

Open

Planning Committee

Agenda

6pm
Tuesday, 18 June 2024
Council Chamber
Wyre Forest House
Finepoint Way
Kidderminster



Planning Committee

Members of Committee:

Chairman: Councillor R Drew
Vice-Chairman: Councillor A Sutton

Councillor J Aston	Councillor B Brookes
Councillor L Carroll	Councillor H E Dyke
Councillor P Harrison	Councillor M J Hart
Councillor D Little	Councillor N Martin
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 Louisa Bright, Principal Committee Services Officer, Wyre Forest House, Finepoint Way, Kidderminster, DY11 7WF. Telephone: 01562 732763 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.

WEBCASTING NOTICE

This meeting is being filmed* for live or subsequent broadcast via the Council's website site (www.wyreforestdc.gov.uk).

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

You should be aware that the Council is a Data Controller under the Data Protection Act 1998. The footage recorded will be available to view on the Council's website for 6 months and shall be retained in accordance with the Council's published policy.

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, 18 June 2024

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 21 May 2024.	8
5.	Applications to be Determined To consider the report of the Development Manager on planning and related applications to be determined.	11
6.	To consider any other business, details of which have been communicated to the Solicitor to the Council before the commencement of the meeting, which the Chairman by reason of special circumstances considers to be of so urgent a nature that it cannot wait until the next meeting.	

7.	Exclusion of the Press and Public To consider passing the following resolution: “That under Section 100A(4) of the Local Government Act 1972 the press and public be excluded from the meeting during the consideration of the following item of business on the grounds that it involves the likely disclosure of “exempt information” as defined in paragraph 3 of Part 1 of Schedule 12A to the Act”.	
-----------	---	--

Part 2

Not open to the Press and Public

8.	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.	
-----------	--	--

WYRE FOREST DISTRICT COUNCIL

PLANNING COMMITTEE

COUNCIL CHAMBER, WYRE FOREST HOUSE,
FINEPOINT WAY, KIDDERMINSTER

21 MAY 2024 (6PM)

Present:

Councillors: R Drew (Chairman), A Sutton (Vice-Chairman), J Aston, B Brookes, L Carroll, H E Dyke, P Harrison, M J Hart, D Little, N Martin, F M Oborski MBE and D Ross.

Observers:

Councillor: P Dyke.

PL.01 Apologies for Absence

There were no apologies for absence.

PL.02 Appointment of Substitutes

No substitutes were appointed.

PL.03 Declarations of Interests by Members

No declarations of interest were made.

PL.04 Minutes

Decision: The minutes of the meeting held on 16 April 2024 be confirmed as a correct record and signed by the Chairman.

PL.05 Applications To Be Determined

The Committee considered those applications for determination (now incorporated in Development Control Schedule No. 617 attached).

Decision: The applications now submitted be determined, in accordance with the decisions set out in Development Control Schedule No.617 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.

There being no further business, the meeting ended at 6.24pm.

WYRE FOREST DISTRICT COUNCIL

PLANNING COMMITTEE

21 May 2024 - Schedule 617 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: 24/0207/HOU

Site Address: 12 Russell Road, Kidderminster, Worcestershire, DY10 3HT.

APPROVED subject to:

a. the following conditions:

1. 3-year Time Limit to commence development.
2. To require external materials to match existing building.
3. No additional first floor side facing windows to be installed.
4. Juliet balcony to have inward facing doors retained.
6. Ensuite & Dressing room windows to be obscure glazing.
7. The development to be in accordance with the Approved Plans.

Application Reference: 24/0082/FUL

Site Address: Formerly Golf Course, Zortech Avenue, Kidderminster, Worcestershire, DY11 7DY.

APPROVED subject to:

a. the following conditions:

1. 4 Year Temporary Condition following this period the use shall cease, all buildings and other vehicles/equipment shall be removed and land to be restored to grass.
2. Site to be occupied by travelling show people and their dependents only.
3. Limitation of residential caravans to six.
4. Details of any external lighting to be installed to be submitted to the LPA for approval.
5. No excavations or movement of soil to take place without prior consent from the LPA.
6. No additional hardstanding without prior consent from the LPA.

7. Restrict hours of testing and maintenance works.
8. Connection of foul drainage.
9. Development to be in accordance with the Approved Plans.

Notes

- A. Foul Drainage.
- B. Site Licence.
- C. Provision of Waste Collection.

EXECUTIVE SUMMARY TO REPORT OF DEVELOPMENT MANAGER

Planning Committee

Part A Applications

Ref:	Address of Site	Recommendation	Page No.
24/0187/HOU	Coldridge Farm Witnells End Shatterford Worcestershire DY12 1TH	Approval	12

Part B Applications

Ref:	Address of Site	Recommendation	Page No.
24/0138/FUL	Shatterford Lakes Bridgnorth Road Shatterford Worcestershire DY12 1TW	Approval	22
24/0168/FUL	7 Bridge Street Stourport On Severn Worcestershire DY13 8UX	Approval	30

WYRE FOREST DISTRICT COUNCIL**PLANNING COMMITTEE****18 June 2024****PART A**

Application Reference:	24/0187/HOU	Date Received:	03.04.2024
Ord Sheet:	379518 281767	Expiry Date:	21.06.2024
Case Officer:	Megan Skelding	Ward:	Wribbenhall And Arley

Proposal: Single storey and two storey rear extensions with Juliet balcony and two storey side extension (amended description)

Site Address: Coldridge Farm, Witnells End, Shatterford, Worcestershire, DY12 1TH,

Applicant: Mr C Dediccoat

Summary of Policy	SP.20, SP.21, SP.31, SP.32, SP.27, DM.23, DM.24, DM.25 and DM.26 of the Wyre Forest District Local Plan (Adopted 2022) Design Guidance SPD (Adopted 2015) WCC Streetscape Design Guide National Planning Policy Framework National Planning Practice Guidance
Recommendation	APPROVAL
Reason for Referral to Committee	Wyre Forest District Councillor has made a request for the Planning Application to be considered by the Planning Committee

1.0 Planning History

- 1.1 WF/0780/89 – Replacement windows, roofs and addition of storm porch – Approved.
- 1.2 WF/0913/89 – Demolition of existing single storey bathroom, kitchen and outbuildings, replacement with two storey living accommodation – Approved.
- 1.3 08/0270/FULL - Conversion of stables to form 1No separate residential unit and 1No unit of ancillary accommodation to Coldridge Farm – Approved 12/05/2008.

24/0187/HOU

- 1.4 19/0012/CERTE – Certificate of Lawful Development for existing use of double garage, 2 rear single storey extensions and conservatory – Approved 14/02/2019.
- 1.5 19/0042/S73 - Variation of conditions 2 and 5 of Planning Permission 08/0270/FULL to allow increase in curtilage and use of Annex in connection with The Stables – Approved 12/03/2019.
- 1.6 19/0520/FULL - Single storey rear extension with two storey side extension – Approved 30/09/2019.
- 1.7 21/1168/HOU - Extension to existing outbuilding to form Biomass and log store – Approved 3/03/2022.

2.0 Consultee Responses

2.1 Upper Arley Parish Council – Objects to the application due to overdevelopment of the site.

2.2 Conservation Officer – No objection.

The application site is recorded on the county Historic Environment Record (Ref. WSM47974), as well as being adjacent to the farm buildings, which are also recorded on the HER (WSM53903). The farmstead as a whole is on the HER (WSM61553). The applicant has supplied a heritage statement to accompany this application. Whilst it is scant in detail in some places, I do believe it has met the threshold set by para 200 of the NPPF. The statement refers to the significance of the building and the cumulative harm that has been caused by multiple stages of modern development and alteration. Overall, I would agree with this assessment and conclude the farmhouse itself has little extant historical significance. I see no harm of consequence occurring to the building itself.

