
Reason for referral to Committee	'Major' Planning Application

1.0 Planning History

1.1 There are numerous planning applications relating to this site, with the most relevant being:

22/0036/FUL - Full Planning Application for the Removal of the Slab and Part Demolition and rebuilding of existing building, awaiting decision.

2.0 Consultations

2.1 Stourport-on-Severn Town Council – View awaited.

2.2 Environment Agency – No comments received.

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2.3 Highway Authority – No objection subject to conditions to secure: details agreed for access, parking and turning facilities, vehicular visibility splays for proposed Access Arrangements, electric vehicle charging points and residential parking provision; and to require appropriate pedestrian visibility splays, require first 5 metres of the access to be surfaced in a bound material, residential travel plan, residential travel welcome pack, Construction Environmental Management Plan, Upgrade of the existing crossing located on Worcester Road and details of cycle storage. Planning obligations are also considered necessary and directly related to the proposed development and would include financial contributions comprising: £4,500 to amend the extent of the existing weight restriction on Hartlebury Road; £15,000 to upgrade the existing bus stop on Hartlebury Road; and £180,000 towards improvements to the capacity of the Hartlebury Road/Worcester Road roundabout junction.

The Highway Authority advise that they are content that the following matters relating to the access proposals and layout have been resolved:

- Visibility splays have been corrected and comply with standard.
- Tactile paving and dropped kerbs are shown on Access Arrangements (ref: TA04 Rev G).
- Revised vehicle tracking has been undertaken and is accepted.
- Direct accesses which previously served plots 79-81 have been removed.
- The Applicant agrees to fund the Traffic Regulation Order (TRO) required to amend the terminal point of the existing weight limit on Hartlebury Road. The Highway Authority confirms that a contribution of £4,500 will be secured by legal agreement.
- The double-crossing point of Hartlebury Road has been justified.
- The Sales Area complex has been removed.
- The Applicant has increased carriageway widths from 4.8m to 5.5m adjacent to plot 88.
- Due to the Highway Authority's concerns regarding their proximity to the main junction, the Applicant has revised the positions of the private drive accesses at plots 4-6 and 77-78.
- Access between plots 64 and 93 has been revised.
- The Applicant has provided internal turning head geometry.
- Roads have been designed to a minimum 20m centreline radius.
- Visibility complies with standard.
- The internal layout has been reconfigured following the Highway Authority's concerns regarding false junctions.
- The Applicant has removed the block paving feature.
- Revised vehicle tracking has been provided.

The following has been agreed:

- The WCC Streetlighting Team will be appointed to design the streetlights for the access and internal roads. All relevant reports will be provided to WCC prior to commencing the design.
- The path on the northern side of Hartlebury Road to footway/ cycleway will not be widened, in accordance with LTN 1/20 to meet up with Millfields Road due to

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the resultant loss of trees. WCC Tree Officer has previously requested these trees be retained

In terms of the highway impact, the Highway Authority have advised that the Initial modelling in the Transport Assessment underestimated the existing operation of the Hartlebury Road/ Worcester Road roundabout. Further modelling has been undertaken and showed that the junction would be “over capacity” on the Hartlebury Road arm in the 2021 Baseline and that this will be exacerbated by the addition of trips generated by the development. In response the Applicant has agreed to provide a £180,000 contribution towards improvements at the Hartlebury Road/ Worcester Road roundabout. This will be secured by Section 106 Agreement.

- 2.4 Western Power Distribution – No comments received.
- 2.5 WFDC Housing Enabling Officer – No objection to the design and layout of the development which will ensure tenure neutrality and notes that the applicant has amended the layout to help intersperse the affordable properties with some open market housing, however, queries why the affordable properties cannot be distributed more evenly across the site to ensure tenure neutrality. Also, has asked for all rented properties to be social rented, unless there are clear viability reasons against this, I have spoken to RPs in our district who have indicated that they also have a preference for all rented properties to be social whilst the rest would be shared ownership, therefore the mix for this site would be 16 social rented and 8 shared ownerships. In terms of affordable rented units in this area the provision for these will be satisfied by the delivery of the Carpets of Worth site.
[Officer comments – The applicant has provided confirmation from a local Registered Provider who is happy with the proposed tenure split including affordable rent units]
- 2.6 NHS Primary Care Trust – No comments received.
- 2.7 Worcestershire Clinical Commissioning Group (CCG) – The development could generate approximate 226 or 264 residents and subsequently have an impact on primary healthcare provision in the area. It is therefore recommended that appropriate mitigation is provided to offset the increase demand upon existing primary healthcare services and therefore an off-site contribution of £35,650 or £41,630 is required to mitigate the impacts of the proposal.
- 2.8 County Council Strategic Planning – No objection and recommends that a pedestrian link is provided from the railway line directly onto Hartlebury Common to reduce the pressure of more vehicles travelling from the development to Wilden Top car park, which is already a very busy entrance point to the Common. Creating a more appropriate footpath link, with adequate signage, will ensure that the inevitable increase in footfall to Hartlebury Common will be better managed. Overall, the landscape scheme is acceptable for the scale and scope of development. The site of course benefits from having the former railway embankment, which is both a major green infrastructure and historic environment asset. In terms of the latter, it is the last

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remaining piece of infrastructure related to the former power station. In terms of GI, the woodland that has generated and matured now provides an important link with the Stour Vale and Hartlebury Common. I therefore welcome the applicant's plan to bring this asset into management. This, along with other landscape measures proposed, should be secured through a suitably worded condition to deliver a Landscape and Ecological Management Plan (LEMP). This will also unify landscape and ecological objectives. In terms of mineral safeguarding, no objection is raised to the proposed development, however, it is recommended that the applicant considers the opportunities for incidental recovery to use a portion of the mineral resource as an integral part of the groundworks for the non-mineral development, in order to avoid the unnecessary loss of the finite resource in line with paragraph 209 of the National Planning Policy Framework. Part c(iii) of Policy MLP 41 of the proposed Main Modifications to the Minerals Local Plan, together with the advice in the supporting reasoned justification, may be useful in addressing this point.

- 2.9 Countryside and Technical Manager – No objection subject to conditions to require the agreed badger mitigation to be implemented and the requirement for a NE licence; a construction environmental management plan to be submitted prior to commencement that includes measures to protect itinerant animals from the effects of construction; to agree external lighting details; to require an additional bat survey and potential mitigation measures prior to any works to tree T4; to require a landscape and ecology management plan which shows the details and locations of bat boxes; and to ensure the boundary fences include a small gap to allow hedgehogs to pass through. An informative is also proposed to ensure all vegetation clearance is undertaken outside bird nesting season 1st March and 30th August.
- 2.10 North Worcestershire Water Management – No objection subject to conditions to require: a scheme for a surface water drainage strategy to be submitted and agreed; a management plan detailing future maintenance responsibilities for SuDS assets; and for a construction surface water management plan to be submitted and agreed. It is advised that the revised Flood Risk Assessment (dated 14 March 2022) details that revised FRA details that the proposed attenuation pond alone will provide sufficient water quality treatment prior to discharge off site. This is indeed the case based upon the mitigation indices included in the SuDS manual. However, these indices can only be applied when the design guidance detailed in the SuDS manual chapter 22 is followed for the hydraulic and treatment element of the basin design. Appendix H of the revised FRA concludes that the changes made now bring the attenuation pond and site drainage design in-line with CIRIA's SuDS Manual (C753) recommendations and that these should be reviewed at detailed design stage. As advised previously, the current proposal sees the SuDS basin squeezed into a corner of the site, which results in the need for a 2.3 m retaining wall and a rather deep maximum water depth of 2m, and the need for fencing. Although this design might comply with the hydraulic requirements and thanks to some design tweaks may provide sufficient treatment, I doubt it will provide meaningful biodiversity and amenity benefits. The surface water drainage strategy details that a new outfall will need to be constructed across third party land. Approval for the construction of this asset cannot be assumed and as the

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entire drainage strategy relies upon this discharge point I believe it is important to establish this now. No information has I believe been shared regarding this. I do not think that this alone would be sufficient to object to the proposed development, but it is clearly a risk that will need to be addressed by the developer.

- 2.11 WCC Archaeologist – No objection subject to a condition to require a programme of archaeological works to be secured and implemented to determine whether the site has any archaeological interest and to ensure appropriate recording if any is to be found.
- 2.12 Conservation Officer – No objection and advises that he agrees with the submitted Heritage Impact Assessment which anticipates that the changes caused by the proposals would cause no harm to the significance of the heritage asset.
- 2.13 Arboricultural Officer – No objection subject to conditions to require: a Tree Protection Plan to ensure the woodland is protected during the site clearance and development of the site; a woodland management plan to enhance the woodland and allow it to be accessible to the new existing residents would be beneficial; and to secure the proposed landscaping plan.
- 2.14 Crime Risk Manager – No objection.
- 2.15 Severn Trent Water – No objection to the application and the details submitted for the disposal of foul and surface water drainage for Phase 1 relating to the 94 dwellings are acceptable and that it is recommended that a condition is attached to request details of drainage for Phase 2 of the development.
- 2.16 WRS Contaminated Land Team – No objection subject to a condition to require site investigations to be carried out to determine the potential for contaminated land and pollution arising from the previous manufacturing and railway use of the site and to agree any necessary mitigation including land remediation.
- 2.17 WRS Nuisance Assessment Team – Following receipt of the revised noise assessment, no objections are raised subject to a condition to require amended boundary treatment details to show an acoustic fence (minimum 1.8 metre high / 12kg/m²) along the proposed rear boundary of plots 14-26 to mitigate potential noise nuisance from the external condensing units on the rear elevation of the neighbouring OGL Computer building. A condition is also necessary to require a Construction Environmental Management Plan to minimise the impact of noise, vibration and dust emissions during the demolition and construction phases.
- 2.18 Worcestershire Children's Services – No objection subject to an off-site education contribution of £172,100 (subject to change if there is an increase in the number of dwellings) towards Special Education Needs and Disabilities (SEND) provision. It is advised that the proposed development is likely to yield 1 SEND primary school place

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and 1 SEND secondary school place. Analysis of pupil numbers at Wyre Forest School indicates that there is insufficient capacity in the area to admit the number of pupils that are likely to be generated from the proposed development who require a SEND specific place and that the development cannot be considered acceptable unless appropriate mitigation is put in place.

In terms of early years, primary and secondary school place provision, it is advised that there is sufficient spaces for each of these school year groups. The Mitton ward of Stourport-on-Serven has sufficient spaces to absorb the estimated increase in early years places (which is likely to equate to 3-4 children per year group). Also, that Arley Kings and Riverside wards also have sufficient early years places. In addition, it is considered that there are sufficient places to absorb the yield of primary age children from this development (estimated to be 4-5 children per year group) within the wider related primary schools serving the area of Stourport and that Stourport High School also has sufficient spaces to accommodate the increase in secondary aged school children (estimated to be 3-4 per year group).

2.19 Neighbour Notification / Site Notice / Press Notice

5 letters of objection received from nearby occupiers and residents to this application and objections have been raised on the following grounds:

- Traffic on Hartlebury Road and on the island at the junction with Worcester Road is already unacceptable and traffic congestion already causes long tailbacks and this development would make the situation worse and cause a grid lock on the island at busy times;
- Inadequate road infrastructure;
- Increase traffic queues;
- No link road is proposed between Hartlebury Road and Worcester Road, which has always been a requirement for any development on this site.
- Increase air pollution;
- Increase noise nuisance;
- Potential contamination issues for future occupiers due to the former factory use of the site;
- Add to the pressure on already over stretched resources such as doctor's surgery
- Add to additional pressure on local schools and reduce choice for families. Wilden All Saints CE Primary School is already over-crowded with buildings not designed with high pupil numbers; and
- Lack of information about the proposed care home.

[Officer comment – Reference has been made by an objector that land within the application site is required for a future Stourport Relief Road. Whilst this is a requirement under the current site allocation Policy SAL.EA3, it has been omitted from the draft site allocation Policy 33.18 of the emerging Local Plan (2016-2036) as it is no longer part of the Worcestershire County Council's Transport Plan]

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3.0 Site Location and Description

- 3.1 The application site covers an area of 4.2 hectares and relates to a former industrial site known as 'Parsons Chain Factory'. All buildings have been cleared from the site except for the concrete floor slab of one of the former factory buildings. There is also part of a vacant single storey brick building that extends into the site along the western boundary with the remainder of the building falling within the land ownership of the neighbouring property (OGL Computing). It is intended as part of this application to demolish part of the building that falls within this application site and re-build its eastern elevation.
- 3.2 The site is broadly an 'L-shape' and lies to the south of B4193 Hartlebury Road where it has a wide tree-lined road frontage and vehicular access. The boundary to the east is defined by an unmanaged woodland embankment, which rises approximately 7 metres above the site, and was formerly occupied by the railway line that served the former power station. The railway line was removed in 1981. The southern boundary of the site lies adjacent to Minerva Point, which comprises a vacant manufacturing/warehouse facility with office accommodation. In the southern part of the site, the site extends to the west and has a short road frontage to Worcester Road, where there is a secondary access serving the site. The remaining part of the western boundary is situated behind OGL Computing premises and a Grade II listed dwelling (known as 'House of Parsons Chain'). This Grade II listed building occupies a corner plot, adjacent to the roundabout junction between Hartlebury Road/Worcester Road and is well screened from public views and from the application site by trees and high boundary fences.
- 3.3 The site is relatively flat apart from the woodland embankment and the site falls within Flood Zone 1 (lowest probability to flooding). Whilst there are a number of street trees to Hartlebury Road and along the woodland embankment, none of these are protected by a Tree Preservation Order. There has been a historic public footpath along the embankment, however, the steps up to the embankment from Hartlebury Road and the path are in a poor condition and do not appear to be used. To the south of the embankment, approximately 220 metres from the site is Hartlebury Common which is a Site of Special Scientific Interest (SSSI).
- 3.4 The site is allocated for mixed use development including residential, business and community uses under Policy SAL.EA3 of the Adopted Site Allocations and Policies Local Plan (2013) with an indicative capacity of 150 dwellings. This allocation has been carried forward into the emerging Local Plan (2016-2036) for residential development only (with a capacity of 100 dwellings) including care home provision (Use Class C2).
- 3.5 The application is submitted in hybrid form, with all matters to be determined for Phase 1 which comprises demolition of the existing concrete floor slab of a former factory building and part demolition and rebuild of an existing vacant building and the erection of 94 dwellinghouses, together with public open space and associated infrastructure,

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and Phase 2 is seeking outline permission for either the erection of a care home (Use Class C2) or up to 16 dwellings houses with associated infrastructure, and only access is to be considered at this stage for Phase 2.

