

Open

Planning Committee

Agenda

6pm
Tuesday, 18 July 2023
Council Chamber
Wyre Forest House
Finepoint Way
Kidderminster



Planning Committee

Members of Committee:

Chairman: Councillor R Drew
Vice-Chairman: Councillor D Little

Councillor J Aston

Councillor L Carroll

Councillor P Harrison

Councillor N Martin

Councillor C Rogers

Councillor B Brookes

Councillor H E Dyke

Councillor M J Hart

Councillor F M Oborski MBE

Councillor D Ross

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 Ellie Griffiths, Wyre Forest House, Finepoint Way, Kidderminster, DY11 7WF. Telephone: 01562 732726 or email committee.section@wyreforestdc.gov.uk

Disclosure of Interests

Members and co-opted Members of the Council are reminded that, in accordance with the Council's Code of Conduct and the statutory provisions of the Localism Act, they are required to consider in ADVANCE of each meeting whether they have a disclosable pecuniary interest (DPI), an other registrable interest (ORI) or a non-registrable interest (NRI) in relation to any matter on the agenda. If advice is needed, Members should contact the Monitoring Officer or other legal officer in good time before the meeting.

If any Member or co-opted Member of the Council identifies a DPI or ORI which they have not already registered on the Council's register of interests or which requires updating, they should complete the disclosure form which can be obtained from Democratic Services at any time, copies of which will be available at the meeting for return to the Monitoring Officer.

Members and co-opted Members are required to disclose any DPis and ORIs at the meeting.

Where the matter relates to a DPI they may not participate in any discussion or vote on the matter and must not stay in the meeting unless granted a dispensation.

Where the matter relates to an ORI they may not vote on the matter unless granted an advance dispensation.

Where a Member or co-opted Member has an NRI which directly relates to their financial interest or wellbeing, or that of a relative or close associate, they must disclose the interest at the meeting, may not take part in any discussion or vote on the matter and must not stay in the meeting unless granted a dispensation.

Where a matter affects the NRI of a Member or co-opted Member, the Code of Conduct sets out the test which must be applied by the MEMBER to decide whether disclosure is required. Again please ensure you have spoken in ADVANCE to the relevant legal officer and determined whether it is appropriate to declare the NRI and leave.

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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, 18th July 2023

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 interest (DPI), an other registrable interest (ORI) or a non-registrable interest (NRI) in relation to any matter on the agenda. 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 20 June 2023.	8
5.	Applications to be Determined To consider the report of the Development Manager on planning and related applications to be determined.	13
6.	Planning Appeal decisions Since 26 November 2022 To receive a schedule showing planning appeal decisions since 26 November 2022.	63
7.	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.	

8.	<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

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>	
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WYRE FOREST DISTRICT COUNCIL

PLANNING COMMITTEE

COUNCIL CHAMBER, WYRE FOREST HOUSE, FINEPOINT WAY,
KIDDERMINSTER

20 JUNE 2023 (6.00 PM)

Present:

Councillors: R Drew (Chairman), D Little (Vice-Chairman), J Aston, B Brookes, L Carroll, P Harrison, M J Hart, N Martin, F M Oborski MBE, P Dyke, C Rogers, D Ross,

Observers:

There were no members present as observers

PL.06 Apologies for Absence

Apologies for absence were received from Councillor H E Dyke.

PL.07 Appointment of Substitutes

Councillor P Dyke was a substitute for Councillor H E Dyke.

PL.08 Declarations of Interests by Members

No declarations of interest were made.

PL.09 Minutes

Decision: The minutes of the meeting held on 18 May 2023 be confirmed as a correct record and signed by the Chairman.

PL.10 Applications To Be Determined

The Committee considered those applications for determination (now incorporated in Development Control Schedule No. 610 attached).

Decision: The applications now submitted be determined, in accordance with the decisions set out in Development Control Schedule No. 610 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.11 Planning Application 21/0672/FUL – Update Report

The Committee received a report from the Planning Manager which provided Members with an update relating to education contributions in respect of application

Agenda Item No. 4

21/0672/FUL following correspondence from Children First at Worcestershire County Council.

Decision:

That the Committee agrees the updated Education Obligations Assessment which concludes that an indicative total education contribution required for this development is £216,744 towards Early Years Provision within a 2-mile radius of the development and SEND facilities either within mainstream schools or at stand-alone SEND settings within Worcestershire.

Also, that the final Education Contribution shall be calculated at the time when the Section 106 Agreement is entered into by interested parties and calculated from Worcestershire Children First's standard formula for all phases of education, in line with Worcestershire County Policy on S106 Education Contributions.

There being no further business, the meeting ended at 7.24 p.m.

WYRE FOREST DISTRICT COUNCIL

PLANNING COMMITTEE

20 June 2023 - Schedule 610 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: 22/0464/OUT

Site Address: Land At Os 388200 278800, Station Drive, Blakedown, Kidderminster, Worcestershire

The Committee received representation from Sue Fowler, Chair of Churchill & Blakedown Parish Council (objector) prior to a decision being made.

DELEGATED APPROVAL subject to:

a) The signing of a S.106 Agreement;

b) The following conditions;

1. Outline Time Limit.
2. Reserved Matters to be submitted.
3. Approved Plans
4. To define the permission in terms of number of dwellings including 2 Self or Custom Build Plots
5. To define the permission in terms of safeguarded car parking land based on an updated needs assessment
6. The extent of the built development, open spaces & structural landscaping shall be in accordance with the submitted Parameters Plan
7. To secure external materials at Reserved Matters Stage
8. To secure maximum building heights
9. To secure tree protection measures
10. To secure Surface Water Drainage scheme
11. To secure Surface Water Drainage maintenance
12. To secure Surface Water Drainage management
13. To secure Foul and Surface Water scheme
14. To secure programme of Archaeological works
15. To secure Archaeological site investigation and post investigation assessments
16. To secure detailed site access design
17. To secure sheltered and secure cycle parking for future residents
18. To secure off road car parking provision
19. To secure Electric Vehicle Charging
20. To require the submission of a Travel Plan
21. To require the production of a Residential Travel Welcome Pack
22. To require the submission of scheme of street lighting
23. To require the use of Low Emission Boilers
24. To require the submission of soil and soil forming details
25. To require the reporting of any unexpected contamination
26. To require the submission of existing and proposed site levels

27. To secure Water Efficiency features to achieve adopted water efficiency targets
28. To require further detailed Noise Impact Assessment and ensure recommended ambient noise levels are achieved
29. To require that dwellings are accessible and adaptable
30. To require that dwellings incorporate suitable renewable and low carbon energy sources
31. To require the submission of a Construction Environmental Management Plan (CEMP)
32. To require details of a Refuse Storage and Collection
33. To require the submission of a Construction Environmental Management Plan for Biodiversity (CEMP: Biodiversity)
34. To require Biodiversity Net Gain (BNG) and Landscape Environmental Management Plan (LEMP)
35. To require the submission of a Biodiversity Lighting Plan
36. To require the undertaking of a new Protected Species Survey prior to commencement
37. To require layout of the site and parking provision to be in conformity with the adopted Streetscape Design Guide
38. To require a Scheme of House Types which shall include bungalows, one and two bed properties and show conformity with Churchill and Blakedown Housing Needs Survey 2022
39. To require details of Residential Amenity to ensure all of the plot sizes allow sufficient residential amenity and dwellinghouses are sited appropriately to avoid overlooking of neighbouring properties
40. To require suitable replacement Oak tree planting as part of the Reserved Matters application relating to landscaping details.

Informative:

- a. S106 Agreement
- b. Alteration of highway to provide new or amended vehicle crossover.
- c. Section 278 Agreement
- d. Section 38 Agreement
- e. Drainage Details for Section 38
- f. No Drainage to Discharge to Highway
- g. Protection of Visibility Splays
- h. Extraordinary Maintenance
- i. Works Adjoining Highway
- j. Temporary Direction Signs to Housing Developments
- k. Construction Environmental Management Plan (CEMP)
- l. Travel Plan Requirements

Application Reference: 23/0107/FUL

Site Address: Land At Callimore Farm, Droitwich Road, Rushock, Droitwich Spa, Worcestershire

The Committee received representation from Terry Green, Chair of Rushock Parish Council prior to a decision being made.

DEFERRED for additional information requested by member to be provided to assist with their decision and for a site visit.

Application Reference: 23/0254/LBC

Site Address: 1 & 2 Park Lane, Harvington, Kidderminster, Worcestershire, DY10 4LW

APPROVED subject to:

a) The following conditions;

1. 3 year time limit
2. To require details of external materials to be submitted and agreed

EXECUTIVE SUMMARY TO REPORT OF DEVELOPMENT MANAGER

Planning Committee

Part A Applications

Ref:	Address of Site	Recommendation	Page No.
22/1035/FUL	Comberton Lodge Nursery Comberton Road Kidderminster Worcestershire DY10 4AA	Refusal	14
23/0107/FUL	Land At Callimore Farm Droitwich Road Rushock Droitwich Spa Worcestershire	Delegated Approval	39

Part B Applications

Ref:	Address of Site	Recommendation	Page No.
23/0281/HOU	83 Burlish Close Stourport On Severn Worcestershire DY13 8YE	Approval	52
23/0350/RG3	11B Raven Street Stourport On Severn Worcestershire DY13 8UU	Approval	55

WYRE FOREST DISTRICT COUNCIL

PLANNING COMMITTEE

18 July 2023

PART A

Application	22/1035/FUL	Date	04.01.2023
Reference:		Received:	
Ord Sheet:	384960 275374	Expiry	05.04.2023
		Date:	
Case Officer	Julia Mckenzie-Watts	Ward:	Offmore And Comberton

Proposal: Full planning application for the demolition of former plant nursery structures, erection of a 72-bed care home (Use Class C2), vehicular, access, car parking, associated amenity space and landscaping and other works, including construction of a pumping station.

Site Address: Comberton Lodge Nursery, Comberton Road, Kidderminster, Worcestershire, DY10 4AA,

Applicant: GL Consultants Ltd And Cinnamon Luxury Care

Summary of Policy	Policies SP.2, SP.11, SP.13, SP.20, SP.22, SP.23, SP.27, SP.31, SP.32, DM.6, DM.22, DM.23 National Planning Policy Framework (NPPF) National Planning Practice Guidance (NPPG)
Recommendation	Refusal
Reason for referral to committee	'Major planning application' and a public speaker

1.0 Planning History

1.1 None

2.0 Consultation and Representations

2.1 Kidderminster Town Council – No comments received.

2.2 Highway Authority – Defer Application.

Based on the appraisal of the development proposals and the additional information that has been submitted the Transport Planning and Development Management Team Leader, on behalf of the County Council under Article 18 of the Town and Country

22/1035/FUL

Planning (Development Management Procedure) (England) Order, 2015 recommends **Deferral**. The justification for this decision is provided below.

Context -The Highway Authority is in receipt of a full planning for the demolition of former plant nursery structures, erection of a 72-bed care home (Use Class C2), vehicular access, car parking, associated amenity space and landscaping and other works, including construction of a pumping station.

The Highway Authority understands that the site is allocated in the adopted Wyre Forest District Council Local Plan (2016-2036). It is understood that site is allocated as the Comberton Lodge Nursery (0.80ha) for 9 dwellings, under Policy SP.KEE2.

Pre-Application -Pre-application advice was provided by the Highway Authority. The Transport Statement (TS) *CLK-BWB-GEN-XX-RP-TR-0002-Transport Statement-S2-P05* sets out the details of the pre-application on highway matters in Section 1.4 and provides the pre-application response in full in Appendix 2. The TS also provides a summary of the *key outcomes* of the highways pre-application, which are summarised below:-

Access -The Highway Authority has concerns regarding the proposed access type, which is noted to be set back from the highway on the nearside of a bend where full sight overtaking distance is not available and overtaking is restricted.

The Developer should consider the appropriateness of a simple vehicle crossover on an A-class road given the constraints noted above. Alternatives should be considered and evaluated by the Developer, including a kerbed construction. A vehicle tracking drawing must show that both a delivery size vehicle and standard car can access / egress side by side

Using the recorded speeds, the Highway Authority equates the visibility splays to 54m & 59m SSD respectively for a distributor road category. Visibility on exit the access should be unobstructed and commensurate with the recorded prevailing speeds along the A448. Also, the forward intervisibility available to an approaching driver/rider travelling towards the site access must be unobstructed and accord with prevailing speeds.

Once the principle of access is agreed, a Road Safety Audit Stage 1/2 will be required

Trip generation and vehicle impacts -Whilst it may not be the Developer's intention to undertake off-site traffic impact analysis, impact analysis was undertaken as part of the adopted Local Plan examination process and the Wyre Forest Infrastructure Delivery Plan (WFIDP) sets out the infrastructure requirements as part of the evidence base to support the proposals contained in the Wyre Forest Local Plan Review (WFLPR). The WFIDP carries "living document" status and is subject to on-going change

In light of the forecast network conditions, significant investment will be required to mitigate the residual cumulative impacts of this development and planned growth on the highway network. This will include necessary localised improvements, the development of sustainable transport initiatives and necessary investment to

22/1035/FUL

accommodate the full extent of planned growth. All developments are expected to make a proportional contribution to the adopted transport strategy.

Access - Existing access is currently via a gated access taken from the A448 Comberton Road. The Applicant proposes to upgrade the existing access. The A448 is subject to a 50mph speed limit at the point of access.

Access arrangements are shown in drawing CLK-BWB-GEN-01-DR-TR-100-S2-P1. The form of the access is a simple priority T-Junction 5m wide with 6m radii.

The required visibility splays have been informed by a speed survey recording vehicle speeds along the A448 Comberton Road. The recorded 85th percentile vehicle speeds were 36mph south-eastbound and 34mph north-westbound. The visibility splays shown are in accordance with the 85th percentile speeds provided.

The Applicant has indicated that the existing lighting column will need relocating to achieve access. The Applicant should indicate where they intend to relocate the column. The Applicant is also asked to consider what, if any, additional highway signage may be necessary as part of the access arrangements.

A Road Safety Audit Stage (RSA) has not been supplied at this stage. A RSA 1 / 2 is required in support of this planning application. In the first instance, a brief should be prepared in accordance with GG119 and agreed with Worcestershire County Council as the Overseeing Organisation.

At this time the Highway Authority is unable to advise the Local Planning Authority that it can be ensured that safe and suitable access can be provided for all users.

Collision Data -The Applicant has utilised crash-map for the assessment of Personal Injury Collisions (PIC) for a period up to 2021. It should be noted that WCC do not consider crash-map (www.crash-map.co.uk) to be a suitable data source for accident data.

The Highway Authority requests that the most recent five-year PIC data is obtained from WCC, within the entirety of the study area.

Traffic Impacts -No analysis has been undertaken which assesses, quantifies, or analyses the impacts of development traffic on the local road network.

Section 5.5 of the TS states:-

The forecast vehicle trip generation associated with the Proposed Development is not expected to result in a noticeable impact on the operation of the surrounding highway network during a typical weekday AM and PM peak hour and therefore no detailed off-site junction capacity analysis is deemed necessary.

Impact analysis was undertaken as part of the adopted Local Plan examination process and the Wyre Forest Infrastructure Delivery Plan (WFIDP) sets out the infrastructure requirements as part of the evidence base to support the proposals contained in the Wyre Forest Local Plan Review (WFLPR). The WFIDP carries "living document" status and is subject to on-going change

22/1035/FUL

In light of the forecast network conditions, investment will be required to mitigate the residual cumulative impacts of this development and planned growth on the highway network. This will include necessary localised improvements, the development of sustainable transport initiatives and necessary investment to accommodate the full extent of planned growth. All developments are expected to make a proportional contribution to the adopted transport strategy.

It is recommended that the Applicant contacts WCC and WFDC to discuss this and the necessary proportional contribution.

Community Transport -Under the 1985 Transport Act, WCC has a duty to consider the transport needs of elderly and disabled residents. A service must be provided for all elderly and disabled residents where no suitable bus service exists for those unable to access a bus due to disability. WCC analyses this using historic trip need, DfT mileage rates and census data (for population per dwelling, disabled population statistics and age data) based on five years calculated cost. The service provides access to vital services, particularly acute health where it is no longer policy to offer appointments at the nearest facility to the resident's home address. On this basis WCC requests a contribution of £1,247.00 towards community transport for this site.