There is a risk of harm to the setting of the other mentioned NDHAs on the farmstead site, but I do not believe this harm will occur. The extension shown in the plans is fairly limited in scale when compared with the existing building and will not impact the character of any of these asset's settings. I see no harm occurring here as a result of the proposed development.

2.3 WCC Archaeologist - No objection.

2.4 North Worcestershire Water Management Officer – No objection.

It is noted that the swimming pool originally proposed is no longer part of the proposal. The site is not at risk of any type of flooding. The proposed development will result in an increase in the impermeable area. Surface water from this area will need to be disposed of responsibly as to not increase flood risk elsewhere. If the property is currently drained via soakaway drainage, then the existing soakaway might need to be relocated and enlarged to accommodate the development. Since Building Regulations (H3 - rainwater drainage) already require that 'adequate provision shall be made for rainwater to be carried from the roof of the building', it is not considered necessary to require a surface water drainage condition.

24/0187/HOU

2.5 Worcestershire Regulatory Services (Contaminated Land team) – No objection subject to condition to require reporting of any unexpected contamination if found during the construction phase of the development, including any remediation works and validation to be submitted and agreed.

2.6 Neighbour/Site Notice Representations – 4 neighbour objections have been received to the application. Neighbour objections have been summarised as follows –

- Overdevelopment of site due to previous extensions at the property
- Concerns over drainage and discharge of water from swimming pool
- Concerns over the existing shared access
- Current use of the property/land
- Concerns over building close to/on boundary lines
- Concerns over lack of party wall agreements and right of access at present
- Lack of privacy and light

[Officer comment – The initial swimming pool proposals have been omitted from the application and concerns raised about the shared access, boundary lines and lack of party wall agreements are private civil matters and not planning material considerations]

3.0 Site Location and Description

- 3.1 The application site relates to a detached dwelling located on Witnells End, in Shatterford. The existing property is constructed in brickwork with a tiled roof. The site falls within the open countryside that forms part of the West Midlands Green Belt.
- 3.2 The proposed development is for a single storey and two storey rear extensions with a Juliet balcony, and a two-storey side extension.
- 3.3 The proposed extensions will create a single storey extension to the existing dining room, and a first-floor extension over the existing kitchen. The proposed two storey rear extension will create a larger living area, with an extension to the entrance, with the side extension creating a small WC/shower room at ground floor, with an en-suite at first floor.
- 3.4 The proposed scheme initially included a swimming pool, however, this has been omitted and the balcony to the rear of the proposed two storey rear extension has been amended to a Juliet balcony. The proposed two storey side extension has also been amended to show a set back at 0.75m to accord with the Design Guidance SPD. Furthermore, during the course of the application, the applicant has submitted revised plans to show the extent of the original building and the proposed development including a comparison between existing and proposed floor area and built volume.

24/0187/HOU

Built Volume	Volume Calculations
Original Building	743
Existing Extensions	390.5
Proposed Extensions	263.8
Extensions to be demolished	102.3
Total Enlargements ((Existing Extensions + Proposed Extensions) – (Extensions to be Demolished))	552
Percentage increase over original building	74%

4.0 Officer Comments

4.1 The main considerations for this application are:

- Whether the development is appropriate in the Green Belt
- Design and Scale
- Historic Environment
- Residential Amenity
- Drainage and Flood Risk

WHETHER THE DEVELOPMENT IS APPROPRIATE IN THE GREEN BELT

4.2 Policy DM.22 of the Wyre Forest District Local Plan states what is deemed appropriate development within the Green Belt, allowing for extensions to existing dwellings, providing it does not result in disproportionate additions over and above the size of the original dwelling.

4.3 Paragraph 154 of the National Planning Policy Framework (the 'NPPF') includes an exception to inappropriate development in the Green Belt in bullet point (c) which permits extensions or alterations of a building if it does not result in disproportionate additions over and above the size of the original building. Annex 2 of the NPPF defines the original building as, a building as it existed on 1 July 1948 or, if constructed after 1948, as it was built originally. Also, there is no definition with the NPPF, legislation or the Development Plan as what constitutes a proportionate extension. Within the Wyre Forest District generally extensions up to 75% of the volume of the original building are considered to be acceptable.

4.4 The original building comprised a two-storey dwelling with a single storey side wing and the original volume of the building was 743.0m³.

24/0187/HOU

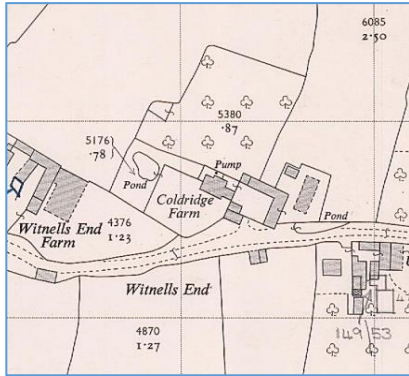


Image: Plotting Sheet (dated 1960)

- 4.5 The dwelling was extended in 1989 with a storm porch (5.1 m³), a first floor extension over existing kitchen (87.9 m³) and a two-storey rear extension (144.0 m³), amounting to a volume increase of 237.0m³.
- 4.6 Then in 2019, a lawful development certificate, application reference 19/0012/CERTE, was granted for an existing single storey dining room extension (51.2 m³), rear conservatory (62.9 m³) and a single storey rear store (39.4 m³).