- 3.6 The detailed element (Phase 1) proposes a total of 94 dwellings with 24 (25%) affordable properties (consisting of 13 social rent, 3 affordable rent and 8 shared ownership units) and would comprise a mix of detached, semi-detached, and terraced and flatted residential units, and all would be two storeys in height. The layout of the development would comprise a new cul-de-sac off Hartlebury Road, which would sweep around the southern part of the site in a west to east direction with several short private roads leading off the primary cul-de-sac road. All houses would have a frontage to either the cul-de-sac road or private roads and the houses to the east of the site would have an outlook onto the woodland embankment where a linear open space would be provided. Pedestrian and cycle links away from the roads are proposed to provide edge to edge connectivity with the adjoining roads and a link has been provided up to the southern boundary of the site (adjacent to plots 28/29) to facilitate a pedestrian link to the Minerva Point site, which may be redeveloped for an alternative use in the future. An attenuation pond is proposed in the northeast corner of the site to manage surface water run-off. 100% parking provision is proposed for the 4no. one-bed apartments and 200% parking provision (excluding garages) are proposed for the dwellinghouses, and 38 properties would have garages. All properties would have cycle storage provided either in a secure shed or garage and electric vehicle charging points are proposed. It is also intended to install PV panels to properties and 6no. bat boxes to be installed to trees. The proposals would include extensive new landscaping across the site including a wildlife meadow and 8 new Lime Trees along Hartlebury Road frontage, which would offset the loss of 4 existing Limes that have to be felled to enable the necessary visibility splay to be provided for the access point.
- 3.7 The proposed dwellings would have either a hipped or gable end roof with brick detailing (in the form of a string and dentil course) across the front facades and a flat roof porch to give some architectural interest. A choice of three brick materials (Alderley Burgundy Brick, Mercia Orange Multi Brick and Brunswick Farmhouse Mixture Brick) are proposed with the string/dentil courses and window headers/cills in Alderley Orange brick and some properties would be constructed in white render to their upper levels to give variation in the street scene. Roof materials would comprise of grey slate tiles or peat brown tiles. Windows, front doors and garage doors would be in a grey colour. Boundary treatment details have been submitted which include brick screen walls to the prominent boundaries, 1.8 metre high close boarded timber fencing to side and rear boundaries and vertical hoop top/knee high railings are proposed around the public open spaces/attenuation pond. Hard surfacing materials would be provided in either block paving and tarmac.
- 3.8 The outline part of the application has been submitted with an indicative layout to show the siting and parking area for a care home (C2) use, which would occupy 0.4 hectares of the site with access from Worcester Road.

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- 3.9 The application has been submitted with a Transport Assessment including a Travel Plan, Planning Statement with a Statement of Community Involvement and Affordable Housing Statement, Design and Access Statement, Refuse and Recycling Strategy, Geo-environmental Assessment Report; Health Impact Assessment, Flood Risk Assessment; Heritage Statement, Noise Impact Assessment, Sustainability Statement, Arboricultural Impact Assessment and Tree Survey, Daylight Shadow Assessment, Landscape Scheme and an Ecological Assessment.

4.0 Officer Comments

- 4.1 The main considerations for this application relate to the principle of development and compliance with the Development Plan, and the extent to which the development would be acceptable in terms of design and layout, residential amenity, highways impacts, heritage impacts, ecology/nature conservation impacts, contamination, and other matters.

PRINCIPLE OF DEVELOPMENT

- 4.2 Section 38(6) of the Planning and Compulsory Purchase Act 2004 and section 70(2) of the Town and Country Planning Act 1990 requires planning applications to be determined in accordance with the development plan unless material considerations indicate otherwise.
- 4.3 The Council can currently demonstrate a five year supply of deliverable housing sites and whilst Strategy Policy DS01 of the adopted Core Strategy (December 2010) is out of date, given that it relates to housing need figures which are over 12 years old and were derived from the West Midlands Regional Spatial Strategy which has been evoked, the development plan still carries weight given that it's locational policies are consistent with the National Planning Policy Framework (the 'Framework') and its spatial strategy is not constraining housing development, in accordance with Paragraph 219 of the Framework.
- 4.4 Policies DS01 and DS03 of the adopted Core Strategy together with Policy SAL.DP1 of the adopted Site Allocations and Policies Local Plan seek to concentrate new development, in particular residential, on brownfield sites within the urban areas of Kidderminster and Stourport-on-Severn before applying a sequential approach to other appropriate locations for new development. The development accords with these 'locational' policies.
- 4.5 In addition, the preparation of the emerging Local Plan (2016-2036) is now completed and the final report from the Planning Inspectorate has been received which has found the emerging Local Plan to be sound. The emerging Local Plan is awaiting to be brought to full Council to determine whether it should be adopted. Given the advanced stage of the emerging Local Plan I consider that substantial weight can be applied to its policies in accordance with Paragraph 48 of the Framework, and it is therefore an important material consideration.

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- 4.6 The emerging Local Plan calculates the current local housing need at 276 dwellings per annum (totalling 5,520 dwellings over the plan period (up to 2036)), and a separate requirement for care home bedspaces totalling 487. It encourages the effective use of brownfield land and sets out how housing needs will be delivered through development within defined settlements and on-site allocations. For residential development in Stourport-on-Severn, it advises within Policies 6B and 6E that the provision of large-scale housing which utilises brownfield sites would be supported. This is consistent with the Framework which gives substantial weight to the value of reusing suitable brownfield land within settlements for homes (paragraph 120(c)).
- 4.7 The emerging Local Plan contains site-specific allocation Policy 33.18 (Main Modifications MM33.14) for the Parsons Chain site, which seeks residential development including C2 care home provision, and outlines the following criteria which needs to be met by any development on this site:
1. The layout of the development should take account of the adjacent employment uses to ensure that any development does not prejudice their viability.
 2. The Grade II listed house to the NW of the site should be buffered from any development by additional landscaping. Building heights on the new development should respect the setting of this Listed Building.
 3. The railway embankment should be retained as an important green corridor and recreational route.
- 4.8 This site allocation has been carried forward from the adopted Site Allocations and Policies Local Plan, which envisages a mix use development comprising residential, business and community uses on this site under Policy SAL.EA3.
- 4.9 Overall, the principle of residential development, including a care home, is entirely accepted, subject to compliance with the specific criteria set out in policy 33.18 (Main Modifications MM33.14) of the emerging Local Plan, as well as other adopted and emerging Plan policies, the Framework and national guidance.

DESIGN AND LAYOUT

- 4.10 The revised Framework (2021) places a greater emphasis on the importance of high-quality design as part of the social objective of sustainable development. Related publications include revisions to the Planning Practice Guidance and the new National Model Design Code and National Design Guide. The national design guide sets out ten characteristics of well-designed places and demonstrates what good design means in practice. At local level, the adopted Core Strategy as set out in policy CP11 requires new developments to create successful places, by ensuring design combines active frontages and secure private areas and that buildings and spaces are well-designed and reflect a thorough understanding of the site context. The adopted Site Allocations and Policies Local Plan in policy SAL.UP7 requires all development proposals to demonstrate through a comprehensive Design and Access Statement that they are of the highest design quality. The adopted Design Guidance SPD sets out design principles for residential development in Wyre Forest District and requires

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applicants to set out a clear vision for the scheme based around a series of layers including movement, buildings, landscape and land users in order to create a successful housing scheme that creates the right connections, successful streets and a housing layout that supports amenity for residents with both privacy and public spaces to create cohesion. These design principles have been carried forward into the emerging Local Plan under draft policies 11A and 27A (Quality Design and Local Distinctiveness) which again requires high design quality and developments that promote high levels of sustainability.

- 4.11 The proposed development subject to the full application for 94 dwellings would introduce a new cul-de-sac form of development off B4193 Hartlebury Road and has been designed to maximise the frontage to this B-classified road by setting the dwellings back behind a service road that would be lined with new street trees and the provision of side garages creates wide gaps at first floor level between the buildings to provide an open and spacious street scene.
- 4.12 The proposed dwellings would be two-storeys in height and plot sizes and gaps between the buildings would be regular and in keeping with the prevailing character of the adjoining housing estates in The Birches and Santa Maria Way. Building materials have been carefully selected to respect the local character and some properties would have rendered elevations to add visual interest. Prominent boundaries facing the public realm would be high quality brick screen walls to match the materials of the dwellinghouses and estate railings would be provided to Hartlebury Road frontage to provide a high-quality design. A comprehensive landscaping scheme has been submitted which shows how the development would be softened with appropriate tree, shrub and hedgerow planting and the site layout and landscape scheme have been designed to maintain open space and a landscaped buffer between the development and the woodland embankment to protect the established green corridor and minimise harm to wildlife, especially from external lighting and noise.
- 4.13 All dwellings would have a direct outlook to a road or private road and rear gardens would be enclosed by other residential gardens to ensure a safe residential environment is created. Amendments have been made to respond to Officers concerns about frontage parking dominating the street scene, which has resulted in a reduction in the width of car parking spaces (with agreement from the Highway Authority) to allow soft landscaping to be introduced to the front of plots and block paving has been provided to improve the visual amenity and quality of the development. Overall, the detailed proposals for 94 dwellings would deliver a high-quality residential environment that will create an attractive, safe and distinctive place to live and visit. The development would accord with local and national planning policy in terms of design and planning conditions have been recommended to secure the building materials, hard-surfacing, landscaping, boundary treatments and to require the recreational footpaths to be implemented and for the existing palisade boundary and internal fencing to be removed.

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- 4.14 In terms of the outline proposals which is seeking either a C2 care home or up to 16 dwellings, the detailed design and layout would be fully considered at reserved matters stage.

MIX AND TYPE OF HOUSING

- 4.15 The proposed mix of housing in Phase 1 would deliver a range of units from 1 bed flats to 4 bed dwellings, and would consist of the following:

	Open Market	Social Rent	Affordable Rent	Shared Ownership
1 bed	0	4	0	0
2 bed	11	7	0	5
3 bed	38	1	2	3
4 bed	21	1	1	0
Total	70	13	3	8

- 4.16 As substantial weight is to be applied to the emerging Local Plan, I consider that Policy 8B is relevant in this case, which seeks a minimum of 25% of affordable properties on sites of 10 or more dwellings and an indicative tenure split of 65% rented (primarily social rent) and 35% intermediate tenure for affordable housing provision on new sites. Phase 1 would provide 25% units as affordable housing, and this would equate to 24 dwellings in total across the site. If the outline scheme comes forward as 16 dwellings it would also need to provide 4 additional affordable dwellings.
- 4.17 In terms of the proposed tenure mix, Policy 8B (Main Modifications MM8.2) of the emerging Local Plan requires 65% rented (including primarily social rent) and 35% intermediate tenure affordable housing for sale tenure(s) (including sub-market private rent and shared ownership) and the policy goes onto state that the ‘... exact split will be determined on a site by site basis based on housing need in an area at the time of an application and, viability (if relevant)’.
- 4.18 The Council’s Housing Enabling Officer has advised that all rented properties should be social rent and raises concern that there is no need for affordable rent units in this area, especially given that affordable rent units are to be provided on the former Carpets of Worth site, recently approved for residential development. The applicant has advised that ongoing discussions are being held with Community Housing Group who have shown an interest in the 3 affordable rent units. I consider that this is sufficient justification to show that there is a genuine need for 3 affordable rent units and given that the policy states ‘primarily’ social rent, it is my Officer judgement that the development accords with Policy 8B of the emerging Local Plan.

PROPOSED LIVING CONDITIONS

- 4.19 All houses and the apartments would have acceptable habitable room sizes and internal layouts to ensure good living standards would be provided. The separation distances between dwellings would be acceptable to ensure that a suitable level of light, privacy and outlook is provided. I note that 6no. properties would have rear garden depths measuring between 7.5 and 9 metres which is less than the general

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requirement of 10 metres, however, these gardens would still be of a shape and size that is useable for the prospective occupiers, and the proposed development is close to parks, nature reserves and children play areas within Stourport-on-Severn. I also consider that the size of these gardens is not uncommon given that the site falls within an urban area. I therefore consider that the garden sizes are acceptable, subject to the removal of permitted development rights for any future rear extensions to ensure adequate rear gardens are maintained.

