

Open

# Planning Committee

## Agenda

6.00 pm  
Tuesday, 8th November 2011  
The Earl Baldwin Suite  
Duke House  
Clensmore Street  
Kidderminster



## Planning Committee

### Members of Committee:

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

### Information for Members of the Public:-

**Part I** of the Agenda includes items for discussion in public. You have the right to request to inspect copies of Minutes and reports on this Agenda as well as the background documents used in the preparation of these reports.

An update report is circulated at the meeting. Where members of the public have registered to speak on applications, the running order will be changed so that those applications can be considered first on their respective parts of the agenda. The revised order will be included in the update.

**Part II** of the Agenda (if applicable) deals with items of "Exempt Information" for which it is anticipated that the public may be excluded from the meeting and neither reports nor background papers are open to public inspection.

**Delegation** - All items are presumed to be matters which the Committee has delegated powers to determine. In those instances where delegation will not or is unlikely to apply an appropriate indication will be given at the meeting.

#### Public Speaking

Agenda items involving public speaking will have presentations made in the following order (subject to the discretion of the Chairman):

- Introduction of item by officers;
- Councillors' questions to officers to clarify detail;
- Representations by objector;
- Representations by supporter or applicant (or representative);
- Clarification of any points by officers, as necessary, after each speaker;
- Consideration of application by councillors, including questions to officers

All speakers will be called to the designated area by the Chairman and will have a maximum of 3 minutes to address the Committee.

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

### DECLARATIONS OF INTEREST - GUIDANCE NOTE

#### Code of Conduct

Members are reminded that under the Code of Conduct it is the responsibility of individual Members to declare any personal or personal and prejudicial interest in any item on this agenda. A Member who declares a personal interest may take part in the meeting and vote, unless the interest is also prejudicial. If the interest is prejudicial, as defined in the Code, the Member must leave the room. However, Members with a prejudicial interest can still participate if a prescribed exception applies or a dispensation has been granted.

#### Section 106 of the Local Government Finance Act 1992

If any Member is two months or more in arrears with a Council Tax payment, they may not vote on any matter which might affect the calculation of the Council Tax, any limitation of it, its administration or related penalties or enforcement.

## NOTES

- Councillors, who are not Members of the Planning Committee, but who wish to attend and to make comments on any application on this list or accompanying Agenda, are required to give notice by informing the Chairman, Director of Legal and Corporate Services or Director of Planning & Regulatory Services before the meeting.
- Councillors who are interested in the detail of any matter to be considered are invited to consult the files with the relevant Officers to avoid unnecessary debate on such detail at the Meeting.
- Members should familiarise themselves with the location of particular sites of interest to minimise the need for Committee Site Visits.
- Please note if Members wish to have further details of any application appearing on the Schedule or would specifically like a fiche or plans to be displayed to aid the debate, could they please inform the Development Control Section not less than 24 hours before the Meeting.
- Members are respectfully reminded that applications deferred for more information should be kept to a minimum and only brought back to the Committee for determination where the matter cannot be resolved by the Director of Planning & Regulatory Services.
- Councillors and members of the public must be aware that in certain circumstances items may be taken out of order and, therefore, no certain advice can be provided about the time at which any item may be considered.
- Any members of the public wishing to make late additional representations should do so in writing or by contacting their Ward Councillor prior to the Meeting.
- For the purposes of the Local Government (Access to Information) Act 1985, unless otherwise stated against a particular report, “background papers” in accordance with Section 110D will always include the case Officer’s written report and any letters or memoranda of representation received (including correspondence from the Highway Authority, Statutory Undertakers and all internal District Council Departments).
- Letters of representation referred to in these reports, together with any other background papers, may be inspected at any time prior to the Meeting, and these papers will be available at the Meeting.
- **Members of the public** should note that any application can be determined in any manner notwithstanding any or no recommendation being made.

Wyre Forest District Council

Planning Committee

Tuesday, 8th November 2011

The Earl Baldwin Suite, Duke House, Clensmore Street, Kidderminster

Part 1

Open to the press and public

<b>Agenda item</b>	<b>Subject</b>	<b>Page Number</b>
1.	<b>Apologies for Absence</b>	
2.	<b>Appointment of Substitute Members</b>  To receive the name of any Councillor who is to act as a substitute, notice of which has been given to the Director of Legal & Corporate Services, together with the name of the Councillor for whom he/she is acting.	
3.	<b>Declarations of Interest</b>  In accordance with the Code of Conduct, to invite Members to declare the existence and nature of any personal or personal and prejudicial interests in the following agenda items. Members should indicate the action they will be taking when the item is considered.  Members are also invited to make any declaration in relation to Section 106 of the Local Government Finance Act 1992.  (See guidance note on cover.)	
4.	<b>Minutes</b>  To confirm as a correct record the Minutes of the meeting held on the 11th October 2011.	6
5.	<b>Applications to be Determined</b>  To consider the report of the Development Manager on planning and related applications to be determined.	19
6.	<b>Applications Pending Decision</b>  To receive a schedule of planning and related applications which are pending.	71
7.	<b>Planning and Related Appeals</b>  To receive a schedule showing the position in relation to those planning and related appeals currently being processed and details of the results of appeals recently received.	90

8.	<p><b>Monthly Progress Report on performance against NI157 targets for determining planning applications</b></p> <p>To consider a report from the Director of Planning and Regulatory Services that provides Members with a monthly progress report on performance against National Indicators (NI 157, formerly BV109).</p>	92
9.	<p><b>Section 106 Obligation Monitoring</b></p> <p>To consider a report from the Director of Planning and Regulatory Services that gives details of the most current Section 106 Obligations which require monitoring.</p>	98
10.	<p><b>To consider any other business, details of which have been communicated to the Director of Legal and Corporate Services before the commencement of the meeting, which the Chairman by reason of special circumstances considers to be of so urgent a nature that it cannot wait until the next meeting.</b></p>	
11.	<p><b>Exclusion of the Press and Public</b></p> <p>To consider passing the following resolution:</p> <p>“That under Section 100A(4) of the Local Government Act 1972 the press and public be excluded from the meeting during the consideration of the following item of business on the grounds that it involves the likely disclosure of “exempt information” as defined in paragraph 3 of Part 1 of Schedule 12A to the Act”.</p>	

Part 2

Not open to the Press and Public

12.	<p><b>Planning Enforcement Matters</b></p> <p>To receive a report from the Director of Planning and Regulatory Services regarding a number of new enforcement cases.</p>	122
13.	<p><b>Live Enforcement Cases</b></p> <p>To receive a report which lists live enforcement cases as at 26<sup>th</sup> October 2011.</p>	128
14.	<p><b>To consider any other business, details of which have been communicated to the Director of Legal and Corporate Services before the commencement of the meeting, which the Chairman by reason of special circumstances considers to be of so urgent a nature that it cannot wait until the next meeting.</b></p>	

WYRE FOREST DISTRICT COUNCIL

PLANNING COMMITTEE

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

11TH OCTOBER 2011 (6.00PM)

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**Present:**

Councillors: S J Williams (Chairman), G C Yarranton (Vice-Chairman), M Ahmed, J Aston, G W Ballinger, D R Godwin, I Hardiman, M J Hart, C D Nicholls, F M Oborski, M Price and M A Salter.

**Observers:**

Councillors: H E Dyke, P Dyke, J Holden and J Phillips.

**PL.55 Apologies for Absence**

Apologies for absence were received from Councillor H J Martin.

**PL.56 Appointment of Substitutes**

Councillor M Ahmed was appointed a substitute for Councillor H J Martin.

**PL.57 Declaration of Interests**

Councillor D R Godwin declared a prejudicial interest in application 11/0469, Richmond Road, Bewdley as he is a board Member of The Community Housing Group.

Councillor I Hardiman declared a prejudicial interest in application 11/0469, Richmond Road, Bewdley as he is a board Member of The Community Housing Group.

Councillor M J Hart declared in respect of application 11/0110/FULL, Land opposite the Gatehouse, that he had received correspondence from Julian Barnett (the agent) and had spoken to him on the telephone but came to the meeting with an open mind.

Councillor J Holden declared prejudicial interests in applications 11/0467/FULL – land at Power Station Road, and 11/0468/FULL, land adjacent to Power Station Road as he lived on the Power Station estate.

Councillor S J Williams declared a prejudicial interest in application 10/0659/RESE – Site adjacent to Rowberrys Nurseries, as he had an acquaintance who owned land which was affected by the application.

Councillor G Yarranton declared a prejudicial interest in application as he is a board Member of The Community Housing Group and declared in respect of application 11/0518/FULL – 1 Baldwin Road that he had had a conversation with the applicant but came to the meeting with an open mind.

Councillors M Hart, I Hardiman, C Nicholls, F M Oborski, M Salter, S J Williams and G Yarranton had received a letter on application 11/0110/FULL – land opposite the Gatehouse.

**PL.58 Minutes**

**Decision: The minutes of the meeting held on 13th September 2011 be confirmed as a correct record and signed by the Chairman.**

**PL.59 Applications To Be Determined**

The Committee considered those applications for determination (now incorporated in Development Control Schedule No. 490 attached).

**Decision: The applications now submitted be determined, in accordance with the decisions set out in Development Control Schedule No. 490 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.60 Applications Pending Decision**

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

**Decision: The schedule be noted.**

**PL.61 Planning and Related Appeals**

The Committee received details of the position with regard to planning and related appeals, still being processed, together with particulars of appeals that had been determined since the date of the last meeting.

**Decision: The details be noted.**

**PL.62 Monthly Progress Report on performance against NI157 targets for determining planning applications**

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

**Decision: The details be noted.**

The meeting ended at 9.37 p.m.

**WYRE FOREST DISTRICT COUNCIL****PLANNING COMMITTEE**11<sup>th</sup> October 2011 Schedule 490 Development Control

The schedule frequently refers to various standard conditions and notes for permission and standard reasons and refusals. Details of the full wording of these can be obtained from the Director of Planning and Regulatory Services, Duke House, Clensmore Street, Kidderminster. However, a brief description can be seen in brackets alongside each standard condition, note or reason mentioned.

**PART A****Application Reference:** 11/0252/FULL**Site Address:** HOPLEYS CAMPING AND CARAVAN SITE, DODDINGTREE, CLEOBURY ROAD, BEWDLEY, DY12 2QL**APPROVAL** subject to the conditions as listed:

1. A6 (Full with no reserved matters)
2. A11 (Approved plans)
3. Only pitches Nos. 1 – 48 and the four tepees shall be available for use 12 months of the year. Remaining pitches shall only be available for use between 2<sup>nd</sup> March and 30<sup>th</sup> October in any one year.
4. Additional detailed landscaping scheme in accordance with planting scheme shown on approved drawing
5. Drainage
6. Measures to reduce soil erosion during the levelling or re-profiling process
7. The retention of features of ecological value such as mature trees
8. The protection of trees and hedgerows
9. The prevention of works taking place within the bird nesting season
10. The submission of a landscaping scheme
11. The removal of Japanese Knotweed
12. The prevention of works within the area identified as a wayside vegetation (due to the potential impact upon reptiles).
13. Holiday occupancy only
14. No lighting unless otherwise agreed in writing
15. Tree retention
16. Tree protection

**Reason for Approval**

It is considered that the impact of the use of the site for the provision of camping pitches would have a minimal impact on the visual amenity of the landscape given that they would be set below the skyline and that use of the majority of the site would be seasonal. Furthermore it is considered that there would be no significant impact upon the outlook or amenity currently enjoyed by occupiers of the surrounding residential properties. The application is considered to be in accordance with the relevant Policies NC.2, TR.17, D.4, NR.11 and NR.12 of the Adopted Wyre Forest District Local Plan (2004) and Policies DS01, DS04, CP02, CP03, CP12 and CP13 of the Adopted Wyre Forest Core Strategy (2010).



Councillor J Holden left the meeting during the following item.  
Councillor Godwin arrived at 6.32pm during the officer presentation on this item.

<b>Application Reference:</b> 11/0467/FULL
<b>Site Address:</b> LAND AT POWER STATION ROAD, STOURPORT-ON-SEVERN, DY13 9PF
<b>REFUSED</b> for the following reason:  1. The site constitutes non-previously developed land and falls outside an area allocated for residential development as set out in Policy H.2 of the Adopted Wyre Forest District Local Plan. To allow residential development in this location would be in direct conflict with the strategic aims of directing residential development within the urban areas of Kidderminster and Stourport on Severn on previously developed land. Justification has not been provided to support the release of the land for residential development, particularly given that the Council has a robust five year housing supply. To allow the development in these circumstances would be in direct conflict with Policies H.2 and H.9 of the Adopted Wyre Forest District Local Plan, Policies DS01, DS03 and DS04 of the Adopted Wyre Forest Core Strategy, or policies 1 or 2 of the emerging Site Allocations and Policies DPD and Government advice in PPS3.

Councillor J Holden rejoined the meeting to exercise his right to speak in respect of the following item but then left the meeting for the remainder of the discussion and the vote.

<b>Application Reference:</b> 11/0468/FULL
<b>Site Address:</b> LAND ADJACENT TO POWER STATION ROAD AND, WORCESTER ROAD, STOURPORT-ON-SEVERN, DY13 9RP
<b>REFUSED</b> for the following reasons:  1. The application site does not constitute previously developed land as defined by Annex B of Planning Policy Statement 3. To allow the development would conflict with the strategic aims of the District Council in focussing new development onto brownfield sites. It is considered that there are no material circumstances in this case that would outweigh the presumption against development, particularly given the Council have identified a minimum 5 year supply of housing land within the District. The principle of residential development on this site is therefore considered to be contrary to Policy H.2 of the Adopted Wyre Forest District Local Plan, Policies DS01 and DS03 of the Adopted Wyre Forest Core Strategy, Policy 1 of the emerging Site Allocations and Policies DPD and Government policy contained in Planning Policy Statement 3.  2. The proposed development would result in the loss of an area of informal green open space which contributes to the visual amenity and open aspect of the established residential estate. The justification for the development proposed as presented by the applicants is considered insufficient to outweigh the harm that would be caused through the loss of this informal

open space; the impact on the open aspect of the estate; and, impact on visual amenity, particularly given that no satisfactory compensatory provision has been offered. To approve the development under these circumstances would be in direct conflict with Policy LR.1 of the Adopted Wyre Forest District Local Plan, Policies CP11 and CP13 of the Core Strategy and Policies 22 and 25 of the emerging Site Allocations and Policies DPD.

**REFUSED** application W/11/00867/PN made to Wychavon District Council for the following reasons:

1. The application site does not constitute previously developed land as defined by Annex B of Planning Policy Statement 3. To allow the development would conflict with the strategic aims of the District Council in focussing new development onto brownfield sites. It is considered that there are no material circumstances in this case that would outweigh the presumption against development, particularly given the Council have identified a minimum 5 year supply of housing land within the District. The principle of residential development on this site is therefore considered to be contrary to Policy H.2 of the Adopted Wyre Forest District Local Plan, Policies DS01 and DS03 of the Adopted Wyre Forest Core Strategy, Policy 1 of the emerging Site Allocations and Policies DPD and Government policy contained in Planning Policy Statement 3.
2. The proposed development would result in the loss of an area of informal green open space which contributes to the visual amenity and open aspect of the established residential estate. The justification for the development proposed as presented by the applicants is considered insufficient to outweigh the harm that would be caused through the loss of this informal open space; the impact on the open aspect of the estate; and, impact on visual amenity, particularly given that no satisfactory compensatory provision has been offered. To approve the development under these circumstances would be in direct conflict with Policy LR.1 of the Adopted Wyre Forest District Local Plan, Policies CP11 and CP13 of the Core Strategy and Policies 22 and 25 of the emerging Site Allocations and Policies DPD.

Councillor J Holden left the meeting at this point, (7.14pm).

**Application Reference:** 08/1044/FULL

**Site Address:** FORMER VICTORIA SPORTS FIELD, SPENNELLS VALLEY ROAD, KIDDERMINSTER

**Delegated** authority to **APPROVE** subject to the submission of:

- i) amendments to the landscaping as suggested by Arboricultural Officer;

- ii) an additional lighting strategy for the bowling green undertaken by suitable qualified person indicating vertical light spillage and the impact of the proposed lighting upon ecology with no objections raised by Worcestershire Wildlife Trust, Natural England and the Council's Countryside and Conservation Officer;
- iii) the signing of a **Section 106 Agreement** for the items listed under paragraph 4.66; and thereafter
- v) subject to the following conditions:
  - 1. Three year time limit
  - 2. In accordance with approved plans
  - 3. Details of boundary treatment
  - 4. Retention of parking
  - 5. Bowling club to be used only for that purpose and no other
  - 6. Sample of materials
  - 7. Visibility splays
  - 8. Secure parking for 20 cycles
  - 9. Implementation of parking spaces for 177 cars and the loading and unloading of commercial vehicles
  - 10. Scheme to be submitted and agreed regarding areas for the manoeuvring, parking, loading and unloading of vehicles
  - 11. Details of right turning facility to be submitted and agreed
  - 12. Details of wheel cleaning apparatus to be submitted and agreed
  - 13. Means of vehicular access to be from Spennells Valley Road only
  - 14. Details of parking for site operatives and visitors
  - 15. Development to be implemented in accordance with submitted Travel Plan.
  - 16. Finished floor levels no lower than 32.4m AOD
  - 17. Provision and implementation of a surface water regulation system including the use of SuDS
  - 18. Details of foul drainage
  - 19. Details of design of bird and bat boxes
  - 20. Agreed design of bird and bat boxes to be installed in locations shown on approved plan prior to first use of bowling club
  - 21. Ecologist present during site clearance
  - 22. Works to trees outside nesting season (March to September unless ecologist present)
  - 23. Additional bird / bat enhancement measures on buildings
  - 24. Habitat suitability index assessment of adjacent pond on golf course with suitable mitigation measures if necessary
  - 25. Tree retention in accordance with plans
  - 26. Tree protection in accordance with BS5837/2005
  - 27. Lighting in accordance with details to be agreed
  - 28. Glazing in accordance with Environmental Noise Report recommendations

29. Planting in accordance with approved plans, timescale to be agreed
30. Details of landscaping maintenance
31. Play area within area shown on layout only

Reason for Approval

The proposed development would result in the loss of sports pitches / open space, which are protected by virtue of Policies LR1 and LR6 of the Adopted Wyre Forest District Local Plan and Policy CP07 of the Adopted Wyre Forest Core Strategy. It is however considered that cumulatively, there are sufficient reasons which would justify supporting the proposed development. These reasons being that the site has not been in sporting use for 7 years; the development would provide a centre of excellence for bowling within the district; its provision would meet the aspirations of the Council's Open Space, Sport and Recreation Assessment; financial contributions would be made towards supporting and improving existing sporting provision in the district; and the proposed development would enable the landowner to reinvest and therefore safeguard jobs in Kidderminster. It is considered that the proposed design, layout, impact upon highways, flooding, drainage and neighbouring amenity is acceptable subject to conditions. The application is considered to be in accordance with the Policies D.4, TR.17, LR.1, LR.9, RT.13 of the Adopted Wyre Forest District Local Plan, DS01, DS02, CP01, CP03, CP07, CP09, CP10, CP11, CP14 of the Adopted Wyre Forest Core Strategy, T.4 of the Worcestershire County Structure Plan, Policies 10,13, 15, 19, 22, 23, 25, 26 Draft Site Allocations and Policies DPD, 2, 4, 5, 6, 8, 9, 19, 23, 27, 29, 31, 33, 34, 35, 36, 37, 39, 42, Draft KCAAP DPD, PPS1, PPS4; PPS9, PPG13, PPG17, PPG24, PPS25, Planning Obligations SPD and National Planning Policy Framework.