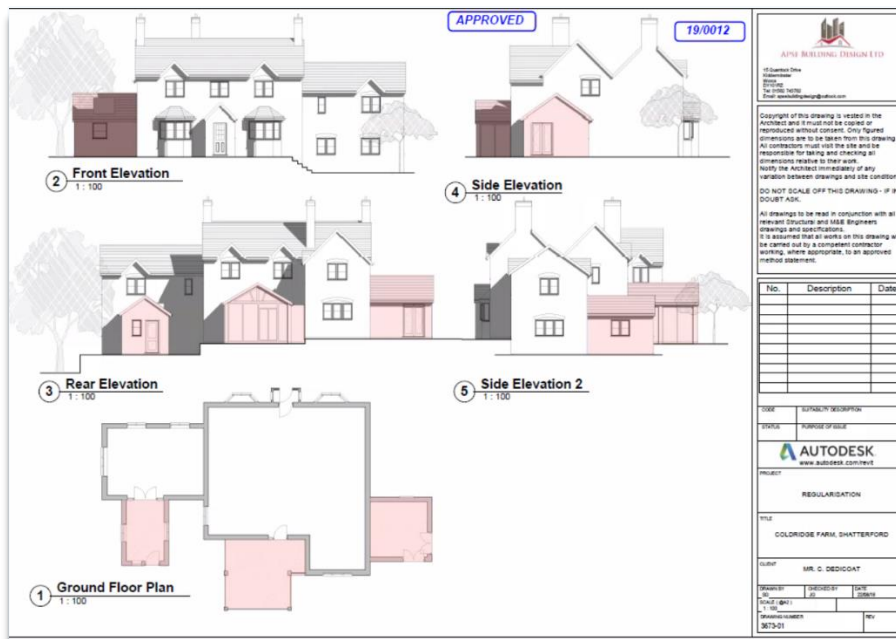
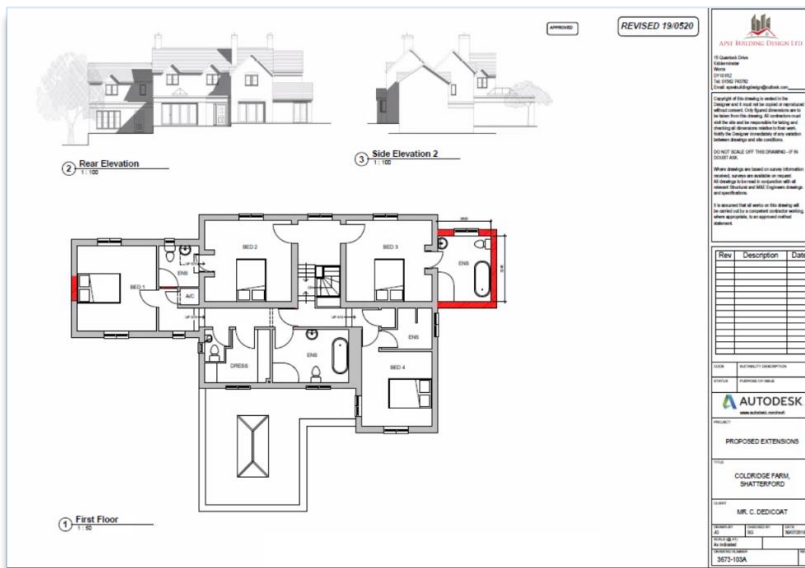
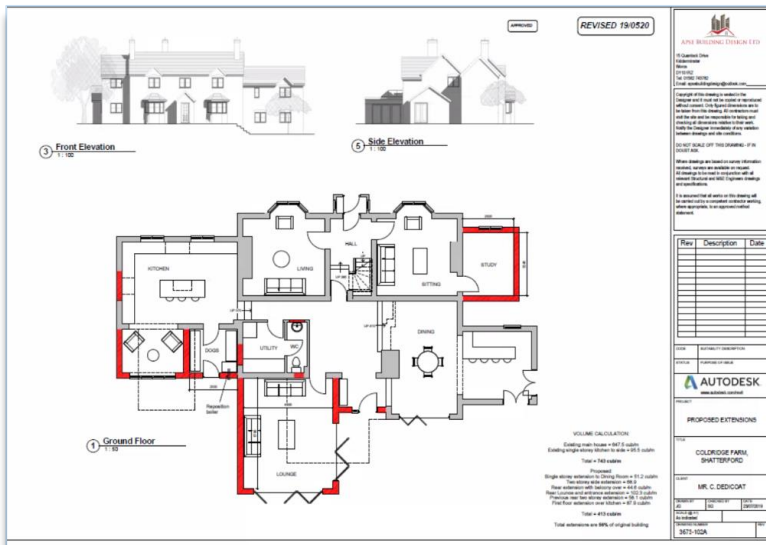


Image: Lawful Development Certificate Plans showing existing single storey extensions/conservatory

- 4.7 From planning history, it also appears that planning permission, under reference 19/0520/FUL, was granted for an almost identical scheme to that proposed in this application. From your Officers site visit, it does not appear that the 2019 scheme was implemented and this permission has now lapsed.

24/0187/HOU



Images: 2019 Approved Plans (Ground Floor and First Floor)

- 4.8 The current scheme seeks to replicate the lapsed 2019 permission but include a first floor above the previously proposed single storey rear extension, which would include a Juliet balcony.
- 4.9 The submitted plans for this application show that the existing single storey rear extension (store) and conservatory would need to be demolished to facilitate the proposed development and therefore these have been taken out of the additional volume calculation.
- 4.10 When combining the previous extensions 288.2m³ to be retained (i.e. minus the store extension and conservatory) and the proposed extensions 263.8m³, the original

24/0187/HOU

building would be enlarged by around 522m³. The proposal would cumulatively increase the volume of the original building by approximately 74%.

- 4.11 Your Officers have carefully considered the volume of the original building, the planning history and proposed development and are of the view that the proposal would not result in a disproportionate addition to the original building. It should be noted by Members that your Officers have previously used 75% as a benchmark to measuring proportionality. The development is therefore considered to be appropriate development in the Green Belt, in accordance with Policy DM.22 and Paragraph 154c of the NPPF.
- 4.12 To ensure a satisfactory development of the site and to preserve the openness of the Green Belt, planning conditions have been recommended to require the store extension and rear conservatory to be demolished prior to the commencement of development and to remove permitted development rights for any further enlargements of the original dwellinghouse and to prevent outbuildings being erected within 5 metres of the dwellinghouse as these are also included within the volume calculations of the original building when sited this close to the dwelling.

DESIGN AND SCALE

- 4.13 Policies SP.20 and DM.24 of the Wyre Forest District Local Plan states that all development will be expected to be of a high design quality. Policy DM.25 of the Wyre Forest District Local Plan refers to extensions and alterations and advises that residential extensions should be in scale and keeping with the form, materials, architectural characteristics and detailing of the original building; be subservient to and not overwhelm the original building and ensure that they harmonise with the existing townscape and do not create incongruous features.
- 4.14 The adopted Design Guidance Supplementary Planning Document advises that extensions should be sympathetic to the original building and be visually subservient. To help address this, extensions should (amongst others):
- Respect the existing character of the area and the appearance of the streetscene by avoiding a harmful terracing effect and other incongruous additions.
 - Maintain original frontage rhythms by stepping back slightly from the original building line. Typically, a first floor side extension should be set back 0.75m from the front elevation of the original building.
 - Ensure that ridge heights are lower than the original building. Eaves heights should not exceed those of the original building.
 - Ensure that the “front face width” of extensions is based on the original proportions of the house to be extended. As a general rule extensions to the side should have a maximum width of 4/7ths of the original front face width.
 - Any projections should not detract from an established building line at the front of the property.

24/0187/HOU

- 4.15 The existing dwelling already has a relatively wide front face and the proposed two storey side extension would only increase the width of the building by 2.92 metres and would be significantly less than 4/7ths of the original building's width.
- 4.16 The proposed two storey extension has been amended to ensure it achieves a setback of 0.75 metres from the front elevation of the original building to accord with the Design Guidance SPD and the proposed two storey extensions would have a lower ridge height than the original building to ensure it maintains the original frontage rhythm and ensure the side extension appears subservient. The proposed extensions would also be in keeping with the scale, form and architectural style and detailing of the original building.
- 4.17 Your Officers are of the view that the development would be in keeping with the character and appearance of the original building and in accordance with Policies SP.20 and DM.24 of the Wyre Forest District Local Plan, the Design Guidance SPD and the NPPF. A planning condition has been recommended to ensure the development is constructed in external materials to match the existing dwellinghouse.

HISTORIC ENVIRONMENT

- 4.18 The application site is recorded on the county Historic Environment Record (Ref. WSM47974), as well as being adjacent to the farm buildings, which are also recorded on the HER (WSM53903). The farmstead as a whole is on the HER (WSM61553).
- 4.19 The submitted Heritage Statement refers to the significance of the building and wider farmstead as non-designated heritage assets and the cumulative harm that has been caused by multiple stages of modern development and alterations in the form of extensions to the original farmhouse and buildings and the introduction of a garage building. The Heritage Statement concludes that the farmhouse itself has little extant historical significance.
- 4.20 The Council's Conservation Officer agrees with the conclusions of the submitted Heritage Statement and raises no objection to the application. The Conservation Officer advised that the proposed extensions to the dwelling are fairly limited in scale when compared with the existing building and are unlikely to impact the character of any of these asset's settings. Your Officers concur with this view and considers that the development would accord with Policies SP.21 and DM.23 of the Wyre Forest District Local Plan and the NPPF, which seek to avoid harm or loss of significance to a heritage asset.