Parking - The Applicant is requested to produce a parking accumulation analysis to demonstrate the adequacy of the parking provided on-site

Travel Planning -WCC has published guidance on how it expects Travel Plans to be prepared. This guidance is freely available from the County Council's Travel Plans Officer. As part of this process, the Applicant must register for Modeshift STARS (www.modeshiftstars.org) and ensure that their targets have been uploaded, so that progress on the implementation of the Travel Plan can be monitored. The Applicant must meet green level accreditation before occupation and bronze level within 12 months of occupation WCC can assist applicants with this process if required.

Conclusion -The Highway Authority has undertaken a robust assessment of the planning application and recommends Deferral due to insufficient information

2.3 North Worcestershire Water Management Officer – No objection subject to conditions and an informative.

I have now been able to assess the additional information submitted in response to my original consultation response (8 Feb 2023), which consists of:

- SuDs Statement Technical Note prepared by CWA dated 27.02.2023
- Surface Water Network Calculations dated 07.03.2023
- Greenfield Run Off Estimation from UK SuDS dated 25.02.2023

The submitted SuDs Statement Technical Note has now detailed that runoff from the site will be limited to 2l/s up to the 1 in 100 year plus 40% climate change event and calculations have been submitted that demonstrate that this 2l/s equals the appropriate greenfield runoff rate and therefore compliance with the non statutory technical standards for SuDS (Defra, 2015) has now been demonstrated.

I also note that the technical note details that subject to further investigation to be carried out at detailed design stage to verify the stability of the existing slope bank, a swale is proposed to convey the flow to the watercourse in lieu of piped outfall solution previously shown on the submitted Outline Drainage Strategy drawing.

22/1035/FUL

I note that no revised Outline Drainage Strategy Drawing has been submitted. To avoid confusion, I would request that the Outline Drainage Strategy drawing that was submitted with the original application (CWA, Dec 2022, Rev 5) gets updated to reflect the changes now proposed.

Finally, the submitted technical note contains an assessment of the runoff treatment provided, utilising the simple index approach set out in CIRIA's SuDS manual.

I believe that once a revised Outline Drainage Strategy Drawing has been submitted, there would be no reason to withhold approval of this application subject to a detailed drainage condition.

2.4 Severn Trent Water – No objections subject to the inclusion of the following conditions and an informative.

- The development hereby permitted should not commence until drainage plans for the disposal of foul and surface water flows have been submitted to and approved by the Local Planning Authority, and
- The scheme shall be implemented in accordance with the approved details before the development is first brought into use. This is to ensure that the development is provided with a satisfactory means of drainage as well as to prevent or to avoid exacerbating any flooding issues and to minimise the risk of pollution.

Please note, we would insist soakaways and other SUD techniques are investigated before considering a discharge to the public surface water sewer with restricted rates

2.5 Arboricultural Officer – No objection

None of the trees within the application site are covered by a Tree Preservation Order and on an individual basis, none are worthy of one. However, the group of native trees along the stream do offer amenity and wildlife value. I'm therefore disappointed to see that most of these trees are projected to be removed and replaced with a wildflower meadow. From my perspective this is not acceptable, so would like this area replaced with native tree species.

I'm satisfied with the replacement trees at the frontage of the site as this will improve the amenity of the streetscene. However, I can't quite make out which trees are to be planted where, as their label aren't visible.

If the two areas highlighted above can be rectified I'm happy to support the application.

2.6 Worcestershire Regulatory Services (Noise) - No objections subject to conditions. The submitted noise report (CLK-BWB-ZZ-ZZ-RP-YA-0005_NIA_S2_P06 Jan 2023) identifies that noise from Comberton Road requires attenuation to comply with internal noise levels from BS8233 along with acoustic ventilation. Subject to the installation of glazing and ventilation to the specifications stated in 5.6 and Figure 1 the proposals are acceptable. The report identifies that the residents' communal amenity area proposed at the front of the property exceeds the external recommended levels but there are quieter areas available if required. Specific plant noise is not currently identified but design criteria is proposed to avoid significant impact on residential accommodation. Details of plant to achieve the levels detailed in 4.15-19 should be submitted to and approved by the local planning authority before installation and operation.

22/1035/FUL

A Construction and Environment Management Plan detailing measures to control noise and dust along with hours of working should be submitted to and approved by the local planning authority. Guidance is available at [Microsoft Word - contractor guidance 2nd edition \(edited\) v.2.0 \(worcsregservices.gov.uk\)](https://www.worcsregservices.gov.uk/microsoft-word-contractor-guidance-2nd-edition-edited-v20)

2.7 WCC Archaeologist – No objection subject to conditions

The application is supported by a detailed desk-based assessment (DBA), which has assessed the potential of the site to contain significant archaeological remains as moderate and recommends that archaeological investigation and recording would mitigate any harm. I concur with the assessment that the potential is moderate, and a programme of archaeological work is needed.

The DBA was compiled prior to the results being published of the adjacent large-scale evaluation to the east (Oxford Archaeology 2022). This evaluation uncovered a small 13th/14th century moated site around 300m to the east of this proposed development. The moat platform was located on the edge of the shallow Hoo Brook valley and preservation appeared good. Outside of this valley the wider landscape has very limited evidence of settlement prior to the post-medieval. Evidence of Lord Foley's irrigation system and the former lean to Heathy Mill were also found to be well-preserved, although regular clearing of these water-courses resulted in low palaeo-environmental potential. This evaluation supports the conclusions of the DBA that there is moderate potential along the course of the brook for both palaeo-environmental remains of any date and evidence of earlier settlement of medieval and later date.

The post-medieval and modern development of the site indicates that archaeological remains, if present, would likely survive with good preservation. The presence of the brook indicates the potential for well-preserved water-logged remains to survive. The development of the care home, associated landscaping, attenuation, access, drainage and other works have the potential to damage or destroy archaeological deposits. This includes, as noted in the DBA, de-watering and damaging of deposits not directly impacted by groundworks.

Consequently, the application site is judged to have the potential to impact heritage assets of archaeological interest that would be significantly altered or lost through the development should they survive. On this basis, should you be minded to grant planning permission for this scheme it is recommended that a programme of archaeological works should be secured and implemented by means of suitably worded conditions attached to any grant of planning permission. This would consist of an evaluation by trial trenching in the first instance and geoarchaeological assessment. This might be followed by further mitigation should significant archaeology be uncovered. It is recommended that the applicant undertakes the archaeological evaluation at the earliest opportunity to allow for mitigation works if these are required. Any geotechnical works should also be monitored archaeologically as this will support the geoarchaeological assessment of the site.

The County and the District has a responsibility to protect, either by preservation or record, cultural remains within its jurisdiction, and this is emphasised by the National Planning Policy Framework section 16, paragraph 205; "Local planning authorities

22/1035/FUL

should require developers to record and advance understanding of the significance of any heritage assets to be lost (wholly or in part) in a manner proportionate to their importance and the impact, and to make this evidence (and any archive generated) publicly accessible. However, the ability to record evidence of our past should not be a factor in deciding whether such loss should be permitted."

2.8 Conservation Officer – Objects to the proposal.

The application site is covered by site allocation Policy SP.KEE2. That policy notes that 'a carefully designed low density development set back from the road behind substantial landscaping would help to improve the setting of the neighbouring locally listed buildings at Heathy Mill and Comberton Lodge'.

The original policy allocation for a small number of houses on the site reflected that the existing wooded nature of the site boundaries would be sufficient to mitigate the impact of a low-rise housing development.

Due to its form and massing the proposed building would, if constructed, be the largest building by far within a 1 km radius of the site (which includes two schools). Such a structure appears to be a much more urban form, three storeys in height with a pitched roof further adding to the massing and being a high-density development of a 72 bed care home.

I cannot agree with the conclusions of the Heritage Statement that the settings of the undesignated heritage assets will be 'preserved' by the development. Despite there being a degree of existing tree screening, this is all that separates the development visually from these assets.

The Mill is currently the largest structure in the vicinity, yet it will be dwarfed by the proposed care home and will lose its 'undeveloped' setting to the east. (Whilst technically the application site has been 'previously developed' there is a huge difference between the low-key structures of a relatively small plant nursery and the three storey urban structure proposed). The proposed structure would be better-suited to a brownfield site in an urban area of Kidderminster or Stourport but at the edge of the town (despite large housing developments already in place and more proposed) this scale of building is an alien feature within the wider landscape.

Whilst the proposed development causes no physical harm to the undesignated heritage assets, their settings will be heavily compromised. The new building will loom over Comberton Lodge and will present a large block elevation towards the mill. The landscape visual impact assessment outlines the scale of the site in its views. The reliance on tree screening to mitigate impacts is tenuous, being subject to the vagaries of both the weather and disease: a storm could fell many of the existing trees, exposing this very large building on all sides. The scale of the building will require very mature trees for effective screening, which would take many years to grow.

22/1035/FUL

I consider the setting of the undesignated heritage assets will be compromised unacceptably by the form and massing of the proposed development, reducing their local significance, in particular the mill which will lose its local landmark status by its proximity to a much larger modern building. I consider that the development does not meet the requirements of WFDC Policies SP21, DM 23 or SP.KEE2.

2.9 Countryside and Technical Services Manager – No objection subject to the submission of further information and the addition of conditions to any approval.

The Hoo brook is immediately adjacent to the site. As well as biodiversity that is immediately associated with this stretch of the river the Hoo brook is an important wildlife corridor. The preservation and enhancement of this needs to be discussed in the ecological information provided.

Protected species – Amphibian I feel have been adequately addressed and with the addition of a condition to have an Ecological Clerk of works present to oversee site clearance then no further action will be needed.

Reptile - looking at the pictures there is significant habitat on site to support reptile and the site is ecologically connected in a way where I feel there is a larger than normal chance that reptile will be using the site in some capacity. No reptile work has been undertaken and we do not have sufficient information to determine the extent and nature of the use of the site by reptile. I feel we need to get more information about this prior to approval so that appropriate levels of mitigation can be built in.

Bats - we have had sufficient information to determine the significance of the site for bats. We will need to condition the implementation of the lighting plan and that there is a post installation inspection of the lighting report that is submitted to the LPA confirming that light levels on the Hoo brook do not exceed the referred to 0.2 Lux. We will also need to condition that the LPA approves prior to being implemented the location and nature of the bat box mitigation provision that is going to be provided

Badger - we are missing a bit of information relating to the surveying of this species. We could do with this being submitted (unless it has just not made it to the portal?)

Otter - there is a high probability that otter is using the site in some capacity as some sign was detected as part of a survey. The animals may be using the site to commute but severance of this commuting route could cause harm. From the submitted site photos it appears that otter could easily be using the site in a more residential fashion away from the riverside as Otter are not restricted to just the water ways.

We will need to have some additional survey effort and a robust RAMS prior to any works taking place

Birds - I am happy that this is sufficient subject to a condition re nesting birds.

River lampreys - this species is present in the Hoo Brook Just downstream. River lamprey are Listed on Annex III of the Bern Convention and Annex II of the European Commission Habitats Directive (3). Potential impact on this species needs consideration. I am particularly concerned that unless precautions are in place to

22/1035/FUL

protect this species the outflow of water into the Hoo brook has potential to cause harm. We need further information on this prior to consent.

Biodiversity Net Gain (BNG) - we have a report that gives us some comfort that BNG can be achieved on site but we are lacking a little information to be wholly happy. I would like to see the metric analysis as we are missing the analysis of the trading rules.

The BNG could possibly be impacted upon by some of the above species mitigation and therefore we will need to see the revised BNG report once the above work has been completed.

Once the BNG report has been approved we will need to condition the production of a Biodiversity Environment Management Plan that looks at the delivery management and financial sustainability of the BNG requirement over 30 years.

The BEMP will need to set out monitoring points, describe the ecological targets the BNG needs to meet at each of these monitoring points and how this will be reported to the LPA.

2.10 WCC Landscape Advisor – No objection subject to conditions

The site is contained within a well-established structure of mature landscaping and is directly adjacent to and part of the important Hoo Brook green infrastructure corridor. Protection and enhancement of landscape features is therefore paramount to ensure no net loss of vegetation and a demonstrable biodiversity net gain through enhanced habitat creation. The outline landscape scheme appears satisfactory in terms of its scope and overall aims. I support the removal of conifers and replacement with native standards along the A448 boundary. This stretch of the road is very wooded in character, and therefore, while I acknowledge the applicant will aim to promote a view of the scheme from the road, I recommend that you ensure a sufficient density of tree planting and underplanting with shrubs is secured to maintain the wooded character once it reaches maturity.

The proposed removal of trees along the western boundary adjacent to the brook is disappointing, given the important function of this asset - as noted above. I assume this is necessary to accommodate the scheme, however, I recommend that you seek clarification from the applicant that if all other options have been screened out then it should be demonstrated that wholly exceptional circumstances necessitate the removal of mature vegetation.

Should you be minded to grant the application permission then I recommend the applicant prepares a detailed landscape scheme and management plan to ensure net gain is maximised and successful establishment supported by sustainable management of new and existing soft landscaping is secured. To this end, I recommend that a Landscape and Ecological Management Plan (LEMP) is secured by a suitably worded condition.

22/1035/FUL

2.11 Environment Agency – No objections subject to conditions.

Flood Risk: The site is bordered by the Hoo Brook (an ordinary watercourse), and is located within Flood Zones 1, 2 and 3 on the Flood Map for Planning (Rivers and Sea), as defined in Table 1 of the Planning Practice Guidance (PPG), which is based on a national, generalised flood mapping technique called JFLOW as no model is present for this stretch of the Hoo Brook, but is best available data.

We have reviewed the Flood Risk Assessment (Document Number: CLK-BWB-ZZ-XX-RP-YE-0002_FRA) submitted as part of the planning application.

Vulnerability Classification: The flood risk vulnerability classification of the proposed development is 'More Vulnerable' which is appropriate for development in Flood Zones 1 and 2 as highlighted in Table 2 of the Planning Practice Guidance. The guidance also states that the proposed development in Flood Zone 3a would require and Exception Test.

Sequential Test: The NPPF details the requirement for a risk-based ST in determining planning applications. See paragraphs 161-162 of the NPPF and paragraphs 027-029 within the Flood Risk and Coastal Change Section of the NPPG.

The NPPF requires decision-makers to steer new development to areas at the lowest probability of flooding by applying a ST. It states that 'Development should not be allocated or permitted if there are reasonably available sites appropriate for the proposed development in areas with a lower probability of flooding'

Further detail is provided in the NPPG; 'Only where there are no reasonably available sites in Flood Zones 1 or 2 should the suitability of sites in Flood Zone 3 be considered, taking into account the flood risk vulnerability of land uses and applying the Exception Test (ET) if required.

I note a sequential approach has been taken, with built development being moved to the areas of lower flood risk on site.

Exception Test: If, following application of above, it is not possible, consistent with wider sustainability objectives, for the development to be located in zones with a lower probability of flooding, for development within Flood Zone 3, the Exception Test should be applied. See paragraphs 031-032 and 035-037 within the Flood Risk and Coastal Change Section of the NPPG.

We would recommend that you be satisfied on part 1 of the ET i.e. it must be demonstrated that the development provides "wider sustainability benefits to the community that outweigh flood risk"

In relation to matters within our remit, Part 2 of the ET states that "a site-specific flood risk assessment must demonstrate that the development will be "safe for its lifetime taking account of the vulnerability of its users without increasing risk elsewhere, and, where possible, will reduce flood risk overall".

You should be satisfied sequentially with development in this location and that the above considerations would make it an acceptable location for a more vulnerable development in an area of high flood risk. Providing you are satisfied we can provide the following comments on the FRA.

Flood Risk Assessment: The Flood Risk Assessment (FRA) undertaken by BWB Consulting Limited dated December 2022 (Ref 220254_FRA), has taken appropriate steps to request information from the Environment Agency regarding flood risk at the site, including any historical flooding. The Environment Agency has no detailed modelled information or historical flooding records for the site. Therefore, the FRA has used a previously prepared hydraulic model of the Hoo Brook for a nearby site, which was used to indicate fluvial flood risk in the absence of Environment Agency data.