Councillor H & P Dyke left the meeting at this point, (8.06pm).

There was a comfort break at 8.06pm and the meeting reconvened at 8.12pm. Councillor S J Williams left the meeting at this point, and the Vice Chairman took the chair for the following item.

**Application Reference:** 10/0659/RESE

**Site Address:** SITE ADJACENT TO ROWBERRYS NURSERIES, LOWER CHADDESLEY, KIDDERMINSTER

**APPROVED**, subject to the following conditions:

1. A4 (Reserved matters only)
2. A11 (Approved plans)
3. B1 (Samples of materials)
4. E2 (Foul and surface water)
5. Access, turning and parking

Reason for Approval

The principle of developing the site for a new primary school and associated buildings and works has been agreed previously at the outline stage by virtue of

planning application 07/0482/OUTL. The means of access to the site together with the layout and scale of the development has also been agreed at the outline stage.

The proposed development has been carefully assessed in terms of its design and appearance, and the proposed landscaping, with due consideration given to the potential visual impact of the development on the Green Belt. The design of the school buildings and the choice of materials are considered to be acceptable and appropriate in this location. The hard and soft landscaping proposed has also been fully assessed and is considered to be acceptable and appropriate to this location. The impact of the development has been assessed in terms of the adjoining land uses and has been found to be acceptable. The application is considered to be acceptable and in accordance with policies H.9, D.4, D.10, D.11, D.15, NR.11, NR.12, GB.1, GB.2, GB.3, GB.6, NC.7, TR.17, LR.8, LR.9 of the Adopted Wyre Forest District Local Plan, DS04, CP01, CP02, CP03, CP07, CP11, CP12, CP14 of the Adopted Wyre Forest Core Strategy, D.12, D.38, D.39, T3, T.4, RST.1, RST.3 Worcestershire County Structure Plan, RR1, RR2, RR4, CF3, QE1, QE3, QE6, QE7, EN2, T2, T3, T7 West Midlands Regional Spatial Strategy, PPS1, PPG2, PPS7, PPS9, PPG13, PPG17, PPS25 and Design Quality Supplementary Planning Guidance.

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

**Application Reference:** 11/0110/FULL

**Site Address:** LAND OPPOSITE THE GATEHOUSE, NELSON ROAD, SANDY LANE INDUSTRIAL ESTATE, STOURPORT-ON-SEVERN, DY139QB

**Members were minded to APPROVE** the application based on the following reasons:

1. There is an identified need for the pitches;
2. The site is located adjacent to a tolerated traveller site within the same flood zone;
3. There is sufficient early warning of potential flooding from the River Severn to allow occupiers to evacuate the site; and
4. There is a lack of alternative sites.

The above reasons were considered to outweigh the risk of flooding. The application was deferred for one cycle to allow the departure procedure to be undertaken.

**Application Reference:** 11/0177/FULL

**Site Address:** LAND BETWEEN 3 & 4 PINTA DRIVE, STOURPORT-ON-SEVERN, DY13 9RY

**REFUSED** for the following reason:

1. The application site does not constitute previously developed land as defined by Annex B of Planning Policy Statement 3. To allow the development would conflict with the strategic aims of the District Council in focussing new development onto brownfield sites. It is considered that there are no material

circumstances in this case that would outweigh the presumption against development, particularly given the Council have identified a minimum 5 year supply of housing land within the District. The principle of residential development on this site is therefore considered to be contrary to Policy H.2 of the Adopted Wyre Forest District Local Plan, Policies DS01 and DS03 of the Adopted Wyre Forest Core Strategy, Policy 1 of the emerging Site Allocations and Policies DPD and Government policy contained in Planning Policy Statement 3.

2. The proposed development would result in the loss of an area of informal green open space which contributes to the visual amenity and open aspect of the established residential estate. The justification for the development proposed as presented by the applicants is considered insufficient to outweigh the harm that would be caused through the loss of this informal open space; the impact on the open aspect of the estate; and, impact on visual amenity, particularly given that no satisfactory compensatory provision has been offered. To approve the development under these circumstances would be in direct conflict with Policy LR.1 of the Adopted Wyre Forest District Local Plan, Policies CP11 and CP13 of the Core Strategy and Policies 22 and 25 of the emerging Site Allocations and Policies DPD.

**Application Reference:** 11/0427/FULL

**Site Address:** 73 CASTLE ROAD, COOKLEY, KIDDERMINSTER, DY10 3TD

**APPROVED** subject to the following conditions:

1. A11 (Approved plans)
2. No commercial use

Reason for Approval

The building as erected does not detract from the appearance of the original main dwelling, and the surrounding residential environment. Any visual impact upon the street scene of Castle Road, Cookley is minimal. The impact of the building on neighbouring properties has been carefully assessed and it is considered that no undue loss of amenity or privacy has occurred as a result of the development. The application is considered to be acceptable and in accordance with policies D17, TR.17 of the Adopted Wyre Forest District Local Plan, CP11 of the Adopted Wyre Forest Core Strategy and PPS1.

**Application Reference:** 11/0296/FULL

**Site Address:** THE DOWER COTTAGE, BROOME, STOURBRIDGE, DY9 0HB

**APPROVED** subject to the following conditions:

1. A6 (Full with No Reserved Matters)
2. A11 (Approved plans)
3. A 1 metre square sample panel of the brick wall showing the proposed mix and mortar joint detail shall be erected on site and agreed in writing with the Local Planning Authority before any work on site commences.

Reason for Approval

The application has been carefully considered and on the balance of all evidence the proposal is judged to be acceptable and in keeping with the character and appearance of the Listed Building, the Conservation Area and the Green Belt. To allow the development in these circumstances is compliant with Policies LB.1, LB.5, CA.1 GB1, GB6, D17 of the Adopted Wyre Forest District Local Plan, CP11 of the Adopted Wyre Forest Core Strategy, CTC.19 CTC20 of the Worcestershire County Structure Plan, QE1QE5 of the West Midlands Regional Spatial Strategy, Design Quality SPG and PPS1, PPS5.

**Application Reference:** 11/0432/RESE

**Site Address:** 37-38 OLDNALL ROAD, KIDDERMINSTER, DY10 3HN

**APPROVED** subject to the following conditions:

1. A.4 (Reserved Matters only).
2. A11 (Approved plans).
3. The exact levels of the rear terraces hereby approved as part of the landscaping reserved matters shall be agreed on site and in writing with the Local Planning Authority before work on the terraces are commenced and the approved levels shall thereafter be strictly adhered to.
4. The proposed landscaping scheme shall be implemented strictly in accordance with the management plan.
5. The planting hereby approved shall be fully implemented in the first planting season following occupation of the building and the hard landscaping shall be fully implemented to the satisfaction of the Local Planning authority before the building is first brought into use.

Reason for Approval

The proposal has been carefully considered in terms of biodiversity, the existing trees and vegetation and with respect to the amenity of neighbouring properties and the visual amenity of the area as a whole and the scheme, subject to conditions is judged to be acceptable and compliant with policies D4, D10, D11 of the Adopted Wyre Forest District Local Plan, CP13, CP14 of the Adopted Wyre Forest Core Strategy and Design Quality SPG.

Councillors D Godwin, I Hardiman and G Yarranton left the meeting during consideration of the following item.

**Application Reference:** 11/0469/FULL

**Site Address:** RICHMOND ROAD, BEWDLEY

**Delegated authority to APPROVE** subject to:

- a) the signing of **Section 106 Agreement** to secure
  - Open Space Contributions of £1,799.04; and

b) the following conditions:

1. A6 (Full with no reserved matters)
2. A11 (Approved plans)
3. B6 (External details – approved plan)
4. B11 (Details of enclosure)
5. B13 (Levels details)
6. C6 (Landscaping – small scheme)
7. C8 (Landscape implementation)
8. E2 (Foul and surface water)
9. F13 (Control of dust)
10. Hours of construction work
11. J9 (Open plan frontages)
12. Access, turning and parking
13. Cycle Parking

Notes

- A. Advised to refer to the Secured by Design website for guidance on perimeter fencing and physical security standards
- B. SN1 (Removal of permitted development rights)
- C. Private apparatus within the highway

Reason for Approval

The proposed dwellings are well designed and will have minimal impact on the appearance of the street scene. The scheme is also acceptable in terms of highway safety. The impact of the dwellings upon the neighbouring properties has been carefully assessed and it is considered that there will be no undue impact on their amenity. The application is considered to be acceptable and in accordance with policies of the H.2, H.6, D.10, D.11, TR.17 of the Adopted Wyre Forest District Local Plan, DS01, DS03, CP03, CP04, CP11 of the Adopted Wyre Forest Core Strategy, SPD on Planning Obligations and PPS1, PPS3, PPG13.

Councillors D R Godwin, I Hardiman and G Yarranton came back to the meeting at this point.

**Application Reference:** 11/0498/FULL

**Site Address:** THE HOLLIES, TRIMPLEY LANE, SHATTERFORD, BEWDLEY, DY12 1RL

**REFUSED** for the following reasons:

1. The site is located within the West Midlands Green Belt. The development is considered to be inappropriate within the Green Belt which is by definition harmful. There is further harm caused to the openness and appearance of the Green Belt. It is considered that there are no very special circumstances to justify this inappropriate development and as such the proposal is contrary to Policy GB.1 of the Adopted Wyre Forest District Local Plan, Policies D.12 and D.39 of the Worcestershire County Structure Plan, Policy 20 of the



emerging Site Allocations and Policies DPD and government guidance within PPG2.

2. Due to the topography of the area the site is in an elevated and prominent location particularly when viewed from the Public Rights of Way to the west. The proposed development would detract from and harm the character of landscape and the visual amenity of the Green Belt in this rural location contrary to Policy GB.6 of the Adopted Wyre Forest District Local Plan, Policies CP06 and CP12 of the Adopted Wyre Forest Core Strategy, the aims of Policies QE1 and QE6 of the West Midlands Regional Spatial Strategy and Government guidance in PPG2 and PPS7.
3. The location of the residential accommodation fails to accord with:
  1. Housing Policies H.2 or H.9 of the Adopted Wyre Forest District Local Plan, or Policies DS01 or DS04 of the Adopted Wyre Forest Core Strategy, or policies 1 or 2 of the emerging Site Allocations and Policies DPD;
  2. Gypsy Site Provision Policy CP06 of the Adopted Wyre Forest Core Strategy in that it is not within or around the settlement boundaries of Kidderminster or Stourport on Severn and that sequentially preferable sites are available; or
  3. Residential Caravans and Mobile Homes Policy H.16 of the Adopted Wyre Forest District Local Plan and Policy D.17 of the Worcestershire County Structure Plan.

The above policies seek to guide residential development to appropriate locations. To approve the development at the location proposed would retain a solitary development which lies outside a settlement boundary and goes against planning policy which seeks to protect the Green Belt and open countryside.

**Application Reference:** 11/0518/FULL

**Site Address:** 1 BALDWIN ROAD, BEWDLEY, DY12 2BP

**REFUSED** for the following reason:

1. The proposed two-storey extension would be out of keeping with the form and architectural characteristics of the original building. In addition, it would appear as a prominent and incongruous feature in the Baldwin Road street scene by introducing an architecturally discordant feature in the form of twin hipped roofs to the established residential layout and architectural style of the immediate neighbourhood. The development is therefore considered to be contrary to Policy D.17 of the Adopted Wyre Forest District Local Plan and Policy CP 11 of the Wyre Forest Core Strategy.

**Application Reference:** 11/0523/FULL

**Site Address:** WALSHES FARM CARAVAN PARKS LTD, WALSHES FARM,  
DUNLEY ROAD, STOURPORT-ON-SEVERN, DY13 0AA

**APPROVED** subject to the following conditions:

1. The caravans sited within the red line on the approved plans shall not be occupied at any time during 5th January to 5th February inclusive, during which the park shall be closed except for access for maintenance requirements or park owners and staff.

**Reason**

To preclude the use of the site as permanent residential accommodation and to comply with Policy H.9 of the Adopted Wyre Forest District Local Plan and Policies DS04, CP02 and CP10 of the Adopted Wyre Forest Core Strategy as the site lies outside an allocated area and within an area liable for flooding.

2. The use of the caravan site shall be for holiday purposes only.

**Reason**

To preclude the use of the site as permanent residential accommodation and to comply with Policy H9 of the Adopted Wyre Forest District Local Plan and Policies DS04, CP02 and CP10 of the Adopted Wyre Forest Core Strategy as the site lies outside an allocated area and within an area liable for flooding.

**Reason for Approval**

The variation of condition is acceptable as it maintains the 11 month holiday occupancy of the site and ensure the site is not established as permanent residential accommodation in order to comply with Policies H.9, TM.6, NC.5 and NR.5 of the Adopted Wyre Forest District Local Plan as the site lies outside an allocated area and within an area liable for flooding.

**EXECUTIVE SUMMARY TO REPORT OF  
DEVELOPMENT MANAGER**

**Planning Committee**

**08/11/2011**

**PART A Reports**

<b>Ref.</b>	<b>Address of Site</b>	<b>Recommendation</b>	<b>Page No.</b>
11/0512/RESE	SUTTON ARMS SUTTON PARK ROAD KIDDERMINSTER	APPROVAL	20

**PART B Reports**

<b>Ref.</b>	<b>Address of Site</b>	<b>Recommendation</b>	<b>Page No.</b>
11/0110/FULL	LAND OPPOSITE THE GATEHOUSE NELSON ROAD SANDY LANE INDUSTRIAL ESTATE STOURPORT-ON-SEVERN	REFUSAL	27
11/0195/FULL	LAND ADJACENT TO NUNNS CORNER GYPSY SITE G SANDY LANE INDUSTRIAL ESTATE STOURPORT-ON-SEVERN	APPROVAL	60
11/0408/FULL	THOMAS VALE CONSTRUCTION PLC FIRS INDUSTRIAL ESTATE KIDDERMINSTER	APPROVAL	67

WYRE FOREST DISTRICT COUNCIL

**PLANNING COMMITTEE**  
**8<sup>TH</sup> NOVEMBER 2011**

**PART A**

**Application Reference:** 11/0512/RESE      **Date Received:** 18/08/2011  
**Ord Sheet:** 381927 275345      **Expiry Date:** 17/11/2011  
**Case Officer:** Paul Wrigglesworth      **Ward:** Sutton Park

**Proposal:** Approval of Reserved Matters for access, appearance, landscaping, layout and scale for 14 dwellings (following Outline Planning Permission 08/0538/OUTL as amended by Planning Permission 11/0268/FULL)

**Site Address:** SUTTON ARMS, SUTTON PARK ROAD,  
 KIDDERMINSTER, DY116LE

**Applicant:** Banner Homes Midlands Ltd

<b>Summary of Policy</b>	H2, TR.9, D.4 (AWFDLP) DS01, CP05, CP07 (AWFCS) CF.2, QE.3 (WMRSS) Design Quality SPG PPS1; PPG3
<b>Reason for Referral to Committee</b>	'Major' planning application
<b>Recommendation</b>	<b>APPROVAL</b>

**1.0 Site Location and Description**

- 1.1 The application site is a corner area of land located in a residential area of Kidderminster. The site measures 3,800 square metres and was occupied by a detached public house known as the Sutton Arms and its associated car park. The land has been cleared of buildings and is now screened by the developer's hoardings. The site is bounded to the south by Sutton Park Road and to the east by Parry Road. Residential properties in Sutton Park Road are situated to the west of the site and properties situated at a lower level in Parry Road and Tomkinson Drive lie to the north.
- 1.2 The site constitutes previously developed land and lies within an area allocated for residential development. It is affected by a Tree Preservation Order.

11/0512/RESE

## 2.0 Planning History

- 2.1 08/0538/OUTL - Demolition of existing public house and redevelopment of the site for residential dwellings : Approved 31/3/09
- 2.2 10/0532/RESE – Erection of 11 detached houses (Reserved matters following outline approval 08/0538) : Refused 8/12/10
- 2.3 11/0268/FULL - Removal of condition 5(ii) of outline planning permission 08/0538 to permit shared access arrangements to Sutton Park Road : Approved 21/6/11

## 3.0 Consultations and Representations

- 3.1 Highway Authority – No objection subject to conditions
- 3.2 Severn Trent Water – No objection subject to condition (*Officer Comment – This condition is already on the outline permission*)
- 3.3 Arboricultural Officer – I am much happier with the landscaping proposal. Everything looks covered apart from a 5 year establishment and maintenance of trees. Is it possible to ensure that the condition applies to the trees (*Officer Comment - This condition is already on the outline permission*)
- 3.4 Environmental Services Manager – Bin collection points need to be adjacent to the footways.
- 3.5 Neighbour/Site Notice – One letter of objection received raising the following concerns:
  - Stray parking is my concern (I live opposite)
  - I do not want extra cars parked outside my house – it is dangerous
  - There must be double lines down both sides of the road and down Parry Road

A letter has also been received from Hillcrest Residents Association – Access to the rear of terraced houses needs to be detailed in the documentation – this is required to be shown in order that wheelie bins may be brought to the front of the property to be emptied. Necessary to define a suitable 'temporary storage area where wheelie bins can be accommodated on collection days. Pedestrian access needs to be improved to plots 4 and 11 by providing an extended corridor for wheelie bins access.

11/0512/RESE

Surface treatment of rear access corridors needs to be defined with rights of access. Recommend a revision of fence line to increase the depth of Plots 4 and 11 and reduce plots 8 and 9 accordingly (Officer Comment - *The above points have been incorporated in a revised plan*).

The Residents Association conclude by stating: “We have appreciated the opportunity of talking with the developer about their proposal for the Sutton Arms site and they have considered our comments in coming up with their layout which offers 14 dwellings all having means of access from and back to the highway allowing progress in a forward direction. The total number of access points has been limited to five”.

#### **4.0 Officer Comments**

##### BACKGROUND

4.1 Outline planning permission was granted on the 31<sup>st</sup> March 2009 for up to 14 dwellings on this site. A reserved matters application (10/0532/RESE) was refused on the 8<sup>th</sup> December 2010 on the basis that the scheme proposed an excessive number of vehicular access points and because the vehicular access to four of the properties made no provision for turning movements which would be detrimental to highway safety. A later application (11/0268/FULL) amended the outline planning permission by allowing shared access points onto Sutton Park Road.

4.2 The current proposal is a reserved matters application that seeks permission for all reserved matters i.e. layout, appearance, scale, landscaping and access. These matters are described and considered below:

##### LAYOUT

4.3 Six detached properties are proposed fronting onto Sutton Park Road each with a shared access point. Behind these are 8 terraced properties in two blocks of four. One of these blocks gains access from Sutton Park Road via a private driveway and the other four which face Parry Road are served by a single access point.

4.4 The layout has the merit of ensuring that the proposed dwellings do not turn their backs onto the two highway frontages. This arrangement maximises surveillance, minimises dead frontage, and reduces the exposure to the street scene of unsightly fencing panels and rear garden paraphernalia. The layout proposed also eliminates overlooking of properties located at a lower level in Parry Road and Tomkinson Drive as the terraced properties are sideways onto these boundaries. The spacing between properties, both within the development and between existing properties, is judged to be acceptable.