RESIDENTIAL AMENITY

- 4.21 Policy DM.25 of the Wyre 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. The National Planning Policy Framework, in paragraph 135, also requires all new developments to secure a high standard of amenity for existing and future users.
- 4.22 The nearest neighbouring property to the application site is The Stables, which lies immediately to the East of the site and is set back slightly from the application property. The originally proposed balcony has been amended to a Juliet balcony and it is considered that the position of this Juliet balcony, which would not have any external

24/0187/HOU

platform/balcony to stand on, would not result in any loss of privacy to the occupiers of The Stables due to the oblique angle and separation distance between the application property and the adjoining garden belonging to The Stables. Planning conditions have been recommended to ensure inward opening doors are installed to the Juliet balcony and for these doors to be retained and to prevent the flat roof being used as a balcony at any time.

- 4.23 The proposed development would also have no windows facing The Stables to cause overlooking and given the separation gap between The Stables and the application property there is unlikely to be any overshadowing or loss of light.
- 4.24 The development therefore would not result in any serious adverse effect on the amenity of neighbouring residents, in accordance with Policy DM.25 of the Wyre Forest District Local Plan and the NPPF.

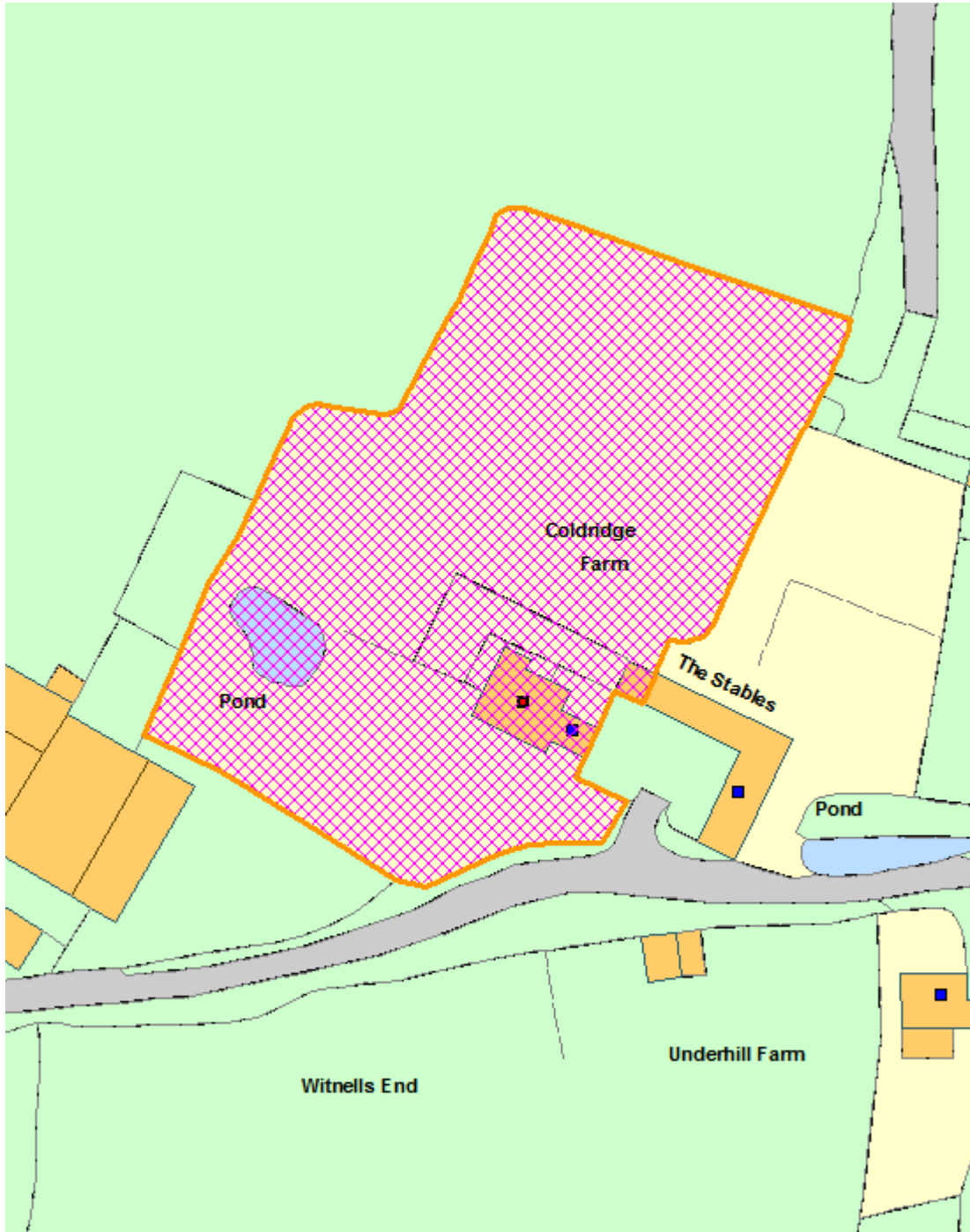
DRAINAGE AND FLOOD RISK

- 4.25 The application site does not lie within an area at high risk of flooding and no objection has been raised by the North Worcestershire Water Management Officer. The development would be regulated by Building Control which will ensure the development has suitable drainage and does not cause flood risk elsewhere. The development therefore accords with Policies SP.31 and SP.32 of the Wyre Forest District Local Plan and the NPPF, which seek to ensure the effective on-site management of surface water and ensure developments are safe taking account the vulnerability of its users and need to avoid increasing flood risk elsewhere.

5.0 Conclusions and Recommendations

- 5.1 The proposed scheme would be in keeping with the existing character appearance of the existing dwellinghouse and the surrounding area. Whilst acknowledging the objections raised by the Parish Council and neighbours, it is considered that the proposal for this application would not result in disproportionate additions to the original building and would not result in any harm to the Green Belt, the non-designated heritage assets and the amenity of neighbouring residents. The development is therefore considered to be in accordance with the Wyre Forest District Local Plan.
- 5.2 Your Officers therefore recommend **APPROVAL** of the application subject to:
- a. the following conditions:
1. 3-year Time Limit to commence development.
 2. To require the development to be constructed in external materials that match the existing dwelling house.
 3. To require inward opening doors to the Juliet balcony and for the doors to be retained.
 4. To prevent the use of the flat roof to the single storey rear extension being used as a balcony at any time.
 5. Contaminated Land condition.
 6. To require existing single storey store and conservatory to be demolished.

7. To remove permitted development rights for any future enlargements of the dwelling or outbuildings within 5 metres of the dwellinghouse.
8. To require the development to be constructed in accordance with the approved plans.