Flood levels from the previous hydraulic model have been projected onto a site-

22/1035/FUL

specific topographical survey to provide further details on the potential flood extent for a variety of return periods, including 1 in 100 year + climate change (in accordance with scenario 1 in our climate change guidance).

Climate Change Allowances: The anticipated lifespan of the development is 60 years. Therefore, in accordance with the Environment Agency Climate Change Allowances, the FRA has used the 2080's Central allowance for the Severn Middle Management catchment, with a climate change allowance of 30% to identify the minimum development levels.

Finished Floor Levels: The FRA confirms that the Design Flood Level (DFL), which is defined as the 1 in 100 year plus 30% climate change level is 38.51mAOD. Finished floor levels should therefore be set a minimum of 600mm above the 1 in 100 year level + climate change. As a result, the finished floor level is set at 39.11m AOD.

Flood Storage Compensation: The FRA demonstrates that the proposed building, the car parking and the access to the site will all be outside the areas believed to be at risk of flooding from the Hoo Brook. The FRA confirms the proposed built development and topographical levels changes will be located outside the 1 in 100-year + 30% design event floodplain extent to avoid displacing flood water. It can therefore be concluded that the development will be safe, and the development will not result in a loss of floodplain storage and will not alter flood flows.

We consider that the FRA has adopted a conservative approach. To ensure there is a negligible flood risk, the proposed implementation of the mitigation strategies as detailed in the FRA must be applied.

Safe Access: Paragraph 047 of the NPPG advises on how a development might be made safe from flood risk. Paragraph 044 provides detail on access and egress. The need for safe access and egress is the jurisdiction of the LPA but it is noted that safe access from a fluvial perspective is available from the site on to Comberton Road. Given our role and responsibilities we would not make comment on the safety of the access, or object on this basis. This does not mean we consider that the access is safe, or the proposals acceptable in this regard.

We recommend you consult with your Emergency Planners and the Emergency Services to determine whether they consider this to be safe in accordance with the guiding principles of the National Planning Practice Guidance (NPPG).

Furthermore, access and egress by vehicular means is also a matter for your Emergency Planners and the Emergency Services.

Neighbour/Site Notice Representations

2.12 A total of 52 representations have been received: 48 objections, 1 neutral comment and 3 representations in support. The reasons for objection are summarised as follows:

- Road access will be on a very blind area of the road for both directions.
- Entrance into the site is off a relatively fast-moving road in to /out of what appears to be a tight turning. 50 mph speed limit making accessing and exiting the site extremely dangerous.
- The 205 traffic movements will add to the congestion of the already very busy A448. Much more traffic of staff, visitors, doctors, nurses, ambulances, constant deliveries and representatives is an accident waiting to happen and will cause major tailbacks in both directions.

22/1035/FUL

- The length of the driveway before entering the carpark appears to be insufficient to allow cars to wait if there are others undertaking parking manoeuvres.
- It will require a large amount of car parking facilities.
- Very limited public transport - reduced bus service and lack of bus stops in the vicinity - only 1 bus every couple of hours.
- Traffic calming measures needed in order for everyone's safety, needs a proper traffic survey done on all the roads affected by this proposal.
- The development is too big – size and height of the care home, out of keeping with properties near to this proposal.
- Too close to other intended housing estates and development plans.
- The local plan has this site which was taken out of Green Belt allocated for 9 houses only and that is all that should be built there.
- The Mill is currently the largest structure in the vicinity (which includes two schools), yet it will be dwarfed by the proposed care home and will lose its 'undeveloped' setting.
- The setting of the undesignated heritage assets will be compromised - It is too close to the neighbouring locally listed buildings at Heathy Mill and Comberton Lodge - Worcestershire County Council Archive and Archaeology study uncovered a small 13th/14th century moated site around 300m to the east of this proposed development.
- Impact on the local wildlife - habitats using the water pools and brooks, birds nesting. The site is near to the Spennells Valley Nature reserve, an area which has a number of rare species of birds and this reserve needs to be protected.
- Light and noise pollution, increased damage to already poor Air Quality
- The development does not meet the requirements of WFDC Policies SP.21, DM.23 or SP.KEE2.
- More strain will be put on local hospitals and medical facilities.
- Lack of green, open space if this and Woven Oaks goes ahead – save our green belt - loss of valuable green space.
- Area is a flood zone.
- Unconvinced that sufficient trees bordering the main Bromsgrove Road are to be retained to screen effectively. There will not be a sound or light buffer in front of the entrance as the row of conifer trees on the original. plans are to be removed – if a thick border of trees are to be re-planted, it will take many years until they will have any affect.
- Taking into account the building's footprint and parking allows very little space for landscaping.
- There are 20 nursing homes or care homes in the Kidderminster vicinity - only 680 metres away from Herons Park Nursing Home.
- Doctors, hospitals, leisure facilities and jobs are not sufficient now
- Environmental risk.
- With deliveries, the arrival and departure of staff and visitors, I will be directly affected by the noise associated with these movements 365 days per year.
- Care Home developments of this size are now out of favour, following UK Covid experience in large care homes, and should be avoided. Providing a care home facility of this size is not required to meet Local Plan targets.
- Unacceptable adverse effect on sewerage and water drainage system.
- High density building in a high risk flood area.

22/1035/FUL

- Loss of our amenity, with development removing access to open spaces.
- Loss of our privacy, with care home directly overlooking our property.

3.0 Site Location and Description

- 3.1 The site is a previously developed site within the West Midlands Green Belt. It is bound to the south-east by Comberton Lodge and to the north-west by Heathy Mills Farm which are both locally listed and are non-designated heritage assets with further residential development to the west of the site on the opposite side of Comberton Road known as the Spennells estate. To the rear of the site, north, is the Hoo Brook and the site falls partly within Flood Zones 2 and 3 and immediately to the East of the site lies the Hoo and Barnett Brook which is a designated Local Wildlife site.
- 3.2 The site was operated as a plant nursery from approximately the 1980's and has most recently been operated as a landscaping business with some polytunnels and hardstanding remains left in situ on the site.
- 3.3 The site fronts onto the A448 Comberton Road which is a single carriageway road with a 50mph speed limit. The site benefits from an existing vehicular access along this frontage.
- 3.4 The site is allocated for housing with an indicative capacity of 9 dwellings under site allocation policy SP.KEE2.
- 3.5 The proposed care home would consist of 72 bedrooms, each with en-suite, associated communal facilities, ancillary operations and staff facilities. The agent states within their submitted planning statement that central to the applicant's philosophy is ensuring that their clients receive the optimum care in an environment which is the best in which they have ever lived. The quality of the fitting out, the landscaping and the common areas will be comparable to that offered by a 4-star hotel and will create a peaceful environment where clients will enjoy staying and their visitors can feel relaxed and well catered for. They are committed to provision of the best-in-class accommodation, and it is considered that the design of the proposals will be market leading in Wyre Forest and surrounding area.
- 3.6 The agent has stated that the development will create up to 70 full-time equivalent jobs, as well as associated construction and supply chain jobs, and will provide training and apprenticeships for staff.
- 3.7 The application has been submitted with illustrative site, elevation and floor plans to show how the development would be provided and would appear on the site. In addition, an Ecological Assessment, Biodiversity Net Gain Assessment, SUDS Assessment, utilities Assessment, Noise Impact Assessment, Air Quality Assessment, AIA Assessment, Energy Statement, Daylight, Sunlight and Overshadowing Assessment, lighting impact Assessment, Landscape and Visual Appraisal, Statement of Community Involvement, Older Persons Accommodation Needs Assessment, Planning Statement, Drainage Strategy, Tree plan, Arboricultural Report, Arboricultural Survey, Travel Plan, Landscape Arrangement plan, Preliminary Intrusive Ground Investigation Assessment, Phase 1 Geo-Environmental Assessment, Design and Access Statement, Heritage Impact Assessment and a Desk Based Archaeological Assessment have all been submitted in support of the application.

22/1035/FUL

4.0 Officer Comments

- 4.1 The development is for the erection of a purpose-built 72-bedroom care home on a 0.79 hectare site to the south-eastern edge of Kidderminster. It would be set over 3 floors to a maximum ridge height of 14.39 metres with a total footprint of 1309 square metres.
- 4.2 The proposed care home would utilise the existing entrance on the A448 Comberton Road but this would be upgraded to provide a T-junction arrangement. It is proposed to provide 26 car parking spaces including 2 no. disabled parking spaces together with a cycle shelter.
- 4.3 The application site is an area of previously developed land within the open countryside Green Belt. The main considerations therefore are whether the proposal constitutes inappropriate development within the Green Belt, and if it does, whether the scheme benefits from very special circumstances that would outweigh the identified harm with respect to its openness and its permanence. This is in addition to the usual material planning considerations, paying particular regard to whether the site is suitable for residential development in terms of land use and location and whether the proposed access is acceptable.

GREEN BELT CONSIDERATIONS

- 4.4 Policy DM.22 of the Wyre Forest Local Plan advises that development will not be permitted in the Green Belt, except in very special circumstances. Relevant to previously development land, part (e) states that support may be given to proposals that "...involve the limited infilling or redevelopment of an identified Previously Developed Site in the Green Belt, in accordance with the site-specific policies contained in Policy SA.PDL."

Policy SA.PDL discusses Proposals for Previously Developed Sites in the Green Belt and states that in order to protect the openness of the Green Belt, windfall development proposals should:

- i. Contribute to the achievement of the objectives for the use of land in the Green Belt
- ii. Not exceed the height of the existing buildings and other structures and trees
- iii. Not give rise to off-site infrastructure problems

ASSESSMENT OF HARM WITHIN THE GREEN BELT

- 4.5 Turning to national planning policy, Paragraph 137 of the Framework emphasises that great importance should be given to Green Belts. The fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open; the essential characteristics of Green Belts are their openness and their permanence.

22/1035/FUL

Paragraph 138 of the Framework highlights that the Green Belt serves five purposes, these are:

- a) to check the unrestricted sprawl of large built-up areas;
- b) to prevent neighbouring towns merging into one another;
- c) to assist in safeguarding the countryside from encroachment;
- d) to preserve the setting and special character of historic towns; and
- e) to assist in urban regeneration, by encouraging the recycling of derelict and other urban land.

4.6 The character of the surrounding area comprises undulating open green countryside to the north and to the east of the site. Further to the north, east and south of the site past the end of the Spennells development there are dwellings that are dispersed from one another by open fields. To the west, is the Heathy Mill Farm and beyond this the former Stourminster School site which has recently gained consent for a housing development.

4.7 The site lies within the 'Stone Sandstone Estatelands' landscape type as set out in the Worcester Landscape Character Assessment. This landscape type is described as "an area of gently rolling topography of soft sandstone with some alluvium, with consequently free draining, sandy soils together with some wetland soils. The land use is pastoral with tree cover represented by an ordered pattern of large plantations, together with belts of trees and parklands. The settlement pattern is one of small villages or hamlets, associated with a low level of dispersal and a sub-regular pattern of fields, derived mainly from arable origins'.

4.8 The Worcestershire County Council Landscape Advisor has commented that the site is contained within a well-established structure of mature landscaping and is directly adjacent to and part of the important Hoo Brook green infrastructure corridor. Protection and enhancement of landscape features is therefore paramount to ensure no net loss of vegetation and a demonstrable biodiversity net gain through enhanced habitat creation. The outline landscape scheme is considered to be satisfactory in terms of its scope and overall aims, and support is offered to the removal of conifers and replacement with native standards along the A448 boundary. However, as this stretch of the road is densely wooded in character, a robust level of tree planting and underplanting with shrubs would need to be secured in order to ensure that the character of the roadside verge is maintained.

4.9 It is pertinent to note that the Landscape Advisor has described the proposed removal of trees along the western boundary adjacent to the brook as disappointing, given the important function of this asset, with clarification required from the applicant that there are wholly exceptional circumstances necessitate the removal of mature vegetation.

4.10 Having carefully considered the submitted Landscape and Visual Impact Assessment including the Landscape Strategy for the proposed development and the comments that have been raised by the WCC Landscape Advisor, officers are of the view that the proposed development would result in a substantial built form, being three storeys in height and with an extensive footprint, and when considering the development as a whole, including the proposed parking area, this would result in significant harm to the

22/1035/FUL

openness of the Green Belt. While the addition of a robust landscaping scheme would go some way to helping to soften the development this should not be used as a means of shielding the scheme within the Green Belt and it is not considered that this would be sufficient to overcome the harm as set out within this officer report.

- 4.11 Crucially, the proposed care home at a height of three storeys would appear conspicuous within the landscape as the tallest structure in the locality, with the nearest buildings to the site being Heathy Mill and Comberton Lodge, both locally listed two storey buildings. Heathy Mill in particular would be dwarfed by the development and as a scheme of significant scale and massing would affect the visual impression of development falling away into the open countryside to the East. This, coupled with the removal of trees to the front adjacent to the Comberton Road would open up the site and lead to a feeling of urbanisation within the open countryside.
- 4.12 While it is acknowledged that this is a previously developed site, officers are of the view that the proposed erection of a three-storey residential care home, together with car parking, would result in harm to the openness and the permanence of the Green Belt. It would also represent encroachment into the countryside.

CONSIDERATION OF VERY SPECIAL CIRCUMSTANCES

- 4.13 Where harm is identified within the Green Belt amounting from a new development, consideration must be given to whether there are any very special circumstances that would outweigh this harm. Critically, it must be demonstrated that it is essential for the development to be sited within the Green Belt and that there is no reasonable alternative.
- 4.14 In discussing the very special circumstances for the scheme, the planning agent has stated that the impact of the proposals on the openness of the Green Belt is relative to existing buildings and structures on site, that the site is already allocated for the construction of 9No. detached dwellings, and the character and nature of the site and its surrounding context. They have also set out that there is an identified need and support for the provision of housing for older people (Use Class C2) as set out within Policy SP.13 to be provided on sites allocated for housing.
- 4.15 The submitted planning statement has highlighted a number of other material considerations including economic, environmental and social benefits of the scheme that the agent considers of relevance, and these are summarised below:

Economic - the NPPF paragraph 8(a) includes an 'economic objective' as the first overarching objective of the planning system, stating that "to help build a strong, responsive and competitive economy, by ensuring that sufficient land of the right types is available in the right places and at the right time to support growth, innovation and improved productivity.

-the construction phase of the development will generate direct employment opportunities, 74 full time equivalent jobs (FTE) based on a build cost of £8.63 million over a construction period of 80 weeks with 82 FTE jobs within the supply chain and as 'spin off jobs' from workers spending time in local business and services.

22/1035/FUL

- The additional gross value added (GVA) through economic activity related to the construction phase of the development is estimated at £11.6m over the building period.
- In terms of economic benefits generated through the operation of the care home it is estimated that this would result in 72 FTE jobs with 32 FTE indirect jobs generated through the supply chain
- Added economic activity equating to £2.1 million GVA per annum
- Additional council tax revenues of £4025 per annum
- The potential to release 48 existing homes to other buyers as a result of older persons moving into the care home
- Estimated NHS savings of £252,000 per annum

Social – The NPPF paragraph 8 (b) is clear that planning should “support strong, vibrant and healthy communities by ensuring that a sufficient number and range of homes can be provided to meet, the needs of present and future generations”

- Central to sustainability is ensuring a sufficient number and range of care homes are available to meet the needs of different groups of people. The Elderly Care Needs Assessment has demonstrated a clear local need within Wyre Forest, and the Comberton area itself, for elderly accommodation.
- The proposed care home will contribute towards providing more choice in the local housing market for older people and ensuring that the ‘right’ sort of accommodation is available which may be more appropriate for their needs.
- It is vital that more modern care homes which meet the requirements of the elderly in terms of space are specifically design to be more adaptable for social distancing and hygiene following the Covid-10 pandemic. The benefits of specialist housing from a well being perspective were considered at an appeal at Little Sparrows, Sonning Common in South Oxfordshire (APP/Q3115/W/20/3265861, June 2021) which related to a care village.
- The provision of new purpose built C2 accommodation has an indirect impact on the community freeing up existing housing stock and helping young people and families finding new home and appeal decisions have given significant weight in the planning balance.