11/0512/RESE

**APPEARANCE**

- 4.5 The properties fronting onto Sutton Park Road reflect the style of housing in the area in that each house incorporates a front projecting gable with bay windows below and the highway frontage is lined by a low boundary brick wall which is a typical architectural feature of this locality. The two end properties which book-end the row also incorporate hipped roofs which is also a characteristic design element in the immediate area. The terraced properties include traditional components such as hipped roofs, chimneys, porch canopies and soldier course detailing. An end property in each block also has an attached single garage.
- 4.6 The properties proposed are considered to be an attractive composition that will make a positive contribution to the overall appearance of the neighbourhood

**SCALE**

- 4.7 All properties are two storeys in scale although four of the properties fronting Sutton Park Road and four of the terraced properties have rooms in the roof space lit by sky lights. The use of hipped roofs has been employed to reduce the massing of the buildings and improve their relationship with neighbouring property in locations adjacent to existing residential boundaries.
- 4.8 The scale of the buildings proposed is judged to be in keeping with the setting and do not give rise to any infringements with the 45 degree code.

**LANDSCAPING**

- 4.9 The plans are accompanied by a tree report; a combined arboricultural implications; and, method statement and landscaping specification. The scheme is comprehensive and amongst other things includes the retention of the London Plane tree fronting Parry Road which is protected by a Tree Preservation Order and includes tree and hedge planting on both Sutton Park Road and Parry Road frontages to green the edges of the development and soften the appearance of parked cars.
- 4.10 The landscaping scheme is well thought out and meets the approval of the Council's Arboricultural Officer.

**ACCESS**

- 4.11 The application proposes a total of 5 access points, four of which are onto Sutton Park Road and only one onto Parry Road.

11/0512/RESE

- 4.12 The Council considered previously that 7 access points was excessive and the although the scheme represents a reduction of only 2 accesses, all of the access points now proposed have turning facilities associated with them ensuring that vehicles are able to emerge onto the highway in a forward gear. In addition the single access point to Parry Road is located at the furthest feasible distance from the junction with Sutton Park Road which represents an improvement in highway safety.
- 4.13 In terms of car parking the developer has incorporated garages with a depth of 6.575 metres to properties on the Sutton Park Road frontage to allow some provision for domestic storage in addition to a car and to further encourage the use of the garages for car parking electronically operated doors are also proposed to these houses.
- 4.14 The Highway Authority is satisfied, subject to conditions, with the development.

**OTHER ISSUES**

- 4.15 There is no requirement for payments by way of a Section 106 Agreement as this formed part of the Outline planning permission.

**5.0 Conclusions and Recommendations**

- 5.1 The principle of developing this site with 14 dwellings was established by the granting of outline planning permission. The scheme now before Members is the result of negotiations that have taken place over an extended period of time which has also included valuable input from the Hillcrest Residents Association. It is felt that the development proposed now achieves an acceptable balance in terms of highway safety, off street car parking, retaining the best trees, the effect on neighbours and by creating a residential development that will be an asset to the residential amenity of the area.
- 5.2 The application is recommended for **APPROVAL** subject to the following conditions:
1. A4 (Reserved Matters only)
  2. A11 (Approved plans)
  3. Single access – new - footway
  4. Vehicle access construction
  5. Driveway Gradient
  6. Cycle parking (multi unit)
  7. Parking for site operatives



11/0512/RESE

8. The exact location of bin storage areas to be submitted and approved in writing by the Local Planning Authority.
9. Provision of electronically operated garage doors to properties fronting Sutton Park Road

Note  
Highway

Reason for Approval

The reserved matters have been carefully assessed and they are considered to be acceptable and appropriate to the area in terms of the design, size and position of the proposed houses; the effect on the amenities of adjacent residential property; with respect to landscaping and retaining the trees of value and with regards to car parking, turning areas and highway safety. For these reasons the development is in accordance with the above mentioned policies in the Development Plan.

PLANNING COMMITTEE

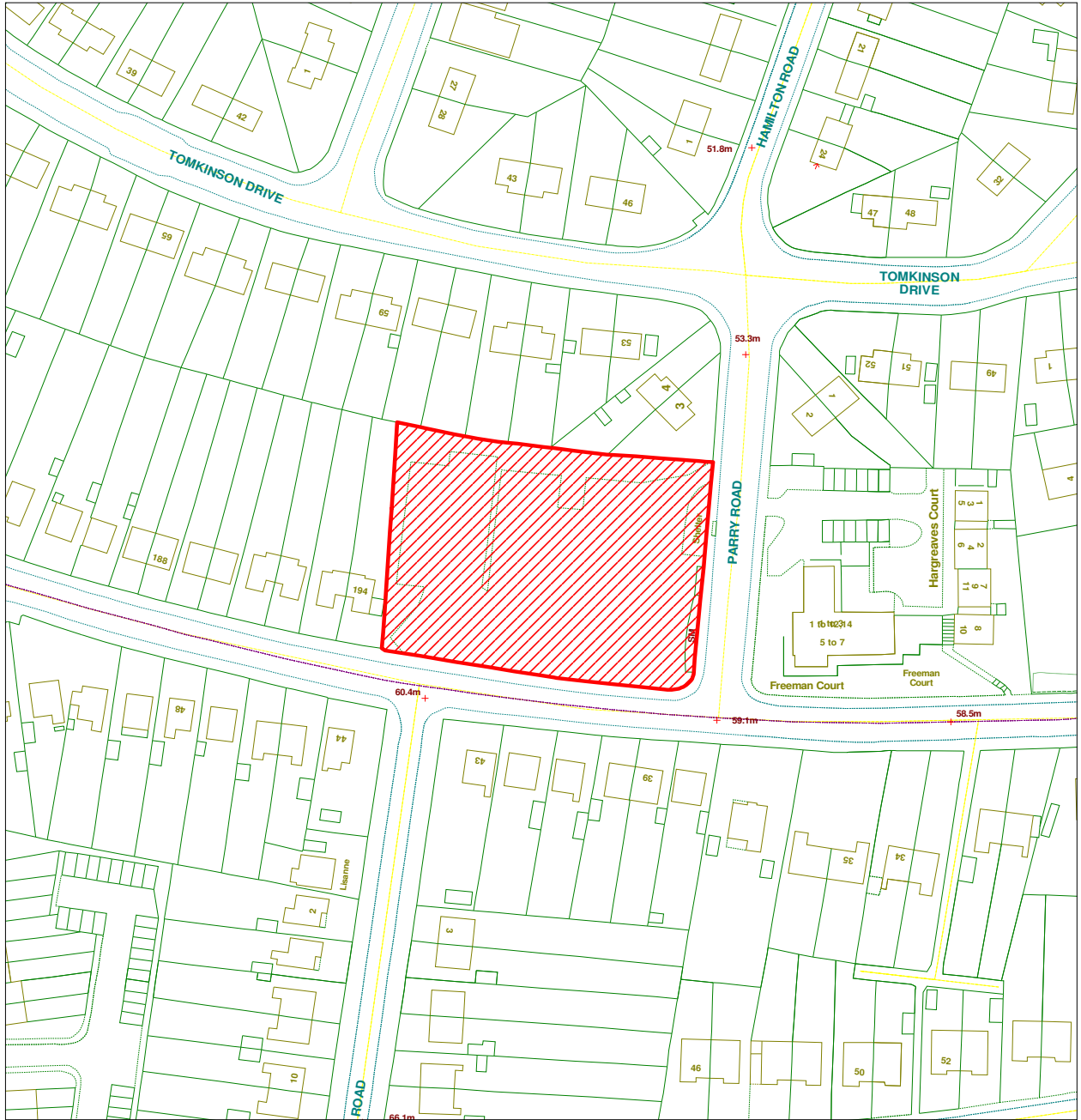
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Date:- 25 October 2011

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PLANNING AND REGULATORY SERVICES DIRECTORATE

**Sutton Arms**  
**Sutton Park Road**  
**Kidderminster DY11 6LE**



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

WYRE FOREST DISTRICT COUNCIL

**PLANNING COMMITTEE**  
**8<sup>TH</sup> NOVEMBER 2011**

**PART B**

**Application Reference:** 11/0110/FULL      **Date Received:** 28/02/2011  
**Ord Sheet:** 381766 270124      **Expiry Date:** 25/04/2011  
**Case Officer:** Julia Mellor      **Ward:** Mitton

**Proposal:** Change of use to Gypsy Caravan Park with 8 pitches and amenity block for temporary two year period

**Site Address:** LAND OPPOSITE THE GATEHOUSE, NELSON ROAD, SANDY LANE INDUSTRIAL ESTATE, STOURPORT-ON-SEVERN, DY139QB

**Applicant:** Mr & Mrs J Jones

<b>Summary of Policy</b>	H.2, H.9, H.14, D.10, NR.2, NR.11, NR.12 (AWFDLP) DS01, DS03, CP03, CP06, CP08 (AWFCS) CF2, CF3, CF4, CF5 (WMRSS) 1, 7, 14, 15, 25, 26 (Draft Site Allocations and Policies DPD) PPS1, PPS3, PPS4, PPG24, PPS25; Circular 01/06; Draft PPS 'Planning For Traveller Sites'
<b>Reason for Referral to Committee</b>	Development Manager considers that application should be considered by Committee
<b>Recommendation</b>	<b>REFUSAL</b>

THIS APPLICATION WAS DEFERRED FROM THE PLANNING COMMITTEE MEETING 11<sup>TH</sup> OCTOBER 2011 WHEN MEMBERS WERE MINDED TO APPROVE THIS APPLICATION SUBJECT TO THE DEPARTURE PROCEDURE

**1.0 Site Location and Description**

- 1.1 The site is located within the Sandy Lane Industrial Estate in Stourport on Severn, at the junction of Sandy Lane and Nelson Road.
- 1.2 Sandy Lane lies to the north, Nelson Road to the west, a Severn Trent pumping station to the south and an existing travellers' site known as Nunns Corner lies to the east.

11/0110/FULL

- 1.3 The site was previously used for the storage of heavy goods vehicles. It is understood from the previous site owner that this use ceased in 2008 and subsequently the site was advertised for sale. The site was sold to the current applicants in October 2010.
- 1.4 The site is enclosed by a 2.3 metre high palisade fence which was supplemented in November 2010 by a 2 metre close-boarded fence. By the end of January 2011 foul drainage had been installed on site, additional internal fencing had been constructed to sub-divide the site into individual plots and three static caravans had been brought onto the site, although it was not clear at that time whether the caravans were being used for residential purposes.
- 1.5 A fourth caravan arrived in April 2011 whilst an additional three empty caravans and a further two trucks arrived on site in June 2011. It is understood that all 8 pitches have caravans of which seven are occupied.

## **2.0 Planning History**

- 2.1 WF/0270/87 – Road Transport Depot and Operating Centre at the corner of Sandy Lane/Nelson Road : Approved 31.5.87
- 2.2 WF/0616/89 - (1) Continuation of use of temporary portacabin; (2) Removal of working hours restriction save Sunday : Approved 8.8.89
- 2.3 WF/1300/89 – Removal of restriction on working hours at Road Transport Depot and Operating Centre : Approved 11/2/90
- 2.4 Officers served a Temporary Stop Notice which took effect on 24 January 2011 after which the current part retrospective planning application was received.

## **3.0 Consultations and Representations**

- 3.1 Stourport-on-Severn Town Council – As it is understood that the application site is liable to flooding, it is accordingly recommended that the application should be refused.
- 3.2 Highway Authority – No objection
- 3.3 Environment Agency (*Summary of original response*) – The site and its access is within Flood Zone 3. During a 1% flood event, the site is likely to flood to a depth of 400mm. The 1% plus climate change flood level would result in a flood depth of 800mm.

11/0110/FULL

In this instance as it is acknowledged that the site is brownfield within a built up industrial area, it is accepted that the site is no longer acting within the definition of functional floodplain as explained under PPS25. Based on the above, the site is completely located in Flood Zone 3a.

PPS25 identifies that a caravan site for permanent residential occupation as a 'highly vulnerable use' which should not be permitted in Flood Zone 3.

Paragraph 14 of PPS25 states that a sequential risk based approach to determining the suitability of land for development in Flood Risk areas is central to the Policy Statement and should be applied at all levels of the planning process. The aim of this sequential test is to steer new development to areas at the lowest probability of flooding (Zone 1).

Only where there are no reasonably available sites in Flood Zones 1 or 2 should decision-makers consider the suitability of sites in Flood Zone 3, taking into account the flood risk vulnerability of land uses and applying the exception test if required. In this instance, given the scale and nature of the proposal, we would not make any bespoke comments on the sequential test. However, your Council would need to be satisfied on the information submitted to address this requirement; with reference to your Council's Forward Planning Policy Documents and evidence base.

Whilst information on the exception test has been submitted within a Flood Risk Assessment, PPS25 states that it should not be used to justify 'highly vulnerable' development within Flood Zone 3.

The road adjacent to the vehicular access is at 18.74 metres AOD, therefore during a 1% flood event, it would be 1 metre under water and with climate change this depth would be greater.

The proposed pedestrian access is at 19.18 metres AOD – 940mm under water during 1% flood event plus climate change.

Sandy Lane rises away from the site in an easterly direction above the 1% plus climate change flood level (after approximately 65 metres – based on a rough measurement). The Environment Agency Flood Warning System is likely to provide reasonable notice of potential flooding given the lead-in times on the River Severn. However, at the stage when flood water is just about to enter the site, the access will be under 600mm of flood water during the 1% flood event. Therefore, any site evacuation would need to be operational long before the site becomes flooded. Our experience is that it can remain flooded for a considerable period before flood waters recede. This might place additional burden on the Emergency Services at times when they are already stretched.

11/0110/FULL

The Flood Risk Assessment states that caravans would be set at least 600mm above the 1% plus climate change flood level (20.72 AOD). To achieve this, the caravans would be set 1.36 metres above the surrounding ground levels.

The proposed utility block would result in a small loss of flood storage for the site. The impact of this would be minimal.

The application is considered contrary to PPS25 and Policy CP06 of the Adopted Wyre Forest Core Strategy and may be refused on this basis.

*(There follows a summary of the additional comments received following consideration of the agents reply to the above)*

If you consider that the application fails to pass the sequential test, then the application may be refused and we would support your Council at appeal.

In providing for a safe pedestrian access, the levels provided by the applicants show that it would still experience depths of flooding to 940mm during the design flood event (1% plus climate change event). DEFRA identifies this depth of flooding as “*danger for most*”.

Sandy Lane would be affected by the 1% plus climate change flood event for 65 metres from the proposed pedestrian access point. No detailed information has been provided within the Flood Risk Assessment to confirm the suitability of this pedestrian access route, e.g. flood depths, velocity, frequency, distance and any hazards along the proposed evacuation route. We would raise concerns that a safe pedestrian route is not available based on the information provided and will support a reason for refusal on this basis

The proposed possible bunding around the edge of the site is not appropriate

The Environment Agency’s involvement with this development during an emergency would be limited to delivering flood warnings to occupants/ users if they signed up to the Flood Warning Service. We can clarify that the flood warnings issued for this area should be able to provide a reasonable amount of lead-in time for potential flooding. However, it does depend on when the decision is fixed to take action. Any flood evacuation management plan would rely on a delegated person(s) keeping up to date with the flood data to identify when they would need to consider evacuation

11/0110/FULL

As mentioned previously, the site is set above the adjacent access and therefore the access road would become flooded before the site. Any evacuation would therefore need to take place well before the site becomes flooded. It may be appropriate to evacuate people from the site but to leave the caravans and a suitable alternative site/temporary accommodation would need to be identified outside of the floodplain. Due to the nature of the floodplain in this area, our experience is that it can remain flooded for a considerable period before flood waters recede

Vehicular access into the site would appear to flood to approximately 1.3 metres deep during a 1% plus climate change flood event

We note that the Agent has interpreted the historic flooding shown on the photograph of the 2000 flood event provided with our previous response, in considering the evacuation of the site. It should be noted that the 2000 flood event was lower than the 1947 flood event in this area. The 1947 event was 260mm higher but still 7mm short of the modelled 1:100 year flood level at the Bewdley gauge. This would be more if consideration was given to climate change

At this time it is unclear whether the development can be made safe, suggesting that the proposal would lead to increased flood risk in the area. From the proposals provided, there would also appear to be no flood risk improvement/betterment of this site/area over the existing situation, in considering the policy aims of PPS25

*Officer Comment – As Members are minded to approve the application, contrary to the advice of the Environment Agency, they have been re-consulted in accordance with PPS25 and their comments will be provided on the Addenda and Corrections sheet.*

- 3.4 Severn Trent Water – No objections subject to condition
- 3.5 Planning Policy – The application site is located within Sandy Lane Industrial Estate which is allocated for B1, B2 and B8 industrial uses within the current Adopted Proposals Map. Whilst there are gypsy and traveller sites already apparent within this area, this is not one of them and this parcel of land is currently identified as being suitable for employment generating uses. The current proposal is therefore not in conformity with Core Strategy Policy CP08. Policy CP08 identifies criteria to consider the loss of employment land but in this instance it is not considered that these criteria have been met.

11/0110/FULL

Due to the nature of the proposal, Policy CP06 of the Core Strategy is also relevant for the determination of this application. In considering the criteria for new sites that is provided by Policy CP06, it is criteria 5 that causes greatest concern. Criteria 5 of CP06 identifies that sites should not fall within areas at higher risk of flooding. In this instance the site is within Flood Zone 3a and the proposed use is classified as being highly vulnerable. Highly vulnerable uses are not considered to be appropriate within Flood Zone 3a, as identified by National Planning Policy in the shape of PPS25 and therefore the application would be contrary to National and Local Policy.

Given that the application site is currently zoned for employment use and is within Flood Zone 3a, it needs to be understood whether or not there are other material considerations that are sufficient to allow a departure from the plan. In assessing this application one of the main material considerations is the requirement for Gypsy and Traveller pitches to be provided in line with identified need.

There is a national requirement for Local Planning Authorities to identify sufficient sites for Gypsies and Travellers in line with identified need, as outlined in Circular 01/2006. Although the Circular is still in force, the Government announced in 2010 the intention to change planning policy relating to Gypsies and Travellers. In April 2011, the Government began this process by publishing a consultation on "Planning for Traveller Sites" which proposes the introduction of a new Planning Policy Statement (PPS) to replace the current Circulars. The District Council have prepared a response to this consultation which was endorsed by Cabinet in June this year.

Despite the proposed change in policy, the Government's objective remains for local planning authorities to meet the needs of Gypsies, Travellers and Travelling Showpeople through the identification of land for sites, with the focus of this being through locally generated policy.

Wyre Forest District Council has already started to put this into place with the adoption of the Core Strategy DPD in December 2010. The Core Strategy sets the strategic policy (CP06) for considering sites for Gypsies, Travellers and Travelling Showpeople. It also includes a commitment for the authority to ensure that sufficient sites are allocated for Gypsies, Travellers and Travelling Showpeople.

In order to ensure that the District Council was meeting its requirement to allocate sufficient sites and due to the potential sensitivities and difficulties in identifying new sites for Gypsies, Travellers and Travelling Showpeople, consultants Baker Associates were appointed to undertake a study in 2011.