- 4.20 I note that a row of properties would be situated adjacent to the tall Minerva Point building, which extends nearly the full length of the southern boundary of the site and due to the orientation of the Minerva Point building being to the south of the site, the submitted shadow analysis shows that plots 28 to 38 would experience loss of sunlight to two thirds of their rear garden and that the rear garden and dwelling on plot 46 would be overshadowed by Minerva Point building during early spring (21 March). Whilst this would have some impact on the enjoyment and useability of the rear gardens to these plots and to the living conditions of Plot 46 during this part of the year, I do not consider that the harm to amenity for the prospective occupiers of these dwellings is significant to warrant a refusal of the application.
- 4.21 Any future redevelopment of Minerva Point would need to be considerate of the dwellinghouses within this development, which could result in a betterment. New tree planting is proposed along the southern and western boundary of the site to help soften the outlook for these dwellings that back onto Minerva Point and OGL Computing buildings.
- 4.22 The application site also adjoins OGL Computing Headquarters which has air condensing units mounted externally to their building to regulate the internal temperature of the building and due to the nature of the air-condensing units they can produce high noise levels. A revised noise impact assessment has been submitted, which has assessed the noise levels of these air-condensing units. Worcestershire Regulatory Services are of the view that the amenity of the prospective occupiers of the proposed development can be protected if an appropriate acoustic fence (min. 1.8m high / 12kg/m²) is installed along the boundary of plots 14-26 to mitigate noise nuisance. Subject to this measure, I am satisfied that occupiers of the proposed dwellings would not be adversely impacted by noise nuisance. Furthermore, the rear service yard for Minerva Point which adjoins the site to the south is located a sufficient distance away from the proposed dwellings to ensure future occupiers are not unacceptably impacted by noise. Overall, subject to safeguarding conditions, I am satisfied that the development would provide an acceptable living environment for future occupiers and that the development would not prejudice the viability of adjoining employment uses in accordance with the first criteria set out in the site allocation policy 33.18 of the emerging Local Plan.
- 4.23 The remainder of the site is in outline form only at this stage, and therefore the relationship between the proposed buildings and existing neighbouring uses would be a matter for consideration under reserved matters application.

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HIGHWAY SAFETY

- 4.24 Paragraph 110 of the Framework states that when assessing applications for developments it should be ensured that new developments promote sustainable modes of transport; achieve safe and suitable access for all users; ensure that the design of streets, parking areas and other transport elements reflects current national guidance; and ensure that any significant impacts from the development on the transport network (in terms of capacity and congestion), or on highway safety, can be cost effectively mitigated to an acceptable degree.
- 4.25 The Framework also advises in paragraph 111 that developments should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.
- 4.26 The application site falls in a highly accessible location being within walking distance of Stourport-on-Severn town centre which has a range of shops and services and there are bus stops located on Hartlebury Road and Worcester Road. To facilitate the safe movement of pedestrians/cyclists crossing Hartlebury Road and to promote the use of the bus services, it is proposed to provide two refuge islands with dropped kerb and tactile paving/bollards. Furthermore, the applicant has agreed to make a contribution of £15,000 towards an upgrade of the bus stop and a Travel Plan/Welcome Pack would be secured by condition to promote non-car modes of transport would also form part of the proposed development.
- 4.27 The existing access point off Hartlebury Road would serve the proposed 94 dwellings following alterations to its access point and a 2.4 metre by 83 metre wide visibility splay would be provided in accordance with Manual for Streets 2. The internal layout has been amended to show acceptable swept path analysis, refuse collection points and parking provision and overall, the Highway Authority has raised no objections to the proposed layout.
- 4.28 Members will note that 5 residents/occupiers have made a representation to this application and have objected on the grounds that the development would result in additional queueing at the Hartlebury Road/Worcester Road roundabout junction.
- 4.29 The Highway Authority have taken a robust assessment of the application and have highlighted that the initial modelling in the Transport Assessment underestimated the existing operation of the Hartlebury Road/Worcester Road roundabout junction and that it is currently operating 'over capacity' and to ensure that the additional traffic generated by this development does not exacerbate the current situation, and cause greater queue lengths or highway safety issues, a financial contribution of £180,000 would be made to the Highway Authority to provide mitigation for improvements to the roundabout junction.

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- 4.30 I acknowledge that the development would result in increased vehicular use of the Hartlebury Road/Worcester Road roundabout, however, I agree with the Highway Authority that the highway impacts arising from this would be acceptable subject to securing the mitigation measures. The proposed development therefore accords with Policy C03 of the adopted Core Strategy, Policies SAL.CC1 and SAL.CC2 of the adopted Site Allocations and Policies Local Plan, draft Policy 13 of the emerging Local Plan and paragraphs 110 and 111 of the Framework.

FLOOD RISK AND DRAINAGE

- 4.31 Paragraph 159 of the Framework advises 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.
- 4.32 The site is located within the Environment Agency classification as Flood Zone 1 (low probability). The principle of development of this land is therefore accepted. The introduction of additional built form and hard surfacing and the change of use of the land needs to be supported by surface water drainage and sustainable drainage systems (SuDS) as set out Policy 15D of the emerging Local Plan.
- 4.33 The submitted Flood Risk Assessment has explored a range of Sustainable Urban Drainage Systems including green roofs, swales and a network of permanent water/bog features to replicate the features at Hartlebury Common. However, these have been discounted for not being applicable for the development type and on the grounds that the site does not permit infiltration and due to the siting of underground services (including a high voltage electric cable that runs in close proximity to the embankment).
- 4.34 The proposed drainage strategy would involve a new attenuation pond being provided in the northwest corner of the site, which would ensure surface water run-off is adequately controlled. Whilst it is advised within Building for a Healthy Life (BHL) that steeply-side and fenced holes in the ground for sustainable drainage should be avoided, I consider that it is acceptable in this case given the constraints of the site. It is also noted that the surface water drainage strategy details that a new outfall would need to be constructed across third party land and whilst this is a risk to the developer, I agree with the North Worcestershire Water Management Officer that this is not a reason to warrant a refusal of the application. The North Worcestershire Water Management Officer raises no objection to the proposed drainage strategy, subject to conditions to secure the details and management of the proposed attenuation pond.
- 4.35 Severn Trent Water raises no objection to surface or foul water disposal, subject to conditions to secure the details of the drainage. As such, the proposed development would have suitable drainage and would not increase the risk of flooding elsewhere or be at risk to flooding in accordance with local and national planning policies.

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HERITAGE ASSET

- 4.36 Policy SAL.UP6 of the adopted Site Allocations and Policies Local Plan, draft policies 11B (Historic Environment) and 26 (Safeguarding the Historic Environment) of the emerging Local Plan (2016-2036) and Section of the Framework require development proposals to protect, conserve and enhance all heritage assets and their settings, including assets of potential archaeological interest. The Framework also states that any harm to the significance of a heritage asset as either 'substantial harm to or total loss of significance of an asset' or 'less than substantial harm to the significance of an asset'.
- 4.37 The application site adjoins the boundary to a Grade II listed, 17th century dwellinghouse (formerly a farmhouse) and prior to its industrial use, the site formed part of the land within the ownership of the Grade II listed dwelling. It is noted by the WCC Archaeologist that there is evidence of the site being used as an orchard. However, since the site was developed for industrial purposes, its historic association with the designated heritage asset has long been lost. As such, the undeveloped nature and disuse of the site currently makes no contribution to the significance of the listed building in terms of its setting.
- 4.38 The proposed residential development would be a compatible land use with the listed dwelling compared to the current industrial use of the site and the proposed dwellings would be two-storeys in height to respect the scale of the listed building and a landscape buffer along the eastern boundary is proposed to improve the screening around the boundary of the listed building, in accordance with the second criteria listed in the site allocation policy 33.18 of the emerging Local Plan.
- 4.39 No objection has been raised by the Conservation Officer. I therefore consider that the development would sustain and enhance the significance of the designated heritage asset, in terms of the proposed land use and increased landscape screening.
- 4.40 In respect of potential archaeological remains, the site lies in an area considered likely to have been settled in the later prehistoric and the WCC Archaeologist has advised in their comments that it is often the case that archaeological remains survive when sites have been occupied by large industrial buildings where both their limited foundations and large areas of hardstanding help to preserve archaeological deposits. As such, I agree with the WCC Archaeologist that it is necessary to impose a planning condition to ensure appropriate site investigations are carried out to determine the potential of archaeological remains within this site prior to any development and to ensure the site investigations and recording are archived and publicly made accessible in accordance with Paragraph 205 of the Framework.

TREES

- 4.41 Draft policy 27A of the emerging Local Plan advises that existing trees should be incorporated into development or replacements provided where a tree survey demonstrates retention is not possible. Paragraph 131 of the Framework emphasises that trees make an important contribution to the character and quality of urban

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environments and can also help mitigate and adapt to climate change. It further states that planning decisions should ensure that new streets are tree-lined, that opportunities are taken to incorporate trees elsewhere in developments, and that existing trees are retained wherever possible.

- 4.42 45no. new trees would be planted both to the front and rear of properties and along road frontages. The new tree planting would offset the loss of 10no. existing trees that would be felled to facilitate the development. No objection has been raised by the Council's Arboriculturalist and I concur with this view and have attached conditions to ensure all retained trees are fully protected during the construction works and the proposed landscaping is implemented and managed appropriately.

BIODIVERSITY

- 4.43 Policy CP14 of the adopted Core Strategy, policy SAL.UP5 of the adopted Site Allocations and Policies Local Plan and draft Policy 11D of the emerging Local Plan seek to ensure new developments preserve the site's ecology and biodiversity value and deliver net gain. Paragraphs 174(d) and 180 of the Framework also require developments to minimise impacts on and provide net gains for biodiversity and it sets out a hierarchy approach when considering the impact on biodiversity.
- 4.44 The application has been submitted with a supporting Ecological Survey and following concerns raised, an updated Badger Addendum was submitted on 22 March 2022. The most recent survey found that "The embankment contains a number of badger setts including what appears to be a main and supporting annex sett with additional outlier setts. The setts have all been recorded as active at some stage within the past 6 months and the main and annex setts were active at the time of the last survey that was undertaken in December. It was also noted that due to the location of the setts that it is highly unlikely that any of the tunnels within the sett extended under the site and that the existing palisade fence at the foot of the embankment generally stops badgers moving onto the site.
- 4.45 The proposals would require the removal of concrete floor slabs within 15 metres of the nearest sett and there is also potential disturbance to badgers through excessive noise and vibration during both the demolition and construction phases.
- 4.46 To mitigate the impact on badgers it is recommended that a 50 metre exclusion zone around the badger setts should be provided, which would be securely fenced to prevent entry. Any works within this area would be carried out outside the badger maternity season (1st July to the 30th November) and under the supervision of an Ecological Clerk of Works. A licence would be sought from Natural England due to the proximity of the proposed works/fence to the sett. It is also recommended that the use of hydraulic breakers would be minimised and the slab would be lifted and broken into pieces by using a large excavator to reduce noise and vibration. Also, if secondary processing of material is required to break up larger pieces of concrete slab, or if crushing is required, then the processing plant would be set up at the opposite end of

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the site away from the badger sett to minimise noise disturbance. Officers are satisfied that the proposed mitigation measures would avoid harm to the badgers on site.

- 4.47 The site was also surveyed for bats, and it was identified that the scattered broadleaved trees and Lime trees had negligible bat roost potential, but it was noted that the woodland along the embankment had the greatest potential to support bat roost and habitat for foraging bats and navigational features for commuting bats. Hedgehogs were also recorded within 2km of the site.
- 4.48 The survey report includes mitigation measures to ensure protected species such as bats, breeding birds, reptiles and hedgehogs are protected and enhancement measures are proposed, including the retention of the woodland; new planting comprising new broadleaved trees, native hedgerows and wildflower meadows; bird nesting boxes; bat boxes; hazel dormouse boxes; bug boxes, artificial hibernacula for reptiles and amphibians and log piles. Taken together these measures would deliver a biodiversity net gain and the applicant has advised that the development could deliver approximately 22.59% biodiversity net gain (BNG), which far exceeds the expectations of the Framework and Policy 11D of the emerging Local Plan.
- 4.49 I therefore consider that the proposed mitigation and enhancement measures are acceptable, and together with long term management of the open spaces and landscaping/woodland areas, the habitat quality of the site would be significantly enhanced, and the conservation of protected species would be secured, in line with Policy 11D of the emerging Local Plan and the Framework.

OTHER MATTERS

- 4.50 The applicant has agreed to provide 18no. dwellings with PV solar panels along with and electric vehicle charging points and water butts for all dwellings to reduce the reliance on non-renewable energy sources and to reduce water consumption. I am satisfied that the development would help to reduce climate change, in line with local and national planning policy.
- 4.51 The Geo Environmental Report and the Remediation strategy have been updated to ensure the following: all areas where levels of potential contaminants are found then the level of imported and validated clean cover soil will be 600mm deep; all other areas of garden or personal amenity, the cover will be 300mm deep; and any other areas where clean cover is to be provided 150mm is accepted. Worcestershire Regulatory Services are content with the updated reports and only require testing and a validation report to be submitted and agreed.
- 4.52 I note the objections that have been raised by local residents/occupiers on the grounds that the development does not cater for a relief road through the site. Although this is a requirement within the current development plan under site allocation policy SAL.EA3 it has been confirmed by the Highway Authority that the Stourport Relief Road is no longer in the Worcestershire County Council's Transport Plan and is not being pursued. This is reflected in site allocation Policy 33.18 of the

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emerging Local Plan which does not require land to be safeguarded for a relief road in any redevelopment of this site and the Planning Inspectorate in their final report to the emerging Local Plan has advised that this is justified.