Environment - in pursuing sustainable development, Paragraph 8(c) of the NPPF prescribes the environmental objectives of the planning system as follows, “to protect and enhance our natural, built and historic environment; including making effective use of land, improving biodiversity, using natural resources prudently, minimising waste

22/1035/FUL

and pollution and mitigating and adapting to climate change, including moving to a low carbon economy

- As part of the submission the applicant has undertaken a range of technical assessment which have considered the environmental effects of the development and have concluded that the development would not result in unacceptable harm subject to appropriate mitigation.
- The proposed development includes extensive landscaping which would result in an overall increase of 0.88 habitat units resulting in a net gain of 33.2% and the planting of 0.37kn of linear features within the final landscaping design will result in a gain of 16.86% for hedgerows.
- Other environmental benefits of the proposed development are:
 - i. Making the most effecting and efficient use of previously developed land in accordance with section 11 of the NPPF
 - ii. The stainable location on the edge of Kidderminster to minimise car use. Public transport connections and other services within easy walking distance of the site.
 - iii. The use of sustainable design i.e. good levels of thermal insulation and passive ventilation and cooling where appropriate.
 - iv. Environmentally friendly orientation and layout of the proposed development enable passive solar gain and availability of natural light.
 - v. Use of sustainably resourced materials wherever possible
 - vi. Energy statement proposes to reduce the energy consumption of the proposed development by approx. 38% via energy efficient measures and renewable energy technology which exceed Wyre Forest District Council's requirement of 10%.

4.16 Policy SP.KEE2 of the Wyre Forest Local Plan relates to this site, which is known as Comberton Lodge Nursery. It states that the site is allocated for residential development which should meet the following requirements:

- i. Access to the development must be taken from the A448 and not from the larger site to the rear
- ii. The adjacent Comberton Lodge and Heathy Mill Farm complex are both on the local heritage list and their settings should be protected from development

22/1035/FUL

- iii. The rear part of the site falls within the flood zone associated with the brook (approximately 0.24ha) and should be left undeveloped and managed as a green corridor
 - iv. Mature trees along the watercourse and the road frontage form part of a wooded east-west corridor across the wider landscape and should be retained
 - v. An ecologically functional buffer zone should be retained around the woodland and brook with development kept to the central part of the site
 - vi. Bat and otter surveys will be required to inform the site design, layout and lighting
 - vii. The Hoo Brook corridor must be protected from lighting, surface water run-off and other pollutants likely to arise from any development
 - viii. A detailed site-specific flood risk assessment will be required to inform the developable area and ensure a safe and sustainable development. Opportunities to help improve flood storage and flood flow conveyance, linked to blue infrastructure enhancements, should be implemented wherever possible.
- 4.17 The Reasoned Justification of the policy describes the site as a small former plant nursery consisting of a number of rundown polytunnels and a large area of hardstanding. It encourages a carefully designed, low density development set back from the road behind substantial landscaping which would assist in improving the settings of the Heathy Mill and Comberton Lodge as locally listed buildings. The Hoo Brook forms the northern and western boundaries to the site and its flood zone affects part of the site.
- 4.18 Additionally relevant in the consideration of this application is Policy SP.13, which sets out that there is a need to provide housing provision for older people and others with special housing requirements. This policy sets out that the Council will continue to work with providers, developers and community-led housing initiatives to meet the additional need over the lifetime of the Plan for dwellings suitable for older people, whether as part of suitably adapted Class C3 dwellings or in Class C2 residential accommodation
- 4.19 Wyre Forest District Council also requires all major housing development proposals to provide evidence that they have fully considered the provision of the following tenure and type within the overall housing mix on site:
- Bungalows
 - Sheltered Housing
 - Extra Care Units
 - Other types of supported housing
- 4.20 These housing types should include housing for sale and rent and include intermediate forms of tenure, having regard to the Housing Need Study, Housing Needs Surveys (where available) and the Housing Register.

22/1035/FUL

- 4.21 The Council seeks the provision of a minimum of 487 Residential Institutional (C2) bedspaces over the Plan Period to be met on sites allocated for housing including for older people.
- 4.22 With regards to the provision of accommodation for older people, National Planning Practice Guidance (NPPG) specifies that Local Plans should consider the size, location and quality of dwellings needed within the area to allow older people to live independently and safely in their own home for as long as possible. The Wyre Forest Housing Need Study September 2018 identified that there is a requirement of 487 C2 units for the plans period. The study recognises that the number of people aged 65 or over is increasing from 24,000 in 2016 to 31,800 by 2036. Wyre Forest District's population has an old age dependency ratio of 38.6%; this is well above Worcestershire – 34.1%, West Midlands – 28.3% and England – 27.2%. A major strategic challenge for the Local Plan is to ensure a range of affordable housing provision, adaptation and support for the ageing population
- 4.23 The site is not part of a major housing development site in the District and therefore the erection of a care home on the Comberton Lodge Nursery site would not comply with Policy SP.13 in principle, which requires that the provision of care homes is provided on specified sites only.
- 4.24 As described, the site has been allocated in the Local Plan under policy SP.KEE2 as a residential site for nine dwellings which should be a carefully designed low density development set back from the road behind substantial landscaping. At the time of writing this report no plans have been submitted and assessed by the Local Planning Authority as to whether this number of dwellings is actually achievable on the site. Point iv. of the Policy states that the mature trees along the watercourse and the road frontage form part of a wooded east-west corridor across the wider landscape and should be retained, however the application seeks to remove the trees to the front adjacent to the Comberton Road and also trees adjacent to the brook.
- 4.25 Therefore with respect to the planning balance there are no very special circumstances to allow the development. The fall-back position of the proposed nine dwellings on the site carries little weight as no application for such a development has been submitted and therefore the impact of the permitted residential development on the Green Belt has not been fully assessed and no alternative scheme can be implemented at present. The fall back position therefore carries little weight and any development would result in impact on openness above and beyond the current plant nursery. This, coupled with the removal of the front tree screen, would result in a development which would be highly visible from Comberton Road even with the proposed replacement tree planting.
- 4.26 While it is accepted that there are social, economic and environmental benefits arising from the proposals, when taken cumulatively, it is not considered that these material considerations outweigh the identified harm to the Green Belt in terms of inappropriateness and harm to openness. Furthermore, no evidence has been submitted to show if other sites in the District have been considered and subsequently discounted

22/1035/FUL

DESIGN AND IMPACT ON LOCAL CHARACTER AND HERITAGE IMPACTS

- 4.27 Policies SP.20 and DM.24 of the Adopted Local Plan 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. Policies SP.21 and DM.23 relate to the Historic Environment and set out how all development proposals should protect, conserve and enhance all heritage assets (designated and non-designated) and their setting.
- 4.28 The submitted drawings show that the care home has been designed across three floors of accommodation, with a pitched roof. The wings of the development have been broken down and pulled apart to create smaller blocks with lower linked elements to reduce the overall massing of the building. The planning statement advises that the design has been selected to reflect the architectural style of adjacent properties of Comberton Lodge and Heathy Mills Farm to create a more domestic character to integrate the building into this residential suburban part of Kidderminster and mainly comprise red brick and red clay wall and roof tiles in order to reflect the local vernacular and key architectural cues from Comberton Lodge and Heathy Mills Farm
- 4.29 Due to its form and massing the proposed building would, if constructed, be the largest building within a 1km radius of the site (which includes two schools). Officers are of the view that such a development requires a more built up location to assist in offsetting its overall massing and scale and reducing its impact from wider viewpoints. There is therefore disagreement with the findings of the submitted Heritage Statement that the settings of nearby undesignated heritage assets will be preserved by the development as despite there being a degree of existing tree screening, this is all that separates the development visually from these assets.
- 4.30 It should additionally be re-iterated that while the site is acknowledged as being previously developed there would be a significant visual difference in replacing the low-level structures on site currently with a three storey building as well as a significant increase in activity being generated on site as a 72-bed care home.
- 4.31 It is considered that the settings of both locally listed buildings will be heavily compromised. The new building would have an overbearing impact upon Comberton Lodge with a striking large block elevation towards the mill. Turning to the submitted landscape visual impact assessment (LVIA), the reliance upon tree screening to mitigate impacts from wider viewpoints is particularly concerning, whereby the inclusion of a robust landscaping scheme would take a significant time to establish, and the building would appear more obvious in the winter months when tree canopies are bare.
- 4.32 Officers are therefore of the view that the proposal would lead to substantial harm to the setting of the undesignated heritage assets by virtue of the form and massing of the proposed development and reducing their local significance, in particular the mill which will lose its local landmark status due to its proximity to a much larger modern building. As such, the development does not meet the requirements of Policies SP.20, SP21, DM 23, DM.24 or SP.KEE2.

22/1035/FUL

HIGHWAY SAFETY AND ACCESS

- 4.33 Policy SP27 of the Wyre Forest District Local Plan relates to Transport and Accessibility in Wyre Forest and advises that to manage travel demand, proposals must demonstrate that:
- a. the location and layout of development will minimise the demand for travel;
 - b. they offer viable sustainable transport choices, with a particular focus on active travel modes with attractive and well-designed walking and cycling networks;
 - c. they address road safety issues; and in particular,
 - d. they are consistent with the delivery of the Worcestershire Local Transport Plan objectives.
- 4.34 The existing access is currently via a gated access taken from the A448 Comberton Road which is subject to a 50mph speed limit at the point of access. The access is proposed to be upgraded as part of the current application to a simple priority T-Junction 5m wide with 6m radii. The required visibility splays have been informed by a speed survey recording vehicle speeds along the A448 Comberton Road. The visibility splays shown are in accordance with the 85th percentile speeds provided.
- 4.35 The Applicant has indicated that the existing lighting column will need relocating to achieve access however no information has been submitted to indicate where this is intended to be relocated to.
- 4.36 A Road Safety Audit Stage (RSA) has not been supplied at this stage. A RSA 1 / 2 is required in support of this planning application and therefore without this information the Highway Authority is unable to confirm that safe and suitable access can be provided for all users into the site.
- 4.37 In terms of traffic impacts no analysis has been undertaken which assesses, quantifies, or analyses the impacts of development traffic on the local road network. In light of the forecast network conditions, investment will be required to mitigate the residual cumulative impacts of this development and planned growth on the highway network. This will include necessary localised improvements, the development of sustainable transport initiatives and necessary investment to accommodate the full extent of planned growth. All developments are expected to make a proportional contribution to the adopted transport strategy.
- 4.38 Under the 1985 Transport Act, Worcestershire County Council has a duty to consider the transport needs of elderly and disabled residents. A service must be provided for all elderly and disabled residents where no suitable bus service exists for those unable to access a bus due to disability. On this basis Worcestershire County Council requests a contribution of £1,247.00 towards community transport for this site.
- 4.39 In terms of travel planning Worcestershire County Council has published guidance on how it expects Travel Plans to be prepared. The Applicant must meet green level accreditation before occupation and bronze level within 12 months of occupation.
- 4.40 The Highway Authority has undertaken a robust assessment of the planning application and recommends Deferral due to insufficient information. Officers agree with the conclusions of the Highway Authority, that insufficient information has been

22/1035/FUL

submitted at the present time to confirm that safe and suitable access can be provided for all users and therefore the application fails to comply with Policy SP.27.

BODIVERSTY AND TREES

- 4.41 Paragraphs 174 and 180 of the Framework requires due regard to be had to wildlife habitats and biodiversity. These requirements are echoed in Policy SP.23 of the Wyre Forest District Local Plan including delivering a net gain in biodiversity.
- 4.42 In terms of trees, the Councils Arboricultural Officer has commented that more planting along the stream should be considered and a plan submitted to show the location and timings of the planted.
- 4.43 An Ecological assessment and a Biodiversity Net Gain assessment have been submitted and subject to the submission of further information in terms of reptiles, badgers, otters and river Lampreys, external lighting and a biodiversity net gain metric, it is considered suitably worded conditions on any subsequent approval notice would ensure mitigation on site that the proposed development can achieve a net gain in biodiversity in accordance with Policy SP.23 of the Wyre Forest District Local Plan and environmental objectives relating to sustainable development within the Framework.

FLOOD RISK AND DRAINAGE

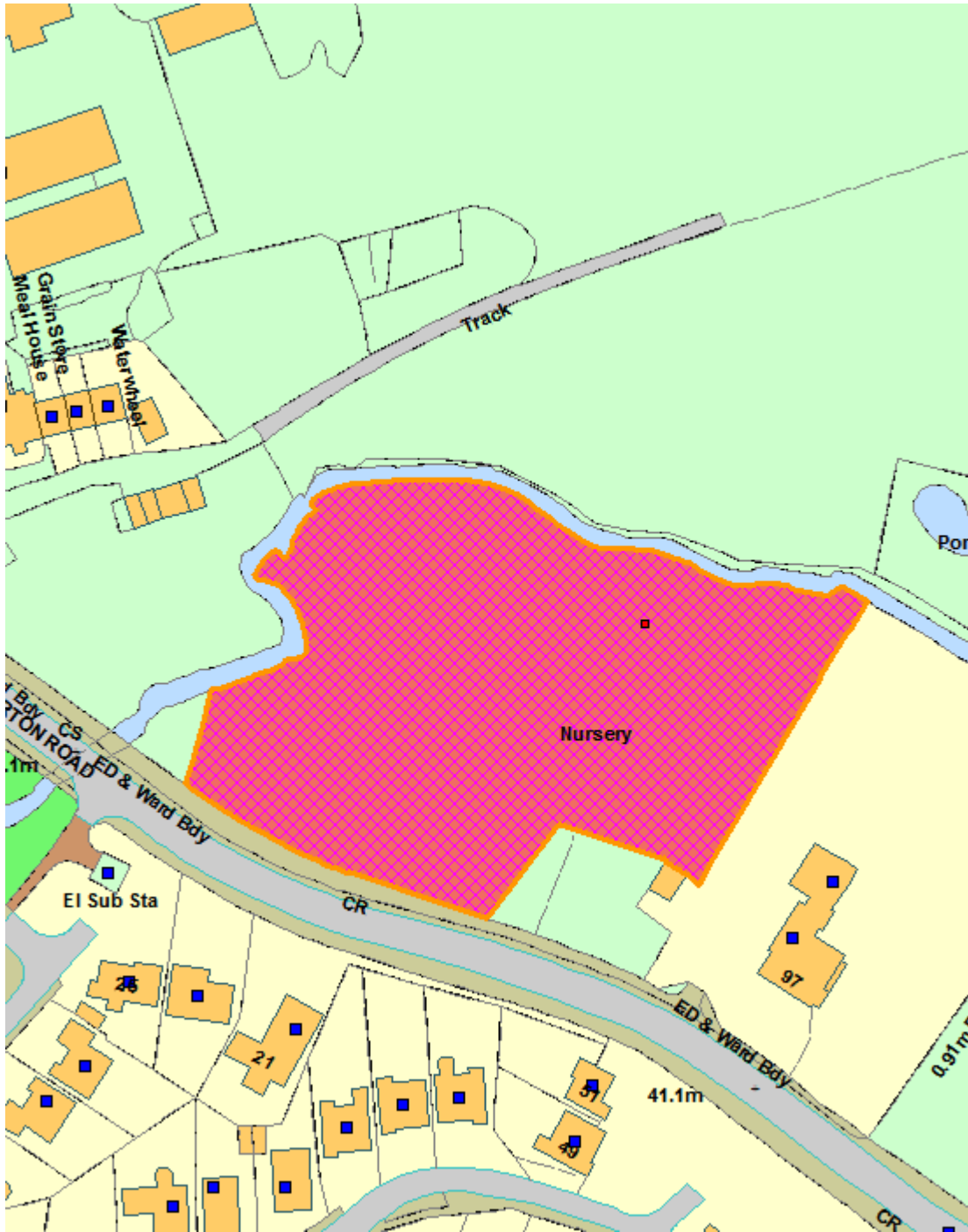
- 4.44 The Environment agency and Severn Trent have offered no objections to the proposal subject to the inclusion of conditions. North Worcestershire Water Management have requested that a revised outline Drainage Strategy Drawing should be submitted and once this has been submitted there would be no reason to withhold approval of this application subject to a detailed drainage condition.
- 4.45 Officers therefore consider that the proposed development would accord with Policy SP.31 and SP.32 of the Adopted Local Plan and Paragraph 167 of the Framework