11/0110/FULL

The results of this study are now being used as the basis for a consultation exercise to allocate sufficient sites to meet identified need. This particular site does not form part of the short listed sites included for consultation and this therefore needs considering in light of this particular application.

It is considered that overall a balance needs to be struck between the requirement for new sites for this particular ethnic group and the other material planning considerations, which in this instance are the loss of employment land and the risk of flooding that is associated with this particular site.

- 3.6 Worcestershire Regulatory Services (Contaminated Land) – The site is part of a former depot and a contaminated land condition is required as the site is to contain residential properties (caravans) and associated services that will open up pathways.
- 3.7 Worcestershire Regulatory Services (Noise) – I write in response to the recent consultation and additional supporting information provided by Acoustic Associates.

I am satisfied that the Consultant has undertaken a comprehensive noise impact assessment based on sound acoustic principles using the approved PPG 24 methodology for noise level classification of land (NEC) for the purpose of assessing suitability for residential use of the land in question. I am also satisfied with his conclusions of category NEC A and B for night time.

However there are peculiarities to this particular assessment due to the type of intended development proposed. PPG 24 is based on WHO criteria for community noise and makes assumptions relating to the noise attenuating performance of standard construction dwellings to be in the region of 35dB (windows shut) and 13dB (windows open). Dwellings intended for use on this site do not offer this level of attenuation, therefore an alternative barrier treatment on the boundary would be required with particular emphasis on controlling noise from night time movements of vehicles on the adjacent highway. The consultant is aware of this and addresses this issue in the form of recommendations in the last paragraph of his report. It is my view that his recommendations should be formalised as a condition on the application.

11/0110/FULL

In summary to his findings I must advise that the report is a snapshot and cannot be used to account for all noise that can occur at this site due to its industrial nature. In addition to this it is noted that use of the highway intensifies in winter months due to increased movements to the nearby oil depot as demand for heating oil increases over that period. This cannot be accounted for due to the timing of the application and the time frame given to the acoustics consultant.

As a closing statement and general note, I am very concerned as to the number of residential based applications that are being made on this industrial estate. This location is designated as a B1, B2 and B8 site. There is one part B, two part (A1) processes licensed under the Pollution Prevention and Control Act 2000 both of which are COMAH regulated. As a consequence to this Sandy Lane industrial estate is probably the most environmentally hostile sites within the District, and this is borne out of the level of complaints and legal action we have taken on behalf of members of the public who have legitimised through the planning system their residential existence on this site. To date it has cost two companies to change their operations to accommodate people living cheek by jowl with industry. It also has a cost to this department in investigating these matters.

With the above in mind it is my professional view that all future proposed residential use at this industrial estate should be considered very carefully on amenity grounds due to the likely occurrence of noise, dust and odour nuisance.

- 3.8 West Mercia Police (Crime Risk Advisor) – The area in which this application is proposed has one of the highest rates of burglary in the District. Taking this into account, I question if it is a safe place to put more residential caravans, the security of which is inherently poor. Where the caravans are positioned means that they all should have a view of each other; unfortunately this layout is spoilt by the position of the amenity block which blocks natural surveillance over some of the caravans.
- 3.9 Health and Safety Executive (HSE) – There are no major hazard sites at this postcode that HSE need to be consulted over.
- 3.10 Strategic Housing Services Manager – Awaiting comments
- 3.11 Worcestershire County Council Gypsy Liaison Officer – The letter submitted from the County Council is still current as our waiting list is still full and we have families staying with parents on both Lowerheath and Broach Road Sites. The new site in Sandy Lane has already taken 3 families from our Warndon site and as such has given a home for families from the list.

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Talk around the sites hold the developer's family in high regard and I have been told they are fair people, with those comments from their community and the fact they have got tenants already I think they would both serve a need and be good operators

### 3.12 Watercourse Officer

#### Policy

- PPS 25: Caravan sites intended for permanent residential use are classed as a highly vulnerable use and should not be permitted within flood zone 3
- Wyre Forest District Council could allow development if satisfied that the Sequential Test criteria are met, which basically means that no other sites come forward at areas at a lower risk of flooding. This will follow from the assessment carried out by Baker Associates for WFDC
- Wyre Forest District Council Core Policy CP06 'Providing accommodation for gypsies, travellers and travelling show people' states that a site should not fall within areas at higher risk of flooding

#### Flood Risk

- Both site and access route are completely located within flood zone 3a (>1:100)
- The site has historically flooded (photos of 2000 event)
- Environment Agency's flood warning system is likely to provide reasonable notice of potential flooding given the lead times on the Severn. However when the flood water is just about to enter the site the vehicle access will already be flooded.

#### Proposed Mitigation measures

- Bund around the site: Not acceptable since it would imply a loss of flood plain (unless compensated), would leave the defended site isolated in the flood plain and would impose significant residual risk (breaching, overtopping)
- Relocate caravans: Due to levels on site relocation needs to be carried out long before the site becomes flooded. Vehicle access to the site would flood 1300 mm in 1:100 flood event + climate change. I believe it will therefore not be reasonable to assume that the caravans can be relocated in time. Same will be true for cars parked on site.
- Elevate caravans: Caravans would need to be set at least 600 mm above 1% + climate change. This means at a level of 20.72 m AOD which is 1.36 m above ground level. I don't know how practical it is to elevate the caravans and associated devices like gas bottles etc. up to this level. Caravans need to be secured to prevent them getting swept away and smashed into each other.

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- Evacuate residents: The proposed pedestrian access floods 940 mm during 1% flood and can therefore not be classed as a safe evacuation route.

Not mentioned, probably due to cost implications, are flotation devices that are on the market for static and mobile homes.

It is important that mitigation measures are also taken to prevent any floating 'debris' (transported by the river or originating from the site itself) causing damage in colliding with caravans. Also measures are needed to prevent regulators getting ripped off gas bottles.

#### Burden on emergency services

Even if the damage to the caravans is mitigated by raising them, residents will have to be evacuated since it is not safe for them to stay in the caravans. Residents evacuated may have to leave the site for a number of days during a flood event since it is known that the site remains flooded for a considerable period before flood waters recede. During this time residents will have to stay in alternative accommodation / rest centres.

#### Evacuation Plan

If the development would go ahead then an evacuation plan is needed. At Figure 7.2 of the Practical Guide to PPS25 it specifies that flood warning and evacuation plans should include:

How flood warning is to be provided, such as:

- availability of existing flood warning systems;
- rate of onset of flooding and available flood warning time; and
- how flood warning is given.

Particular attention should be given to the communication of warnings to vulnerable people including those with impaired hearing or sight and those with restricted mobility.

What will be done to protect the development and contents, such as:

- how easily damaged items (including parked cars) will be relocated;
- the availability of staff/occupants/users to respond to a flood warning, including preparing for evacuation, deploying flood barriers across doors etc.; and
- the time taken to respond to a flood warning.

Ensuring safe occupancy and access to and from the development, such as:

- occupant awareness of the likely frequency and duration of flood events;
- safe access to and from the development;

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- ability to maintain key services during an event;
- vulnerability of occupants, and whether rescue by emergency services will be necessary and feasible; and
- expected time taken to re-establish normal use following a flood event (clean-up times, time to re-establish services etc.).

Conclusions and recommendations

PPS 25 states that flood resistance and resilience measures should not be used to justify development in inappropriate locations. For a highly vulnerable use as this flood zone 3 is an inappropriate location and that is why it is stated in the Council's Core Policy CP06 that a new site should not be located in an area at a higher risk of flooding.

The only thing that could justify allowing this development is if no other sites come forward at areas at a lower risk of flooding and the need for additional pitches is thought to outweigh the risk of flooding. This I understand will partially follow from an assessment carried out by Baker Associates.

If it is decided to allow the development then the receipt of and response to the Environment Agency's Flood Warning System is an essential element in the management of the risk of flooding. It is my belief that the caravans should be elevated to prevent them from getting flooded and residents should evacuate the site. When flood water is just about to enter the site both the vehicle and pedestrian access/exit will already be flooded, making it impractical to relocate caravans and cars and complicating the evacuation process sincerely. This means that it is even more important that a decent Flood Evacuation Plan should be comprised. PPS 25 states that the local authority's emergency planning officer should be able to provide advice to developers producing an evacuation plan. I don't think that all the detailed information needed to comprise a thorough Flood Evacuation Plan is yet provided.

Based on the information provided I would recommend that the development is refused. However, if permission is granted then a condition should in my opinion be attached that a Flood Evacuation Plan should be comprised by the developer and approved by the Council before the site gets occupied further, using the guidance presented in Chapter 7 of the aforementioned PPS 25 Practical Guide.

The Flood Evacuation Plan needs to include how this plan gets updated and how potential occupants are made aware of the likely frequency and duration of flood events, the potential impacts and the information included in the Flood Evacuation Plan.

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A condition should in my opinion also be attached regarding the elevation of the caravans above the 1% flood level allowing for climate change (20.72 m AOD; 1.36 m above ground level).

3.13 Neighbour/Site Notice/Press Notice - A total of 9 written objections have been received (4 submitted anonymously). A summary of the concerns are as follows:

- The site is within a flood zone so why would you allow this to happen?
- There is a visual impact on the aesthetics of the estate which has recently had a great deal of money spent trying to improve health and safety and the image of the estate
- The area is well known for flooding
- Great health and safety issues with children playing in the road and riding bikes
- The access is on a bend; it is dangerous to enter and it is a route where heavy lorries go up and down day and night
- The existing wooden fencing restricts the view and there is concern regarding the conflict between caravans and wide loads
- The extended residential area will encourage a greater degree of traffic outside of the standard business hours making it difficult for law enforcement
- There is not one business in favour
- If there are more traveller sites within the industrial estate the site as an industrial estate will become no more
- From the response from our customers we are certain it will have a detrimental effect on our business
- The proposal will limit economic development within the estate leading to more businesses closing
- It will deprive the estate of valuable space for further investment and will lead to the loss of convenient industrial land
- Sandy Lane Industrial Estate needs to remain as an industrial estate not a gypsy caravan site with occasional industry
- Residential areas will impact upon the operating hours of any surrounding businesses both discouraging further investment and possibly leading to the closure of current businesses
- I feel that Stourport is providing more than its fair share of providing accommodation for gypsies and travellers
- As I am aware there are already seven permitted and tolerated sites within the Sandy Lane/Broach Road/Watery Lane area, in an area with an approximate radius of 1-2 miles
- I cannot see any reason for this site at all as the Council has one just around the corner

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- Why is the application temporary? So they can get a foot in the door?
- Why do we need another site?
- If approved, I see no reason to prevent others in the future
- The application states that the site has been vacant for two years – I remember lorry backs parked there since 2010
- Led to believe that pipes and tanks that used to contain fuel are or were located on the site and these have been removed without permission
- The application is retrospective
- Who will monitor that the new residents of this proposed site are in fact from the travelling community?
- Has any consultation been carried out to establish a need for the new gypsy caravan park?
- Has consideration been given to the health and safety implications for families on this plot?
- In my limited experience of the traveller community I have always known them to be very proud of their caravans and not generally prepared to live in statics provided by others. Are the existing static caravans intended for the traveller community?
- I also note that only one communal toilet and amenity block is planned. Again, in my experience, I believe the travellers prefer their own private amenity blocks as per those on the County Council sites and the recent development of Broach Road.

A petition has also been submitted in support of the application with 7 signatures. It states the following:

*“I have no objections to the redevelopment of the land at Nelson Road to house a permanently residential privately run gypsy caravan site with a maximum of 8 pitches”.*

At the time of report preparation no comments have been received as a result of the departure procedure.

#### **4.0 Officer Comments**

##### **GYPSY STATUS**

- 4.1 The application which has been submitted is for a gypsy caravan park. Paragraph 15 of Circular 01/2006 defines gypsies and travellers as,

*“Persons of nomadic habit of life whatever their race or origin, including such persons who on grounds only of their own or their family’s dependents educational or health needs or old age have ceased to travel temporarily or permanently, but excluding members of an organised group of travelling show people or circus people travelling together as such.”*

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- 4.2 A letter of support from the County Council Gypsy Liaison Officer has been forwarded. It confirms that the applicants have been known to the County Council Officer, *“for a considerable number of years both as a couple and, prior to their marriage, as individuals. They were both born and raised in Stourport on Severn with their family history of residency stretching back generations ... They are also highly regarded within their community and would prove to be fair minded site owners with absolutely no hesitancy in managing an orderly and quiet site”*. There is little doubt that the application is for a genuine gypsy and traveller site.
- 4.3 It is considered that the key areas of planning policy to consider are:
- Current Site Allocation in Development Plan
  - Flooding
  - Highways
  - Other material considerations
  - Circular 01/2006 & a temporary permission
  - Human rights

#### CURRENT SITE ALLOCATION IN DEVELOPMENT PLAN

- 4.4 The application site is located within the Sandy Lane Industrial Estate which, according to the Adopted Wyre Forest District Local Plan, is allocated for B1, B2 and B8 industrial uses. Whilst there are gypsy and traveller sites within the Sandy Lane Industrial Estate safeguarded by Adopted Local Plan and emerging LDF Policy, including Nunns Corner which lies immediately to the east, this particular site is clearly allocated for employment uses.
- 4.5 The proposed use for gypsy and traveller accommodation is therefore contrary to Policy CP08 of the Adopted Wyre Forest Core Strategy which seeks to safeguard existing employment areas. The Policy states that development which would result in the loss of employment land will only be acceptable where it can be demonstrated that it meets a list of four criteria which are as follows:
- 1) *the site is identified in an up-to-date employment land review as being suitable to be considered for alternative uses;*

The Council undertook an Employment Land Review in 2007-8 which concluded that Sandy Lane constituted one of the best existing employment areas. No sites were considered for release from industrial uses and Sandy Lane was recommended to be retained for employment uses.



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- 2) *the continued use of the buildings, or their redevelopment for an employment use, is not viable (in physical, operational or commercial terms) and this is supported by robust evidence, such as the marketing for the site and evidence that the site is unviable to be developed for employment use;*

There is no evidence to suggest that the site is unviable for employment use.

- 3) *the proposed new use would be compatible with neighbouring uses and would not prejudice the amenity, viability or future development of other businesses;*

The application has been submitted together with a Noise Assessment. It reports that a continuous noise survey was carried out on 23<sup>rd</sup> to 25<sup>th</sup> February 2011.

It was found that the dominant noise source was traffic passing on Sandy Lane, particularly HGV's entering Nelson Road and generally travelling relatively slowly. According to the national guidance of PPG24 'Planning and Noise' the noise experienced during the survey was unlikely to be a determining factor during the day but there may be call for mitigation measures to make the development acceptable for the night time period, or specifically from 4am onwards. It acknowledges that levels surveyed during the early hours (5am to 7am) contained events that would require either the windows to be closed or that the fence be retained to absorb sound. The assessment concludes that, "*By positioning the noise sensitive windows (bedrooms) away from the main road and ensuring the fences are tall enough for the mobile home windows to be well behind the fence, this should be achievable*".

- 4) *when considering alternative uses, preference will be given to mixed use development prior to any single use development.*

4.6 This final part of the Policy notably does not exclude single use developments.

4.7 There is clear conflict with parts 1 and 2 of Policy CP08. Firstly the land has not been identified for alternative uses and no evidence has been submitted to demonstrate that it is unviable for future employment use. Furthermore objections have been received indicating the concern at the loss of industrial land within the industrial estate. It has however to be acknowledged that the Employment Land Review indicated that the Estate remains the largest employment area in Stourport on Severn.

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There are several existing vacant premises within the Sandy Lane Industrial Estate and vacant industrial land within the Stourport area on the market and therefore available to be leased or bought. Therefore it is not considered that the loss of this employment site would provide a robust reason for refusal.

4.8 There is also the separate matter of the compatibility of the proposed residential use with the surrounding industrial uses, again a matter raised by objectors. Whilst it is considered that this matter is more finely balanced the noise assessment advises that any significant noise could be mitigated. In the absence of an objection from Worcestershire Regulatory Services it is considered that again there is not a robust reason for refusal.

4.9 As the proposal would provide additional accommodation for gypsies and travellers CP06 of the Adopted Core Strategy is also relevant. Whilst it acknowledges that the Site Allocations and Policies Development Plan Document (DPD) will identify specific sites in the future, it provides criteria for the allocation of these new sites. It is considered relevant to assess the site at Nelson Road against these 9 criteria as follows:

1. *For a publicly managed site, it is large enough to accommodate 15-25 pitches;*

As the application site would be privately managed and therefore the above is not relevant

2. *Privately managed sites should be smaller in size and generally be capable of accommodating up to 10 pitches;*

There is no conflict with the above.

3. *If the site is to meet the identified needs of travelling show people, it should be large enough to be suitable for the storage of mobile equipment and accord with Circular 04/07;*

As the proposed development is not for travelling show people this is not applicable.

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4. *Local community services and facilities should be within easy access from the site by a variety of modes of transport;*

The site offers a location close to Stourport and is considered to have adequate accessibility to services and facilities. There is a bus service via the Worcester Road, although this only amounts to 2 buses on Tuesdays and Thursdays. There is however a more regular bus service to the Power Station estate.

5. *The site should not fall within areas at higher risk of flooding such as Flood Zones 2 and 3 and its exact location should take account of the strategic flood risk assessment;*

The site lies within Flood Zone 3 and the proposals fail to comply with this part of the Policy. Further explanation is given below under the 'Flooding' heading.

6. *Neighbouring uses should be complementary to the amenities of the proposed site;*

As stated previously the application has been submitted with a noise assessment and objectors have raised concern at the incompatibility of the proposed residential use with the existing industrial uses. Whilst this is an issue which is considered to be finely balanced the noise assessment advises that any significant noise could be mitigated. In the absence of an objection from Worcestershire Regulatory Services it is considered that there is not a robust reason for refusal.

7. *The development of the site should not negatively impact on biodiversity or green infrastructure and should be capable of integration with the landscape character of the area;*

It is considered this brownfield hard surfaced site raises no significant concerns.

8. *The site is capable of providing adequate on-site services for water supply, power, drainage, sewage and waste disposal facilities;*

The agent, on behalf of the applicant has advised that mains electricity and water services have already been installed and the caravans have been connected to the foul water drainage system.

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9. *There is safe and convenient vehicular and pedestrian access and that the site can be easily accessed by towing caravans.*

Whilst concern has been raised with respect to the safety of the entrance which lies on the bend in the road and at a junction there is no objection from the Highway Authority.

- 4.10 To summarise the comments made above, the site falls within flood zone 3 and therefore its location conflicts with part 5 of Policy CP06. The impact of flooding is described in greater detail below.

#### FLOODING

- 4.11 The site lies in flood zone 3 where there is a 'high probability' of flooding from the River Severn or where there is a 1 in 100 or greater annual probability of river flooding. The Environment Agency (EA) have submitted photographs of the industrial estate when it flooded in November 2000 which also show the majority if not all of the application site under water.
- 4.12 The site is however accepted as no longer acting as part of the functional floodplain where water has to flow or be stored in times of flood. This is on the basis that it is a brownfield site within a built up industrial area. The site therefore lies in flood zone 3a.
- 4.13 The approach to flood risk proposed by the national guidance of PPS25 and supported by the Environment Agency is to appraise, manage and reduce it. In other words identify land at risk; frame policies for the location of development which avoid flood risk to people and property where possible; and reduce flood risk to and from new development through location, layout and design. Within PPS25 there is a 'Flood Risk Vulnerability Classification' which is a table which categorises the vulnerability of all different types of proposed land uses. This ranges from Essential Infrastructure (e.g. power stations) to Highly Vulnerable (e.g. police stations, basement dwellings) to More Vulnerable (e.g. hospitals, dwelling houses, educational establishments) to Less Vulnerable (e.g. shops, offices, general industry).