Strategic Growth

Coldridge Farm Witnells End Shatterford Worcestershire DY12 1TH

Crown Copyright 100018317



PART B

Application Reference:	24/0138/FUL	Date Received:	08.03.2024
Ord Sheet:	379793 280869	Expiry Date:	21.06.2024
Case Officer:	Julia Mckenzie-Watts	Ward:	Wribbenhall And Arley

Proposal: Siting of 1No. additional static holiday caravan

Site Address: Shatterford Lakes, Bridgnorth Road, Shatterford, Worcestershire, DY12 1TW,

Applicant: Shatterford Lakes Ltd

Summary of Policy	SP.20, SP.22,SP.23, SP.31, DM.21, DM.22, DM.24 of the Wyre Forest District Local Plan (Adopted 2022) Design Guidance SPD WCC Streetscape Design Guide National Planning Policy Framework National Planning Practice Guidance
Recommendation	Approval
Reason for Referral to Committee	Parish Council have objected to the proposal

1.0 Planning History

- 1.1 21/0623/FUL - Siting of 2no. mobile homes to be used as holiday lets - Approval 28.9.2021.
- 1.2 13/0206/FULL – use of building as single dwelling in conjunction with Shatterford lakes fishery – Approval 21.8.2013.
- 1.3 11/0584/FULL - Garage extension and installation of dormer and roof lights (renewal of Planning Permission 08/0460/FULL – Approval 14.11.2011.
- 1.4 09/0304/FULL – Removal of condition 3 of planning permission 07/0464/FULL to allow caravan and shop to remain without time restriction – Approval 23.9.2009.
- 1.5 08/0790/FULL – Replacement of existing building and alteration of storage building for temporary use and siting of caravan during construction (resubmission) – Withdrawn.
- 1.6 07/0464/FULL - Proposed redevelopment of existing building, alteration of existing storage building for temporary use as shop and siting of temporary caravan during construction works – Approval 29.6.2007.

24/0138/FUL

2.0 Consultation and Representations

- 2.1 Upper Arely Parish Council – Objects to the application. Inadequate access, increase in traffic. The development would increase traffic on the A442 at the entrance to Shatterford Lakes.
- 2.2 North Worcestershire Water Management – No objection subject to the inclusion of a surface water drainage condition and an informative. The location of the proposed mobile home is to my knowledge not at risk of any type of flooding. The application form details that surface water will be discharged via soakaway. No further information has been submitted. For application 21/0623/FUL I had included in my comments (15 July 2021): "As this development will not be subject to a Building Control application, I believe it will be important to establish that surface water will be discharged from this development responsibly as part of this planning application." This is especially important as this site is located in one of the upstream areas of the Horse Brook catchment, with known flooding issues downstream. In line with Council policy, new development is required to size surface water drainage assets so they can cope with the 1 in 100 year rainfall event, plus an allowance for climate change. This is to ensure that development will not increase the risk of flooding elsewhere. I ask that the same surface water drainage condition as attached to 21/0623/FUL gets attached to a future approval: "Surface water from the development shall discharge to soakaway drainage designed to cope with a 1 in 100 year event plus 30% allowance for climate change. If it emerges that infiltration drainage is not possible on this site, an alternative method of surface water disposal should be submitted for approval. There shall be no increase in runoff from the site compared to the pre-development situation up to the 1 in 100 year event plus 30% allowance for climate change. The drainage shall be implemented prior to the first use of the development and thereafter maintained." Regarding foul water disposal, the application details that the existing sewage treatment plant is to be used and that sufficient capacity is available. I ask that the same informative as attached to 21/0623/FUL gets attached to a future approval: "Future operator(s) of a septic tank or sewage treatment plant must check with the Environment Agency that they meet the 'general binding rules' and apply for an Environmental Permit if they do not. As from 1 January 2020 discharge of treated effluent directly from a septic tank to a surface water (watercourse, ditch etc.) is no longer allowed.
- 2.3 Highway Authority - No objection. The proposed additional holiday let (static caravan) in this location, which will generate approximately 4 vehicular trips per day, will not constitute a severe impact on the highway network on the A442. Moreover, unlike a standard C3 residential use, these trips are likely to be seasonal, with periods when the holiday let is not in use. It is noted that there is no accident record on the A442 associated with the access to the site however as per the comments for 21/0623/FUL (siting of 2 mobile homes to be used as holiday lets), highway safety must be maintained when the proposed static caravan is delivered and it should be noted that the use of a banksman to oversee vehicle manoeuvres doesn't include the power to stop the traffic on the A442. If it is considered necessary to stop the traffic during these manoeuvres, early contact with the Police is strongly advised.

24/0138/FUL

2.4 Tree and Biodiversity Officer – No objection subject to a condition in relation to tree protection measures and the submission of a protected species method statement prior to the commencement of works on site.

2.5 Neighbour/Site Notice Representations - 6 comments of support received and their comments have been summarised as follows:

- The proposal will have a positive effect on the surrounding area and will attract visitors.
- Shatterford lakes is a well run business and benefits the area greatly.
- The grounds and lakes are kept to a very high standard. Looking at the already existing holiday caravans and the pleasure I have had staying in these in the past, bringing my children and family to enjoy the peaceful surroundings, the stunning Worcestershire countryside and making memories which will last a lifetime, I strongly support the addition of a holiday caravan.

2 objections received to the application and their concerns have been summarised as follows:

- The development will set a precedent.
- The access to the A442 is very steep with limited visibility.
- The siting of another chalet is over development of a green belt site.
- The holiday makers make noise in the summer causing disturbance to the neighbours.

3.0 Site Location and Description

3.1 The site is an established fishery consisting of several lakes offering both day ticket and club opportunities located in Shatterford in the West Midlands Green Belt. The site currently benefits from 2 existing holiday chalets sleeping 10-12 people offering overnight accommodation for visiting fishermen and planning permission was granted in 2021 (21/0623/FUL) for the siting of 2 no. mobile homes to be used as holiday lets at the site.

3.2 The current application seeks permission for an additional caravan at the site located in between the two existing caravans. The accommodation would consist of lounge / kitchen / dining area, two bedrooms with an outside decked area and hot tub.

3.3 The application has been submitted with a supporting statement from the applicant setting out the need for a further holiday let at the site due to the fact that the two existing holiday units are booked out for most of the year

4.0 Officer Comments

4.1 The main considerations for this application are:

- Principle of Development and whether the development is appropriate in the Green Belt
- Design, Scale and Layout
- Flood Risk and Drainage
- Biodiversity
- Highway Safety
- Residential Amenity

24/0138/FUL

PRINCIPLE OF DEVELOPMENT AND WHETHER THE DEVELOPMENT IS APPROPRIATE IN THE GREEN BELT

- 4.2 Paragraph 88 of the National Planning Policy Framework (the 'NPPF') advises that Planning decisions should support sustainable rural tourism and leisure developments which respect the character of the countryside.
- 4.3 Policy DM.21 of the Wyre Forest District Local Plan discusses Tourist accommodation and that hotels, bed and breakfast and self-catering accommodation make a particular contribution to the tourist industry in the district as they are an important element in the stock of tourist accommodation.
- 4.4 The proposal represents an extension to an existing holiday site which is clearly a successful business offering fishing to visitors and holiday makers from outside the district. The provision of an additional holiday let unit is clearly advantageous to both the applicant's business enterprise, as well as the wider rural economy of the locality which will also benefit from the proposal and as such the proposal complies with Policy DM.21 and the NPPF.
- 4.5 Paragraph 142 of the NPPF advises that the Government attaches great importance 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.
- 4.6 Paragraph 143 goes on to state that the Green Belt serves five purposes:
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.
- 4.7 The NPPF in Paragraph 154(b) and Local Plan Policy DM.22 states that a local planning authority should regard the construction of new buildings as inappropriate in the Green Belt and provides a list of exceptions where developments are considered not to be inappropriate. The development does not fall within any of these exceptions and is therefore considered to be inappropriate development in the Green Belt. The development would also amount to a loss of openness and encroachment into this part of the countryside although given the scale and siting of the proposed single caravan, which is to be located between two existing caravans, it is considered that the harm to openness and the character of the Green Belt is low.
- 4.8 Paragraph 152 of the NPPF advises that inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances.
- 4.9 To justify very special circumstances the applicant has provided evidence to demonstrate that the existing two holiday let chalets are constantly fully booked and therefore the proposed additional holiday let is required to meet the tourism demand and further support the fishery business.