- 4.53 An Health Impact Assessment has been provided in accordance with Policy 9 of the emerging Local Plan. I am satisfied that the development would provide positive benefits through the quality of housing, affordable housing and financial contributions to improve existing infrastructure.
- 4.54 The applicant has agreed to install a public interpretation/information board adjacent to Plot 81 along Hartlebury Road frontage to make occupiers of this development and the wider community aware of the National Cycle Route 45 and 54, and possibly information about the former railway line and the proposed attenuation pond/wildlife meadow, to help promote health and well-being and awareness of the historic railway line, biodiversity habitats and Sustainable Urban Drainage Systems.

PLANNING OBLIGATIONS

- 4.55 The Council's cabinet report, dated 16th September 2020, sets out the prioritise for Section 106 planning obligations for sites where there is a shortfall in meeting the costs of all obligations following a viability assessment. It was agreed that Officers will prioritise in the following order:
1. On and/or off site infrastructure necessary to make the development acceptable
 2. Affordable housing
 3. Open space and recreation
 4. Education
 5. Other stakeholder contribution requests such as infrastructure costs associated with health provision or the police
- 4.56 Also, the legal tests for when a s106 obligation can be used are set out in regulation 122 and 123 of the Community Infrastructure Levy Regulations 2010 as amended and Paragraph 56 of the Framework. The tests are that an obligation must be:
- necessary to make the development acceptable in planning terms
 - directly related to the development; and
 - fairly and reasonably related in scale and kind to the development.
- 4.57 The highway obligations include financial contributions of £180,000 to improve the capacity of the Hartlebury Road/Worcester Road roundabout; £4,500 to extend the weight limit on Hartlebury Road; and £15,000 to upgrade the bus stop(s). In addition, a payment of £220 per dwelling for Worcestershire County Council to deliver a Welcome Pack together with Personalised Travel Planning and monitoring. I am satisfied that these obligations are necessary to make the development acceptable and fairly and reasonably related in scale and kind.

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- 4.58 The proposals would provide 25% of the dwellings as affordable housing which would be subject to a local lettings plan. Amendments have been made to ensure the proposed scheme provides primarily social rent properties in accordance with Policy 8B of the emerging Local Plan. I consider that the affordable housing obligations meet the tests in the Framework.
- 4.59 A financial contribution of £95,581.08 is required for improvements to site infrastructure to enhance the recreational usability of the Burlish Meadows or other Public Open Space in Stourport, given that no on-site provision is proposed to meet the recreational needs of the proposed development (especially as the applicant's ecologist has advised that public access to the former footpath along the embankment should be prohibited to avoid harm to badgers and concern raised by WCC Minerals over increased recreational pressure on Hartlebury Common if public access was retained from the site along the embankment to Hartlebury Common) and to accord with the adopted Planning Obligations SPD.
- 4.60 A financial contribution of £172,100 towards Education is necessary to ensure sufficient Special Education Needs and Disabilities (SEND) provision can be provided, given that the development is likely to generate 1 SEND primary school place and 1 SEND secondary school place. Analysis of pupil numbers at Wyre Forest School indicates that there is insufficient capacity in the area to admit the number of pupils that are likely to be generated from the proposed development who require a SEND specific place and that the development cannot be considered acceptable unless appropriate mitigation is put in place. This obligation meets the tests within the Framework. An additional contribution may be sought if 16 dwellings are proposed in Phase 2.
- 4.61 A financial contribution of £35,560 towards primary healthcare provision in the area is sought with an additional £5,980 if 16 additional dwellings are proposed in phase 2. This obligation is considered to be necessary to make the development acceptable given that the development would give rise to a need for improvements to capacity at healthcare facilities within Stourport-on-Severn.
- 4.62 It is also necessary for a management body to be set up to maintain the landscaped areas within the open space, the unadopted public footpaths/cycle routes, the public interpretation/information board, defibrillator and the woodland.

Conclusion and Recommendation

- 5.1 The proposed development would deliver housing including affordable housing and potentially a care home, on a site that is allocated for residential development in the Development Plan and the emerging Local Plan and relates to a disused and derelict brownfield site, which is ideally situated in a sustainable location within Stourport-on-Severn.

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5.2 Subject to appropriate mitigation, the development would not result in an unacceptable impact on highway safety or undermine the free flow of traffic at the roundabout junction. The railway embankment would be retained as an important green corridor and there would be no adverse impact on the conservation of protected species. The layout and appearance of the proposed houses would be in keeping with the surrounding area and together with the new planting, would make a positive contribution to the visual amenity of the area. The development would provide a minimum of 24 affordable properties to help meet the affordable housing need within Wyre Forest District and measures are proposed to help reduce the impact on climate change. There would be some properties that would be overshadowed by the adjoining Minerva Point building, however, the impact on the standard of living would be minimal and would not, as a standalone reason, warrant a refusal of the application. Other mitigation measures to reduce noise nuisance have been conditioned to ensure the development does not prejudice existing businesses that adjoin the site. To conclude, the proposed development would comply with the Development Plan and the emerging Local Plan as a whole.

5.3 I therefore recommend **Delegated APPROVAL** subject to;

- a. A Section106 agreement being completed; and
- b. The following conditions;
 1. Full Time Limit
 2. Reserved Matters details to be submitted
 3. Outline Time Limit
 4. To define the Outline development as being a Care Home (C2 or up to 16 dwellings
 5. To secure agreed external facing material and hard surfacing
 6. To secure agreed boundary treatment (except rear boundary to Plots 14-26)
 7. Require removal of existing Palisade fencing
 8. To secure agreed glazing and ventilation specifications
 9. To require details of rear boundary fencing to Plots 14 – 26
 10. To require updated noise survey for Outline development in Phase 2
 11. Removal of Permitted Development Rights to prevent rear extensions to Plots 8, 9, 12, 13, 61 and 62 due to gardens being less than 10 metres in depth
 12. Removal of Permitted Development Rights to prevent new fences/walls and gates being installed to front of dwellinghouses in the future
 13. To require dwellings to be designed to achieve water efficiency standard of 110 litres per person per day
 14. To require provision of a defibrillator
 15. To secure agreed PV panels to 18 dwellings in Phase 1
 16. To require details of measures to incorporate energy from renewable or low carbon sources in Phase 2
 17. To require details of footpaths/cycleways within Phase 1
 18. To require details of public interpretation/information board within Phase 1

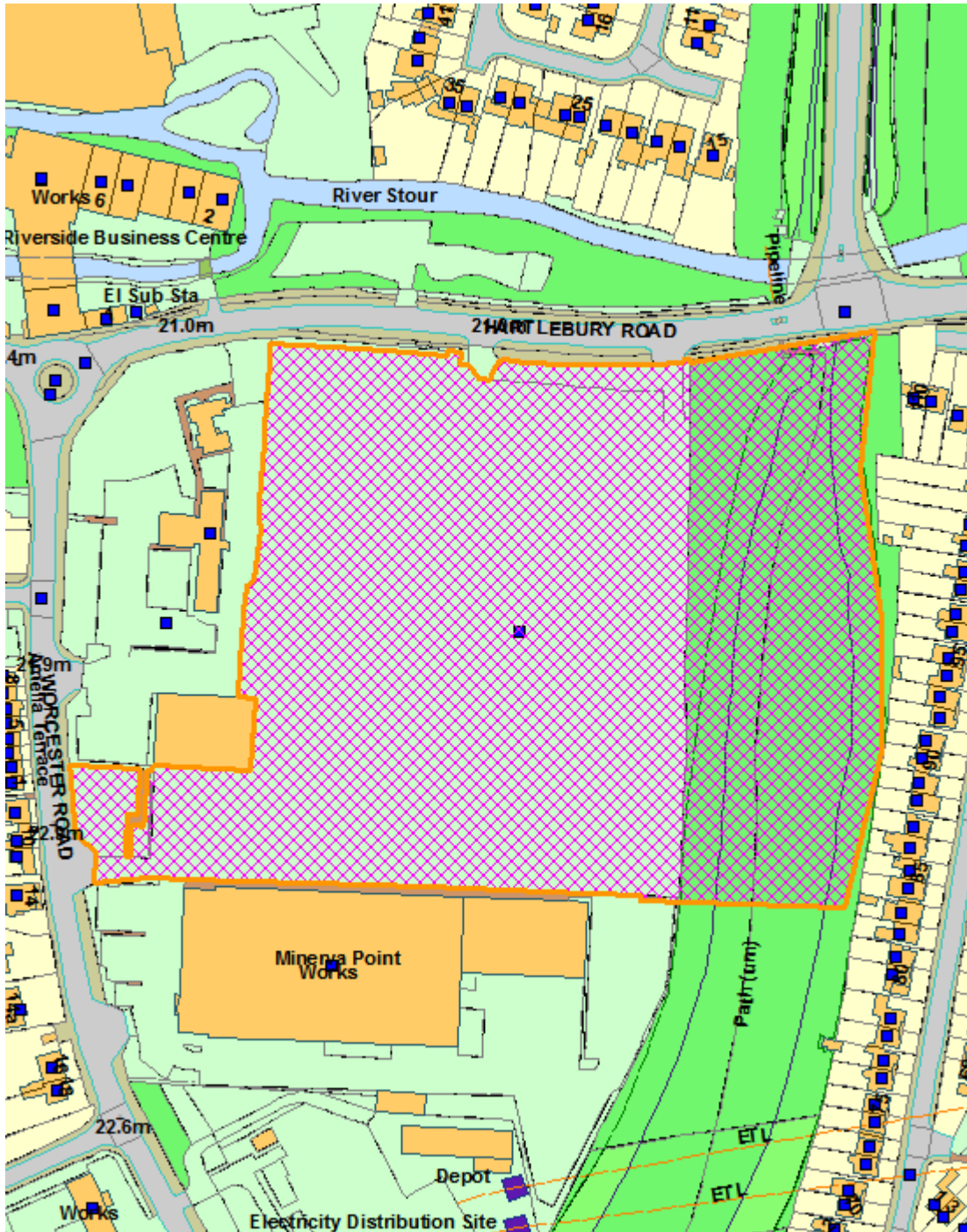
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19. To require details of refuse bins, recycling materials storage area and collection point if a Care Home (C2) is provided in Phase 2
20. To require details of any commercial kitchen extraction system if a Care Home (C2) is provided in Phase 2
21. To require a marketing strategy for the Care Home (C2) and marketing of the site for 12 months, before any reserved matters applications are submitted for dwellings on the Outline land (Phase 2)
22. To secure agreed tree protection fencing
23. To secure agreed tree works, including tree removals
24. To prevent retained trees from being cut down, uprooted or destroyed
25. To require implementation of agreed landscaping scheme
26. To require a landscape and ecological management (LEMP) plan
27. To secure agreed remediation strategy and to require a validation report
28. To require further investigation, risk assessment and remediation if unexpected contamination is found
29. To secure agreed Method Statement for Demolition
30. To secure agreed Construction Environmental Management Plan in working hours and measures to mitigate potential nuisance from noise, vibration and dust emissions
31. To require details for the disposal of foul and surface water drainage for Phase 2 of the development.
32. To require a programme of archaeological work
33. To secure implementation of programme of archaeological work
34. To secure badger mitigation strategy and require licence to be obtained from Natural England for all works within 50 metres of a badger sett
35. To secure the agreed 6no. bat boxes
36. To require a scheme for Biodiversity Enhancement Measures
37. To require a further bat survey and mitigation measures prior to the felling of the Himalayan Birch tree (T4) on Worcester Road
38. To require a lighting strategy to minimise harm to protected species
39. To require electric vehicle charging points
40. To require cycle storage provision
41. To secure agreed access, parking and turning facilities
42. To secure agreed vehicular visibility splays
43. To require appropriate pedestrian visibility splays
44. To require the first 5 metres of the access into the development to be surfaced in a bound material
45. To secure agreed residential parking provision
46. To require a residential travel plan
47. To require a residential travel welcome pack
48. To require a construction environmental management plan
49. To require applicant to upgrade the existing crossing located on Worcester Road
50. To require a scheme for surface water drainage strategy
51. To require details of management of the SuDS assets
52. To require a construction surface water management plan

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Informative

- a. S.106 agreement
- b. WRS Best Practice Guidance for noise, vibration and dust emissions
- c. WFDC Waste and/or Recycling Bin Provision
- d. Alteration of highway to provide new or amended vehicle crossover
- e. Section 278 Agreement
- f. Section 38 Agreement Details
- g. Drainage Details for Section 38
- h. No Drainage to Discharge to Highway
- i. Protection of Visibility Splays
- j. Brightness of Illuminated Signs
- k. Affected Street Lighting / Illuminated Signs
- l. Common Land
- m. Extraordinary Maintenance
- n. Works Adjoining Highway
- o. Certificate of Lawfulness
- p. Section 115E Licence
- q. Temporary Direction Signs to Housing Developments
- r. Construction Environmental Management Plan (CEMP)
- s. Travel Plan Requirements



Economic Prosperity and Place Directorate

Land At Os 381800 271300 Former Parsons Chain Worcester Road Stourport On Severn Worcestershire

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PART A

Application Reference:	21/1154/HOU	Date Received:	11.01.2022
Ord Sheet:	389104 274361	Expiry Date:	08.03.2022
Case Officer	Richard Jennings	Ward:	Wyre Forest Rural

Proposal: Single storey front extension

Site Address: Swallows Barn , The Holloway, Chaddesley Corbett, DY10 4QD

Applicant: Mr J and Ms S Thomas and Green

Summary of Policy	UP11 UP6 CP11 UP7 UP8 CC2 (SAAPLP) 26, 27A, 27B, 28 (EWFLP) Design Guidance SPD National Planning Policy Framework Planning Practice Guidance
Recommendation	REFUSAL
Reason for referral to committee	Referral by a Ward Member

1.0 History

- 1.1 WF.0619/05 – Conversion of Barns to 3 no. dwellings - Approved
- 1.2 WF.0620/05 (LBC) – Conversion of Barns to 3 no. Dwellings - Approved
- 1.3 08/1041/FULL - Erection of a garden shed - Approved
- 1.4 12/0438/LIST - Installation of three Velux windows on front elevation - Approved
- 1.5 14/0045/FULL - Proposed Sun Lounge - Approved

2.0 Consultation and Representations

- 2.1 Chaddesley Corbett Parish Council – Views Awaited
- 2.2 Conservation Officer – Recommend Refusal.