The proposed use as a residential caravan site falls within the Highly Vulnerable classification. PPS25 explains that, "*The instability of such structures places their occupants at special risk and they are likely to be occupied during periods when flood risk is likely to be higher.*"

- 4.14 PPS25 advises that Local Planning Authorities should in determining planning applications:
- i. seek to ensure that they are supported by site-specific flood risk assessments (FRAs);

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- ii. apply the sequential approach to minimise risk by directing the most vulnerable development to areas of lowest flood risk, matching the vulnerability of the land use to flood risk;
- iii. give priority to sustainable urban drainage systems (SuDS); and
- iv. ensure all new development in flood risk areas is appropriately flood resilient and resistant including safe access and escape routes where required.

4.15 The site levels as shown on the submitted drawing are indicated as ranging from 19.30 to 19.36m AOD. The EA has indicated during a 1% flood event the site is likely to flood to a depth of 400mm and would be likely to flood to a level of 800mm during a 1% plus climate change event. To reiterate the EA has indicated that the site lies in Flood Zone 3a and in accordance with PPS25 a FRA has been submitted. In summary it states the following:

- the caravans will generally be sited with a floor level of between 19.83m and 19.95m;
- during a flood event they will be raised on jacks to 20.72m AOD (600mm above the 1% plus climate change flood event level) to allow flood water to pass below the caravans unimpeded (*to achieve a level of 20.72m AOD the caravans would be raised approximately 1.36m off the ground*);
- a dry pedestrian access can be provided at the north east corner of the site, adjacent to Nunns Corner;
- there is a 440mm difference between the vehicular access and the pedestrian access;
- the floods of 2007 would not have affected the site;
- the flooding by the River Severn is relatively easy to predict and there is more than enough time to raise the caravans;
- all the pitches will be registered with the EA Floodline warnings and occupiers will receive warnings 24 hours a day by telephone, mobile, fax or pager as well as through other media outlets to be in a position to vacate the site without placing a burden upon the emergency services or the Local Authority;
- the photographs of the flood in November 2000 show a dry access at the proposed pedestrian exit adjacent to Nunns Corner and show lorry beds again supporting that the caravans could be raised above the flood level
- the photographs also show that it is possible to relocate the mobile homes, Worcester Caravans managed to relocate 40 caravans during the flood to a site outside of the flood plain.

4.16 The agent, on behalf of the applicants has also submitted additional supporting information advising that the applicants own another site in Stourport where there is sufficient land available to store the eight caravans on a temporary basis whilst the flood waters recede.

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- 4.17 Next in accordance with PPS25 Officers have applied the sequential approach also often referred to as the sequential test. As the EA states in their advice, *“The aim of this sequential test is to steer new development to areas at the lowest probability of flooding (Zone 1). Only where there are no reasonably available sites in Flood Zones 1 or 2 should decision-makers consider the suitability of sites in Flood Zone 3, taking into account the flood risk vulnerability of land uses and applying the exception test if required”*. In this case the proposed use is classified in PPS25 as a ‘highly vulnerable’ use and according to the national guidance this type of development is not appropriate within Flood Zone 3a.
- 4.18 In cases such as this where the development is not appropriate to its flood zone PPS25 refers to the need to pass a subsequent test called the Exception Test. For this to be passed it must be demonstrated that the development provides wider sustainability benefits to the community that outweigh the flood risk. However of note PPS25 states that the Exception Test, *“should not be used to justify ‘highly vulnerable’ development in Flood Zone 3a”*. Therefore the Exception Test is not considered to be relevant.
- 4.19 According to the agent any new alternative sequentially preferable sites will not be available until late 2012. This reference is in respect to the report entitled ‘Assessment of Potential Sites for Gypsies, Travellers and Travelling Showpeople’ undertaken on behalf of the Council by Baker Associates and presented to Members last month. This point will be discussed in greater detail later in the report under the heading Other Material Considerations.
- 4.20 Therefore it is considered that the site lies in Flood Zone 3a and that the proposed use is not appropriate at this location. As the EA acknowledges consideration of the sequential test should be undertaken prior to the consideration of any proposed flood risk mitigation, however with respect to this latter point their comments can be summarised as follows:
- The road adjacent to the vehicular access is at 18.74m AOD, therefore during a 1% flood event it would be 1m under water and with climate change this would be approximately 1.3m;
  - The proposed pedestrian access adjacent to Nunns Corner would be 940mm under water during a 1% flood event plus climate change - DEFRA identifies this depth of flooding as *“danger for most”*;
  - Whilst Sandy Lane rises away from the site, a rough measurement suggests that it is affected by the 1% flood event plus climate change flood event for approximately 65m from the pedestrian access point;

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- We would raise concerns that a safe pedestrian access route is not available, based on the information provided, and would support a refusal on this basis;
- We can clarify that the flood warnings issued for this area should be able to provide a reasonable amount of lead-in time for potential flooding. However, it does depend on when the decision is fixed to take action;
- Any evacuation would therefore need to take place well before the site becomes flooded. It may be appropriate to evacuate people from the site but to leave the caravans and a suitable alternative site/temporary accommodation would need to be identified outside of the floodplain;
- Referring to the photographs of the November 2000 flood event it should be noted that it was lower than the 1947 flood event in this area. The 1947 event was 260mm higher but still 7mm short of the modelled 1:100 year flood level at the Bewdley gauge. This would be more if consideration was given to climate change
- At this time it is unclear whether the development can be made safe, suggesting that the proposal would lead to increased flood risk in the area

4.21 To conclude on the matter of flooding, the proposed highly vulnerable use is considered to be inappropriate at this Flood Zone 3a location and insufficient evidence has been submitted to demonstrate that there is a safe dry access for pedestrians in times of flooding. It is however considered necessary to deliberate the matter of alternative sites in greater detail and this is done so under the heading of Other Material Considerations.

#### HIGHWAYS

4.22 Concerns have been raised with respect to the safety of the entrance on a bend at the junction of Sandy Lane and Nelson Road, however no objections have been received from the Highways Authority and therefore it is considered that there is no robust reason for refusal.

#### OTHER MATERIAL CONSIDERATIONS

4.23 The application is for a gypsy and traveller site, therefore ODPM Circular 01/2006 Planning for Gypsy and Traveller Caravan Sites is particularly important. Its main intentions are:

- a) to create and support sustainable, respectful and inclusive communities where gypsies have fair access to suitable accommodation, education, health and welfare provision;

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- b) to reduce the number of unauthorised encampments;
- c) to increase significantly the number of gypsy sites in appropriate locations with planning permission in order to address under provision over the next 3 – 5 years;
- d) to recognise, protect and facilitate the traditional travelling way of life of gypsies whilst respecting the interest of the settled community;
- e) to underline the importance of assessing needs at a regional and sub-regional level and for local authorities to develop strategies to ensure that needs are dealt with fairly and effectively;
- f) to identify and make provision for resultant land and accommodation requirements;
- g) to ensure that local development framework development plan documents include fair, realistic and inclusive policies and to ensure that identified need is dealt with fairly and effectively;
- h) to promote more private gypsy site provision in appropriate locations through the planning system whilst recognising that there will always be those who cannot provide their own sites; and
- i) to help avoid gypsies becoming homeless through eviction from unauthorised sites without an alternative to move to.

4.24 Although the Circular is still in force, the Government announced in 2010 the intention to change planning policy relating to Gypsies, Travellers and Travelling Showpeople. In April 2011, the Government began this process by publishing a consultation on “Planning for Traveller Sites” which proposes the introduction of a new Planning Policy Statement (PPS) to replace the current Circular.

4.25 Despite the anticipated revised guidance, the Government’s objective remains for local planning authorities to identify sites to meet the needs of Gypsies and Travellers. The proposed Planning Policy Statement is identical in many ways to the provisions in the 2006 Circular and it will reinforce this ambition and require Local Planning Authorities to use a robust evidence base to establish need; set pitch and plot targets to address accommodation needs; identify specific sites in their Development Plan that will enable the continuous delivery of sites for at least 15 years from the date of adoption; and identify sufficient specific deliverable sites to meet the need in the first five years of the adoption of the relevant DPD policy.



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- 4.26 Policy CF5 of the Regional Spatial Strategy, adopted in 2004 also states that development plans should ensure that adequate provision is made for suitable sites to accommodate gypsies.
- 4.27 The Council has already started to put this into place with the adoption of the Core Strategy DPD in December 2010. As discussed earlier in the report Core Strategy Policy CP06 sets out the criteria for allocating new sites within the District and it also includes a commitment by the Council to ensure that sufficient sites are allocated. The Core Strategy used evidence prepared in the 2008 Gypsy and Traveller Accommodation Assessment to ascertain the need for future pitch provision. The findings of this study, which are included in the Core Strategy, were for a total of 30 pitches to be allocated within Wyre Forest District by 2013.
- 4.28 Through Phase 3 of the Regional Spatial Strategy revision process the District Council has supported the provision of 35 pitches until 2017 with a further 15 to be allocated between 2017 and 2022. A total of 7 Gypsy pitches have been given permission at Broach Road which means that the allocation requirement until 2013 has dropped to 23.
- 4.29 These figures were presented to the Overview and Scrutiny and Cabinet Members at meetings held on the 19<sup>th</sup> and 20<sup>th</sup> September 2011 together with a list of potential sites informed by a report entitled 'Assessment of Potential Sites for Gypsies, Travellers and Travelling Showpeople' undertaken on behalf of the Council by Baker Associates.
- 4.30 It was resolved by Members of the Cabinet that the Council will go forward with a total of seven sites for public consultation. This process will be undertaken for 6 weeks, starting in October 2011.
- 4.31 The seven sites which were chosen are as follows:

	<b>Site Location</b>	<b>Potential Number of Pitches</b>	<b>Flood Zone</b>
1	Stourport Road, Bewdley	15	2
2	Former Sion Hill School site, Kidderminster	10	1
3	Lea Castle Hospital site, Cookley	15 (from 2018)	1
4	Land adjacent to Nunn's Corner, Stourport	4	3
5	Saiwen, Stourport	3	2
6	The Gables Yard, Stourport	3	2
7	Farm at St John's Road, Stourport	15 (from 2023)	1

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- 4.32 It is anticipated that a final list of sites will be included in the next stage of the Site Allocation and Policies DPD. This next stage, known as the Publication Draft will go out for consultation in early in 2012.
- 4.33 Circular 01/2006 states that a Planning Inspector considering any appeal will take into account all material considerations which should have been addressed at the application stage including the existing planned provision of and need for sites in the area. It is acknowledged that there is an unmet national, regional and local need for additional gypsy and traveller sites within the District, however the Council is in the process of allocating sites as required to do by the soon to be revoked RSS, Circular 01/06 and draft consultation PPS.
- 4.34 The agent has questioned the availability of the alternative identified sites however the Baker Associates report acknowledges that "*Availability has been identified through this Assessment as a key criterion*". Therefore it is considered that there are available sites located in areas which are sequentially preferable in terms of flood risk. Notably one of the sites going forward for consultation is the adjacent site at Nunns Corner, again in Flood Zone 3. The determination of the current application at the Gatehouse should not prejudice the formal determination of the current application at Nunns Corner which proposes to retain all eight caravans on site; six of which are tolerated or lawful and safeguarded by Adopted Local Plan Policy.
- 4.35 It should also be noted whilst only a total of seven sites listed in the table above are to go out to public consultation 15 sites have been acknowledged by the Council as potentially being suitable. Furthermore the forthcoming consultation process on the chosen sites does not preclude additional non-identified sites being put forward for consideration by private landowners. For example the Stourport site put forward by the agent for use as a temporary site in times of flooding. This alternative site is located flood zone 2 and is therefore sequentially preferable and as it is owned by the applicants it is also presumably available.
- 4.36 The location of the proposed site within Flood Zone 3 is considered to conflict with the development plan as it is an inappropriate highly vulnerable use of land within Flood Zone 3a. There are considered to be sequentially preferable sites in terms of flood risk, and whilst the unmet need for additional pitches has been considered it is felt that this does not outweigh the flood risk considerations.

CIRCULAR 01/2006 AND A TEMPORARY PERMISSION

- 4.37 Notably the current application seeks consent for a temporary 2 year period. Circular 01/06 advises that it is necessary to seriously consider such a temporary consent.

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- 4.38 The circular is quite clear that the unmet need with no available sites scenario is one that should be considered very seriously, and prior to refusing a gypsy site Council's are expected to demonstrate that they have considered the following information:
- Incidents of unauthorised encampments;
  - The numbers and outcomes of planning applications and appeals;
  - Levels of occupancy, plot turnover and waiting lists for public authorised sites;
  - The status of existing authorised private sites
  - The twice yearly caravan count giving a picture of number and historic trends.
- 4.39 As Members will be aware there have only been two cases of unauthorised encampments within the district since 2003. The first was at Cursley Lane where the encampment was allowed at appeal for a temporary period until the end of November 2012 (Ref. 06/1062/FULL). There is a current application to remove the temporary time period permitted by the Inspector to allow permanent occupation. This application reference 11/0545/FULL is awaiting determination.
- 4.40 The second unauthorised encampment was at Rocky Lane Churchill where travellers came onto the site in 2009. Whilst the enforcement notice was upheld the Inspector granted the occupiers a 9 month period of compliance which expired on 31<sup>st</sup> July 2011. The travellers have since moved on.
- 4.41 There are three other current planning applications for gypsy and traveller sites;
- Saiwen, Sandy Lane Industrial Estate – Change of use of land to the rear for a gypsy caravan site; for the siting of five static caravans, one mobile home, two touring caravan pitches, the erection of an amenity block and retention of existing dwelling for residential use (10/0056/FULL) : Awaiting determination
  - Nunns Corner, Sandy Lane Industrial Estate - Change of use to allow extension to existing tolerated gypsy caravan park to create 2 additional pitches (part retrospective) (11/0195/FULL) : Awaiting determination
  - The Hollies Trimpley Lane Shatterford - Change of use of land to site one static caravan for one gypsy family (11/0498/FULL) : Awaiting determination (the report is later on this agenda)

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4.42 In terms of the level of occupancy of existing sites previous comments from the County Council's Gypsy Liaison Officer advised that there are 9 permanent sites maintained by the County within Worcestershire which are all consistently full. In January 2011 it was confirmed at that time there was in excess of 100 families awaiting accommodation and a quarter of those were waiting for plots within Wyre Forest.

4.43 The twice yearly caravan count also indicates that there is little movement on the existing authorised and unauthorised sites.

- Lower Heath County Caravan Site, Watery Lane Stourport (County Council site)

Date of Caravan Count	Total No. of Pitches Occupied	Total No. of Vacant Pitches	Total Caravan Capacity	Total No. of caravans
Jan 2010	21	0	42	37
July 2010	21	0	44	36
Jan 2011	22	0	44	37
July 2011	22	0	44	37

- Broach Road County Caravan Site, Stourport (County Council site)

Date of Caravan Count	Total No. of Pitches Occupied	Total No. of Vacant Pitches	Total Caravan Capacity	Total No. of caravans
Jan 2010	9	0	18	11
July 2010	9	0	18	14
Jan 2011	9	0	18	14
July 2011	9	0	18	12

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<u>Meadow Caravan Park, Broach Road</u> (Private Site – Planning consent granted 09.06.09 Ref. 09/0266/FULL)	
Date of Caravan Count	Total No. of caravans
Jan 2010	1
July 2010	7
Jan 2011	7
July 2011	7

<u>Nunns Corner, Sandy Lane</u> (Private Site – Current planning application)	
Date of Caravan Count	Total No. of caravans
Jan 2010	6
July 2010	7
Jan 2011	9
July 2011	9

<u>Cursley Lane, Shenstone</u> (Temporary permission granted current application for permanent occupation Ref. 11/0545/FULL)	
Date of Caravan Count	Total No. of caravans
Jan 2010	2
July 2010	2
Jan 2011	2
July 2011	2

<u>Saiwen</u> (Current application for 8 caravans ref. 10/0056/FULL)	
Date of Caravan Count	Total No. of caravans
Jan 2010	4
July 2010	3
Jan 2011	6
July 2011	5

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<u>Stakenbridge / Rocky Lane, Churchill</u> (travellers now moved on)	
Date of Caravan Count	Total No. of caravans
Jan 2010	4
July 2010	2
Jan 2011	0
July 2011	0

<u>The Gables Yard, Broad Road</u> (Planning approval for 7 caravans Ref. WF956/87)	
Date of Caravan Count	Total No. of caravans
Jan 2010	4
July 2010	1
Jan 2011	3
July 2011	3

4.44 To reiterate there is a definite need for additional pitches within the district and this could be a factor which an Inspector gives considerable weight to at any appeal.

4.45 It is against this background that Circular 01/2006 advises,

*“Where there is an unmet need but no available alternative gypsy and traveller site provision in an area but there is a reasonable expectation that new sites are likely to become available at the end of that period in the area which will meet that need, local planning authorities should give consideration to granting a temporary permission.*

*Such circumstances may arise, for example, in a case where a local planning authority is preparing its site allocation DPD [Development Plan Document]. In such circumstances, local planning authorities are expected to give substantial weight to the unmet need in considering whether a temporary planning permission is justified. The fact that temporary permission has been granted on this basis should not be regarded as setting a precedent for the determination of any future applications for full permission for use of the land as a caravan site”.*

4.46 As stated previously Inspectors gave weight to Circular 01/06 when they granted temporary permissions for traveller sites at Cursley Lane and Rocky Lane. It is considered relevant to examine whether circumstances surrounding the current application are similar to the previous appeal to justify granting a temporary consent as requested by the applicants.

4.47 In November 2007 an Inspector allowed a temporary two year consent for the traveller site in Cursley Lane appeal. In her deliberation she concluded that:

- i. the existing unmet need for gypsy sites in the area;

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- ii. the inadequacies of the current development plan site provision policies;
- iii. the present lack of a suitable alternative site;
- iv. the personal needs and circumstances of this particular gypsy family; and
- v. the prospect of substantial progress being made over the temporary period as regards a site allocation DPD that would be likely to assist the family to find an alternative site;

would, taken together, clearly outweigh the harm that would result to the Green Belt.

4.48 The current application site is notably not within the Green Belt and therefore there are no openness, visual amenity or harmful by definition considerations to take into account. Whilst there is still the recognised unmet need for gypsy sites within the area it is now considered that;

- the adopted and emerging LDF policies provide adequate site provision policies;
- there are suitable alternative sites;
- there are no personal circumstances which suggest that the existing and/or future occupiers need to be located at the application site; and
- significant progress is being made through the LDF process to assist the provision of an alternative site.

4.49 In the case at Rocky Lane the Inspector gave weight to the education of the appellant's son. He advised that whilst there were no material considerations strong enough to justify a temporary permission for this site in the Green Belt, a 9 month compliance period with the Enforcement Notice was given to allow their child to complete his first year at school. No such circumstances have been submitted with respect to the existing or future occupiers of the current application site.