5.0 Conclusions and Recommendations

- 5.1 The proposed scheme as a 72-bedroom care home would represent inappropriate development in the Green Belt and would be harmful to its openness, which is an essential characteristic of Green Belts. The development would also constitute unnecessary encroachment into the open countryside. Although the scheme would provide some social, economic and environmental benefits, it is considered that these, when weighed in the planning balance, would not outweigh the substantial harm to the Green Belt. Furthermore, the development would lead to substantial harm to the setting of two undesignated heritage assets by virtue of the form and massing of the proposed development and would reduce their local significance, paying particular regard to the mill which would lose its local landmark status due to its proximity to a much larger modern building. In addition, insufficient information has been submitted to show that a suitable and safe access for all users can be provided.
- 5.2 It is therefore recommended that the application be **REFUSED** on the following grounds:

22/1035/FUL

1. The proposed development would constitute inappropriate development in the Green Belt, resulting in harm to openness through encroachment into the countryside and failure to assist in urban regeneration by encouraging development on derelict and other urban land first before greenfield sites. Whilst there are other material considerations that would provide social, economic and environmental benefits, it is considered that these benefits would not outweigh the substantial harm to the Green Belt and do not amount to very special circumstances. The proposed development is therefore contrary to Policy DM.22 of the Wyre Forest District Local Plan and Paragraphs 137, 138, 141, and 149 of the National Planning Policy Framework, which seek to protect the openness and characteristics of the Green Belt from substantial harm as a result of inappropriate development.
2. Insufficient information has been submitted to ascertain whether the development would provide safe and suitable access for all users and therefore the application fails to comply with Policy SP.27 of the Wyre Forest District Local Plan and the National Planning Policy Framework
3. The setting of the undesignated heritage assets will be compromised unacceptably by the form and massing of the proposed development, reducing their significance, in particular the mill which will lose its local landmark status by its proximity to a much larger modern building and as such the development does not meet the requirements of Policies SP.20, SP21, DM 23, DM.24 or SP.KEE2 of the Wyre Forest District Local Plan and the National Planning Policy Framework



Economic Prosperity and Place Directorate

Comberton Lodge Nursery Comberton Road Kidderminster Worcestershire DY10 4AA

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PART A

Application Reference:	23/0107/FUL	Date Received:	15.02.2023
Ord Sheet:	387600 270584	Expiry Date:	17.05.2023
Case Officer	Richard Jennings	Ward:	Wyre Forest Rural

Proposal: The demolition of some existing buildings and the change of use of land for the storage of agricultural machinery, use of retained agricultural buildings for storage and retention of commercial buildings for offices, with associated new access, drainage and hard and soft landscaping including planting, fencing and gates.

Site Address: Land At, Callimore Farm, Droitwich Road, Rushock, Droitwich Spa, Worcestershire, ,
Applicant: C/O Agent

Summary of Policy	<p>SP.1, SP.2 SP.6, DM.10, DM.11, SP.37, SP.29, SP.32 SP.27, DM.9, CP10, SP.19, SP.20, SP.22, SP.23, SP.2 DM.9, DM.10, SP.17, SP.27, SP.27, SP.31, SP.32, DM.22, SP.23, SP.24, SP.20, DM.26 of the Wyre Forest District Local Plan 2022 Design Guidance SPD WCC Landscape Character Assessment National Planning Policy Framework Planning Practice Guidance</p>
Recommendation	Delegated Approval
Reason for Referral to Committee	<p>‘Major’ Planning Application. Parish Council objects to the Application. Deferral for a committee site visit.</p>

1.0 Planning History

- 1.1 20/0856/FUL – Change of use land for the storage of agricultural machinery, use of agricultural buildings for storage and retention of commercial buildings for offices. Refused 9.09.2021. Subsequent appeal dismissed on 20.10.2022.
- 1.2 07/0646/FULL - Change of use of redundant building to business offices and commercial storage – Approved
- 1.3 WF/04/1276 - Change of use of redundant potato shed to commercial storage - Approved

23/0107/FUL

2.0 Consultations and Representations

2.1 Rushock Parish Council - As previously concluded by Wyre Forest District Council planners and the Planning Inspector there are no valid exceptional circumstances to justify this site being taken out of the Green Belt. This is an inappropriate development which will result in a loss of Green Belt land which is not designated for employment use in the current local plan. Even though the current application is for a smaller area than the previous, refused, application it would still represent a significant encroachment of development into the countryside and would harm the character and appearance of the local area. This is contrary to the aims of Policy SP.22 of the Local Plan which requires that new development must protect and enhance the unique character and appearance of the area. There is great concern that approval of change of use for this site will set a precedent for further erosion of the Green Belt and industrialisation of the local area. The contents of the open storage area in this current application will have an extremely detrimental visual impact on the site, the local area and the Green Belt as it will be on what is currently good quality agricultural land at the front of the proposed development and will be visible from a wide area.

New Access

The proposed new entrance is very close to other junctions with the A442 and will have limited visibility for large, slow-moving vehicles exiting and entering. Visibility along the A442 from Well Lane is poor and so it is rarely used by local residents. The new entrance and increased vehicle movements will only add to the problem.

If, despite the above, Wyre Forest District Council are minded to approve the application we would ask for the following two conditions to be imposed:

1) The site must be solely used for agricultural machinery sales. The recent sale catalogue (7th March 2023) listed 49 items, only 24 of which were agricultural machinery. Other items included articulated-lorry tractor units, very large tri-axle fridge trailers and pick-up truck bodies all of which would have a negative visual impact on the views of the site from local properties and lanes.

2) No vehicles can be stored on any land outside of the area designated on the planning application, even temporarily, as this will increase the visual impact of the site and cause damage to agricultural land graded as good quality by the Planning Inspector.

2.2 Highway Authority – Approval subject to conditions

2.3 Worcestershire Regulatory Services (Noise) – Recommend approval subject to conditions.

2.4 Worcestershire Regulatory Services (Contaminated Land) – No objection subject to conditions.

2.5 WFDC Arboricultural Officer – No objection, proposed landscaping is acceptable.

2.6 North Worcestershire Water Management – No objection.

23/0107/FUL

- 2.7 Countryside and Technical Services Manager – No objection on ecological grounds, the proposal is policy compliant. Sufficient Biodiversity Net Gain proposed which will be secured by way of conditions to secure 10% Biodiversity Net Gain and long-term management.
- 2.8 WCC Landscape Advisor – Having reviewed this scheme in context with details of the previously refused applications, it clearly presents both a substantially reduced impact to landscape character in addition to enhancements towards habitat and landscape betterment. The introduction of the hard standing area adjacent to the retained buildings and laying of the new access trackway will represent an encroachment into previously agricultural land and, in this case, green belt. The reduction in scope of built development and shift towards open storage is, however, welcomed as this allow the scheme to integrate more effectively with the setting of Rushock Trading Estate. It's not clear to me what the predicted level of visual impact resulting from the open stored materials may be, however, I believe the applicant has developed a satisfactory landscaping scheme that, in addition to delivering enhancements appropriate to the baseline Landscape Character Type, will largely mitigate what in practice will amount to a limited area of encroachment. The site and it's setting benefit from a relatively flat and low-lying topography, albeit this does facilitate a measure of openness to the surrounding landscape; with the exception of views from the north. Ensuring successful establishment and management of the proposed landscaping scheme will therefore be important to guarantee that visual mitigation measures, as set out in the LVA, are delivered and sustainably managed. I note the applicant has submitted a concept landscape plan and landscape specification as part of the LVA. I recommend that, should you be minded to grant permission, the proposed landscape scheme, it's delivery, aftercare and monitoring should be set out in a Landscape and Ecological Management Plan. This should also include further details of species selection, detailed specification and specific measures for aftercare set out in a timetable. The LEMP should be secured by condition and I offer the following wording for your consideration.
- 2.9 Neighbour/Site Notice – 2 objections received from nearby residents. The grounds for objection are as follows:
- Conflict with local plan
 - Out of keeping with character of area
 - Affect local ecology
 - Inadequate access
 - Increase in traffic
 - Increase of pollution
 - Loss of light
 - Noise nuisance
 - Out of keeping with character of area
 - Over development
 - Traffic or Highways

23/0107/FUL

3.0 Site Location and Description

- 3.1 The site consists of numerous existing buildings and vast areas of existing hard-standing. The proposal seeks consent to utilise both this existing Previously Developed Land (PDL) as well incorporating of a small parcel of agricultural land to facilitate the proposed commercial use involving the storage of salvaged agricultural vehicles and machinery and ancillary office accommodation.
- 3.2 The proposal follows a previous refusal and dismissed appeal, and represents an attempt by the applicant following careful consideration of the views of the Parish, Members, Officers and the Planning Inspectorate, to overcome the previous reasons for refusal and conclusions of the appeal.
- 3.3 The business currently operates from Harvington Manor where the business operations are restricted by the lawful operating area and its very close proximity to neighbouring residents. Previous attempts to develop the business at this location have been unsuccessful, hence the proposal to move the business in its entirety to this application site, known as Callimore Farm.
- 3.4 The proposal seeks consent for the use of the site as a storage facility for agricultural machinery and equipment which is deemed beyond financially viable repair by the National Farmers Union (NFU). The applicant holds the contract with the NFU to operate this function on behalf of the insurance company.
- 3.5 The development includes the removal and replacement of some existing agricultural buildings on site, re-use of other buildings in existence on site and utilisation of the existing hardstanding areas for the proposed storage use along with a slight expansion of this hardstanding area to ensure adequate area exists for the proposed use to operate adequately without further expansion and to ensure that the heights of external storage are limited.
- 3.6 The company employs 20 members of staff at the site, the majority who are local to the site. The applicant also confirms that local expenditure within the Wyre Forest District have been in the region of £1.4 Million per annum, the breakdown of these figures was previously provided for Officers.
- 3.7 Proposed operating and delivery hours for the site would be restricted to Monday to Friday 8AM - 6PM and Saturday 8AM- 12PM, with no working on Sundays or Bank Holidays.
- 3.8 The site makes provision for visiting vehicles and a loading and unloading area for HGV's delivering and collecting equipment. This includes a clear turning area incorporated.
- 3.9 A Transport statement, Landscape and Visual Impact Assessment including a further addendum, Planning and Design and Access Statement and an Ecological Report have been submitted in support of the application.

23/0107/FUL

4.0 Officer Comments

COMMITTEE UPDATE

- 4.1 Members will recall this application being presented to the June 2023 meeting of the Planning Committee. The committee's decision was one of deferral to enable a committee site visit to take place. At the time of writing, the site visit is scheduled to take place in 7 days' time, on the 11th July 2023.
- 4.2 Three key issues were highlighted by Members of the Planning Committee and the Parish Council representative, which your Officers consider require further consideration/clarification, and therefore these points have been considered individually to assist Members.
- 4.3 Firstly, Members were keen to ensure that the restrictive condition in terms of the storage type was fully 'water tight' and left no room for ambiguity, which is currently the situation at the existing site ('Harvington Manor') due to a lack of a strong and enforceable planning conditions. Your Officers have given the draft wording of this condition very careful consideration and can confirm that the following condition wording gives both the required future protection from the potential for storage of non-agricultural machinery, whilst still complying with the six condition tests as outlined within the National *Planning* Policy Framework (NPPF).

The proposed condition would read as follows (condition 17):

"All external storage shall be strictly limited to the storage of plant and machinery for the purposes of agriculture as defined by s336(1) of the Town & Country Planning Act 1990, and the site shall at no time be used for the external storage of any non-agricultural items including all vans, lorries, caravans and cars."

- 4.4 Secondly, Rushock Parish Council made reference to confusion over the references made to the Previously Developed Land (PDL) status of the site by Officers, when agriculture is clearly excluded from the definition of PDL as defined within the NPPF. This is correct when considering sites which only benefit from a lawful agricultural use; however, this site does not benefit solely from a lawful agricultural use, and in fact has a complex planning history in terms of alternative uses. Your Officers have carefully reassessed this particular point, and have conducted a detailed investigation into the sites planning history with the assistance of the applicant. Two key approved applications stand out which in my professional opinion cement the sites PDL status. Thus, being 07/0646/FULL (Change of use of redundant building to business offices and commercial storage and WF/04/1276 (Change of use of redundant potato shed to commercial storage), both of which were approved on the basis that they provided economic growth in the form of farm diversification of redundant agricultural buildings to commercial uses and enterprises. Your Officers therefore consider that the majority of the site does benefit from PDL status, with a small element of agricultural land incorporated.
- 4.5 Finally, as discussed at the last committee meeting, the applicant has progressed with his offer to enter into a Unilateral Undertaking (UU) to cease trading from the current Harvington Manor site, and has instructed his legal representatives to provide a draft UU to be agreed with the Councils Planning Solicitor. An initial confirmation letter

23/0107/FUL

confirming agreement and proposing the content of the UU has been received by officers. The report therefore seeks delegated approval subject to the completion of a satisfactory UU, to include acceptable timeframes for the complete cessation of trading of Adam Hewitt Ltd at Harvington Manor.

BACKGROUND TO THE PROPOSAL.

4.6 Planning consent was previously sought on this site in 2020 for the change of use of agricultural land for the storage of agricultural machinery, use of agricultural buildings for storage and retention of commercial buildings for offices. The refusal notice was challenged at appeal ref: APP/R1845/W/21/3284779 and the appeal was dismissed on the 20th October 2022.

4.7 The Planning Inspector in determining this appeal made the following key points which are material in the consideration of this current scheme:-

- * The site positively contributes to the Principal Timbered Farmlands landscape type, being typical of the local field pattern and comprising of an existing farmstead (Para 9)
- * The site is sensitive to change, being prominent in part along the A442 and public rights of way (PRoW) (Para 10)
- * While part of the site would be viewed against the backdrop of the Rushock Trading Estate, the scheme would extend deeper into the countryside and closer to the PRoW, leading to harm (Para 12)
- * The new access and road from the A442 would involve the removal of a section of a hedgerow and would result in commercial traffic being directed through open fields, having an urbanising impact (Para 13)
- * The compound, when considered in combination with the new access and service road, would reduce the spatial and visual openness of the Green Belt (Para 19)
- * In the absence of information to demonstrate otherwise, the quality of the land as Grade 2-3 agricultural land is worthy of protection (Para 24)
- * The development would not have an unacceptable effect upon the living conditions of neighbours in terms of noise, disturbance or outlook (Para 28)
- * Considerable weight should be given to the protection of existing and creation of new employment opportunities and the support the existing business offers to the local economy and other associations (Para 34)
- * There would be some visual and biodiversity enhancements arising from the proposed landscaping, however its primary purpose to screen the development and suppress noise would take time to establish (Para 36)
- * The proposal would utilise a redundant part of the farm and support diversification, as well as enable some farming activity on the wider holding (Para 37)

4.8 The planning history of a site is a material consideration. Given that this previous scheme similarly related to commercial development, and the appeal outcome is recent, it is prudent to assess whether this new scheme has overcome the reasons for dismissing APP/R1845/W/21/3284779 as well as any other material planning consideration that may carry weight in the considerations of this current application.