The applicant has provided a heritage statement which does not conform to the requirements of the NPPF:

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- i) There is no evidence of a search of the Worcestershire Historic Environment Record;
- ii) The description of significance within the Heritage Statement relates to the adjacent listed building, there is no assessment of the significance of Swallows Barn itself other than a brief description and an advocacy statement, however there is an assertion within the Planning Statement at 7.3 that: 'Attached to this is a later addition wall predominantly constructed of brick which has been badly discoloured and has been rebuilt several times using different material such as stone (as noted below). Potentially once acting as an animal pen, its design and use of materials offer little architectural merit to the building'.

I disagree with this assessment ' the animal pen was constructed at the same time as the barn as evidenced by the through coursing of the brickwork, there being no straight-line joint, and the use of stone copings was a well-established construction technique used to close the external wall.

Such pens are now rare, and in this case its survival is essential if the former functions of the historic farmstead are to be understood by future generations.

Reference to the 1884, 1903 and 1926 Ordnance Survey clearly shows the existence of the animal pens attached to the small building (now Swallows Barn) and the entire structure attached to the farmhouse by walling, to enclose a farmyard.

This evidences a close relationship between the farm structures and the farmhouse, and which is no doubt why the Council determined that these structures were curtilage listed at the date of designation: 18th March 1987.

Despite alterations to the farm over the next twenty years including changes in ownership of various buildings, the District Council required Listed Building Consent and Planning Permission for the original conversion: as noted in the Planning Statement at 6.5:

'Swallows Barn obtained approval to be converted from an agricultural building into a residential dwelling in July 2005 under planning reference WF.0619/05 and WF.0620/05'.

The applicant argues that Policy SAL.UP11 is irrelevant because it was not adopted at the time of the original conversion. However, at the date of the original planning permission and listed building consent the Council had in place adopted policies RB1 and RB5.

Policy RB1 ii) stated:

'Within rural areas, agricultural and other 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'.

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Policy RB5 stated:

'Proposals for the erection of new curtilage buildings, or extensions to dwellings created through the re-use and adaptation of rural buildings will not be permitted. Such proposals are contrary to criteria ii) of Policy RB.1'.

This sets out very clearly the policies under which Swallows Barn was originally converted.

The salient point of the currently adopted WFDC Planning Policy SAL.UP11 is the last sentence:

'In addition to these criteria, extensions to dwellings created through the re-use and adaptation of rural buildings policy will not be permitted'.

This does not restrict to dwellings created under Policy SAL.UP11, however it is acknowledged that the existing policy could be misinterpreted, and thus the emerging Local Plan Policy 28 (which has already passed through public examination by the Planning Inspectorate and is expected to be adopted imminently) clarifies matters:

'E. Where permission has been granted previously (whether through this policy or former policies) for the conversion of rural buildings to other uses, the provisions of Policy 27A - Quality Design and Local Distinctiveness will apply to all new development proposals affecting those buildings.

F. Where previous development has relied upon this policy or an earlier equivalent no further development (including extensions) will be permitted within the curtilage'.

The original conversion approved under RB1 and RB5 in 2005 complied with the Local Plan in that it did not extend the building envelope and specifically complied with Policy RB1 iv) [in that]

'the conversion works would have no significant detrimental effect on the fabric, character, or setting of the building'.

The Council has been consistent in applying Policies RB1 and RB5 and their successor policy SAL.UP11, and this consistency is continued within the emerging Policy 28, to protect the significance and special interest (whether local or national) of redundant farm buildings when they are converted to other uses.

The loss of the open animal pens represents a loss of character and interest in this small converted barn and causes harm to the significance of the building. This harm is less than substantial because although the animal pens are lost, and as part of the new extension the original function and form becomes illegible, the remainder of the building survives.

This is contrary to WFDC Policy SAL.UP6 1 i) and this is also contrary to the NPPF paragraph 202 as there are no public benefits arising from the proposals.

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The proposals are also contrary to the emerging local plan policies 26 and 28 A(iii), E and F

Whilst technically this application can be determined in the absence of a parallel application for listed building consent, Swallows Barn was converted with listed building consent and planning permission which means that at the time of the original designation (1987) the Council considered that these barns fell within the curtilage of New House Farm House and maintained that view as of 2005. Subsequent alterations have also required listed building consent.

Whilst the ownership of the barn is now independent of New House Farmhouse and the barn now has its own residential curtilage, the barn retains its curtilage listed status in the Council's opinion because of its relationship at the time of listing.

- 2.3 County Archaeology – Swallows Barn is recorded on the County Historic Environment Record (WSM53851) as part of New House Farmstead. The farmhouse is a designated heritage asset, Grade II Listed (WSM40646, 1348335). The design details are a matter for conservation, but from an archaeological perspective the ground disturbance will be small and there is no concern.

3.0 Site Location and Description

- 3.1 The application relates to a modest converted 18th Century former agricultural building of traditional brick and tile construction which is set within a complex of converted former agricultural buildings and are considered Curtilage Listed by their association to New House Farm to which they are closely associated.
- 3.2 Swallows Barn itself, obtained approval for conversion from an agricultural building to a residential dwelling in July 2005 under planning reference WF.0619/05 and WF.0620/05'. The building to date retains much of its former agricultural heritage through its sensitive original conversion. The proposal seeks consent to build an extension, partly utilising the existing walls of former historical animal pens which are of brick construction and topped with sandstone copings.

4.0 Officer Comments

POLICY CONTEXT AND STATUS OF THE DEVELOPMENT PLAN

- 4.1 Policies RB1 and RB5 of the previous Local Plan, current policy SAL.UP11 and the emerging Policy 28 have been consistent in their approach to the conversion of rural buildings to dwelling houses for many years. Although the policy wording may have altered over time, the overriding thrust of all of the policies has been to resist the addition of extensions and additions to these former rural buildings, firstly by way of ensuring that they are of a sufficient size at the time of initial conversion to successfully operate as a dwelling without the later requirement of additions and to subsequently resist any future applications to enlarge them, in an attempt to preserve their key historical agricultural features and preserve this intrinsic character.

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- 4.2 Detailed consideration will be given to the detailed matters as part of this report. However, it is clear from the outset that the proposal is contrary to both adopted and emerging policy which carries weight against the proposal. Should other harm be identified this will be weighed against the material circumstances put forward by the Applicant in favour of the proposal.

DESIGN AND IMPACT ON LOCAL CHARACTER

- 4.3 The proposed extension would project markedly out from the building's rear elevation, which would be disruptive to its intrinsic plain agricultural character that has been maintained even though it has been converted to another use. The proposal serves to result in a complete loss of the important original agricultural features that exist animal pens by their incorporation into an extension which has no place on this building both architecturally and dilutes the buildings current agricultural aesthetic which is still highly evident to date. Not only will the proposal result in a serious loss of this intrinsic agricultural character but architecturally the proposed extension and its materials and fenestration will clearly read as a modern addition with no apparent link to or preservation of the buildings historical significance or former use which is fundamental to converted buildings. Based on the proposal to build on top of these historic walls, it is highly likely that these would be insufficient and in far to poor a state of repair to serve this purposes and to carry the proposed load and almost certainly require major engineering works or rebuilding of the features would which would be contrary top both the conversions and Heritage policies.
- 4.4 In terms of the design policies, I do not consider that the proposed extension follows the architectural characteristics of the existing building in any way and results in an overall domestication of the buildings appearance and an erosion of its intrinsic rural, agricultural heritage and character. I therefore do not consider that the building complies with the requirements of Policies SAL.UP7 or Policy SAL.UP8 of The Site Allocations and Policies Local Plan.

HERITAGE

- 4.5 Careful consideration must also be given to the curtilage Listed status of the application site, and both the NPPF paragraph 202 and corresponding development plan policy SAL.UP6, along with 11B and 26 of the emerging plan. Careful consideration of the 1884, 1903 and 1926 Ordnance Survey clearly indicates the existence of the animal pens attached to the small barn, now converted, and known as Swallows Barn. The entire structure is attached to the farmhouse by way of walling forming an enclosed farmyard. By way of the barn's close association and attachment to the Listed farmhouse it is clear that the barn is Curtilage Listed by association.
- 4.6 The loss of the open animal pens represents a loss of character and interest in this small, converted barn and causes harm to the significance of the building and the overall complex, which has retained excellent agricultural character through the conversion process.
- 4.7 The proposal negatively impacts on the intrinsic character and key features of the barn, which were carefully retained through the original conversion. New openings in the form of a doorway, which does not utilise the existing opening and results in hiding of the original opening, the loss of its traditional header, the masking and loss of historic 'breathing holes' in the main elevation of the barn and the removal of the

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historic wall separating the pens. This all results in a significant deterioration in both the historic nature and interpretation of the barn, and the key features that link to its former use and appearance. It should be noted that these were all critical to the design brief of the initial conversion application.

- 4.8 The current walled garden which results from the former animal pens also serves as a bin storage area ensuring that these are discreetly tucked away out of site and do not impact on the barn or its setting. If this walled area is lost it can only be assumed that the refuse bins will either be stored in a far more prominent position or further applications would be submitted to provided an additional building for their storage. The impact of the bins located in a prominent position or an application for a storage building would both lead to a deterioration in the setting of the Listed Barn and its rural, agricultural appearance and are contrary to the Conversion Policies, Design Policies and Heritage Policies. Such harm is considered to be 'Less than Substantial' but at the higher end of the scale of harm.
- 4.9 The Framework sets out a high test for consideration of harm to Heritage Assets. This links to the statutory duty on those making planning decisions to have "special regard" to the desirability of preserving the building and any features of historic interest. Paragraph 202 of the Frameworks states;

Where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use

- 4.10 Although material consideration will be considered as part of the Planning Balance, it is clear to say at this stage that following careful consideration of the proposal, there are no public benefits which have been put forward, the arguments in favour are purely personal. As such these considerations do outweigh the resulting harm to this important heritage asset and the loss of the intrinsic character features which remain in the form of external animal runs, which are currently utilised in the form of a walled garden, for which their height and form makes them ideal for this purpose whilst retaining their historical significance. The statutory duty and requirements of the Framework indicate that in this consideration alone the application should fail.
- 4.11 The proposal is contrary to WFDC Policy SAL.UP6 1 i) and this is also contrary to the NPPF paragraph 202 as there are no public benefits arising from the proposals. The proposals are also contrary to the emerging local plan policies 26 and 28 A(iii), E and F. This type of animal pen are now a rarity, especially in this good condition, and in this case its survival is essential if the former functions of the historic farmstead are to be understood by future generations.

HIGHWAYS AND ACCESS

- 4.12 There are no objections from a Highway perspective as the proposal does not result in a deterioration in Highway safety or parking availability.

OTHER MATERIAL CONSIDERATIONS AND PLANNING BALANCE

- 4.13 The applicant has provided the following justification for the proposed extension to a barn conversion which are submitted in an attempt to outweigh on balance what is

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otherwise a clear departure from the development plan. The applicants state that *'Ms Green's mother is elderly and now requires additional care with extended stays at the property. In order for her to comfortably stay in their care the extension is crucial. Additionally, the couple have a strong affection for their home and wish to remain in it. They appreciate that they are getting older and due to this have recognised that they need more ground floor space. This would ensure that the clients will still be able remain in the property in their later life.'*

- 4.14 It is acknowledged that considerations put forward are personal and there is some sympathy for the aspirations of care within the community. However, Members will not that the supporting statement is not amplified in respect of how the extension proposed meets the requirements for providing this care or how that the additional ground space will provide for adaptive needs. It will be noted that the proposed floor shows extension as a study, which would appear to have little relevance to the perceived need put forward by the applicant in terms of accommodation for a visiting dependant relative or for future adaptive needs. Whilst it is accepted that space can be utilised for varying purposes, no evidence has been advanced to show that this is suitable for wet room or accessible bedroom, for example. It is also important to note that in terms of the avoidance of social care for as it is not a permanent resolution to a care need but is purely on a temporary basis where there is no link to the use of the extension as a study. Whilst weight can be given to such material circumstances, Members are reminded of that the Planning Practice Guidance (PPG) states that to grant planning permission solely on the grounds of an individual's personal circumstance will scarcely ever be justified in the case of permission for a permanent building. This follows the established principle from previous Government Guidance that the harm will be permanent exist long after the personal circumstances are no longer relevant.
- 4.15 The harm that has been identified to the Heritage Asset, the character and design of the barn and in principle policy harm are clearly not outweighed by the circumstances put forward by the Applicant. In addition there is a statutory requirement to balance heritage harm against public benefits. There are no evidential public benefits that flow from this proposal to a degree that outweigh the loss of an important heritage feature and the harm to the character of the heritage asset.