24/0138/FUL

- 4.10 Therefore, due to its small scale and the addition of a condition to ensure that the holiday let is tied to the fishery this will ensure that it is not used for permanent residential accommodation and it is therefore considered to justify very special circumstances that outweigh the harm to the Green Belt in terms of inappropriateness and loss of openness. The principle of development is therefore considered to be acceptable.

DESIGN, SCALE AND LAYOUT

- 4.11 Policy SP.20 requires that all development within Wyre Forest District exhibit high quality design. Policy DM.24 states that all development will be expected to be of a high design quality. It will need to integrate effectively with its surroundings, in terms of form and function, reinforce local distinctiveness and conserve, and where appropriate, enhance cultural and heritage assets, landmarks and their settings. New and innovative designs which promote high levels of inclusivity and sustainability will be encouraged and supported where they enhance the overall quality of the built environment.
- 4.12 The NPPF at paragraph 131 states that good design is a key aspect of sustainable development and excellence in design can create a sense of place, improve the attractiveness of a location and create safer places to live and work, thereby enhancing the quality of people's lives.
- 4.13 The caravan has been relocated from the original proposed position at the bottom of the track and is now to be sited between the two existing holiday let caravans at the top of the track. The caravan itself will match the design and materials of the two other units being of a good aesthetic appearance commensurate with the established fishing use on site. It is therefore considered that the addition of one further caravan located between the two existing units would not result in an overdevelopment of the site and would therefore be in compliance with Policies SP.20 and DM.24 and the NPPF.

FLOOD RISK AND DRAINAGE

- 4.14 The North Worcestershire Water Management Officer has carefully considered the submitted documents and the proposed development and has raised no objection as the location of the proposed mobile home is not at risk of any type of flooding.
- 4.15 To ensure that the development will not increase flood risk elsewhere all surface water drainage systems need to be designed for the 1 in 100-year event plus a 30% climate change allowance. A condition is therefore recommended to be added where if it emerges that infiltration drainage is not possible on this site, an alternative method of surface water disposal should be submitted and approved by the Local Planning Authority.
- 4.16 The proposed development would therefore accord with Policies SP.31 and SP.32 of the Adopted Local Plan and Paragraph 167 of the NPPF.

BIODIVERSITY

- 4.17 Policy SP.23 of the Wyre Forest District Local Plan advises that developments should support the conservation, enhancement and restoration of biodiversity.

24/0138/FUL

- 4.18 In addition, the NPPF in paragraph 180(d) requires planning decisions to contribute to and enhance the natural and local environment by minimising impacts on and providing net gains for biodiversity, including by establishing coherent ecological networks that are more resilient to current and future pressures. It is also required by Paragraph 186(a) that when determining planning applications, the local planning authority should apply the following principle (amongst others): if significant harm to biodiversity resulting from a development cannot be avoided (through locating on an alternative site with less harmful impacts), adequately mitigated, or, as a last resort, compensated for, then planning permission should be refused. Local Planning Authorities have a duty to have regard to conserving biodiversity as part of decision making of planning applications.
- 4.19 The Council's Tree and Biodiversity Officer has commented that the application is acceptable from an ecological perspective providing no external lighting is to be provided at the site. If lighting is to be provided the impact of this on bat species will need evaluation and therefore a condition will be added to cover this. An additional condition requiring the submission of a protected species method statement prior to the commencement of works on site is also to be added as it is possible that protected species such as otter, bats, reptiles, hedgehog, amphibians and nesting birds may be present on the site.
- 4.20 Concern had been raised with regards to the adjacent trees and therefore an additional plan has been submitted to show the root protection zones of the trees and that these areas will be fenced off with temporary Heras fencing when the caravan is put into place.
- 4.21 In terms of biodiversity net gain, the caravan itself it not providing much opportunity for this and therefore the revised plan shows a small area of landscaping works which include Emorsgate EL1 flowering lawn mix.
- 4.22 Your Officers are therefore satisfied that the development would accord with Policy SP.23 of the Wyre Forest District Local Plan and the NPPF.

HIGHWAY SAETY

- 4.23 Policy SP.27 of the Wyre Forest District Local Plan advises that 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.
 - d. and in particular, they are consistent with the delivery of the Worcestershire Local Transport Plan objectives.
- 4.24 Paragraph 115 of the NPPF advises that Development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.

24/0138/FUL

- 4.25 The proposals have been carefully considered by the Highways Authority due to concerns raised by the Parish Council. They have commented that the proposed additional holiday let (static caravan) in this location will generate approximately 4 vehicular trips per day and will not constitute a severe impact on the highway network on the A442. Moreover, unlike a standard C3 residential use, these trips are likely to be seasonal, with periods when the holiday let is not in use.
- 4.26 They have further commented that it is noted that there is no accident record on the A442 associated with the access to the site however as per the comments for 21/0623/FUL (siting of 2 mobile homes to be used as holiday lets), highway safety must be maintained when the proposed static caravan is delivered and it should be noted that the use of a banksman to oversee vehicle manoeuvres doesn't include the power to stop the traffic on the A442. If it is considered necessary to stop the traffic during these manoeuvres, early contact with the Police is strongly advised. This information has been passed onto the applicant.
- 4.27 Your Officers agree with the conclusions of the Highway Authority that a safe and suitable access is achievable, and the proposal is therefore acceptable from a highway safety perspective in accordance with Policy SP.27 of the Wyre Forest District Local Plan.

RESIDENTIAL AMENITY

- 4.28 Paragraph 191 of the NPPF states that planning decisions should ensure that new development is appropriate for its location taking into account the likely effects (including cumulative effects) of pollution on health, living conditions and the natural environment, as well as the potential sensitivity of the site or the wider area to impacts that could arise from the development. In doing so they should (amongst other things) mitigate and reduce to a minimum potential adverse impacts resulting from noise from new development and avoid noise giving rise to significant adverse impacts on health and the quality of life.
- 4.29 Your Officers acknowledge that the structure is near to residential properties as are the existing holiday let units. It will be the responsibility of the fishery business to ensure activities in this area do not cause nuisance to any nearby residential receptor and it is therefore considered that an additional unit will not impact upon the amenity enjoyed by the neighbouring properties and is in accordance with the NPPF.

5.0 Conclusions and Recommendations

- 5.1 The proposed development would provide a sustainable development and would accord with the Development Plan and very special circumstances have been made to outweigh the harm to the Green Belt in terms of inappropriateness and the minor loss to openness. Furthermore, the development by virtue of its scale and siting is unlikely to diminish the intrinsic character and beauty of the open countryside. Overall, the provision of an additional holiday unit at the site would benefit the applicant's business enterprise, as well as the wider rural economy of the locality which will also benefit from the proposal.

24/0138/FUL

5.2 The concerns of the Parish Council in terms of the highway objection have been carefully considered and taken into account in the consideration of this application, however, it is the view of the Highway Authority that the provision of one further holiday let will cause no issue in terms of highway safety and your Officers concur with this view.