4.50 It is considered that whilst there is still an unmet need for gypsy and traveller sites and the LDF has moved forwards such that temporary two year consent as requested by the applicants is not justified.

#### HUMAN RIGHTS

4.51 The refusal of the current application may result in the current occupiers being required to vacate this site thereby interfering with their right for a private and family life and home under Article 8 of the European Convention on Human Rights. It would also interfere with Article 1 which provides that a person is entitled to the peaceful enjoyment of his possessions. It is therefore necessary to consider whether it would be proportionate to refuse permission.

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In this case, when balancing the rights of the occupiers against the wider public interest and the need for a precautionary approach with respect to flooding to be applied, such a decision is considered to be proportionate.

- 4.52 It should be acknowledged that the applicant allowed residential occupiers to move on to the site in the full knowledge that planning permission was needed and may not be forthcoming. In addition the information submitted to date does not give details of whether efforts have been made to find any other accommodation or why it is necessary for the existing occupiers to live at this particular location rather than another. As Circular 01/2006 states,

*“The obligation on public authorities to act compatibly with Convention rights does not give gypsies and travellers a right to establish sites in contravention of planning control.”*

- 4.53 Due regard has also been given to the Equality Act 2010 which prohibits racial discrimination by planning authorities in carrying out their planning functions. However whilst local authorities have a duty to actively seek to eliminate unlawful discrimination this does not give gypsies and travellers a right to establish sites in contravention of planning control.

## **5.0 Conclusions and Recommendations**

- 5.1 This is a decision which requires all the material considerations to be carefully balanced.
- 5.2 In favour of the applicants is the need for additional pitches within the District. In some respects it can be argued that this is possibly an ideal site; it is a brownfield site where the visual implications are not significant and there are no Green Belt considerations. It is located adjacent to the existing travelling community where family members live within the vicinity and close to health and educational facilities. Furthermore the acceptance of this site would leave the Council in a stronger position to refuse other current and/or future applications for sites in more rural locations which may be considered to be more desirable and contentious.



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- 5.3 There is however the flood risk. The agent considers that the risk to residents and their properties can be managed by making good use of the EA's flood warning system which would allow:
- residents to leave the site unassisted either by the existing vehicular entrance or via the pedestrian access which lies on slightly higher land; and
  - the caravans to be jacked up or relocated to another site within Stourport.
- 5.4 The agent considers that the need for additional pitches outweighs the flood risk, and obviously the applicants are willing to take on the risk of flooding and its possible consequences for their homes and possessions.
- 5.5 However PPS25 makes it quite clear that the proposed use is inappropriate within Flood Zone 3a. The location of the site in an area at high risk of flooding is also contrary to Policy CP06 of the Adopted Core Strategy and Policies CP02. The Council is following correct procedure by recognising sites through the LDP process and it is at a stage where other more sequentially preferable sites, in terms of flooding have, albeit not been adopted as part of the forthcoming DPD but have been identified.
- 5.6 Officers have considered the possibility of a consent which would allow the travellers to live on the site for a certain number of months of the year. According to PPS25 such a seasonal use would change the proposed use of the land from a 'highly vulnerable use' to a 'more vulnerable use'. However, when considering a 'more vulnerable use' in flood zone 3a PPS25 advises that decision makers should still apply the sequential test. In this case as explained previously there are considered to be sequentially preferable sites.

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- 5.7 Therefore after considering all the material considerations it is recommended that the application be **REFUSED** for the following reason:
- 1) The site lies in Flood Zone 3a, in an area that has flooded previously. According to PPS25 and its precautionary approach the proposed 'highly vulnerable' use is inappropriate at this location and the application fails to satisfactorily demonstrate that there are no other sequentially preferable sites. As PPS25 indicates consideration of the sequential test should be undertaken prior to the consideration of any flood risk mitigation, resistance and resilience measures which should not be used to justify development in inappropriate locations. On this basis to approve the development would be contrary to part 5 of Policy CP06 and Policy CP02 of the Adopted Core Strategy and the guidance of PPS25.
- 5.8 However, at the last Planning Committee, Members indicated that they were minded to approve the application on the basis that:
1. there is an identified need for pitches;
  2. the site is located adjacent to Nunns Corner, a tolerated travellers site within the same floodzone;
  3. there is sufficient early warning of the flooding of the River Severn to allow occupiers to evacuate; and
  4. there are a lack of alternative sites.
- 5.9 The application has now been advertised under the Departure Procedure due to the site's location within an area designated for B1, B2 and B8 uses.
- 5.10 Should Members resolve to approve the application the following conditions are recommended:
1. Temporary 2 year permission
  2. Strictly in accordance with approved drawings
  3. All plots shall be not be occupied other than by gypsies and travellers
  4. Submission of flood evacuation plan within two months of the date of the decision
  5. The pedestrian evacuation route via the gate sited within plot 2 shall remain clear at all times for access by the occupiers of all the other plots on site

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6. Within three months of the date of decision and prior to the commencement of construction of the amenity block whichever is the sooner submission of a site investigation with recommendations for remediation
7. Within two months of the date of the decision details of the disposal of surface water and foul sewage
8. Details of the proposed materials of approved amenity block
9. Within two months of the date of the decision the existing close boarded fencing which is sited at the back of the highway shall be increased in height to approximately 2.3m to match that of the existing palisade fencing and thereafter retained

Reason for Approval

It is considered that on the basis of the following:

- 1) there is an identified need for pitches;
- 2) the site is located adjacent to a tolerated site within the same floodzone;
- 3) there is sufficient early warning of potential flooding from the River Severn to allow occupiers to evacuate the site; and
- 4) there is a lack of alternative sites to outweigh the risk of flooding

there are sufficient reasons cumulatively to approve the development to outweigh compliance with Policy CP02 and part 5 of Policy CP06 of the Adopted Wyre Forest Core Strategy.

## Agenda Item No. 5

**Application Reference:** 11/0195/FULL      **Date Received:** 31/03/2011  
**Ord Sheet:** 381791 270132      **Expiry Date:** 26/05/2011  
**Case Officer:** Paul Round      **Ward:** Mitton

**Proposal:** Change of use to allow extension to existing tolerated gypsy caravan park to create 2 additional pitches (part retrospective)

**Site Address:** LAND ADJACENT TO NUNNS CORNER, GYPSY SITE G, SANDY LANE INDUSTRIAL ESTATE, STOURPORT-ON-SEVERN,

**Applicant:** Mrs W Peacock

<b>Summary of Policy</b>	H.14, NR.11, NR.12, TR.17 (AWFDLP) DS01, DS03, CP02, CP06, CP08, CP11 (AWFCS) CF2, CF3, CF4, CF5 (WMRSS) Policies 1, 7, 15, 25, 26 (emerging WFSA&P DPD) PPS1, PPS3, PPS4, PPG24, PPS25, Circular 01/06 Draft National Planning Policy Framework (NPPF) Draft PPS 'Planning for Traveller Sites'
<b>Reason for Referral to Committee</b>	Statutory or non-statutory Consultee has objected and the application is recommended for approval
<b>Recommendation</b>	<b>APPROVAL</b>

### 1.0 Site Location and Description

- 1.1 The site forms a tolerated Gypsy site of 6 pitches within the Sandy Lane Industrial Estate located on the corner of Sandy Lane and Ward Road, known as Nunns Corner.
- 1.2 To the north of the site lies industrial premises on Broach Road and to the west lies the site (Reference 11/0110/FULL) which is under consideration on this Agenda for retention of a Gypsy site which Members were minded to approve at the September 2011 Planning Committee meeting.
- 1.3 The site is allocated in the main as a tolerated Gypsy Site, however the part of the site in which the site has been extended is allocated for industrial purposes. The site also falls within Flood Zone 3.
- 1.4 The application seeks retrospective permission for the change of use of additional land and the stationing of a total of 8 caravans on the site.

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**2.0 Planning History**

2.1 WF.0196/00 – Single Storey Office Block : Approved

**3.0 Consultations and Representations**

3.1 Stourport-on-Severn Town Council – Views awaited

3.2 Highway Authority – No objection

3.3 Environment Agency – The site and its access is located within Flood Zone 3 (1%, 'high probability') of the River Severn, based on our Flood Zone Map. The 1% Annual Exceedance Probability (AEP) flood level adjacent to this site is 19.76m Above Ordnance Datum (AOD). The ground levels for the site are shown as approximately 19.25m AOD based on the site plan provided (drawing no. 2010-89-01, dated February 2010). This would indicate that during a 1% event the site is likely to flood to a depth of 500mm. The Flood Risk Assessment (FRA) submitted with the application details a 1% plus climate change flood level of 20.12m AOD in this location and we would accept this level, in this instance. Depths on site would be approximately 800mm during this design flood event.

In addition, the 4% flood level for this location is 19.41m AOD, which would cover the entire site. The 4% AEP event is considered to be the trigger level to define Flood Zone 3b (Functional Floodplain). However in this instance it is acknowledged that the site is brownfield, within a built up industrial area. Therefore it is accepted that the site is no longer acting within the definition of 'functional floodplain', in Planning Policy Statement 25 'Development and Flood Risk'.

Only where there are no reasonably available sites in Flood Zones 1 or 2 should decision-makers consider the suitability of sites in Flood Zone 3, taking into account the flood risk vulnerability of land uses and applying the Exception Test if required (see Annex D5 of PPS25). In this instance, given the scale and nature of the proposal (not a 'major development' as defined in footnote 9 of PPS25) we would not make any bespoke comments on the Sequential Test. However, your Council would need to be satisfied on the information submitted to address this requirement; with reference to your Council's forward planning policy documents and evidence base.

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In considering safe development requirements, the FRA acknowledges that safe access/egress is not available for the site during the 1% plus climate change flood event. The road adjacent to the site access is at approximately 19.29m AOD. This would mean that during the 1% plus climate change flood event it would be approximately 800m under water. Sandy Lane rises away from the site in an easterly direction above the 1% plus climate change flood level (after approx. 50m – based on a rough measurement).

Due to the loss of access during a 1% and 1% plus climate change event, which poses a 'danger for most' (Table 13.1, DEFRA/EA FRA Guidance, FD2320), the FRA indicates that a flood management plan would be implemented based on our flood warning system. Our flood warning system is likely to provide reasonable notice of potential flooding given the lead in times on the River Severn. However, consultation would be required with your Emergency Planners. It is suggested that residents evacuated may have to leave the site for a number of days during a flood event, due to the nature of the floodplain in this location. Our experience is that it can remain flooded for a considerable period before flood waters recede. This might place additional burden on the Emergency Services at times when they are already stretched.

We note that the existing caravans are set at 19.7m AOD. The FRA states that the caravans would be raised above 19.82m AOD; however a level has not been provided. We would normally request that finished floor levels are set at least 600mm above the 1% plus climate change flood level (i.e. 20.72m AOD) to provide sufficient freeboard. The FRA states that this is not practicable. It is currently unclear what level of protection the caravans will have during a 1% plus climate change flood event (of 20.12m AOD) and whether alternative flood proofing /management has been considered

The application is considered contrary to PPS25 and policy CP06 (criteria 5) of Wyre Forest District Council's Core Strategy (adopted December 2010) and may be refused on this basis.

- 3.4 West Mercia Police (Crime Risk Advisor) – I do not have any objection to this specific application.

I am aware that other applications to increase the number of residential caravans in the area have been made. The Sandy Lane Industrial Estate has one of the highest levels of crime in the area. Taking this into account I do question if this is the right sort of area in which to increase the level of residential accommodation.

- 3.5 Strategic Housing Services Manager – Views awaited

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3.6 Worcestershire Regulatory Services (Pollution Control) – Contaminated land condition to be imposed

3.7 Worcestershire Regulatory Services (Noise) – I am satisfied that the Consultant has undertaken a comprehensive noise impact assessment based on sound acoustic principles using the approved PPG 24 methodology for noise level classification of land (NEC) for the purpose of assessing suitability for residential use of the land in question. I am also satisfied with his conclusions of category NEC A and B for night time.

However there are peculiarities to this particular assessment due to the type of intended development proposed. PPG 24 is based on WHO criteria for community noise and makes assumptions relating to the noise attenuating performance of standard construction dwellings to be in the region of 35Db (windows shut) and 13Db (windows open). Dwellings intended for use on this site do not offer this level of attenuation, therefore an alternative barrier treatment on the boundary would be required with particular emphasis on controlling noise from night time movements of vehicles on the adjacent highway. The consultant is aware of this and addresses this issue in the form of recommendations in the last paragraph of his report. It is my view that his recommendations should be formalised as a condition on the application.

In summary to his findings I must advise that the report is a snapshot and cannot be used to account for all noise that can occur at this site due to its industrial nature. In addition to this it is noted that use of the highway intensifies in winter months due to increased movements to the nearby oil depot as demand for heating oil increases over that period. This cannot be accounted for due to the timing of the application and the time frame given to the acoustics consultant.

With the above in mind it is my professional view that all future proposed residential use at this industrial estate should be considered very carefully on amenity grounds due to the likely occurrence of noise, dust and odour nuisance.

3.8 Neighbour/Site Notice – No representations received

#### **4.0 Officer Comments**

4.1 The works that form this application have been carried out. The site now contains eight caravans and a storage unit. The site is surrounded by galvanised palisade fencing.

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**LAND USE AND PRINCIPLE OF DEVELOPMENT**

- 4.2 Whilst the site is tolerated or lawful for six units, the works have increased the site area and enabled two additional units to be brought onto the site. The original site was approximately 454 square metres in area. The site extension has taken approximately an additional 300 square metres resulting in an increase of approximately 60%. This has allowed the units to achieve adequate separation distances and parking areas to be provided. The additional land is allocated for employment purposes and originally formed part of a larger piece of land to the south owned by Frank Salt Ltd. Policy CP08 of the Adopted Wyre Forest Core Strategy seeks to retain employment land throughout the plan period. The site is not required as part of the development of the land to the south and its use as part of Gypsy site will not prejudice any longer aspirations for developing said land. On its own the application site has little or no opportunity for employment development due to its restricted size and shape. Given the acknowledged available land within the Sandy Lane area and the need to provide additional Gypsy pitches within the District, it is not considered that loss of employment land is a significant concern in this particular case.

**NOISE ISSUES**

- 4.3 In support of the application a noise assessment has been submitted; this advises that any significant noise could be mitigated. This will involve minor alteration to the orientation of some of the units and provision of acoustic fencing; this can be conditional and will allow the site to remain and not result in difficulties from surrounding uses. In the absence of an objection from Worcestershire Regulatory Services it is considered that there is no robust reason for refusal on such grounds.

**FLOODING**

- 4.4 The site lies in Flood Zone 3 where there is a 'high probability' of flooding from the River Severn or where there is a 1 in 100 or greater annual probability of river flooding. PPS25 advises that highly vulnerable uses (which included caravan sites) should be sited within Flood Zone 3. Whilst not objecting formally the Environment Agency have offered negative comments in respect of the additional caravans considering that the intensification of the site would put additional burden on Emergency Services.



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- 4.5 Flood water at 1 in 100 year event would be approximately at depth of 800mm on Sandy Lane restricting dry access from the site. Whilst the Environment Agency acknowledge that flood warning systems will give sufficient time to evacuate the site it is concerned that the prolonged period of flooding will result in difficulties for occupiers and emergency services. They are also concerned about the height of caravans above flood water. Pictures of the floods in 2000 have been supplied by the Environment Agency which appear to show the site unaffected by flood water, although it is pointed out that the 2000 levels were the highest in recent times they were still 267mm below a 1 in 100 year event.
- 4.6 The Applicant's Flood Risk Assessment makes the case that due to the slow rising nature of the River, adequate warnings can be provided to allow residents to make alternative arrangements and evacuate the site. A full evacuation strategy can be provided.
- 4.7 It is considered that the information supplied does not result in a conclusion that the site is at extreme risk of flooding or that an additional two caravans will result in an intensification of the use that would unduly burden the emergency services over and above evacuating the tolerated site. In addition I consider that sufficient plans can be put in place to enable a co-ordinated emergency evacuation strategy and can be provided to allow residents to vacate the site in sufficient time. On this basis I feel that the application can be supported despite the negative comments received from the Environment Agency.

#### OTHER ISSUES

- 4.8 There are no highway issues or other issues in this case that are worthy of note at this point. Members will note that a contaminated land condition is suggested by Worcestershire Regulatory Services. However given the nature of the application for an additional two units on a tolerated site that has been in existence for a number of years it is not considered reasonable to impose such a condition.

#### HUMAN RIGHTS ACT AND EQUALITY ACT 2010

- 4.9 The consideration of this application has taken place along side considerations under the above Acts. It is considered that the recommendation does not result in harm or injury under these Acts to the existing residents, the owners of the site or surrounding owners or occupiers.

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## 5.0 Conclusions and Recommendations

- 5.1 The extension of the existing tolerated Gypsy Site is considered to be acceptable taking into account the loss of a small amount of employment land and its location within Flood Zone 3. There are no highways or other issues in this case.
- 5.2 It is therefore recommended that **APPROVAL** be given subject to the following conditions:
1. Identification of plans
  2. All plots to be occupied by Gypsies and Travellers only
  3. Submission of flood evacuation plans within three months of the date of decision
  4. Within two months of the date of the decision, details of the disposal of surface water and foul sewage
  5. Submission of noise mitigation plans within three months of date of decision; implementation within six months of decision.

### Reason for Approval

The extension of the existing tolerated Gypsy Site is considered to be acceptable taking into account the loss of a small amount employment land and its location within Flood Zone 3. There are no highways or other issues in this case.

## Agenda Item No. 5

**Application Reference:** 11/0408/FULL      **Date Received:** 11/07/2011  
**Ord Sheet:** 381955 273590      **Expiry Date:** 10/10/2011  
**Case Officer:** Paul Round      **Ward:** Oldington and  
Foley Park

**Proposal:** Modification (internal and external) of an existing 1 & 2 storey building, with change of use from B8 to B1 to provide business support facilities and a construction technologies training academy, new build start-up business units and associated landscaping and parking

**Site Address:** THOMAS VALE CONSTRUCTION PLC, FIRS INDUSTRIAL ESTATE, KIDDERMINSTER, DY117QN

**Applicant:** Thomas Vale Construction

<b>Summary of Policy</b>	NR.2, TR.17 (AWFDLP) DS01, DS02, CP01, CP02, CP03, CP08, CP11 (AWFCS) D.24, D.25 (WCSP) PA1, PA4, PA6, QE1, QE3 (WMRSS) Policies 25 and 26 (emerging WFSA&P DPD) PPS1, PPS4, PPG13
<b>Reason for Referral to Committee</b>	'Major' planning application
<b>Recommendation</b>	<b>APPROVAL</b>

### 1.0 Site Location and Description

- 1.1 The site forms a 0.62 ha piece of land utilised by Thomas Vale for fleet maintenance workshop, offices and canteen. It is located on Oldington Lane to the south of the Stourport Road Employment Corridor and lies opposite Parker Place. The site is allocated for industrial purposes within the Local Plan.
- 1.2 The proposal seeks for a re-development of the site to create a business centre with training and support services and start-up units. Thomas Vale will retain part of the site for a depot.

### 2.0 Planning History

- 2.1 None of relevance.