23/0107/FUL

POLICY CONTEXT

- 4.9 The National Planning Policy Framework (the Framework) sets out three objectives to achieving sustainable development: economic, social and environmental. It advises that planning decisions should play an active role in guiding development towards sustainable development, but in doing so should take local circumstances into account, to reflect the character, needs and opportunities of each area.
- 4.10 At the heart of the Framework is a presumption in favour of sustainable development, which for the purposes of decision making means “approving development proposals that accord with an up to date development plan without delay” (paragraph 11).
- 4.11 Paragraph 81 of the Framework states that planning decisions should help create the conditions in which businesses can invest, expand and adapt. Significant weight should be placed on the need to support economic growth and productivity, taking into account both local business needs and wider opportunities for development.
- 4.12 Development within Green Belt is specifically restricted by the Framework. Chapter 13 of the Framework sets out the Government’s guidance with respect to Green Belts. Paragraph 137 states that the essential characteristics of Green Belts are their openness and their permanence. Paragraph 148 advises that when considering any planning application, local planning authorities should ensure that substantial weight is given to any harm to the Green Belt.
- 4.13 The Framework also states that the presumption in favour of sustainable development does not change the statutory status of the development plan as the starting point for decision making (paragraph 12).
- 4.14 The application site is located in the countryside, outside of allocated areas for new employment development (as shown on the Policies Map) and is washed over by West Midlands Green Belt, where policies SP.2 and SP.17, DM.9, DM.10, DM.22 and SA.PDL apply.
- 4.15 The Wyre Forest District Local Plan advises that *‘Proposals for economic development outside of the allocated areas will be assessed on their individual merits’*.
- 4.16 Due to the nature of the proposed business and the size of the machinery kept on site, it is considered that there are no alternative employment sites that could provide the scale of outside storage space that the use requires within the allocated employment areas of the district, and a very concise appraisal of the local market has been undertaken by the applicant to verify this.
- 4.17 Previously developed land is defined within the National Planning Policy Framework. Whilst the definition includes land which is or was occupied by a permanent structure and includes land within its curtilage, land occupied by agricultural buildings is excluded from the definition. Taking account of the history of the site, and the lawful nature of existing buildings, it is considered that the developed area where the use is now proposed is considered in the round as being previously developed land.

23/0107/FUL

- 4.18 Policy DM.22 (*Green Belt*) permits development (amongst others) on previously developed land providing they are in accordance with site specific policies contained in Part B of the Adopted Site Allocations and Policies Local Plan.
- 4.19 Policy SA.PDL of the Local Plan refers to Previously Developed Sites in the Green Belt and states that in order to protect the openness of the Green Belt, windfall development proposals should:
- i. Contribute to the achievement of the objectives for the use of land in Green Belts.
 - ii. Not exceed the height of the existing buildings and other structures and trees.
 - iii. Not give rise to off-site infrastructure problems.

Design and landscaping of development should seek to minimise the impact on the Green Belt through:

- a) Using sensitive materials and colours.
- b) Providing extensive landscaping and tree planting to screen boundaries, where appropriate.

For other previously developed sites in the Green Belt, applications for development will be considered against this policy framework and the rest of the policies in the plan'.

- 4.20 The aforementioned policies strongly reflect the Government's Guidance within the Framework.

WHETHER THE PROPOSED SCHEME WOULD BE APPROPRIATE DEVELOPMENT IN THE GREEN BELT AND WHETHER IT WOULD RESULT IN OFF-SITE INFRASTRUCTURE PROBLEMS

- 4.21 In applying the assessment on openness as advised within national and local Green Belt policies, the buildings used as part the business are existing and the physical change to the site is that of an increase in the number of vehicles and machinery stored externally. The height of storage is not proposed to exceed that of existing buildings on site, structures and proposed tree screening and a condition is recommended to secure the maximum storage height of machinery and vehicles to single vehicle height only, which is far lower than the existing buildings on site.
- 4.22 The proposed planting and overall reduction in the scale of the external storage area by comparison to the previous application is considered to result in a proposal which does not lead to a significant adverse impact on the openness of the Green Belt.
- 4.23 In terms of infrastructure, the Highways Authority have raised no objection to the road infrastructure and highway safety including the access to the site. The Transport Statement in support of the application highlights no technical issues over access or parking. These conclusions have been verified and accepted by the Highway Authority who raise no objection subject to a conditional approval.

23/0107/FUL

- 4.24 As the majority of the company's business is dealt with by way of online auction it is unlikely that the flow of traffic to and from the site would be excessive and would involve intermittent deliveries and collections of no greater impact than that would be experienced by the use of the site as a large-scale farming enterprise.
- 4.25 The Transport Statement states that the traffic generation from the development is low. There is ample parking and manoeuvring area within the site, and the access to the site will benefit from good visibility. The number of vehicles movements and the times of deliveries can be fully controlled by conditions. The existing site access shall be closed off prior to the first use of the newly proposed access arrangements. Your Officers concur with the views of the Highway Authority and consider that the development would not result in any highway safety issues. No objection has been raised by the North Worcestershire Water Management Officer in respect of flooding and surface water runoff issues.
- 4.26 Your Officers consider that the proposed development would involve the partial redevelopment of a previously developed site, and although some harm to the openness of the Green Belt would occur from an increase in activity, in terms of the intensity of the on site storage, this will be minimal as the proposed additional storage area is now greatly reduced and more sensitively located in terms of its surroundings and will be concealed by the nature of the site with and large scale proposed planting, landscaping and screening to ensure that the use has very little increase in harm to Openness above and beyond that experienced by its lawful use.
- 4.27 A planning condition restricting the storage height of machinery and vehicles to single vehicle height has been recommended to safeguard the visual amenity of the wider landscape character. This condition would also prevent vehicle stacking occurring on site. A further condition has been recommended to require the boundary of the proposed developable area to be defined by a post and rail fence and hedgerow planting to prevent uncontrolled expansion of the outdoor storage area and encroachment into the remaining agricultural fields.
- 4.28 Subject to these safeguarding conditions, the principle of use is considered acceptable, subject to further considerations on the impact on residential amenity and landscape character.

IMPACT ON RESIDENTIAL AMENITY

- 4.29 There are residential properties within the vicinity of the site, however, separation distances are considerable, with no objection raised by Worcestershire Regulatory Services in terms of the potential for noise and disturbance, subject to conditions to restrict working hours.
- 4.30 Your Officers concur with the views of the Worcestershire Regulatory Services and consider that the proposed scheme would not result in any adverse impact on residential amenity in terms of loss of outlook, privacy and noise nuisance, due to the extensive landscaping, adequate separation distances and conditional restrictions on working hours. As such there are no grounds on which to justify a refusal of the proposals impact on residential amenity.

23/0107/FUL

IMPACT ON THE LANDSCAPE CHARACTER

- 4.31 Paragraph 174 of the Framework advises that planning decisions should contribute to and enhance the natural and local environment by recognising the intrinsic character and beauty of the countryside.
- 4.32 In terms of the visual impact, as previously mentioned above, the proposed site is well screened with the main visible elements in the form of structures already on site. The proposed planting scheme further assists in screening the site from both near and medium range views. The submitted plans show that sufficient space would be provided for soft landscaping to ensure the site is well screened on all sides. The WCC Landscape Advisor has commented that the proposal represents a vast improvement on the previous submission with very little harm now resulting in terms of short, medium and long-range views of the site.
- 4.33 The impact of the revised scheme on openness and visual amenity is therefore diminished, and I therefore consider that the impact on the green belt in terms of openness and visual amenity from the perspective of short, medium and long-range views of the development site are no longer a justified reason for refusal and will be satisfactorily dealt with by way of planning condition. There would therefore be no grounds on which to substantiate an appeal against a refusal of planning permission on landscape or character grounds.

CONTAMINATION

- 4.34 Worcestershire Regulatory Services have no objection to the use. The site will require the benefit of an Environment Agency Permit for the processing and storage of waste materials. All vehicles which are damaged beyond repair and have the potential to continue to leak further contaminants will be placed on a specially formed concrete slab which drains to a collection sump. Worcestershire Regulatory Services request the imposition of a condition requiring the reporting of any unexpected historical contamination found during the construction phase.
- 4.35 Your Officers consider that contamination is not a justified reason for refusal, and will be dealt with by way of planning condition and future Environment Agency permits in an effective manner. There would be no grounds on which to substantiate an appeal against a refusal of planning permission.

PLANNING BALANCE

- 4.36 The applicant has made significant changes to this application and submitted additional supporting information to address the concerns raised by officers, local residents, the Parish Council, members of the Planning Committee and the Planning Inspectorate following the previously refused scheme and dismissed appeal, the changes include:
- Additional soft landscaping around the site boundaries, which included the relocation of the proposed boundary fence further into the site.
 - Reduction in the commercial area of the site and the relocation of the external storage area to the least visually sensitive area of the site in terms of neighbours and visual amenity of the Green Belt.

23/0107/FUL

- Amendments to access arrangements.

- 4.37 The adopted Local Plan does make provision for proposals for economic development outside of the allocated employment areas to be assessed on their merits'. Subject to appropriate mitigation, no harm has been identified on residential amenity and the landscape character.
- 4.38 The business currently employs 20 staff on site many of whom reside in the local area and contributes around £1,400,000 to the local and wider economy. By the very nature of the business and the area required for it to operate, it is very unlikely that the use could operate from a 'sustainable Location' on an allocated site, and lends itself to this type of redundant farm setting by its very nature, especially if storage is restricted in accordance with the Parish Council comments to agricultural machinery only.
- 4.39 Approval of this application would see the continuation of what is clearly a thriving, successful business and local employer, in what are difficult times, and the retention and security of the aforementioned jobs and economic benefits.
- 4.40 The proposed mitigation measures, restrictions and controls of the lands use by conditions, would overcome the perceived harm to openness of the Green Belt, residential amenity (in terms of disturbance) and it is considered that the economic and social benefits associated with the development outweigh what is now minimal harm caused by the unsustainable location of the site in terms of local and national planning policy which in the main seeks to ensure all jobs are accessible to all. The business model is highly unique and I agree that it does not fit in with these generic requirements.

5.0 Conclusions and Recommendations

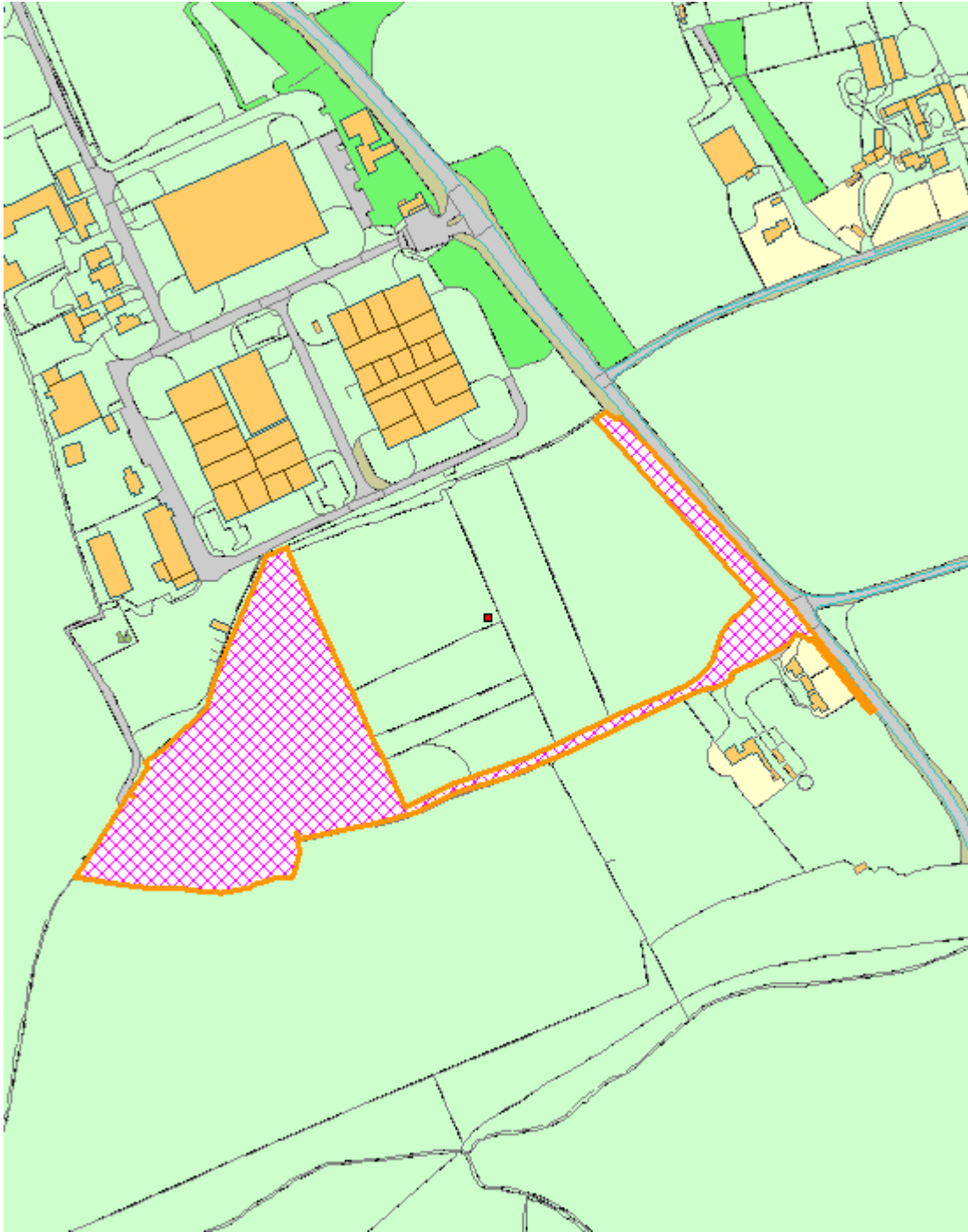
- 5.1 The application has been carefully considered and taken into account the comments received from local representations and consultees and following additional information and significant changes being made to the previously refused proposal, your Officers now consider that the development constitutes an appropriate land use of what is in the main, a previously developed site already. The additional landscaping to improve and strengthen screening ensures there is little harm to openness of the Green Belt. There would be minimal harm to highway safety, residential amenity, landscape character and the surrounding environment with the introduction of suggested mitigation and the reduction in site area above and beyond the previously refused scheme. No objection has been raised by the Highways Authority in relation to highway safety and capacity.
- 5.2 The Parish Councils suggested conditions, in the event of approval are considered wholly reasonable and relevant and are therefore included within the officer recommendation.
- 5.3 Your officers have balanced all issues and have concluded that there are economic, environmental and social benefits associated with the proposed development, which would outweigh any minimal harm which has been identified, and the benefits of the proposal are sufficient reasons to recommend approval of the application, and refusal

23/0107/FUL

of planning permission would be extremely difficult to defend at appeal when considering the arguments made within the report and giving significant weight to the professional opinions of the statutory consultees, none of whom would have any grounds on which to assist the Local Planning Authority in the defence of an appeal. The proposal provides an appropriate, viable use which results in minimal harm in this rural, yet developed site, adjoining existing commercial development, ensuring that successful business is retained whilst promoting and retaining much needed jobs within the Wyre Forest District.

5.4 It is therefore recommended **DELEGATED APPROVAL** subject to;

- a. The signing of the UU; and
- b. The following conditions:
 1. Development in accordance with approved Plans
 2. Standard Time Limit (3 years)
 3. Maximum storage height of machinery and vehicles restricted to single vehicle height only.
 4. Landscaping scheme
 5. Landscape Scheme Implementation
 6. Landscape Environmental Management Plan including Biodiversity Net Gain
 7. Outdoor lighting scheme to be submitted and approved in writing
 8. Visibility splays implemented in accordance with submitted details.
 9. Access, layout and turning implemented in accordance with details.
 10. Existing vehicular access on the A442 to be permanently closed.
 11. Implementation of passing bays.
 12. Submission of travel plan.
 13. Electric Vehicle Charging Points
 14. Reporting of unexpected contamination.
 15. The site shall be open for working and deliveries Monday to Friday 8AM - 6PM and Saturday 8AM- 12PM. No working Sundays or Bank Holidays. These hours shall apply during the demolition of the existing structures and site works.
 16. No burning of wastes or materials at any time.
 17. All external storage shall be strictly limited to the storage of plant and machinery for the purposes of agriculture as defined by s336(1) of the Town & Country Planning Act 1990, and the site shall at no time be used for the external storage of any non-agricultural items including all vans, lorries, caravans and cars.
 18. Prior to the first use of the site, a 1 metre high post and rail fence shall be erected, and native hedgerow shall be planted alongside the fencing to clearly define the approved storage area.
 19. Scheme to deliver 10% on-site Biodiversity Net Gain



Economic Prosperity and Place Directorate

Land At Callimore Farm Droitwich Road Rushock Droitwich Spa Worcestershire

Crown Copyright 100018317



PART B

Application Reference: 23/0281/HOU
Ord Sheet: 380468 272618
Case Officer: Emily Timmins

Date Received: 18.05.2023
Expiry Date: 13.07.2023
Ward: Mitton

Proposal: Single storey rear extension, creating a flat roof conservatory/orangery

Site Address: 83 Burlish Close, Stourport On Severn, Worcestershire, DY13 8YE

Applicant: Mrs Karleen Reece

Summary of Policy	SP.20, DM.24, DM.25, DM.26 of the Wyre Forest District Local Plan (2022) National Planning Policy Framework National Planning Practice Guidance Design Guidance SPD
Recommendation	APPROVAL
Reason for Referral to Committee	The applicant is related to a serving WFDC officer.