5.0 Conclusion and Recommendations

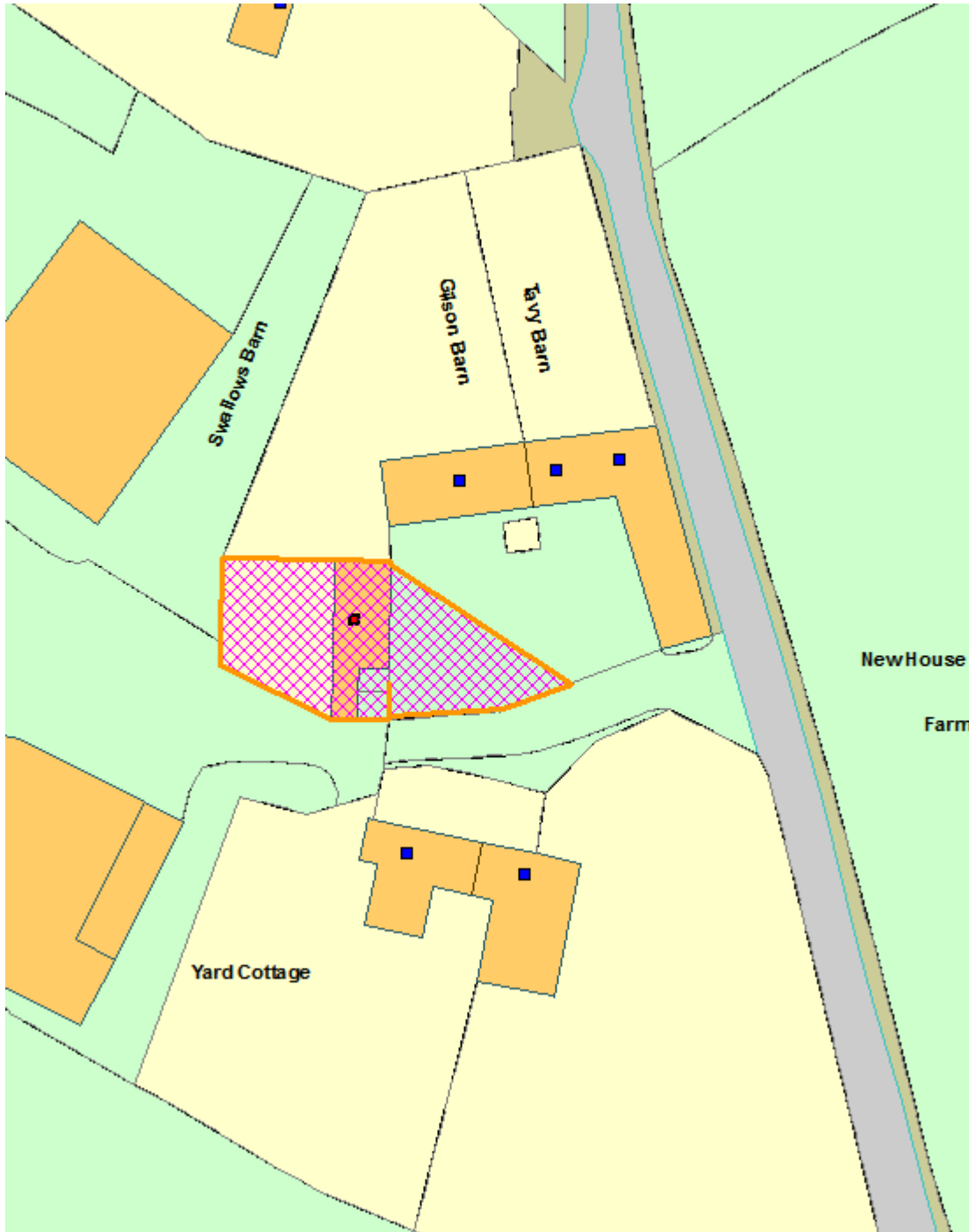
- 5.1 Historical conversion Policies RB1, RB5 current policy SAL.UP11 and the emerging Policy 28a have all sought to ensure that the intrinsic character of rural buildings is maintained whilst allowing for their appropriate conversion. Although each proposal should be judged on its merits on a case by case basis, fair and equal interpretation of the policy must be an overriding consideration. In this particular case I have seen no compelling reasons to indicate why the conversions policy should not be given full weight in its requirement that proposals relating to converted rural buildings 'must not include extensions or significant alterations'. And I see no reason to depart from the development plan in this instance. The buildings Listed status requires that any development proposal results in wider public benefits, for which in this case there are none presented. The proposal also fails on this count to comply with the requirements of the Heritage policy SAL.UP6 and the requirements of the NPPF. In my professional

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opinion, to grant consent for this proposal would undermine existing and emerging policies which have confirmed as sound through recent examination and result in the potential for further proposals to come forward of a similar nature, as traditional animal pen structures are a common intrinsic feature of many former farm buildings throughout the district.

5.2 I therefore recommended **REFUSAL** for the following reason:

The proposal results in substantial detrimental harm to the character, form and appearance of this important Heritage Asset, resulting in a disruption to its intrinsic plain agricultural character that has been maintained through conversion. No satisfactory mitigating circumstances have been put forward to outweigh the resulting harm to the building and departure from the development Plan Policy on rural conversions and no public benefits have been provided which can be apportioned weight in terms of the resulting harm to the heritage asset. The proposal is therefore contrary to the requirements of SAL.UP11 and Policy SAL.UP6 of The Site Allocations and Policies Local Plan, the emerging Policies 26, 27A, 27B and 28 and guidance in the NPPF.



Economic Prosperity and Place Directorate

Swallows Barn The Holloway Chaddesley Corbett DY10 4QD

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PART B

Application Reference:	21/0604/FUL	Date Received:	23.06.2021
Ord Sheet:	387816 278337	Expiry Date:	18.08.2021
Case Officer	Richard Jennings	Ward:	Wyre Forest Rural

Proposal: Conversion and extension of existing properties to 3no. dwellings, together with construction of 3no. bungalows to rear

Site Address: Heathlands, 16/18 Birmingham Road, Blakedown, Kidderminster, Worcestershire, DY10 3JE,

Applicant: Mr G Warr

Summary of Policy	DS01, DS04, CP01, CP02, CP03, CP11, CP12 (CS) DPL1, DPL2, CC1, CC2, CC7, UP5, UP6, YP7 (SAAPLP) 6F, 8C, 6B, 18B and 27A (EWFLP) Design Guidance SPD National Planning Policy Framework Planning Practice Guidance
Recommendation	APPROVAL
Reason for referral to Committee	Statutory Consultee Objection

1.0 History

1.1 N/A

2.0 Consultations and Representations

2.1 Parish Council - Members support the principle of converting the existing houses fronting Birmingham Road into 3 smaller terraced dwellings which will meet Local needs.

We object to the back land development of the site which is regarded as over development, has an adverse visual impact on existing neighbouring houses, the adjoining green landscape and pool network.

Churchill and Blakedown Neighbourhood Plan Policy CB5 - General Design Principles. The application does not meet Criteria 3, 4, 6, 8, 12 - amenity, access, backland, design (scale, density, layout), local setting.

Policy CB17 - Scale & Type of New Residential Development. The application does not meet criteria 2 and 4 - access and amenity of neighbours.

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The back-land development of the dwellings at the edge of Swan Pool would also impinge on the Protected View 20 of the 2016 -2026 Churchill and Blakedown Neighbourhood Plan.”

We also refer to Appeal Decision APP/R1845/A/11/2143452 - Castle Ash, Birmingham Road, Blakedown. This adjoining site was subject to an application for 4 detached houses in the rear garden of Castle Ash, refused, and Appeal dismissed as "The proposal would also cause harm to the character and appearance of the area through introducing substantial building onto this large open rear garden area".

We request that this application be referred to Planning Committee for determination

2.2 Highway Authority – No objections subject to conditions and notes

The applicant has submitted a proposal to widen the footway on Blakedown Road in order to achieve the required vehicular visibility commensurate with actual vehicle speeds, to include the realignment of the road markings due to the amended carriageway width and it has been demonstrated that the retained carriageway width will nonetheless be within the acceptable range for the local traffic conditions. Accordingly, the Highway Authority has revised its position and there is no further objection in line with the latest plans. The footway widening works in the highway will require a S278 / 38 agreement as per the note below and will be adopted by the Highway Authority whilst the access road to serve 6 dwellings will remain private. It is noted that pedestrian visibility splays either side of the access will be provided and these should be maintained at all times.

Vehicle parking per dwelling is in line with standards and the 3 bungalows to the rear benefit from garages which can accommodate cycle parking however cycle parking is required for the existing 3 dwellings. A Welcome Pack will also be expected which will promote the sustainable travel options to future occupiers and guidelines as to the acceptable content, will be provided separately.

2.3 Conservation Officer – No objections

The applicant has submitted a heritage statement in accord with the NPPF at paragraph 189. The proposals secure the retention and sympathetic re-ordering of three historic but undesignated heritage assets at the centre of the village. This is in accord with WFDC Policy SAL.UP6.

2.4 County Archaeology – No objections

16 and 18 Birmingham Road are recorded on the County Historic Environment Record (WSM41681 and WSM42854) as late 19th century brick cottages. They are recorded on the 1st Edition Ordnance Survey (1883-84). They are not recorded on the 1837 Tithe map and it is presumed that they were built between these two dates. The development site also lies adjacent to the mill pools recorded on the HER, but not in an area where former mill buildings are likely to have existed. Below-ground archaeological potential is thought to be low. It is welcome to see the retention of the undesignated heritage assets as part of the development, which is in accordance with policy SAL.UP6 of the Adopted Wyre Forest District Site Allocations and Policies Local Plan. Although not of high significance they contribute to the local character of the area and it is positive to see them retained and reused.

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2.5 Watercourse Officer – No objection subject to condition and notes.

The site is bordered by the Swan's Pool which is an online pool on one of the main tributaries of the Blakedown Brook. As this is a pool the water level does not rise spectacular after rainfall events and as such I don't believe there would be a reason to be concerned about flood risk.

I don't know what the arrangements are for the discharge of rainwater for the existing properties. I note that only a foul sewerage system is present in this area, which presumably means that rainwater currently discharges via infiltration. Changes to the soakaways serving the existing properties would be sufficiently covered by a building control application. I note that the submitted information includes an intention to discharge surface water from the 3no bungalows via infiltration. This would be the preferred discharge method as this means that there will be no increase in runoff leaving the site. Given the proximity to the pool especially, on site ground investigation will be required to ascertain that the site is suitable for this type of drainage (no high ground water levels). If infiltration would not be possible via infiltration then alternative discharge methods would need to be explored which will need to provide sufficient attenuation to ensure there will be no increase in runoff leaving the site compared to the existing situation. We ask that surface water drainage assets get designed to cope with the 1 in 100 year event plus 40% to allow for climate change. I would have preferred this information to be submitted as part of the current application. However, if you are minded to approve this application, then I would ask that the a suitable condition and notes are attached.

2.6 WRS Contaminated Land - WRS have reviewed the above planning application for potential contaminated land issues of which none have been identified. Therefore WRS have no adverse comments to make in relation to contaminated land.

2.7 WRS Nuisance Assessment Team - We have no adverse comments or objections to make in relation to noise. Should permission be granted there may be short term disruption during the construction phase, we would advise the applicant implement measures to reduce emissions of noise/dust.

2.8 Arboricultural Officer – No objection subject to conditions

Although, on plan, the proposed development does look possible without seriously impacting the nearby Arboricultural features. The density of the development does result in the new dwellings being squeezed into site and therefore being very close to the Root Protection Areas (RPA) of the trees within the site and on neighbouring land.

The RPA is the minimum distance that should be given to trees within development. However, ideally more space should be given to allow for a sustainable relationship between trees and the new dwellings. As a result, I'm concerned about the relationship between the trees and dwelling on plot 1 and 3.

Plot 1 has a significant amount of trees to the north and east of it, with trees 7 and 9 currently covered by a TPO. There isn't much usable garden space and morning sunlight will be limited. This will result in post development pressure for the trees to be felled or excessively pruned.

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Plot 3 has similar issues, but with trees on the south and east of the dwelling more direct sunlight will be lost.

From a long term sustainability of the trees on or near the site, two dwellings would be much more suitable.

In addition to the above, the logistics of building the development so close to the RPAs of the trees will require a very well managed site. This is possible, but in my experience isn't a given. If the application is approved, pre-start conditions for an Arboricultural Method Statement (AMS) which should include watching brief from a retained Consulting Arborist are vitally important.

3.0 Site Location and Description

- 3.1 The application site comprises no.16 and no. 18 Birmingham Road, together with their associated gardens of approx. 0.4 Ha, situated within the established settlement boundary of Blakedown. The properties benefit from long rear gardens, which also extend to the rear of the adjoining properties to the west. The properties are currently empty and in a poor state of repair. The site is bounded to the south by Swan Pool.
- 3.2 The application proposes the modernisation, refurbishment and extension of the existing 2 properties into 3 dwellings and the development of the land to the rear to provide 3 no. new build 2 bedroom bungalows.

4.0 Officer Comments

POLICY CONTEXT AND STATUS OF THE DEVELOPMENT PLAN

- 4.1 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.
- 4.2 Paragraph 70 of the National Planning Policy 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'.

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4.3 The application site lies within an area allocated for residential on the Adopted Policies Map and is accessible to local shops, schools and Blakedown Train Station. The application proposes the Conversion and extension of the existing properties to 3no. dwellings to the front of the site, together with construction of 3no. 2 bedroom bungalows on land to the rear.