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**3.0 Consultations and Representations**

- 3.1 Highway Authority – No objection subject to condition.
- 3.2 Environment Agency – No comments to make on this application.
- 3.3 Worcestershire Regulatory Services (Pollution control) – No objection subject to contaminated land condition.
- 3.4 Countryside Conservation Officer – No objections. No biodiversity issues.
- 3.5 West Mercia Police (Crime Risk Advisor) - The area where this building is located is isolated out of normal working hours and has been the target for thefts etc. Therefore, the type and height of fencing used is important. I would like to know what the applicant intends to use to ensure that it is appropriate for the crime risk in the area.

Providing that the perimeter security is of the required standard I have no objections to this application.

- 3.6 Severn Trent Water – No objection subject to condition.
- 3.7 Planning Policy – No comments received.
- 3.8 Neighbour/Site Notice – No representations received.

**4.0 Officer Comments**

- 4.1 The site falls within the industrial allocation and on a brownfield site within the Stourport Road Employment Corridor. Whilst the proposal shows a range of uses which includes training facilities and café, these are ancillary to the main function of the site as a business centre for employment uses. As such I am satisfied that the proposal sits comfortably with employment Policy CP08 of the Core Strategy.
- 4.2 There are two main aspects to the proposal; firstly the refurbishment of the existing building on site for the centre core services; and, secondly the new build start up units.
- 4.3 The central core building will provide facilities for use for all the start up units including offices, interview rooms, meeting rooms and internet café. Part of the building will be utilised by Thomas Vale. The works to the building involves re-cladding and general modification to deliver a visually more pleasing building. The works would raise no issues from a design perspective.

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- 4.4 The new build element will provide 4 / 8 smaller start up units and 2 / 4 micro business units. Each will have their own toilets and sink facilities. The units have been designed to be split or used as a whole each with the potential for lift access as required. The design of the units provides a modern industrial design utilising wooden and metal cladding and brick work plinths. The design of the roofs provides an acceptable design but also provides the opportunity for installation of solar panels on the south facing slopes. Where small areas of flat roofs exist on the starter units the use of green roof technology will be utilised. The overall design approach ties together the existing and new build in a cohesive way providing an attractive approach to the site.
- 4.5 The developers have considered the sustainability credentials of the proposals and based the building layout and design on the following principles:
- Maximising natural light and ventilation;
  - Use of canopies to aid solar shading and prevent excessive solar gain;
  - Orientation of buildings to provide shelter and capitalise on solar gains and efficiency of potential technologies such as PV panels;
  - Reducing glazing to northern elevations;
  - Well insulated building fabric and use of green roof elements.
- 4.6 Renewal energy technologies have been investigated and adequate provision has been made for the incorporation of the following if they are suitable:
- Solar or PV panels;
  - Rainwater harvesting;
  - Combined heat and power;
  - Ground or air source heat pump.
- 4.7 Parking is provided to the front of the site. Working on the basis of the latest parking standards provided by the County Council a maximum provision of 102 spaces and a minimum provision of 5 disabled persons spaces should be adopted. Following the submission of revised plans the Applicants have shown a parking provision of 79 spaces, 5 disabled spaces, 5 motor cycle spaces and 6 cycle stands. The site lies close to the Stourport Road high frequency bus corridor with the bus services running every 10 to 15 minutes throughout the day between Kidderminster and Stourport on Severn. In addition local cycle routes pass along Oldington Lane connecting the cycle routes on the Stourport Road and the Sustrans national route 54 (Stourport on Severn to Dudley).

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- 4.8 On this basis it is considered that the site is within a sustainable location and that a 20% reduction in maximum car parking levels is acceptable in this instance. Deliveries and service vehicles are amply catered for.
- 4.9 Access will be provided by utilising the existing access arrangements. It is considered that the traffic generation proposed is able to be accommodated on the road network and traffic light junction. There are no objections to the revised plans from the Highway Authority.

## 5.0 Conclusions and Recommendations

- 5.1 The proposal will result in a well designed development that will fit well in its surrounding and add to the local economy. Adequate provision has been made for parking taking into account the sustainable location of the site. There will be no adverse impact on the highway network.
- 5.2 It is therefore recommended that **APPROVAL** be given subject to the following conditions:
1. A6 (Full with no reserved matters)
  2. A11 (Approved plans)
  3. B6 (External details – approved plan)
  4. E2 (Foul and surface water)
  5. Details of fencing
  6. Contaminated land
  7. Central Core/training facility to used in conjunction with start-up and micro units and not separated
  8. Submission of details of sustainability measures
  9. Disabled parking
  10. Cycle spaces
  11. Access, turning and parking
  12. Travel Plan

Note  
Highways

### Reason for Approval

The proposal will result in a well designed development that will fit well in its surrounding and add to the local economy. Adequate provision has been made for parking taking into account the sustainable location of the site. There will be no adverse impact on the highway network. For these reasons the proposal is compliant with the policies listed above.

## Wyre Forest District Council

Planning Committee Meeting 08 November 2011

### List of Pending Applications

**NB This list includes all applications upon which no decision has been issued, including applications proposed to be determined at this Committee**

WF No.	Valid Date	Target Date	Address of Site	Description of Proposal	Applicant	Case Officer
WF/0469/05	29/04/2005	24/06/2005	1 OX BOW WAY KIDDERMINSTER DY102LB	Full : Change of use of 3m strip of land, enclosure with timber fence - Variation to Conditions 11 and 12 of WF.222/94; Variation to Section 106 Agreement, 3 metre strip of land to rear of	The Owners of,	Paul Round
08/0034/LIST	17/01/2008	13/03/2008	20, 21 & 22 HORSEFAIR KIDDERMINSTER DY102EN	Demolition of 20, 21 & 22 Horsefair	Wyre Forest Community Housing Ltd	Paul Wrigglesworth
08/0035/FULL	17/01/2008	13/03/2008	20,21,22 & 23 HORSEFAIR KIDDERMINSTER DY102EN	Demolition of existing buildings and erection of 5 No affordable dwellings	Wyre Forest Community Housing Ltd	Paul Wrigglesworth

WF No.	Valid Date	Target Date	Address of Site	Description of Proposal	Applicant	Case Officer
08/0445/S106	01/05/2008	26/06/2008	FORMER STOURVALE WORKS DEVELOPMENT OFF OXBOW WAY KIDDERMINSTER DY102LB	Variation of S106 Agreement to allow alternative access arrangements to Puxton Marsh and non-provision of on site play area.	Cofton Ltd	Paul Round
08/0495/FULL	19/05/2008	18/08/2008	THE OLD POST OFFICE SITE BLACKWELL STREET KIDDERMINSTER DY102DY	Retention/Refurbishment of Old Post Office frontage building, demolition to rear and construction of 54 apartments with undercroft parking.	Regal Executive Homes	Paul Wrigglesworth
08/0500/FULL	22/05/2008	21/08/2008	LAND AT CORNER OF THE TERRACE/TENBURY ROAD CLOWS TOP KIDDERMINSTER DY14 9HG	Erection of 12 dwellings with associated parking & access	Marcity Developments Ltd	Paul Round
08/1044/FULL	12/11/2008	11/02/2009	FORMER VICTORIA SPORTS FIELD SPENNELLS VALLEY ROAD KIDDERMINSTER	Erection of a hotel (C1); public house/restaurant (A4); indoor and outdoor bowling facility (D2), access, car parking, landscaping and associated works (Resubmission of 07/1165/FULL)	Victoria Carpets Ltd	Julia Mellor
09/0156/S106	03/03/2009	28/04/2009	TARN 1-16 SEVERN ROAD STOURPORT-ON-SEVERN	Variation of S.106 agreement attached to WF1208/04 to change tenure of affordable housing units	West Mercia Housing Group	Paul Round
09/0181/FULL	13/03/2009	08/05/2009	LOWER HOUSE BARN ARELEY LANE STOURPORT-ON-SEVERN DY130TA	Retrospective application for the retention of the use of land for inclusion within the residential curtilage including retention of the shed and decking	Mr B Young	Stuart Allum
09/0223/FULL	30/03/2009	25/05/2009	39 LOAD STREET BEWDLEY DY122AS	Change of use from shop (A1) to tattoo studio (Sui Generis)	Etch Body Art	Stuart Allum



WF No.	Valid Date	Target Date	Address of Site	Description of Proposal	Applicant	Case Officer
09/0575/CERTE	12/08/2009	07/10/2009	30 MALHAM ROAD STOURPORT-ON-SEVERN DY138NR	Storage of motorcycles in own garage for use as motorcycle training establishment	Mr T Meola	Paul Round
09/0598/CERTE	21/08/2009	16/10/2009	STABLE COTTAGE FOXMEAD CALLOW HILL ROCK KIDDERMINSTER DY149XW	Use of existing former stable block building as a dwelling.	Mr & Mrs M Kent	Julia Mellor
10/0056/FULL	05/02/2010	02/04/2010	SAIWEN LOWER HEATH STOURPORT-ON-SEVERN DY139PQ	Change of use of land to the rear of Sai Wen for a gypsy caravan site; for the siting of five static caravans, one mobile home, two touring caravan pitches, the erection of an amenity block and retention of existing dwelling for residential use	Mrs Betsy Wilson	Julia Mellor
10/0121/CERTE	10/03/2010	05/05/2010	THE ORCHARD WORCESTER ROAD HARVINGTON KIDDERMINSTER DY104LY	Use part of site for the storage and sale of motor vehicles	MR N PERRINS	Paul Round
10/0181/CERTE	30/03/2010	25/05/2010	DOVEYS COTTAGE ROCK KIDDERMINSTER DY149DR	Use of land as residential curtilage associated with Doveys Cottage for a period in excess of ten years.	Mr Keith Billingsley	Paul Round
10/0472/CERTP	17/08/2010	12/10/2010	HORSELEY COTTAGE HOBRO WOLVERLEY KIDDERMINSTER DY115TA	Conversion of existing garage to form ancillary accommodation. Proposed garden store	Mr C Fortnam	Paul Round
10/0550/FULL	20/09/2010	20/12/2010	LAND ADJACENT TO SEBRIGHT ROAD KIDDERMINSTER DY115UE	The construction of ten affordable dwellings	Wyre Forest Community Housing	Paul Round
10/0598/FULL	07/10/2010	02/12/2010	LAND ADJACENT TO 35 LONG ACRE KIDDERMINSTER DY102HA	Renewal of Planning Permission 07/0823 to erect a 3 No. bedroom dwelling	Mr S Milward	Paul Wrigglesworth

WF No.	Valid Date	Target Date	Address of Site	Description of Proposal	Applicant	Case Officer
11/0110/FULL	28/02/2011	25/04/2011	LAND OPPOSITE THE GATEHOUSE NELSON ROAD SANDY LANE INDUSTRIAL ESTATE STOURPORT- ON-SEVERN DY139QB	Change of use to Gypsy Caravan Park with 8 pitches and amenity block for temporary two year period	Mr & Mrs J Jones	Julia Mellor
11/0146/FULL	10/03/2011	05/05/2011	50 STOURPORT ROAD BEWDLEY DY121BL	Part change of use of domestic property to day nursery for up to 16 children	Mrs K Hopkins	James Houghton
11/0163/FULL	16/03/2011	11/05/2011	CHURCHFIELDS BUSINESS PARK CLENSMORE STREET KIDDERMINSTER DY102JY	Construction of 223 dwellings and associated roadworks and landscaping (following demolition of existing buildings)	Bellway Homes (West Midlands) Ltd	Julia Mellor
11/0172/LIST	22/03/2011	17/05/2011	HARVINGTON HALL HARVINGTON HALL LANE HARVINGTON KIDDERMINSTER DY104LR	Installation of a lightweight glass and steel draught lobby	HARVINGTON HALL MANAGEMENT COMMITTEE	James Houghton
11/0195/FULL	31/03/2011	26/05/2011	LAND ADJACENT TO NUNNS CORNER GYPSY SITE G SANDY LANE INDUSTRIAL ESTATE STOURPORT-ON-SEVERN	Change of use to allow extension to existing tolerated gypsy caravan park to create 2 additional pitches (part retrospective)	Mrs W Peacock	Paul Round
11/0252/FULL	26/04/2011	26/07/2011	HOPLEYS CAMPING AND CARAVAN SITE DODDINGTREE CLEOBURY ROAD BEWDLEY DY122QL	Change of use of land for the provision of tent pitches and retention of 4 tepees, associated stoned access ways, minor adjustment of levels and landscaping	Mr J Hopley	James Houghton
11/0297/LIST	19/05/2011	14/07/2011	KNIGHT HOUSE WOLVERLEY VILLAGE WOLVERLEY KIDDERMINSTER DY115XD	Front stone canopy porch, re-roofing main roof, conversion of existing garage to sitting room. Re-skinning existing rear and side single storey extensions, new balcony guard rail, new windows to rear elevation	Mr G Hawkins	James Houghton

WF No.	Valid Date	Target Date	Address of Site	Description of Proposal	Applicant	Case Officer
11/0305/LIST	24/05/2011	19/07/2011	47 MANOR ROAD STOURPORT-ON-SEVERN DY139DW	Demolition of original extension at side/rear and erection of replacement extension	Mr G Taylor	James Houghton
11/0309/FULL	25/05/2011	24/08/2011	1 FREDERICK ROAD HOO FARM INDUSTRIAL ESTATE WORCESTER ROAD KIDDERMINSTER DY117RA	Change of use from wholesale cash and carry and storage and distribution use (Class B8) to bulky goods retail (Class A1), creation of egress onto Edwin Avenue and associated works	Arrowcroft (JB) Limited	Paul Wrigglesworth
11/0310/FULL	25/05/2011	24/08/2011	UNIT 1 FREDERICK ROAD AND LAND TO THE WEST HOO FARM INDUSTRIAL ESTATE WORCESTER ROAD KIDDERMINSTER DY117RA	Change of use from wholesale cash and carry (Class B8) to bulky goods retail (Class A1) and associated works	Arrowcroft (JB) Limited	Paul Wrigglesworth
11/0308/FULL	31/05/2011	26/07/2011	KNIGHT HOUSE WOLVERLEY VILLAGE WOLVERLEY KIDDERMINSTER DY115XD	Double detached garage with guest room above. Timber garden room and garden pond	Mr G Hawkins	James Houghton
11/0360/RESE	01/06/2011	27/07/2011	REAR OF 60 STOURBRIDGE ROAD KIDDERMINSTER DY102PR	Erection of a pair of semi-detached houses (details submitted relate to the layout, appearance and landscaping of the development approved under Ref 08/0298/OUTL)	Mr D Reece	Stuart Allum
11/0352/FULL	08/06/2011	03/08/2011	ARLEY ARBORETUM ARLEY BEWDLEY DY121SQ	Erect solar photovoltaic panels on existing Tea Room Roof	R D Turner Charitable Trust	Paul Round
11/0358/ADVE	13/06/2011	08/08/2011	18 VICAR STREET KIDDERMINSTER DY101DA	1No internally illuminated fascia sign, 1No internally illuminated projecting sign and application of vinyl adverts to window	Jacobs & Turner T/A Trespass	Stuart Allum

WF No.	Valid Date	Target Date	Address of Site	Description of Proposal	Applicant	Case Officer
11/0359/FULL	13/06/2011	08/08/2011	90 ST. JOHNS AVENUE KIDDERMINSTER DY116AZ	Rear first floor extension	Ms JULIE HOPKINS	Stuart Allum
11/0395/CERTE	04/07/2011	29/08/2011	CHURCH FARM BUNGALOW CHURCHILL KIDDERMINSTER DY103LY	Certificate for occupation of dwelling unfettered by agricultural worker occupancy condition	T F Bache Trust	Paul Wrigglesworth
11/0408/FULL	11/07/2011	10/10/2011	THOMAS VALE CONSTRUCTION PLC FIRS INDUSTRIAL ESTATE KIDDERMINSTER DY117QN	Modification (internal and external) of an existing 1 & 2 storey building, with change of use from B8 to B1 to provide business support facilities and a construction technologies training academy, new build start-up business units and associated landscaping and parking	Thomas Vale Construction	Paul Round
11/0420/FULL/O	15/07/2011	14/10/2011	LAND AT CHURCHFIELDS KIDDERMINSTER	HYBRID APPLICATION: AREA A - FULL DETAILS: PROPOSED FOODSTORE (USE CLASS A1) AND PETROL FILLING STATION; ASSOCIATED PLANT, MEANS OF ENCLOSURE, RECYCLING, PARKING AND HIGHWAY WORKS INCLUDING NEW LINK ROAD BETWEEN THE RINGWAY AND CHURCHFIELDS; DEMOLITION OF EXISTING BUILDINGS, WITH EXCEPTION OF THE 1902 BUILDING (PART DEMOLITION PART RETENTION AND CHANGE OF USE TO CAFE, CUSTOMER AND COLLEAGUE FACILITIES). AREA B - OUTLINE: PROPOSED RESIDENTIAL DEVELOPMENT OF UP TO 26 UNITS WITH ASSOCIATED ACCESS AND PARKING; DEMOLITION OF EXISTING BUILDINGS. (LAYOUT AND ACCESS TO BE DETERMINED).	Asda Stores Ltd	Julia Mellor

WF No.	Valid Date	Target Date	Address of Site	Description of Proposal	Applicant	Case Officer
11/0433/FULL	18/07/2011	12/09/2011	LITTLE HAYES HOUSE LITTLE HAYES WOLVERLEY KIDDERMINSTER DY115UN	Proposed single storey side extension	MRS J LEIGH	Stuart Allum
11/0435/FULL	18/07/2011	12/09/2011	23 & 29 YORK STREET 1 & 1A BRIDGE STREET STOURPORT-ON-SEVERN DY139EH	Internal and external works to create 4 No. 1 bed flats	SUNCREST HOLDINGS LTD	Julia McKenzie-Watts
11/0436/LIST	18/07/2011	12/09/2011	23 & 29 YORK STREET 1 & 1A BRIDGE STREET STOURPORT-ON-SEVERN DY139EH	Internal and external works to create 4 No. 1bed flats	SUNCREST HOLDINGS LTD	Julia McKenzie-Watts
11/0439/FULL	21/07/2011	15/09/2011	HERONS PARK NURSING HOME HERONSWOOD ROAD KIDDERMINSTER DY104EX	Provision of additional bedroom converted from existing accommodation in association with approved scheme for 24 bedroom extension (09/0731)	ROYAL BAY CARE HOMES	Paul Wrigglesworth
11/0449/FULL	21/07/2011	15/09/2011	2 QUEENS ROAD STOURPORT-ON-SEVERN DY130BH	Variation of condition 3 of Planning Permission 10/0745/FULL to allow alternative extraction scheme to be installed	Mr S Gogna	Stuart Allum
11/0451/FULL	22/07/2011	16/09/2011	26 WORCESTER ROAD SHENSTONE KIDDERMINSTER DY104BU	Demolition of existing house and erection of detached bungalow and garage, erection of boundary wall	Mr & Mrs Jones	James Houghton
11/0450/FULL	25/07/2011	19/09/2011	THE FINGERPOST CLEOBURY ROAD ROCK KIDDERMINSTER DY149TA	2 Storey side extension	MR C WOODHOUSE	Stuart Allum
11/0454/FULL	25/07/2011	19/09/2011	RUSHMERE BLISS GATE ROAD ROCK KIDDERMINSTER DY149XS	Use of existing stationary caravan by carer for two (2) years	MR J GREASLEY	Paul Round
11/0448/OUTL	26/07/2011	20/09/2011	LAND ADJACENT TO 42 BRIAR HILL CHADDESLEY CORBETT KIDDERMINSTER DY104SH	Erection of a single storey dwelling	Mr A Gregory	Stuart Allum