5.3 Your Officers therefore recommend **APPROVAL** of the application subject to:

a. the following conditions:

1. 3-year Time Limit to commence development.
2. External details as approved plans.
3. Drainage.
4. The caravan to be used for holiday purposes only and no person shall stay at the holiday caravan park for a period in excess of 3 weeks continuously at any one time, nor return to the holiday caravan park until a period of at least 2 weeks has lapsed.
5. Holiday let purposes only in conjunction with the fishery only.
6. The applicant/site manager shall keep an up-to-date written register of all persons (including full name and main home addresses) visiting the site for the purposes of recreation and the number of touring caravans there are on any one day.
7. To require the caravan to be removed and the land restored to grass within one calendar month from the date the holiday let/fishery business ceases operation.
8. Submission of a protected species method statement.
9. No external lighting.
10. Development to be implemented in accordance with approved plans.

b. the following informative:

1. Requirement for an environmental permit.

PART B

Application Reference:	24/0168/FUL	Date Received:	03.04.2024
Ord Sheet:	380938 271201	Expiry Date:	29.05.2024
Case Officer:	Megan Skelding	Ward:	Areley Kings And Riverside

Proposal: Change of use from Retail Shop (Use Class E) to Restaurant and hot food takeaway (Use Class E/Sui Generis), including installation of extraction flue

Site Address: 7 Bridge Street, Stourport On Severn, Worcestershire, DY13 8UX,

Applicant: Karsan Jiwa Mepa & Maldev Jiwa Mepa

Summary of Policy	SP.2, SP.16, SP.18, SP.20, SP.21, SP.23, SP.27, SP.33, DM.13, DM.17, DM.18, DM.23, DM.24 and DM.25 of the Wyre Forest District Local Plan (Adopted 2022) WFDC Design Guidance SPD (Adopted 2015) WFDC Health and Wellbeing SPD (Adopted 2023) WCC Streetscape Design Guide Bridge Street Basins Link Development Brief (Adopted 2005) National Planning Policy Framework (2023) National Planning Practice Guidance
Recommendation	APPROVAL
Reason for Referral to Committee	Parish Council objection

1.0 Planning History

1.1 No planning history.

2.0 Consultee Responses

2.1 Stourport-on-Severn Town Council – Recommend Refusal due to the already existing number of food outlets within close proximity to the application site.

2.2 Conservation Officer – No objection.
The application concerns change of use of a property in the Stourport No.1 Conservation Area. The building itself does not contribute to the significance, nor character of the Conservation Area. The only item of consideration for potentially

24/0168/FUL

impacting the Conservation Area is the installation of an external flue. The installation of an external flue does have the potential to harm the character/appearance of the Conservation Area, however, there are mitigating factors which are relevant and limit this potential for harm. The context of the building itself and its surrounds must be taken into account when considering this proposal. The building itself does not contribute to the Conservation Area positively, it could be argued that it has a negative impact. From this perspective, I don't believe the installation of this flue would cause substantial further harm, in addition to that which the building already causes. Moreover, the flue will be installed on an elevation which is in use as the Bridge Street Car Park, also an area which does not positively contribute to the Conservation Area. With these factors in mind, I would conclude that the works will cause no harm.

- 2.3 Planning Policy – No objection in principle to the change of use of the premises to a mixed-use comprising restaurant and hot food takeaway use, however, it appears that further information is required for the proposed restaurant and hot food takeaway to ensure that it would not create any detrimental impacts in terms of health, pollution, crime, parking and highways safety. The applicant should submit a HIA: The HIA should be commensurate with the size of the development and where an unacceptable adverse impact on health and wellbeing is identified through the Health Impact Assessment process, development will not be supported unless material planning considerations indicate otherwise.

[Officer comment – A Health Impact Assessment has been conditioned which would secure measures to encourage active travel and recommended to be healthy eating habits. It would be unreasonable to request an HIA at this stage due to the application being speculative and having no end-user at the time of the application]

- 2.4 Canal and River Trust – No objection subject to condition to require external waste storage. Due to its location near water the applicant should be requested to provide additional details of waste disposal and any external waste storage should be designed to prevent access by vermin for both trade waste and litter. If preferred, this matter could be dealt with by way of a suitably worded condition.

[Officer comment – A condition has been recommended to secure appropriate external waste storage facilities]

- 2.5 Highway Authority – No objection subject to conditions to require a Site Management Plan, Deliveries Management Plan, Cycle Storage and Travel Information Plan.

Further to the deferral comment, the Highway Authority has been advised that the application is speculative and therefore the end user is unknown at this time. Accordingly, much of the expected information is not available. Nonetheless, the proposed change of use from Class E to restaurant and hot food take-away is more intensive and further detailed information is required by condition.

It is noted that the existing Class E site benefits from a loading bay for deliveries served by a dropped kerb access on Bridge Street and the delivery access is immediately adjacent to the signal-controlled crossing and therefore this area should not be in use as parking, for highway safety reasons and further details of how this will be managed should be included in the Delivery Management Plan.

24/0168/FUL

2.6 Worcestershire Regulatory Services (Nuisance Team) – No objection subject to a condition to secure a scheme of fume and odour mitigation.

2.7 Tree and Biodiversity Officer – No objection as the site has no ecological interest.

2.8 Neighbour/Site Notice Representations – During the consultation process, six public objections were made. The objections are summarised as below –

- Concerns over existing and potential increase of traffic issues
- Loss of heritage across the area
- Concerns over increase of litter
- Concerns over increase in parking
- Concerns over increase in noise pollution
- Building being out of keeping with the existing area
- Concerns over amount of existing food outlets within close proximity
- Concerns over animals, particularly rats

3.0 Site Location and Description

3.1 The application site relates to a 732sqm convenience retail store, located within the town centre of Stourport-on-Severn. The site falls within the Stourport-on-Severn No. 1 Conservation Area and also within the Secondary Shopping Frontage as defined by the adopted Policies Map.

3.2 The surrounding area is characterised by a mixture of leisure, commercial and residential development. The Bridge Inn and Riverside Meadows and Park are also located in close proximity of the site, on the opposite side of the road. To the rear of the site is the canal basin which is fed by the River Stour and the River Severn. To the west, on the opposite side of Bridge Street are two and three storey Grade II listed buildings, which are occupied by a mix of uses including shops, café, restaurant, hot food takeaways, amusement arcade on the ground floor with residential flats above.

3.3 The application site is situated within a town centre location, and therefore has strong accessible links to local shops, facilities and services using sustainable modes of transport including walking, cycling and frequent bus services, within 0.2 miles from the site. There are also 481 public car parking spaces available within 400m walking distance of the site.

3.4 The proposal for this application is for the change of use of the commercial premises to a mixed use comprising a restaurant and hot food takeaway. The end user is not specified.

3.5 The proposed hours are expected to be 06:00-23:00 hours Monday to Sunday and a maximum of 12-15 employees are expected to be on site at any one time. A total of 3-5 deliveries are expected per week but no more than 1 delivery per day.

3.6 The proposals would include the installation of an external extraction flue to the roof of the building facing the adjoining temporary council-owned pay and display public car park.

24/0168/FUL

- 3.7 The application site has no parking provision but is located in a highly sustainable town centre location.
- 3.8 The application has been accompanied by a Transport Note, Heritage Statement, Supporting Statement and Kitchen Extraction System specifications.