4.4 The site is located within the defined settlement boundary of Blakedown village. Policies DS01 and SAL.DPL1 sets out the Council's strategic approach to development and seeks to direct new homes on previously developed land within the urban areas of Kidderminster and Stourport-on-Severn before applying a sequential approach to other preferable sites. Policy SAL.DPL1 advises that when a site does not fall within one of the preferable locations for new residential development, it will not be supported unless it accords with Policy SAL.DPL2 for rural housing or SAL.UP1 for green belt developments. In this case, the relevant policy is SAL.DPL2 which permits new rural housing in exceptional circumstances providing the development safeguards the landscape character of the countryside. Policies 6F, 8C, 18B of the emerging plan also fully support windfall development sites to provide Local Needs Housing to support the existing communities.

DESIGN/DENSITY/LAYOUT

4.5 Policy CP11 of the Adopted Core Strategy, Policy SAL.UP7 of the Adopted Site Allocations and Policies Local Plan, Emerging Policy 27A and Paragraph 130 of the Framework all require good design and for new developments to integrate well with the existing development and to add to the overall quality of an area.

4.6 Section 12 of the NPPF sets out how to achieve well-designed places and states that the creation of high quality buildings and places is fundamental to what the planning and development process should involve.

4.7 The Adopted Supplementary Planning Document on Design sets out how small scale developments (1-9 homes) are predominantly driven by the context and character of their surroundings. The design should respond to the context, creating better places and making a positive addition to how the places function wherever possible. The design should fit into or help establish the place. The Council would expect new development proposals to consider how will the proposal fit in with the existing scale, density, building line, eaves and ridge heights and elevational detailing of both the immediate property and the wider surroundings. Policy CB5 of the Churchill and Blakedown Neighbourhood Plan sets out how new development proposals should be designed sensitively to ensure that the high quality built environment of the Parish is maintained and enhanced. New designs should respond in a positive way to the local character through careful and appropriate use of traditional and high quality materials and detail. Proposals should also demonstrate consideration of height, scale and massing, to ensure that new development delivers a positive contribution to the street scene and adds value to the distinctive character of the area.

4.8 The proposed development consists of the following:

- Conversion and extension of existing dwelling to 3 dwellings
- Erection of 3 no. 2 bedroom bungalows

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CONVERSION AND SUBDIVISION

- 4.9 The proposals would effectively convert the current 2no. four-bed houses, to 3no. three-bed houses, together with the provision of 3no. 2 bedroom bungalows. Policy CB18 of the neighbourhood plan confirms that as the Parish has a preponderance for 4+ bedroom detached dwellings, significantly above the national average, preference will be given to applications for smaller houses of 2 or 3 bedrooms, and bungalows to meet local needs of mature residents wishing to downsize from larger homes. Considering the above, the principle of the proposed development is acceptable. The proposed reduction in the existing unit size from 2no. four-bed houses to 3no. three-bed houses, would help meet an identified local housing need. The proposed development is therefore in accordance with Policy DS01 of the Core Strategy; Policy SAL.DPL2 of the local plan; emerging policies 6B and 18B; and Policy CB18 of the Neighbourhood Plan. The sensitive conversion, refurbishment and extension of these existing properties results in the longevity of the structure whilst bringing back empty existing property back into use.

NEW BUILD RESIDENTIAL DEVELOPMENT

- 4.10 The stated 'Objective 7' of the Neighbourhood Plan is *"To support small-scale housing developments within the village boundaries that meet identified local needs"*. The proposed development is wholly within the village boundary and meets the identified local housing need.
- 4.11 The adjacent site known as 'Castle ash' has been referenced in both the Parish consultation response and neighbour responses as a precedent against residential development in this location. However, I consider this historical refused application and dismissed appeal to have represented a very different development form and proposal to that currently being considered. Firstly, the Castle Ash site proposed 2 storey dwellings which it was judged to have a direct impact on the character of the area and views across the site due to their height and dominance. The current application proposes small scale bungalows of modest height which offer little interruption to neighbouring residential amenity, remaining subordinate to their surroundings and maintaining the character of the location and wider views of and across the site. Secondly, the Inspector in the Castle Ash case confirmed that he was not opposed to the principle of development in this back-land location, however he did consider that the proposed 2 storey dwellings interrupted the open character of the area due to their height and stepped nature down what is essentially a long narrow piece of land. The current proposal seeks to utilise 2 areas of residential curtilage which is wider in size and provides the opportunity to provide a cul de sac appearance to the site which the Inspector confirmed is not in any way alien to the wider locality of Blakedown.

IMPACT ON ADJACENT RESIDENTIAL PROPERTY

- 4.12 The majority of objections raised relate to the perceived over development of the site and the impact of the proposed new build dwellings on existing neighbouring residential amenity.
- 4.13 The design and layout has demonstrated that a suitable arrangement of dwellings can be achieved whilst providing adequate separation distances of more than the common separation distances. The proposed units offer adequate Internal size and layout and would provide gardens that would be both useable and private.

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- 4.14 The design of the bungalows would respond in a positive way to the local character as the traditional and high quality materials and the architectural detailing of the other properties in the vicinity have been carefully considered. The proposals demonstrate consideration of height, scale and massing in order to ensure that the new development will add value to the distinctive character of the area as required by Policy CB5 of the Churchill and Blakedown Neighbourhood plan. The proposed bungalows low ridge heights ensure that they inflict minimal impact on the existing amenity of the area and remain subordinate to their surroundings.
- 4.15 The development in my view accords with Policy CB5 of the Churchill and Blakedown Neighbourhood plan, Policy CP11 of the Adopted Core Strategy, Policy SAL.UP7 of the Adopted Site Allocations and Policies Local Plan and Emerging Policy 27A which amongst other matters seeks to prevent serious detrimental impact to existing neighbouring properties.

LOCAL NEED AND CONNECTION

- 4.16 The proposed development has been revised to provide 3 no. 2-bed bungalows which has been identified as being required within the Blakedown Housing Needs Survey. The Housing Needs Survey was conducted in 2015 and when considering extant consents, completed developments and applications pending it is calculated that 2.no 2 bedroom bungalows are still required based on the existing survey which expired in 2020. The current application proposes 3.no 2 bedroom bungalows. It is accepted that this is a minor oversupply for the years 2015-2020. However, the provision of one further 2 bedroom to supply provides a robust housing provision for future years ensuring that further provision which will undoubtedly be required is not located in more disruptive locations available within the village. On this basis I am satisfied that there is a Local Need for the proposal as a whole.
- 4.17 The applicant has agreed to enter into a S106 Agreement to ensure the bungalows are only occupied by people with a local connection to people already living within the locality. Evidence has been provided from solicitors, estate agents and individuals eager to register an interest in the potential properties to aid in a down sizing exercise whilst enabling them to stay within the Parish. This process also has the benefit of opening up larger properties within the Parish for re-sale. This restriction will remain in perpetuity. The proposal would therefore comply with Policy DS04 of the Adopted Core Strategy which requires that within the rural settlements and other rural hamlets, new residential development will be to meet local housing needs only. In respect of Affordability, the Housing Needs survey particular notes that the greater need is for market housing, concluding that housing need "...does not lie with income levels and mortgage availability, but instead it seems to be with the lack of supply of the market homes that are needed by local people." In line with the Housing Needs Survey an affordability clause is not required in this instance.
- 4.18 As set out above Policy DPL2 is supportive of Local Needs Housing that is within of adjacent to the settlement boundary. The adopted policy is considered to have full weight as part of the consideration of this application. Policies 6F, 8C, 18B of the emerging plan also fully support windfall sites to provide Local Needs Housing to support the existing communities. Although it is accepted that these policies seek to support such housing where it is within the settlement boundary. The preparation of the emerging Local Plan is now completed and the final report from the Planning

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Inspectorate has been received which has found the emerging Local Plan to be sound. The emerging Local Plan is awaiting to be brought to full Council to determine whether it should be adopted. Given the advanced stage of the emerging Local Plan I consider that substantial weight can be applied to its policies in accordance with Paragraph 48 of the Framework, and it is therefore an important material consideration. As such the position of the application site within the settlement boundary is in accordance with Policy DP2 of the Adopted Local Plan and the aforementioned emerging policies.

- 4.19 Having taken account of the emerging policies in conjunction with the main thrust of adopted policy, I consider the principle of residential development is therefore considered to be acceptable and the development is considered policy compliant. Paragraphs 78 and 79 of the National Planning Policy Framework provides additional weight, where there is any doubt, where Government Policy supports housing developments that reflect local needs where it will enhance or maintain the vitality of rural communities. Taking all these matters into account I consider that consideration of the location of the development is acceptable and on balance, in accordance with the Development plan.

TREES

- 4.20 Due to the close proximity of many root protection zones conditional approval is recommended requiring the submission of an Arboricultural Method Statement (AMS) prior to the commencement of works which will include a watching brief from a retained Consulting Arborist during the construction and excavation stage. The AMS will detail the methods of excavation, site clearance and general construction methods in terms of protective fencing and plant and materials storage in a manner which will not negatively impact on the short and long term health of the adjacent trees.

ECOLOGY

- 4.21 The proposal is accompanied by extensive ecological investigatory surveys, including a supplementary bat survey which was a recommendation of the initial site surveys. The site is generally laid to amenity lawn and planting, which is still maintained even though the properties are vacant. Due to the site's close proximity to water, it does present some nesting and foraging opportunity for protected species. The conclusions of the surveys highlight the potential for both bird, bat and otter within the site. In terms of badgers, although foraging will likely occur, the site is unlikely to be utilised as part of a set due to its flat topography and the absence of open trenches overnight will eliminate the majority of risk to this species. The conclusions of the report are that adequate mitigation can be achieved for bats and birds in the form of nesting/roosting boxes. In terms of otters and other aquatic life which may be present due to the sites close proximity to the adjacent pools, a buffer strip should be fenced off providing an unexcavated margin to the pool. This will be dealt with by way of a condition. In addition to this, a qualified ecologist should be on site for the site clearance works.

HIGHWAYS AND ACCESS

- 4.22 The applicant has submitted a proposal to widen the footway on Blakedown Road in order to achieve the required vehicular visibility commensurate with actual vehicle speeds, to include the realignment of the road markings due to the amended carriageway width and it has been demonstrated that the retained carriageway width will nonetheless be within the acceptable range for the local traffic conditions. The Highway Authority has therefore revised its position and makes no further objection in

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line with the latest plans and recommends conditional approval subject to advisories regarding the applicant entering into S278 / 38 with the access being adopted by the Highway Authority and the roadway remaining in private ownership. I would agree with the conclusions of the Highway Authority, suitable access can be provided and the associated traffic accommodated within the surrounding highway network. Adequate provision for parking is provided within the site to serve all the dwellings. The proposal is therefore acceptable from a highway safety perspective.

HERITAGE

- 4.23 The proposal to convert, restore, maintain and subdivide the existing 2 dwellings ensures the longevity of these important non designated heritage assets for the future. The current buildings are in very poor disrepair and water damage etc is leading to the deterioration of both the external and internal elements of the building. The overall proposal therefore ensures that the buildings are re furnished and therefore results in major benefits on balance from a historical building perspective with their restoration made viable through development of the overall site, in line with Policy SAL.UP6 of the Site Allocations and Policies Local Plan and Policy

5.0 Conclusion and Recommendations

- 5.1 The applicant has agreed to enter into a S106 agreement to ensure the proposed bungalows are occupied and only sold to people with a local connection. This would ensure there is a mechanism in place to ensure that the proposed bungalows would meet a local housing need in the Parish or subsequently within the District. The proposed housing type meets a local housing need as set out in the Parish Council's Housing Needs Survey and I am satisfied that the application site is well located, resulting in minimal impact on existing residential amenity and local character. The proposal therefore makes a positive contribution towards providing housing within Blakedown to help meet an identified local housing need. The proposals would also result in economic benefits from spending from the occupants of the bungalows and construction jobs and expenditure. The proposals would also deliver ecological enhancements through new bat and bird boxes and other wildlife habitat enhancements. Overall, I consider that the development would provide a sustainable development and would accord with the Development Plan.

- 5.2 I therefore recommend **delegated APPROVAL** subject to

- a) The signing of a S.106 agree to secure a Local Connection Policy to ensure Local Needs Housing; and
- b) The following conditions;
 1. Implementation within 3 years
 2. In accordance with the submitted drawings/details
 3. Submission of material details
 4. Arboricultural Method Statement and Watching Brief
 5. Completion and implementation of proposed Highway Works
 6. Pedestrian visibility, turning and parking implemented and retained
 7. Cycle Storage

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8. Travel Welcome Pack
9. Electric Vehicle charging Points
10. Construction Environmental Management Plan
11. Surface Water Drainage
12. Permeable Paving
13. Details of Bird and bat boxes on site
14. Retained ecologist to be present on site during all site clearance works
15. No trenches to be left open or uncovered overnight.
16. Details of fenced buffer strip adjacent to the pools to be submitted and approved in writing prior to commencement.