1.0 Planning History

1.1 No relevant planning history.

2.0 Site Location and Description

2.1 The application relates to a two storey, link-detached dwelling situated off Burlish Close, a residential location to the northwest of Stourport-on-Severn. The property forms part of a stepped building line, with an attached garage to the side.

2.2 The application seeks planning permission for a single storey rear extension, infilling the area between the kitchen and garage and creating a sunroom. Works have already commenced on site, to the extent that the foundations have been laid and the outside walls have been constructed.

3.0 Consultations and Representations

3.1 Parish Council - Recommend Approval.

3.2 WFDC Arboricultural Officer - No objections to the proposals within this application, as there are no arboricultural features directly impacted.

23/0281/HOU

Neighbour/Site Notice Representations

3.3 No representations received.

4.0 Officer Comments

4.1 The main considerations are whether the proposed development would be acceptable in terms of design, residential amenity and upon trees.

DESIGN

4.2 In terms of design, Policy DM.25 of the Wrye Forest District Local Plan requires residential extensions and alterations to be in scale and keeping with the form, materials, architectural characteristics and detailing of the original building, and to be subservient to the original building, which should retain its visual dominance. Proposals should also harmonise with the existing landscape or townscape and not create incongruous features. The extension has been designed with a flat roof, roof lantern and bifold doors, with a facing brick finish to match the existing dwelling. The extension is to the rear of the house and will have no impact upon the appearance of the property within the street scene. The extension is sympathetic and subservient to the existing dwelling, in accordance with Policy DM.25 of the Wrye Forest District Local Plan.

RESIDENTIAL AMENITY

4.3 Policy DM.25 of the Wrye Forest District Local Plan states that extensions and alterations, whether to residential or non-residential properties should not have a serious adverse effect on the amenity of neighbouring residents or occupiers, and extensions should comply with the 45 degree code. The extension will not have an adverse impact upon the amenity enjoyed by any neighbouring property. The extension complies with the 45 degree code and will not result in overlooking or overshadowing of any neighbouring property, in accordance with Policy DM.25 of the Wrye Forest District Local Plan.

TREES

4.4 Whilst the application site is covered by a Tree Preservation Order, the Council's Arboricultural Officer has reviewed the application and concludes that no arboricultural features are directly impacted. The application therefore complies with Policy DM.26 of the Wrye Forest District Local Plan, as the proposal will not impact upon existing trees, hedges or distinct landscape features.

5.0 Conclusions and Recommendations

5.1 The siting, scale, design and materials of the extension are considered acceptable and will not detract from the appearance of the property or its setting in the street scene. In addition, the extension will not have any serious adverse effect on the residential amenity of neighbouring properties. The proposal therefore complies with Policies SP.20, DM.24, DM.25 and DM.26 of the Wrye Forest District Local Plan.

23/0281/HOU

5.2 It is therefore recommended for **APPROVAL** subject to:

a. the following conditions:

1. Finishing materials to match
2. Development to be carried out in accordance with approved plans

PART B

Application	23/0350/RG3	Date	19.05.2023
Reference:		Received:	
Ord Sheet:	380891 271246	Expiry	14.07.2023
		Date:	
Case Officer	Kate Bailey	Ward:	Areley Kings And Riverside

Proposal: Change of use of ground floor from retail (Use Class E) to a short term accommodation unit (Sui Generis) and associated external alterations

Site Address: 11B Raven Street, Stourport On Severn, Worcestershire, DY13 8UU

Applicant: Wyre Forest District Council

Summary of Policy	SP.5, SP.13, SP.18, SP.20, SP.21, SP.27, SP. 29, P.30, SP.31, SP.37, DM.13, DM.23, DM.24, DM.26 of the Wyre Forest District Local Plan (2022) National Planning Policy Framework National Planning Practice Guidance WCC Streetscape Design Guide
Recommendation	APPROVAL
Reason for Referral to Committee	Application has been submitted by the Council and relates to council-owned land

1.0 Planning History

1.1 WF/671/90 – Change of use of first floor from flat to offices: Approved.

2.0 Site Location and Description

2.1 The site is located within Stourport town centre and comprises the ground floor at 11b Raven Street, a two-storey building currently comprising a vacant retail unit at ground floor with residential flat at first floor (11a Raven Street). The unit comprises a shopfront and traditional signage fascia that fronts onto the public highway.

2.2 The site is located on the western periphery of the Primary Shopping Area of the town centre as defined by the adopted Policies Map and within the designated Stourport Conservation Area (No.1). Immediately adjacent to the application site, Nos. 9 and 10 Raven Street are designated listed buildings (Grade II), whilst opposite lies a locally listed (workshop) building.

2.3 Adjacent uses include a takeaway shop, small workshop and residential properties. The flat on the first floor, above the property is also used as short-term

23/0350/RG3

accommodation by the council, to meet its statutory rehousing duties under the Homelessness Reduction Act 2017.

- 2.4 The planning application is for a change of use from retail (use class E) to sui generis temporary accommodation. Internally, the proposed living accommodation would comprise a combined kitchen/dining/living room, bathroom, storage room and two bedrooms. The proposals would involve the blocking up of the existing shopfront window and removal of the fascia and single storey rear wing and the installation of a new front window and entrance door and a new rear door. The rear yard would be subdivided to create a private outdoor amenity space for the existing occupiers of the first-floor accommodation and the remaining garden would be used as a communal garden for the occupiers of both the ground and first floor accommodation. One of the existing outbuildings would be demolished and the remaining outbuildings would be used for storage including cycle storage. During the course of the planning application, amended plans have been received to omit the portico above the new front entrance door following concerns raised by the Highway Authority and brick slips are now shown above the new window and front entrance door to reflect the existing window and door headers on the building.
- 2.5 Submitted in support of the application is a Planning and Heritage statement and Design and Access statement.

3.0 Consultations and Representations

- 3.1 Stourport on Severn Town Council – Recommend approval.
- 3.2 Worcestershire Regulatory Services (Potential Contaminated land Team) -No objection to the application in relation to contaminated land.
- 3.3 Worcestershire Regulatory Services (Noise Nuisance Team) - No objection to the application in regard to possible nuisance implications.
- 3.4 WCC Highways Authority - No objection subject to removal of the porticos. It is noted that there is no parking associated with this site. However, the site location, near to the centre of Stourport, is highly sustainable, close to town centre facilities, public transport services and public car parking. In addition, there are parking restrictions in place on Raven Street to prevent displacement therefore, the 'parking free' criteria in the Streetscape Design Guide can be met. In addition, cycle parking is indicated to the rear of the site, with access via a covered passage although further details are required to ensure the provision is adequate for 2 cycles. However, the submitted plans also indicate that porticos will be installed above the front doors and whilst these would match those in place on the adjacent building, these structures overhang the highway and should be removed from plan.

[Officer comment – The originally proposed portico has been omitted following concerns raised by the Highways Authority]

23/0350/RG3

3.5 WFDC Principal Planning Policy Officer – No objection. The building is located within the Stourport Town Centre Primary Shopping Area and within the Conservation Area. However, Raven Street is a small side street off Bridge Street which is itself only a secondary shopping frontage. The adjacent buildings to the west are zoned residential. Under policy DM.13 Town Centre Development, residential development at ground floor will be considered in accordance with other policies within the plan and on their individual merits within a secondary shopping frontage such as bridge Street. Therefore, from a retail policy perspective, a residential use at this location would not raise any objections. The upper floors are already in residential use. Although the building falls just inside the Primary Shopping Area (Policy SP.18), and in theory residential at ground floor would not normally be supported, it can be argued in this case that the reuse of the building for residential will not have an adverse impact on the overall viability and vitality of the town centre. Although, located within the Conservation Area, the building itself is of little architectural or historic merit. Minimal alterations are proposed to the external fabric of the building.

3.6 West Mercia Police Design Out Crime Officer – No objection.

The Safer Neighbourhood Officers were contacted in relation to the concern raised from the neighbour, of which they have no major concerns. Effective management is required to ensure that ASB is kept to a minimum. Having consulted with the West Mercia Safer Neighbourhood Officers, as this is a proposed development, there limited data in relation to ASB, therefore I have looked at similar short -term accommodation in the area. Safety and security of the proposed development should be incorporated. Within the National Planning Policy Framework, section 8 'Planning policies and decisions should aim to achieve healthy, inclusive, and safe places which are safe and accessible, so that crime and disorder, and the fear of crime. Do not undermine the quality of life or community cohesion'. Should the development gain approval I request that the following conditions be placed upon the development.

- All residential doors, windows to be dual certified for both security, smoke and fire, the doors should meet security standard PAS24:2022 or equivalent and have the appropriate fire rating.
- Side or entry gates are to be lockable- operable from both sides.
- An appropriate lighting scheme is required.
- An effective management and support plan is required for the short-term accommodation to support residents and provide reassurance to the local community.
- Consideration should be given for the installation of actively managed external CCTV to the front and rear of the premises.

[Officer comment – The management plan is included in the Heritage and Planning statement. The Head of Strategic Growth advised that the measures including appropriate windows, doors, external gate, lighting, Management Plan and CCTV would be provided in accordance with Secured by Design standards and these measures can be conditioned]

3.7 WFDC Housing Manager - No objection. The accommodation will be used to meet the council's emergency and interim accommodation duties under s188 Housing Act 1988 (as amended by the Homelessness Reduction Act 2017) and are households that the council owes a statutory homeless duty. Households are placed in accommodation such as 2 - 3 New Street, Stourport on Severn for a short period of time whilst officers

23/0350/RG3

work with the household to find them a long-term permanent housing solution. In particular, the accommodation could be used to house larger family units that currently have to be accommodated elsewhere at much higher costs. This scheme is essential in helping the Council reduce the continued use of Bed and Breakfast and Hotel style accommodation which provides a diminished quality of offer to homeless households. The long-term poor health, education and employment outcomes of those households accommodated in Bed and Breakfasts are well known. The use of Bed and Breakfasts incurs a reduced subsidy from Central Government, who seek to deter Local Authorities from using this type of accommodation, so switching to this type of accommodation, owned, and managed by the Council, will save a large amount of funding. This is funding that can contribute towards the Council's saving targets or contribute to spending on valuable Council services its taxpayers would want to see offered. The proposed scheme has been well designed, taking on board lessons learned from the Council's accommodation at New Street and other examples of good practise and will enhance the area and will bring a neutral part of the conservation area into beneficial residential use.

The property is close to the town centre which has considerable advantages as it is close to services the residents will use including shops, parks, public transport, GP surgery etc. Information, support and practical assistance will be available to help the residents.

The proposed scheme would provide good quality, well managed accommodation for households in housing need and would make a positive contribution to the supply of temporary accommodation in the district. Furthermore, it will relieve the financial pressures on the Council when demand outstrips supply as the need to use more expensive commercial options which at times are unsuitable such as placing a family in B&B accommodation either in Wyre Forest or elsewhere, will be greatly reduced.

Neighbour/Site Notice Representations

- 3.8 1 objection from a neighbouring resident has been received, and they have expressed concern about having another unit of temporary accommodation because of issues they had with a previous occupier of the flat above, included alleged smoking cannabis outside. The neighbour suggested installing CCTV, as is the case with New Street as a possible solution.

[Officer comment – The Head of Strategic Growth contacted the neighbour who confirmed acceptance of the conversion if it was possible to install CCTV, which was agreed subject to any other consent required and the officer agree to check with the Design Out Crime Officer at West Mercia Police for any other recommendations. This has now been confirmed at 3.6]

4.0 Officer Comments

4.1 The main considerations for this application are as follows:

- Principle of Development, including loss of retail unit in Primary Shopping Area (PSA)
- Design Quality
- Historic Environment

23/0350/RG3

- Standard of amenity for existing and future occupiers
- Highway Safety
- Flood Risk and Drainage
- Biodiversity

PRINCIPLE OF DEVELOPMENT

- 4.2 Policy SP.18 of the Wyre Forest District Local Plan – Town Centre Development
This policy seeks to safeguard and maintain the vitality and viability of the retail centres in the district. It acknowledges that proposals for alternative town centre uses, such as residential, can play an important role in ensuring the viability of centres and will be encouraged if there is no significant adverse impact on the overall vitality and viability of the centre and supports the use of vacant retail use.
- 4.3 The retail unit has been vacant for several months and during this period Michael Johnson & Co (a commercial property consultant) was approached regarding the marketing of the unit for retail use. The agent confirmed that the rest of the street is principally residential dwellings so unlikely to have significant passing trade and therefore the property was likely to be unlettable as a retail unit particularly given the vacant units on the High Street. The consultant therefore recommended conversion to a residential unit.
- 4.4 Policy SP.13 of the Wyre Forest District Local Plan- Housing for Older People and others with special housing requirements
This policy outlines that the Council will continue to work with providers, developers, and community-led housing initiatives to meet the additional need over the lifetime of the Plan for dwellings to meet the needs of families. Specifically, it notes that there are a number of homeless households with dependent children whose needs are unlikely to be met through market housing.
- 4.5 Your Officers consider that due to the site being situated on the periphery of the Primary Shopping Area and on a side street with limited passing trade, it is unlikely that the loss of this one small retail unit to an alternative use would lead to a significant adverse impact on the vitality and viability of the town centre. This unit has been vacant for some time and therefore the reuse of this building for an alternative use that is compatible with the residential properties on this street is considered to be acceptable. Whilst there is some conflict with Policy SP.18, it is considered that this only carries limited weight in the determination of this application. Also, although the proposal would conflict with Policy SP.18 of the Wyre Forest District Local Plan, it would comply with Policy SP.13 and would be a compatible use in terms of the remaining part of the road which is predominantly residential. Your Officers conclude that the loss of the retail unit would be outweighed by the benefits of the scheme in terms of providing much needed temporary accommodation and given the location of the site, is unlikely to significantly diminish the viability and vitality of the town centre. The principle of development is therefore considered to be acceptable subject to the following site-specific considerations.

DESIGN QUALITY

- 4.6 The conversion is sympathetic to the surrounding Grade II listed buildings restoring a more typical residential frontage by removing the shop window and the addition of a front door and window to mirror the layout of windows above and adjacent. The

23/0350/RG3

architect and planning consultant have undertaken pre-application advice with the Planning Manager and incorporated their recommendations in the revised drawings. They have also removed the portico in line with the Highways Officers request. The development therefore accords with Policies SP.20, SP.21, DM.23 and DM.24 of the Wyre Forest District Local Plan which seek well designed developments that would integrate well with their surroundings.

HISTORIC ENVIRONMENT

- 4.7 Raven Street is located within the Stourport on Severn No.1 Conservation Area and adjacent to the site are two grade II listed buildings (9 and 10 Raven Street (List Entry Number: 1292649)) and a locally listed workshop on Raven Street opposite. Your Officers consider that the heritage value of the assets is derived from a series of attributes which would all remain unaffected by the proposed development.
- 4.8 With respect to its setting within the conservation area and its proximity to Grade II Listed buildings and locally listed building, it is considered that the proposals would not cause harm to the significance of these heritage assets.
- 4.9 The proposed elevation will replace a shopfront which was installed in the 1960's with a residential frontage comprising new window and door and has been designed to be sympathetic to the designated and non-designated heritage assets as the style references features on the adjacent Listed building and is considered to be in keeping with the 'polite Georgian style' referenced in the CAA as being the predominant style for original and more modern development in the area.
- 4.10 Part of the proposed works include removing the unsightly temporary storage sheds to the rear of the property to uncover the yard and form an amenity space will form a positive contribution to the Conservation Area given the rear yards on Raven Street are referenced as being important to its character. The development therefore accords with Policies SP.21 and DM.23 of the Wyre Forest District Local Plan and the National Planning Policy Framework.