4.0 Officer Comments

4.1 The main considerations for this application are:

- Principle of Use
- Impact on Amenity
- Impact on the Heritage Environment
- Highway Safety
- Other Matters

PRINCIPLE OF USE

- 4.2 Paragraph 90 of the National Planning Policy Framework (the 'NPPF') supports the role that town centres play at the heart of local communities, by taking a positive approach to their growth, management and adaptation.
- 4.3 Policy SP.18 of the Wyre Forest District Local Plan advises that support will be given to safeguarding, maintaining and enhancing the vitality and viability of the existing retail centres throughout the district. It further indicates that new development for retail, commercial and leisure uses should be focussed within the three town centres of Kidderminster, Stourport-on-Severn and Bewdley.
- 4.4 The application site lies within the Secondary Shopping Frontage of Stourport-on-Severn Town Centre where restaurant (E) and hot food takeaway (sui generis) uses are to be encouraged, in accordance with the Local Plan and the NPPF.
- 4.5 Your Officers acknowledge the objection raised by Stourport-on-Severn Town Council and nearby occupiers and recognise that there is a need to balance retail and non-retail uses in centres in order to maintain a healthy town centre and support vitality and viability. To avoid over-concentration of hot food takeaways in existing centres, Policy DM.18 of the Wyre Forest District Local Plan requires no more than two hot food takeaways to be adjacent to one another.
- 4.6 Currently, the adjoining premises on this side of Bridge Street are not operating as hot food takeaways and therefore Policy DM.18 is met. However, your Officers note that there are three hot food takeaways located on the opposite side of Bride Street, these being: Riverside Fish and Chip Shop (13 Bridge Street); Happy House Chinese (14 Bridge Street); and Pizza and Burger Shop (15 Bridge Street) but do not consider that the addition of one further restaurant/hot food takeaway would lead to a significant adverse impact on the vitality and viability of the town centre such as to warrant a refusal of the application.
- 4.7 On balance, the proposed development is considered to be acceptable in principle and accords with the Wyre Forest District Local Plan and the NPPF.

24/0168/FUL

IMPACT ON AMENITY

- 4.8 The nearest residential accommodation to the site is located on the opposite side of Bridge Street. Worcestershire Regulatory Services raise no objection subject to a condition requiring further technical details about the proposed extraction system and the Canal and River Trust raise no objection subject to a condition requiring details of refuse storage prior to the commencement of the use.
- 4.9 Your Officers consider that these conditions are necessary and relevant and would ensure the development does not result in a serious adverse effect on the amenity of the area or a loss of amenity to neighbouring occupiers and residents. The development therefore accords with Policy SP.33 of the Wyre Forest District Local Plan and the NPPF.

IMPACT ON THE HERITAGE ENVIRONMENT

- 4.10 The application site falls within the Stourport-on-Severn No. 1 Conservation Area and within the setting of several statutory listed buildings. The Council's Conservation Officer raises no objection subject to a sympathetically designed external flue.
- 4.11 Your Officers have recommended a condition to require details of the external finish of the flue to ensure it resembles a traditional chimney and does not appear as an incongruous feature in the streetscene to ensure there is no detrimental impact on the character and appearance of the Conservation Area. The development therefore accords with Policies SP.21 and DM.23 of the Wyre Forest District Local Plan and the NPPF.

HIGHWAY SAFETY

- 4.12 The application site lies immediately adjacent to a temporary council-owned pay and display car park and there are other nearby public car parks in the vicinity of the site. The town centre is also well served by bus services. The site also benefits from an existing off-street loading bay for deliveries and collections, which is served by a dropped kerb off Bridge Street.
- 4.13 The submitted Transport Statement advises that the proposed restaurant/hot food takeaway would be car free for both customers and staff, which is the current situation for the existing convenience retail store. The Highway Authority have raised no objection to the car free development and your Officers concur with this view given that the site is in a town centre location which includes public car parking provision and is highly accessibly by frequent bus services.
- 4.14 Furthermore, the Transport Statement has undertaken a TRICS assessment to compare the permitted and proposed use in terms of traffic generation and parking demand. The assessment confirms that the proposed level of overall traffic generated by the proposal would be lower during the AM peak and similar to a convenience store during the PM peak and Saturday peak. It further states that there would be an element of linked trips with the town centre and therefore that the impact on any single public car park would be imperceptible. The Transport Statement concludes that there are no reasons why the Highway Authority should not recommend this application for approval.

24/0168/FUL

- 4.15 Following the submission of the Transport Statement, the Highway Authority have reconsidered the proposals and offered a no objection subject to conditions, including a condition to require a Delivery Management Plan to be submitted and agreed by the Local Planning Authority in liaison with the Highway Authority to ensure all deliveries including home deliveries, associated with the restaurant and hot food take-away are managed appropriately in the interest of highway safety. Other conditions that have been recommended by the Highway Authority include the requirement of cycle storage facilities and a Travel Information Pack to promote sustainable forms of access to the development. Your Officers have attached these conditions accordingly. The Highway Authority have also requested a condition to require a Site Management Plan to detail the proposed floor plans, number of covers, staffing details and hours of operation. The applicant has already provided the expected hours of opening which has been conditioned and your Officers do not consider that it is necessary to secure the details of the floor plans, covers and staff numbers given that these could change between each user and because it has already been confirmed by the Highway Authority that there is sufficient parking in the nearby public car parks and the proposed restaurant/hot food takeaway is an acceptable town centre use.
- 4.16 The proposed development therefore accords with Policy SP.27 of the Wyre Forest District Local Plan, the Adopted Streetscape Design Guide and the NPPF paragraphs 113 and 115, which seek to ensure no developments result in an unacceptable impact on highway safety.

OTHER MATTERS

- 4.17 Policy SP.16 of the Wyre Forest District Local Plan states that a Health Impact Assessment (HIA) Screening will be required for proposals for, or changes of use to, restaurants, cafés and hot food takeaways. A condition has therefore been recommended to ensure a HIA is submitted prior to the commencement of the use. Your Officers note that it would be unreasonable to request an HIA as part of the application given that it is speculative and has no end-user at present.
- 4.18 Your Officers also note the concern raise by a nearby occupier about potential animals in particular rats being an issue as a result of the proposed scheme. However, any pests that arise would be a matter for Environmental Health and is not a planning material consideration.

5.0 Conclusions and Recommendations

- 5.1 The proposed restaurant and hot food takeaway would comply with the relevant local and national planning policy and would not lead to an over concentration or clustering of hot food takeaways on this side of Bridge Street in line with Policy DM.18 of the Wyre Forest District Local Plan. The development would provide local employment opportunities and help to retain a town centre unit in use which would support economic viability, including the evening economy. The proposals would not lead to a loss of amenity or have a detrimental impact on the character and appearance of the Conservation Area or upon highway safety, subject to conditions. The proposed development therefore accords with the Wyre Forest District Local Plan.

24/0168/FUL

5.2 Your Officers therefore recommend **APPROVAL** to the application subject to:

a. the following conditions:

1. 3-year Time Limit to commence development.
2. Deliveries Management Plan.
3. Notwithstanding the submitted details within the Transport Statement, details of Cycle Storage Facilities.
4. Travel Information Pack promoting sustainable forms of access.
5. Refuse Storage Facilities details.
6. Customer Litter bins details.
7. Extraction and Odour Control technical details.
8. Notwithstanding the details shown on the Proposed Elevation Plan, external materials and location of Proposed Extraction Flue details to be submitted.
9. Require a Health Impact Assessment to be carried out and submitted.
10. Restrict hours of opening to between the hours of 0600 and 2300 daily.
11. To require the development to be in accordance with the approved plans.