Informatives

1. Section 278 Agreement
2. Section 38 Agreement
3. Water Pollution Potential

PART B

Application	22/0003/FUL	Date	04.01.2022
Reference:		Received:	
Ord Sheet:	384284 280252	Expiry	22.04.2022
		Date:	
Case Officer	Kelly Davies	Ward:	Wyre Forest Rural

Proposal: Single storey rear extension to form consultation room

Site Address: 1 Lea Lane, Cookley, Kidderminster, Worcestershire, DY10 3TA,

Applicant: Corrine Wood

Summary of Policy	UP7 UP8 CP11 CC2 CC1 (SAAPLP) 20A, 27A, 27B (EWFLP) Design Guidance SPD National Planning Policy Framework Planning Practice Guidance
Recommendation	APPROVAL
Reason for referral to Committee	Statutory consultee objection received

1.0 History

- 1.1 WF.0083/75 – Change of use to surgery - Approved
- 1.2 WF.0032/76 – Change of use to flat and surgery – Approved
- 1.3 WF.0533/81 – Change of use from shop to staff room – Approved
- 1.4 WF.0185/83 – Removal of steps and provision of ramp – Approved
- 1.5 WF.0187/90 – Access ramp – Approved
- 1.6 WF.0461/97 – Erection of extensions to create consulting room and admin/records room along with car parking spaces – Approved
- 1.7 WF.0222/98 – Temporary surgery accommodation during construction works (12 months) - Approved

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2.0 Consultation and Representations

2.1 Wolverley and Cookley Parish Council

Strongly Recommend Approval for this application for a very modest single storey rear extension to provide a much needed extra consultation room at the Surgery.

With the addition of 600 homes on the Lea Castle development there will be an increased number of patients needing to use this vital rural Medical Practice located in the Parish.

Although there is limited parking on the existing site and on road, there is ample free parking in Cookley Village, only a couple of minutes walk from the Surgery. This is at the Car Park in Austcliffe Road and also in front of the pub, cafe and former Post Office in Bridge Road.

The addition of one extra consultation room will not significantly increase staffing and patient levels and is therefore not a highway issue.

The Parish Council do not agree with the comments from the Highways Authority and re-iterate Recommendation of Approval.

2.2 Highway Authority

The proposed development is located adjacent to the junction between Castle Road (C2283) and Lea Lane (C2182) Cookley and whilst there are parking restrictions in place on Castle Road, the double yellow lines on Lea Lane do not extend beyond the junction. The residential dwellings in this location have in-curtilage parking, nonetheless on-street parking takes place which reduces the road to single width and the traffic flow becomes one-way in effect, particularly on the approach to the junction. Moreover, it is noted that vehicles park on the footway which is a highway safety hazard to pedestrians particularly those attending Cookley Sebright Primary School to the south and traffic associated with the school will intensify the local parking issues particularly at school drop-off and pick up times. St Peters Church is also located on this route which is a busy link route to Wolverley and Kidderminster.

The application for an additional consultation room at the Medical Centre has been put forwards on the basis of anticipated demand resulting from the Lea Castle development for 600 homes and there will necessarily be an increase in associated parking demand. Moreover, whilst the current staffing levels are said to be low (2 full-time and 2 part-time), the staffing numbers are highly likely to increase to meet with the increased demand and as the Medical Centre is part of the Aylmer Lodge Cookley Partnership, there are additional staff within the partnership who could be brought in.

The existing site is constrained in terms of parking provision, with no patient parking available as indicated on the Site Plan and in this location, there is no opportunity for an increase in parking provision. Therefore, any increase in patient and staff numbers will result in on-street parking in an area with known parking issues.

In line with emerging policy, an additional 4 parking spaces per consultation room would be expected which cannot be provided and in line with the current policy in the Streetscape Design Guide, the applicant is expected to justify their parking provision,

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to include a parking survey with details of on-street availability in the area and no such details have been submitted.

It has not been demonstrated that additional parking can be provided to meet the increasing demands of the site and a parking statement to justify the proposal has not been put forwards which is contrary to local policy in the Streetscape Design Guide. The resulting displacement parking will exacerbate existing parking pressures in the vicinity of the site which represents a highway safety hazard particularly to pedestrians and other vulnerable road users. The highway safety implications are unacceptable and contrary to Paragraph 111 NPPF and the Highway Authority recommends that the application is refused.

Further Comments Following Receipt of Additional Information

It has not been demonstrated that adequate parking can be provided to meet the proposed increase in demand which is contrary to the Streetscape Design Guide and the existing informal parking arrangements locally cannot be secured. The resulting displacement parking will exacerbate existing parking pressures in the vicinity of the site which represents a highway safety hazard particularly to pedestrians and other vulnerable road users. The highway safety implications are unacceptable and contrary to Paragraph 111 NPPF and the Highway Authority recommends that the application is refused.

2.3 Neighbour/Site Notice Representations

No comments received

3.0 Site Location and Description

3.1 The application relates to a small doctor’s surgery in the village of Cookley. The site is accessed off Lea Lane in Cookley and has been an established village doctors since 1977.

3.2 The surgery currently only benefits from staff parking due to space restriction within the site.

3.3 The application proposes an extension to the rear of the surgery to create one additional consultation room.

4.0 Officer Comments

4.1 The main considerations in the assessment of this application are;

- The impact of the proposals on the character and appearance of the building.
- Impact on Residential Amenity
- Highway matters

4.2 The proposed extension will provide one additional consultation room for the village surgery. The extension will be to the rear of the surgery and will be accompanied by internal reconfigurations to provide more seating in the internal waiting area.

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- 4.3 The accompanying Design & Access statement states the requirements for the extension. The recent approval for homes on the former Lea Castle site has seen an increase in new patients and the current layout at Cookley Surgery is too small to accommodate new patients safely following the recent Covid-19 outbreak. The internal reconfigurations and additional consultation room will ensure best care is provided for all patients..

DESIGN AND IMPACT ON LOCAL CHARACTER

- 4.4 The single storey extension will be located to the North East elevation, tucked behind the main building and screened from Lea Lane by an established hedgerow. The proposal will be constructed from materials to match the main building ensuring the architectural features of the building are copied and retained.
- 4.5 It is considered that the additional consultation room will be subordinate to the original building, ensuring the front face fronting Lea Lane retains its visual dominance and the village surgery appearance is maintained. The proposed extension will have little if any impact upon the streetscene due to the locality within the site and existing established hedgerow screening.
- 4.6 Whilst it is noted that a residential property bounds the south west boundary of the site, no residential properties are located near the proposed extension. It is therefore considered, that the proposal will not impact upon any neighbouring amenity.

HIGHWAYS AND ACCESS

- 4.7 The Highway Authority has raised an objection to the additional consultation room as set out in paragraph 3.2 above. Members will also note the strong support from the Parish Council for the proposal. Both of the these comments have been fully considered.
- 4.8 It is accepted that the site has been a fully working doctors' surgery for many years and has functioned without any parking provisions on site. Unfortunately, due to the nature of the locality, parking within the site is restricted to staff parking only.
- 4.9 Cookley Surgery is located within the centre of Cookley Village, with parking to the South of the site at the Cookley Sports and Social Club, there is also parking on the road adjacent the site outside Cookley Sebright First school and parking in the village itself outside the shops. All this parking is within an acceptable walking distance to the surgery. It is therefore considered that as the site currently does not benefit from any patients parking, that the addition of one consultation room will add only a small amount of additional demand on parking, which can be accommodated in the surrounding area.
- 4.10 It is considered that due to the increase in patients as part of the wider strategic development proposals for the Districts and the recent requirements of Covid-19, that the application for an additional consultation room should be supported to ensure the surgery maintains patients care. Any minor harm to highway safety would be outweighed by the significant benefits of the scheme.

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5.0 Conclusion and Recommendations

5.1 The application proposes an extension to the rear of the existing doctor's surgery. The extension has been well designed to incorporate traditional materials and features that mimic those of the existing village surgery. The proposal will assimilate well in the streetscene and will have little if any impact upon nearby residential properties. Whilst it is noted the objection from Highway Authority, it is considered that the requirement for additional space to serve new patients outweighs the need for parking or any small harm to highway safety. The locality of the surgery is such that parking is available within walking distance of the surgery and demand within the site is not required. It is considered that the proposal is fully in accordance with the adopted and emerging Development Plan policies and can be fully supported.

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

1. A6 (Standard Time)
2. B3 (Finishing Materials to Match)
3. A11 (Approved Drawings)

PART B

Application Reference: 22/0079/HOU
Ord Sheet: 382461 275143

Date Received: 03.02.2022
Expiry Date: 22.04.2022
Ward: Foley Park And Hoobrook

Case Officer: Kelly Davies

Proposal: Proposed single storey rear and side extension and first floor rear extension

Site Address: 9 Beauchamp Avenue, Kidderminster, Worcestershire, DY11 7AH

Applicant: Mr and Mrs Milman

Summary of Policy	CP11 UP7 UP8 CC2 (SAAPLP) 27A and 27B (EWFLP) Design Guidance SPD National Planning Policy Framework Planning Practice Guidance
Recommendation	APPROVAL
Reason for referral to Committee	Serving Officer of Wyre Forest District Council

1.0 History

- 1.1 17/0569/FULL – Replacement garage - Withdrawn
- 1.2 18/0103/FULL – Two storey side extension – Approved
- 1.3 20/0272/PNH – Single storey rear extension (Larger Home Extension) – Approved
- 1.4 20/0565/HOU - Erection of single storey flat roof rear extension – Approved

2.0 Consultation and Representations

2.1 Kidderminster Town Council
No comments

2.2 Highway Authority
It is noted that access and parking details have not been submitted and unless evidence is provided to the contrary, the existing site benefits from 2 points of gated vehicular access either side of the dwelling with existing dropped kerbs. There is evidence that vehicles can park on both driveways however the proposed single storey side extension on the western side of the dwelling will result a reduction in the parking area and sufficient space should be retained for the gates to open when a

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vehicle is parked. The applicant should be requested to confirm access and parking details in line with standards and the Highway Authority therefore submits a deferral until these details are provided.

2.3 Neighbour/Site Notice Representations
No neighbour representations received

3.0 Site Location and Description

3.1 The application site relates to a 1930s detached dwelling located within a residential street comprising a mixture of dwellings of various sizes and styles. The site includes an attached garage to the side of the main dwelling and a substantial rear garden with driveway to the front. The application site backs on to parking for Vets4Pets and garages that serve nearby dwellings on Neville Avenue.

3.2 Planning permission is sought for the erection of a single storey rear extension to the north elevation of the existing dwelling to provide a family room with study at ground floor and extension to the first-floor study. The proposed extension would have a flat roof with a pitch roof to match the host dwelling at first floor. The materials will be a mixture of brickwork and render which are considered acceptable in this residential location.

4.0 Officer Comments

POLICY CONTEXT AND STATUS OF THE DEVELOPMENT PLAN

4.1 The main considerations for this application are whether the design of the proposed extension is in keeping with the character and appearance of the existing building and the local area, and whether the development would result in a detrimental impact on the amenities of existing residents and highway safety

4.2 Policy SAL.UP7 of the Adopted Wyre Forest Site Allocations and Policies Local Plan and Policy 27A of the emerging plan, 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. The Design Guidance, which has been adopted as a Supplementary Planning Document includes a section on householder extensions and supports the view that extensions should be visually subservient and should ideally be positioned to the rear or side of properties where the effect of the new building is less likely to impact on the street scene.

4.3 Policy SAL.UP8 of the Adopted Wyre Forest District Site Allocations and Policies Local Plan and Policy 27B of the emerging plan relate to the design of extensions. The policy requires that additions to a property are in scale and keeping with the form, materials, and architectural characteristics and detailing of the original building and should be subservient to and not overwhelm the original building, which should retain its visual dominance.

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- 4.4 The proposed extension will result in a wraparound side and rear extension to create a large open plan family room and study at ground floor, along with a first floor rear extension to enlarge the existing study.

DESIGN AND IMPACT ON LOCAL CHARACTER

- 4.5 The design, scale and siting of the proposed extensions are acceptable. The scale of the proposed extension is proportionate to the main built form of the dwelling and would appear subservient and in keeping with the architectural style of the dwelling. The extension would be to the rear of the main dwelling, therefore not resulting in a prominent feature in the streetscene. I therefore consider that the proposed extension would not harm the character and appearance of the existing dwelling or local area. The development would accord with Policies SAL.UP7 and SAL.UP8 of the Adopted Site Allocations and Policies Local Plan and 27A and 27B of the emerging Wyre Forest Local Plan.
- 4.6 The nearest neighbouring property has a projecting rear element running along the adjoining boundary with the host dwelling, intercepting the 45 degree line. The neighbouring property to the east of the dwelling is separated from the host dwelling by some 8 metres approximately and is bounded by an existing garage. Therefore, the proposal would comply with the 45 degree code and would not result in an adverse impact on neighbouring amenity. No neighbouring properties lie to the rear of the host dwelling.

HIGHWAYS AND ACCESS

- 4.7 The Highway Authority have requested a deferral of the application on the ground of parking. I do not believe this request to be needed. The site benefits from two driveways providing 4 car parking spaces, no additional bedroom is being added as part of the proposal. There is no additional need for parking provision, the current provision is sufficient to meet the Streetscape Design Guide's requirement of 2 spaces even if the side extension reduces available parking to 3 spaces. It is therefore considered that the development would accord with Policy SAL.CC1 of the Adopted Site Allocations and Policies Local Plan.

5.0 Conclusion and Recommendations

- 5.1 The application will not have any detrimental impact on the amenities of neighbouring occupiers, upon the character of the existing dwelling or local area and provides adequate parking for the dwelling. The development would accord with Policies SAL.CC2, SAL.UP7 and SAL.UP8 of the Adopted Site Allocations and Policies Local Plan and 27A and 27B of the emerging Wyre Forest Local Plan.

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

1. A6 (Standard Time)
2. B6 (External Materials - Approved Plan)
3. A11 (Approved Plans)

Notes

- A. SN12 (Neighbours Rights)