STANDARD OF AMENITY FOR EXISTING AND FUTURE OCCUPIERS

- 4.11 The conversion will include the removal of the unsightly storage sheds and installation (on the rear wall of the property) of external installation to improve the thermal comfort of both flats. The primary heating source will be from electric high retention storage heaters.
- 4.12 The layout will include access to the rear yard, which is currently inaccessible for both flats, providing outdoor space for gardening, cycle storage and laundry drying facilities.
- 4.13 The internal room sizes and layout of the proposed living accommodation would provide an acceptable living environment for future occupiers and Worcestershire Regulatory Services have offered a no objection to the application. The development therefore accords with Paragraph 130f of the National Planning Policy Framework, which requires a good standard of amenity for future occupiers of new developments.

23/0350/RG3

HIGHWAY SAFETY

- 4.14 The building does not benefit from parking on site but is located less than 50m from a public car park on the corner of Raven Street. In addition, the site is within a highly sustainable town centre location where public transport is easily accessible, therefore removing the need to provide parking spaces and provision for cycle parking is included within the proposals at the rear of the property. No objection was raised by the Highway Authority. The development therefore accords with Policy SP.27 of the Wyre Forest District Local Plan and the National Planning Policy Framework.

FLOOD RISK AND DRAINAGE

- 4.15 The site is within flood zone 1 and not at likely risk of flooding and does not propose any new floorspace as such no further consideration of the impact of the change of use with regard to flood risk is required. It is proposed that the existing drainage connection is utilised to form the new bathroom and kitchen.

BIODIVERSITY

- 4.16 Opportunities for biodiversity are limited in the conversion beyond the opening up of the rear yard creating a small garden space for the benefit of the flats that can include raised beds. The removal of the single storey rear wing and outbuilding are not considered to be suitable for any protected species such as bats and a planning condition is attached to secure bird boxes in order to enhance the ecological value of the site, in accordance with Policy SP.23 of the Wyre Forest District Local Plan and Paragraphs 174 and 180 of the National Planning Policy Framework.

OTHER MATTERS

- 4.17 Issues around the anti-social behaviour of a previous resident were raised by a neighbour. At the time the resident was in occupation the Council officers met with the neighbour and resident and investigated the complaint. They contacted the Police but were unable to substantiate drug use or criminal activity. Discussions with the neighbour more recently has highlighted a possible solution through the installation of CCTV and this will be included in the specification.
- 4.18 The creation of a rear yard/garden for both flats will remove the issue of children playing on the street, which formed part of the previous complaint and a management agreement is included in the Planning and Heritage statement that outlines how the property will be managed. Planning conditions are attached to require compliance of the management agreement and CCTV provision.

5.0 Conclusions and Recommendations

- 5.1 No objections have been received to the application and a solution has been identified to reassure the neighbouring property with regards to any potential for anti-social behaviour.
- 5.2 This proposal will create a much-needed temporary accommodation unit for a family which can be managed alongside the first floor flat and 2-3 New Street, which is in close proximity. In addition, the proposals would bring the ground floor of this building back into viable use and enhance the character and appearance of the Conservation

23/0350/RG3

Area and setting of nearby statutory and non-statutory listed buildings. No objections have been raised by statutory consultees including the Town Council.

5.3 It is therefore recommended for **APPROVAL** subject to;

a. The following Conditions:

1. 3 year time limit to commence development
2. Require details of external materials
3. Require details of cycle storage
4. Require details of security measures including windows, doors, side/entry gate, external lighting and CCTV provision
5. Secure Management Agreement Plan
6. Require details of Bird Boxes
7. List of Approved Plans

Planning Appeal decisions Since 26 November 2022

1.1 At the time of writing, there have been 10 appeal decisions since the 26 November 2022 when the last assessment was undertaken. Six appeals have been dismissed and three have been allowed. One appeal was a split decision where it was partly allowed and partly dismissed (REF: 0029/REF). At the end of April 2022, the Wyre Forest Local Plan was adopted, and it appears that all of these appeals have been determined against the new policies.

1.2 The table below gives details of these decisions in date order with the most recent decision listed first.

Date of decision	Location	Planning reference	Appeal Reference	Proposal	Decision
26/06/2023	Land To The East Of Drakelow Lane Wolverley DY11 5RU	22/0018/ENFORC	APP/R1845/C/22/32 99706	Appeal against Enforcement Notice for using of agricultural land for dog agility and athletics.	Dismissed
12/05/2023	66 Birchfield Road, Kidderminster, Worcestershire , DY11 6PG	23/0004/REF	APP/R1845/D/23/33 15628	2 storey side extension	Dismissed
09/05/2023	Land Off Areley Common Stourport On Severn Worcestershire	22/0025/REF	Appeal A Ref: APP/J1860/W/22/33 09338 Appeal B Ref: APP/R1845/W/22/33 09343	Erection of up to 145 dwellings, public open space, landscaping, sustainable drainage systems, and vehicular access point)	Allowed
16/03/2023	Northwood Farm Northwood Lane Bewdley DY12 1AP	0029/REF	Appeal A ref: APP/R1845/C/22/32 91906 Appeal B ref: APP/R1845/C/22/32 91907 Appeal C ref: APP/R1845/W/21/32 81433	Change of use of land from agricultural to the commercial breeding of dogs and replacement of existing kennels and structures with a single kennel block to include office and store room	Appeals A and B - the enforcement notice is quashed. Appeal C – the appeal is dismissed.
16/03/2023	Land adjoining Hurtle Hill Farm,	0027/ENFORC	APP/R1845/C/21/32 86802	Without planning permission the change of use of	Dismissed

Agenda Item No. 6

Date: 04/07/2023

	Heightington, Worcestershire DY12 2YH			land from agricultural to a mixed-use comprising agriculture and the stationing of a caravan for residential occupation, construction and installation of associated stable building, solar panels and septic tank.	
14/03/2023	Rock Farm, Porchbrook Road, Rock Cross, Kidderminster DY14 9SA	20/0690/FUL	APP/R1845/W/22/32 90130	construction of detached dwelling	Dismissed
12/03/2023	The Beeches, Curslow Lane, Shenstone, Kidderminster DY10 4DX	19/0787/FUL	Appeal A Ref: APP/R1845/C/21/32 87457 Appeal B Ref: APP/R1845/C/21/32 87458 Appeal C Ref: APP/R1845/W/21/32 85175	Change of Use of Land for the creation of 6 Gypsy/Traveller pitches comprising the siting of 6 mobile homes & 6 touring caravans	Dismissed
06/01/2023	16/18 Birmingham Road, Blakedown, Kidderminster DY10 3JE	21/0265/HOU	APP/R1845/W/22/33 04207	Conversion and extension of existing properties to 3no. dwellings, together with construction of 3no. bungalows to rear	Allowed
12/12/2022	Rear of 17-26 Vicar Street, Kidderminster DY10 1DA	21/0009/FUL	APP/R1845/W/22/32 90397	Proposed three storey upward extension above existing loading parking bays to rear of 17-26 Vicar Street to provide 9no. residential units (C3), complete with undercroft for bins, bikes and access	Dismissed
09/12/2022	Land To The Rear 5 Mill	21/1101/HOU	APP/R1845/W/22/33 01288	Erection of 4 detached	Allowed

	Lane Blakedown Kidderminster DY10 3NQ			dwellinghouses with associated parking and amenity	
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Main Issues for allowed appeals.

2.1 Land Off Areley Common Stourport On Severn Worcestershire –

Five main issues were relevant to this appeal:

- 1) whether the proposed development would be in a suitable location having regard to the development plan;
- 2) the extent of the shortfall in MHDC’s 5 year housing land supply;
- 3) the effect of the proposed development on the character and appearance of the area;
- 4) the effect of the proposed development on mineral resources; and
- 5) the effect of the proposed development on the provision of agricultural land

The inspector considered that the adverse impacts of the development in Appeal A carry no more than moderate weight. In comparison, significant weight can be given to some of the benefits and moderate weight to others. The adverse impacts would not significantly and demonstrably outweigh the benefits. Consequently, the presumption in favour of sustainable development would apply in line with NPPF paragraph 11(d). Therefore, despite the conflict with SWDP Policies 2, 13, 21, 25 and 32, there are sufficient material considerations to indicate that planning permission should be granted for Appeal A in this instance.

The adverse impacts of the development in Appeal B include the locational harm and related policy conflict to which were given significant weight. However, there are also significant benefits in terms of the delivery of market and affordable housing within MHDC. The inspector expressed that they also had regard to the outcome of the exercise in NPPF paragraph 11(d) for Appeal A which indicates that planning permission should be granted for that appeal. Therefore, despite the conflict with WFLP Policies SP.1, SP.2, SP.11, SP.22, SP.34 and DM.32, there are sufficient material considerations to indicate that planning permission should be granted for Appeal B in this instance.

Concluding on the planning balance, when looked at individually and taken together, the inspector summarised that there are sufficient grounds to allow both appeals despite the development being contrary to the development plan in both Council areas.

2.2 16/18 Birmingham Road, Blakedown, Kidderminster DY10 3JE

Planning permission was granted subject to a condition requiring submission of a Sales Marketing Plan for the proposed bungalows. This requires that prior to their first disposal, the bungalows should be advertised for sale to persons who meet specified local connection requirements. The Council's intention for this condition was to prioritise the bungalows for the needs of local residents or those with a family or work connection with the parish. The appellant objects to the condition as they consider it is not justified by any relevant planning policy. The inspector found that no specific policy basis for the local connection condition has been provided and in the absence of robust evidence to the contrary, a condition to limit the benefits of this planning permission to individuals with a local connection is not justified and it was found that condition 16 is not reasonable or necessary and the appeal was allowed.

2.3 Land To The Rear 5 Mill Lane Blakedown

The main issues are the effect of the proposed development on: the character and appearance of the area, the living conditions of the neighbouring occupiers, with regard to outlook of 14 and 16 Mill Close – it was identified that the Design (SPD) does not specify a certain density to small scale or minor residential development (1-9 dwellings). Although the proposed development would be an increase in density, it would not appear as overdevelopment or as an obvious or marked increase in density that would be odds with the character and surroundings and therefore the appeal is allowed.

Main Issues for Dismissed Appeals

3.1 Land To The East Of Drakelow Lane Wolverley

Main issues 1. Inappropriate development in the green belt 2. The effect of the proposal on access, turning and highways safety and 3. the living conditions of adjoining residential occupiers 4. whether the harm by reason of inappropriateness, and any other harm, would be clearly outweighed by other considerations so as to amount to the very special circumstances necessary to justify the proposal.

Inspector's concludes that the development conflicts with Policies DM.22 and SP.23 of the LP which, amongst other things, seeks to protect the Green Belt from inappropriate development. Furthermore, it fails to accord with the Framework which aims to keep land within the Green Belt permanently open and prevent encroachment into the countryside.

3.2 66 Birchfield Road, Kidderminster

The main issues are: The effect of the proposal on the character and appearance of the existing dwelling; and: The level of off-street parking and its effect on highway safety.

Inspector's conclusions: Whilst the proposal would make adequate provision for offstreet parking and would not have a harmful effect on highway safety, the harm that would be caused to the character and appearance of the existing dwelling. Therefore the proposal would conflict with the development plan as a whole and the appeal is dismissed.

3.3 Northwood Farm Northwood Lane Bewdley DY12 1AP (Split Decision)

This has three appeals which relate to it as set out in the above table, Appeals A and B relate to an enforcement notice which was quashed and Appeal C relates to application 21/0029/FUL for a new purpose built dog kennels, office and store room. Appeal C was dismissed.

Appeals A and B (Relating to enforcement notice): The breach of planning control as alleged in the notice is without planning permission the erection of buildings for use as dog kennels in connection with a dog breeding business and an office in connection with a dog breeding business and the change of use of part of land from agricultural use to a mixed use as residential use in connection with the dwelling known as Northwood Farm and in connection with the said dog breeding business and the erection of play equipment on that land and the change of use of the land from agricultural land to use in connection with a dog breeding business.

The inspector concluded that 'the descriptions of the alleged breach of planning control is not correct, and the stated requirements do not cogently relate to the alleged breach of planning control specified.' They also mentioned that they do not specify with sufficient clarity the steps required for compliance and they go beyond the legal scope of any enforcement notice. Therefore it is not possible to correct the notice and it was quashed.

Appeal C

The main issues are: (a) whether the proposal is inappropriate development in the Green Belt (b) the effect of the proposal on the living conditions of nearby residential occupiers. (c) the effect of the proposal on the character and appearance of the area; and (d) if the proposal is inappropriate development.

The Inspector concluded that the benefits of the proposal does not outweigh the harm to the green belt and consequently, the very special circumstances necessary to justify the development do not exist. The proposal would not accord with the development plan as a whole and there are no other considerations, including the Framework, that indicate that a different decision should be made.

3.4 Land adjoining Hurtle Hill Farm, Heightington

The breach of planning control as alleged in the notice is without planning permission the change of use of land from agricultural to a mixed-use comprising agriculture and the stationing of a caravan for residential occupation, construction and installation of associated stable building, solar panels and septic tank.

The inspector concluded that the enforcement notice is corrected by in the alleged breach delete 'associated stable building' and replace with the wording 'associated timber building'. And:

in requirement (2) delete 'stable building' and replace with the wording 'timber building'

The inspector concluded that 'Subject to these corrections, the appeal is dismissed, the enforcement notice is upheld, and planning permission is refused'.

3.5 Rock Farm, Porchbrook Road, Rock Cross, Kidderminster

The main issues are: whether or not the site would be suitable for the development having regard to the development plan's approach to the supply of housing, with reference to the accessibility of services and facilities; and, the effect of the proposal on the character and appearance of the area bearing in mind the special attention that should be paid to the desirability of preserving the setting of the Grade I listed building the Church of St Peter and St Paul (hereafter the Church).

The inspector concluded that planning law and the Framework require that decisions are made in accordance with the development plan unless other considerations indicate otherwise. The conflict with the spatial strategy of the Local Plan and the harm to the setting of the Church draw the scheme into conflict with the development plan when read as a whole. The public benefits of the scheme do not outweigh the harm caused and the appeal is dismissed.

3.6 The Beeches, Curslow Lane, Shenstone, Kidderminster

This appeal decision contains 3 appeals as detailed in the table above. The breach of planning control relating to appeal A and B, as alleged in the notice is without planning permission the change of use of the land from equestrian use to use for the stationing of caravans for residential occupation. Appeal C is for the change of use of Land for the creation of 6 Gypsy/Traveller pitches comprising the siting of 6 mobile homes & 6 touring caravans.

For appeals A and B, a number of wording changes were made to the requirements set out in the enforcement notice and substituted, however overall the enforcement notice was upheld. In conclusion, the inspector wrote that 'the development does not accord with the development plan and there

are no other considerations to indicate that the appeals should be determined otherwise. Therefore, it was decided that Appeal A should not succeed, and planning permission should not be granted, and that Appeal C should be dismissed.

3.7 Rear of 17-26 Vicar Street, Kidderminster

The main issues are:

- The effect of the proposed development upon the character and appearance of the area including whether it would preserve or enhance the character or appearance of the Vicar Street Conservation Area (CA) and the effect of the proposal upon the setting of listed buildings; and
- The safe and efficient operation of the highway network.

The inspector advised that they were not satisfied that the development would achieve adequate visibility for vehicles leaving the service yards on account of their enclosed nature and that the height and position of the walls would obscure views for drivers in both directions increasing the likelihood of conflict with pedestrians using Crown Lane.

Conclusions

- 4.1 In summary, it would seem that landscape, traffic impact and local character considerations are key to the determination of most planning appeals, whether they relate to sites in the Green Belt, in open countryside outside of the Green Belt or within an urban area or small village.