WF No.	Valid Date	Target Date	Address of Site	Description of Proposal	Applicant	Case Officer
11/0458/FULL	27/07/2011	21/09/2011	THE SALON BROUGHTON COTTAGE THE VILLAGE CHADDESLEY CORBETT KIDDERMINSTER DY104SA	Single storey extension to rear with internal modifications to create separate living accommodation with balcony over; replacement of rear flat roof with pitched truss gable roof; single storey extension to side to provide entrance to flats	MISS V PAVLOVIC	Stuart Allum
11/0460/LIST	27/07/2011	21/09/2011	THE SALON BROUGHTON COTTAGE THE VILLAGE CHADDESLEY CORBETT KIDDERMINSTER DY104SA	Single storey extension to rear with internal modifications to create separate living accommodation with balcony over ;replacement of rear flat roof with pitched truss gable roof; single storey extension to side to provide entrance to flats	MISS V PAVLOVIC	Stuart Allum
11/0463/FULL	29/07/2011	23/09/2011	19 LINDEN AVENUE KIDDERMINSTER DY103AB	Two storey extension and modifications to existing bedroom suite over garage	P Wood	Julia McKenzie-Watts
11/0464/LIST	29/07/2011	23/09/2011	236 WESTBOURNE STREET BEWDLEY DY121BS	Installation of satellite dish on chimney	Mrs J B Roberts	James Houghton
11/0469/FULL	01/08/2011	26/09/2011	RICHMOND ROAD BEWDLEY	Erection of 5 No. affordable dwellings	Wyre Forest Community Housing	James Houghton
11/0471/FULL	01/08/2011	26/09/2011	CLENT AVENUE BIRCHEN COPPICE KIDDERMINSTER	7 No. Affordable Dwellings (5 no. 2 bed and 2 no. 3 bed - alternative scheme to planning approval 08/0311/FULL)	Wyre Forest Community Housing	Julia McKenzie-Watts
11/0511/FULL	15/08/2011	14/11/2011	MANOR INN 76 MINSTER ROAD STOURPORT-ON-SEVERN DY138AP	Construction of a 70 bed Care Home (Use Class 2) with associated parking (after demolition of existing building)	STOURPORT ON SEVERN CARE LTD	Julia Mellor

WF No.	Valid Date	Target Date	Address of Site	Description of Proposal	Applicant	Case Officer
11/0512/RESE	18/08/2011	17/11/2011	SUTTON ARMS SUTTON PARK ROAD KIDDERMINSTER DY116LE	Approval of Reserved Matters for access, appearance, landscaping, layout and scale for 14 dwellings (following Outline Planning Permission 08/0538/OUTL as amended by Planning Permission 11/0268/FULL)	Banner Homes Midlands Ltd	Paul Wrigglesworth
11/0534/RESE	23/08/2011	22/11/2011	FORMER CARPETS OF WORTH SEVERN ROAD STOURPORT-ON-SEVERN DY139EX	Redevelopment of the site to provide a mix of uses including Residential, Class A Retail Uses, Class B Employment, Class C Hotel and Class D Assembly and Leisure (Reserved Matters following Outline Approval 09/0588/OUTL - Access, Appearance Landscaping, Layout and Scale to be considered)	STOURPORT CORPORATION NV	John Baggott
11/0526/FULL	24/08/2011	23/11/2011	WHARTON PARK GOLF CLUB LONGBANK BEWDLEY DY122QW	Golf Driving Range and Associated Works	WHARTON PARK GOLF CLUB	Paul Round
11/0545/FULL	26/08/2011	21/10/2011	TOP ACRE OFF CURSLEY LANE SHENSTONE KIDDERMINSTER DY104DX	Application under S.73 to vary conditions 1 and 2 of Planning Permission 06/1062/FULL to remove all reference to the limited time period of 5 years for the stationing of caravans for residential purposes, the laying of hardstanding and erection of a close boarded and gravel board fence	MRS S J SMITH	John Baggott
11/0533/CAC	30/08/2011	25/10/2011	CLENSMORE STREET KIDDERMINSTER DY102JY	Reduction of front wall of existing Cornmill building and associated wall to canal (to facilitate redevelopment of the site for residential purposes under planning application reference 11/0163/FULL)	Bellway Homes	Julia Mellor

WF No.	Valid Date	Target Date	Address of Site	Description of Proposal	Applicant	Case Officer
11/0539/FULL	30/08/2011	29/11/2011	LAND OFF PUXTON DRIVE KIDDERMINSTER	Variation of condition 10 (Drainage) of Planning Permission 10/0633/FULL to allow for re-wetting scheme to Site of Special Scientific Interest (SSSI)	Bellway Homes West Midlands Ltd	Paul Round
11/0576/EIASC	30/08/2011	20/09/2011	BELLINGTON AND SUGARBROOK BOREHOLE RESILIENCE SCHEME	Request for a Screening Opinion under Regulation 5 of Town & Country Planning (Environmental Impact Assessment) Regulations 2011 - Bellington and Sugarbrook Resilience Main Pipeline	Severn Trent Water Ltd	John Baggott
11/0543/CERTE	31/08/2011	26/10/2011	SMITHS TURNING 5A WHITEHILL ROAD KIDDERMINSTER DY116JH	The use of an area of land as garden land	MR J CADDICK	Paul Wrigglesworth
11/0544/ADVE	02/09/2011	28/10/2011	TRAVELODGE PARK LANE KIDDERMINSTER DY116TL	1 No. internally illuminated post sign	Mr P Hill	Paul Wrigglesworth
11/0547/FULL	05/09/2011	31/10/2011	3 BROCKTON PLACE STOURPORT-ON-SEVERN DY130LE	Extension to existing garage and rear shed	Mr R Edge	Julia McKenzie-Watts
11/0548/FULL	06/09/2011	01/11/2011	18 LANSDOWN GREEN KIDDERMINSTER DY116PX	Proposed front extension to form porch and extended lounge with canopy roof over	Mr A Stokes	Julia McKenzie-Watts
11/0552/FULL	06/09/2011	01/11/2011	PENNY BLACK BULL RING KIDDERMINSTER DY102AZ	Change of use of pavement area to the front of the Penny Black public house for use as an al-fresco cafe area comprising 3 no. tables each with two chairs and ground fixed, removable posts and screens	J D Wetherspoon PLC	Paul Wrigglesworth
11/0553/FULL	06/09/2011	01/11/2011	14 OAKFIELD ROAD KIDDERMINSTER DY116PL	Proposed two storey and single storey extensions on both sides and rear	Mr I Rowland	Stuart Allum



WF No.	Valid Date	Target Date	Address of Site	Description of Proposal	Applicant	Case Officer
11/0554/FULL	06/09/2011	01/11/2011	33 BROOMFIELD CLOSE KIDDERMINSTER DY115PD	Replace concrete walls with brickwork (with block and cavity), replacement of windows and doors	Mr D Preston	Stuart Allum
11/0549/TREE	07/09/2011	02/11/2011	WOLVERHILL WOLVERLEY VILLAGE WOLVERLEY KIDDERMINSTER DY115XD	Reduce and thin crown of Chestnut Tree	Mr A Yarnold	Alvan Kingston
11/0550/TREE	07/09/2011	02/11/2011	17 PIPIT COURT KIDDERMINSTER DY104UL	Fell Sycamore	Mr Ben Millner (on behalf of Applicant)	Alvan Kingston
11/0558/FULL	07/09/2011	02/11/2011	LONG MORE FARM LONG MORE CHADDESLEY CORBETT KIDDERMINSTER DY104RE	Erection of a steel frame general purpose farm building to store fodder (hay, straw and silage), cereals after harvest and farm machinery in the winter	MR R YARDLEY	Stuart Allum
11/0559/ADVE	07/09/2011	02/11/2011	WILKINSON MARKET STREET KIDDERMINSTER DY101AB	Replacement of signage in connection with corporate rebranding	WILKINSON HARDWARE STORES	Julia McKenzie-Watts
11/0551/FULL	08/09/2011	03/11/2011	UNIT 16 WILDEN INDUSTRIAL ESTATE STOURPORT-ON-SEVERN DY139JY	Repairs to reinstate damage to edge of yard	Mr K Lee	Stuart Allum
11/0556/FULL	08/09/2011	03/11/2011	SOMERFIELD STORES LTD 21 KIDDERMINSTER ROAD BEWDLEY DY121AQ	Demolition of existing Petrol Filling Station and various onsite structures and construction of new Petrol Filling Station and forecourt (Renewal of 08/0630/FULL)	SOMERFIELD STORES LTD	Stuart Allum
11/0557/CAC	08/09/2011	03/11/2011	SOMERFIELD STORES LTD 21 KIDDERMINSTER ROAD BEWDLEY DY121AQ	Demolition of existing Petrol Filling station and other associated structures	SOMERFIELD STORES LTD	Stuart Allum

WF No.	Valid Date	Target Date	Address of Site	Description of Proposal	Applicant	Case Officer
11/0562/FULL	09/09/2011	04/11/2011	LAND BORDERING 38 SANDICLIFFE CLOSE ADJACENT TO HIGHWAY AT WILLOWFIELD DRIVE KIDDERMINSTER DY115HW	Enclosure of unregistered land and change of use to domestic garden. Associated landscaping and planting	MR J WILLIAMS	Stuart Allum
11/0561/FULL	12/09/2011	07/11/2011	ST. GEORGES COTTAGE DRYMILL LANE BEWDLEY DY122LS	Proposed single storey Sun Lounge and Dining Room to the rear	The Guild of St George	Julia McKenzie-Watts
11/0563/FULL	13/09/2011	08/11/2011	130 CONINGSBY DRIVE KIDDERMINSTER DY115LZ	Proposed front canopy	Mr & Mrs K Moule	Julia McKenzie-Watts
11/0565/FULL	13/09/2011	08/11/2011	ARELEY KINGS VILLAGE HALL ARELEY COMMON STOURPORT-ON-SEVERN DY130NG	Installation of 4No rooflights in the roof to the rear of the property	Charity Commission Trust	Stuart Allum
11/0564/FULL	14/09/2011	09/11/2011	HIGH HOBRO FARM LITTLE HOBRO LANE WOLVERLEY KIDDERMINSTER DY115SX	Conversion of barn (Barn A) to dwelling and associated works	Mrs J Wilton	Paul Round
11/0566/FULL	14/09/2011	09/11/2011	41 GREATFIELD ROAD KIDDERMINSTER DY116PH	Single storey rear extension and replacement single garage (Resubmission of 11/0180/FULL)	Ms J Bull	Stuart Allum
11/0567/FULL	14/09/2011	09/11/2011	LAND ADJACENT TO THE GREEN CHADDESLEY CORBETT KIDDERMINSTER DY104SL	Demolition of existing redundant garages and construction of four affordable dwellings	Wyre Forest Community Housing	Paul Wrigglesworth
11/0568/PNTE	15/09/2011	23/09/2011	THE BLACK STAR 1 MITTON STREET STOURPORT-ON-SEVERN DY138YP	Erection of telecommunication equipment cabinet	BT Openreach	Paul Round

WF No.	Valid Date	Target Date	Address of Site	Description of Proposal	Applicant	Case Officer
11/0569/FULL	15/09/2011	10/11/2011	THE YARD HOUSE HEIGHTINGTON BEWDLEY DY122XN	Erection of domestic two bay garage with store and roof storage, new vehicular access to dwelling and upgrade of existing garage and store (Resubmission of 11/0329/FULL)	Miss E Chester	Paul Round
11/0572/LIST	15/09/2011	10/11/2011	BEWDLEY BAPTIST CHURCH 61 HIGH STREET BEWDLEY DY122DJ	Internal and external alterations to existing church offices to include repositioning of door opening to form new rear entrance with new glazed canopy over and replacement of two windows on rear elevation	Mr A Tomlinson	Paul Round
11/0570/FULL	16/09/2011	11/11/2011	JACKSONS MARLPOOL LANE KIDDERMINSTER DY115DA	Change of use of Unit 2 (as approved under Planning Permission 11/0115/FULL) as a Veterinary Surgery	Ms K Phelan	James Houghton
11/0571/FULL	16/09/2011	11/11/2011	5 RECTORY LANE ROCK KIDDERMINSTER DY149RU	Proposed dormer window and new roof over existing dormer window	OAKHAM CONSTRUCTION LTD	Julia McKenzie-Watts
11/0574/FULL	19/09/2011	14/11/2011	RHONELEA MUSTOW GREEN KIDDERMINSTER DY104LD	Proposed two storey extension and single storey extension with lean to and canopy to front of dwelling	Mr A Davis	Julia McKenzie-Watts
11/0573/LIST	20/09/2011	15/11/2011	1 MALTHOUSE ROW WESTBOURNE STREET BEWDLEY DY121BS	Proposed 2 small windows in end gable/timber frame, 2 veluxes 1 to east and 1 to west roof elevations	MR C ROBINSON	James Houghton
11/0575/CERTP	20/09/2011	15/11/2011	84 LICKHILL ROAD STOURPORT- ON-SEVERN DY138SD	Proposed rear extension	Mr J Powell	Paul Round

WF No.	Valid Date	Target Date	Address of Site	Description of Proposal	Applicant	Case Officer
11/0577/CERTP	20/09/2011	15/11/2011	JOANS HOLE DUNLEY STOURPORT-ON-SEVERN DY130UJ	Proposed front, side and rear extensions	Mr T Newbold	Paul Round
11/0578/FULL	20/09/2011	15/11/2011	RAILWAY BELL HOTEL COMBERTON HILL KIDDERMINSTER DY101QN	Proposed external smoking shelter to the side of property	Marstons Beer & Pub Co	James Houghton
11/0579/FULL	20/09/2011	15/11/2011	HUT TO REAR OF SHOPS QUEENS ROAD STOURPORT-ON-SEVERN DY130BH	Retention of temporary portable building for a further 2 years	Stourport Three Arts Guild	Stuart Allum
11/0580/FULL	21/09/2011	16/11/2011	41 SOMERLEYTON AVENUE KIDDERMINSTER DY103AS	Rear two storey extension, garage extension and alterations	Mr & Mrs D Price	Julia McKenzie-Watts
11/0582/FULL	22/09/2011	17/11/2011	THE OLD BEAR STOURBRIDGE ROAD KIDDERMINSTER DY102PR	Demolition of lean-to and garage, external alterations to elevations including glazed shop front. Raising height of flat roof, blocking up windows/doors, erection of fencing and associated works ( to convert to retail premises)	Spencer Taverns Ltd	Stuart Allum
11/0583/TREE	26/09/2011	21/11/2011	BEWDLEY MEDICAL CENTRE LOAD STREET BEWDLEY DY122EG	Light canopy raise of London Plane	Mr D Scully	Alvan Kingston
11/0584/FULL	26/09/2011	21/11/2011	LAKE VIEW BUNGALOW BIRCH BANK SHATTERFORD BEWDLEY DY121TW	Garage extension and installation of dormer and roof lights (Renewal of Planning Permission 08/0460/FULL)	Mr T Warrington	Stuart Allum
11/0585/FULL	26/09/2011	21/11/2011	MOON RAKERS STAKENBRIDGE LANE CHURCHILL KIDDERMINSTER DY103LS	Two storey rear extension and dormer window to front elevation	MISS N WARD	James Houghton
11/0586/FULL	26/09/2011	21/11/2011	3 MERTON CLOSE BEWDLEY DY122NY	Rear Conservatory	MR PAUL HUNT	James Houghton

WF No.	Valid Date	Target Date	Address of Site	Description of Proposal	Applicant	Case Officer
11/0587/FULL	27/09/2011	22/11/2011	27 WOODTHORPE DRIVE BEWDLEY DY122RH	Two storey rear extension and first floor extension over existing garage	Mr & Mrs Cooksey	Julia McKenzie-Watts
11/0588/FULL	28/09/2011	23/11/2011	45 COMBERTON PARK ROAD KIDDERMINSTER DY103DY	Two-storey side extension, single storey rear extension and bay window to front	Mr R J Dean	Stuart Allum
11/0589/FULL	28/09/2011	23/11/2011	16 CLAUGHTON STREET KIDDERMINSTER DY116PR	Two storey rear extension	MR D YARDLEY	James Houghton
11/0590/FULL	29/09/2011	24/11/2011	PIGGOTTS FARM HEIGHTINGTON BEWDLEY DY122XL	Subdivision of existing dwelling to form two additional dwellings	MR J MCCONALOGUE	Paul Round
11/0591/FULL	03/10/2011	28/11/2011	THE GRAND TURK 207 SUTTON ROAD KIDDERMINSTER DY116QJ	Conversion of existing public house to form 6 No. one bedroom flats and associated amenity areas and car parking	Symfonia Ltd	Julia McKenzie-Watts
11/0592/FULL	05/10/2011	30/11/2011	106 MARLPOOL LANE KIDDERMINSTER DY115HR	Installation of side facing window (facing 105 Marlpool Lane)	MR R M JONES	Julia McKenzie-Watts
11/0594/FULL	05/10/2011	30/11/2011	VICARAGE FARM FOLD LANE CHADDESLEY CORBETT KIDDERMINSTER DY104SA	Proposed Alterations To Include Rooflights, Conversion Of Roof Space to Form En-Suite, Window Alterations, Internal Reconfiguration.	Mr & Mrs A Davis	Paul Wrigglesworth
11/0595/FULL	05/10/2011	30/11/2011	DENTAL SURGERY 54 CONNAUGHT AVENUE KIDDERMINSTER DY116LS	Modification, extension to create new entrance and change of use to first floor flat for use in association with Dentists	DR G Birth	Paul Wrigglesworth
11/0596/FULL	05/10/2011	30/11/2011	LAND OFF RIBBESFORD ROAD BEWDLEY	Change of use of land to commercial stud farm and erection of stabling	Mr & Mrs P Parker	James Houghton

WF No.	Valid Date	Target Date	Address of Site	Description of Proposal	Applicant	Case Officer
11/0555/FULL	06/10/2011	01/12/2011	GORST HILL FARM ROCK KIDDERMINSTER DY149YJ	Installation of 18.3m high (24.8m to upright tip of blade) free standing 11kw twin blade wind turbine (Re-submission of Planning Approval 11/0016/FULL to allow alternative siting)	Mr D Nott	Julia Mellor
11/0593/FULL	06/10/2011	01/12/2011	2B NORTHWOOD LANE BEWDLEY DY121AH	Single storey side extension	MR C POUNY	James Houghton
11/0597/FULL	06/10/2011	01/12/2011	THE PARK INN 409 STOURPORT ROAD KIDDERMINSTER DY117BG	Demolition of existing public house and proposed development of pet store (A1) and veterinary surgery (D1) with 2No two bed flats over	Worcester & Regional Properties Ltd	Paul Wrigglesworth
11/0598/TREE	10/10/2011	05/12/2011	6 THE CROFT KIDDERMINSTER DY116LX	Reduce and trim a Turkey Oak in rear garden	Mr G Mezzone	Alvan Kingston
11/0599/FULL	10/10/2011	05/12/2011	2 CONNAUGHT AVENUE KIDDERMINSTER DY116LS	Erection of two storey side extension and extension to garage in garage court	Mr P Baynton	Paul Wrigglesworth
11/0601/FULL	10/10/2011	09/01/2012	MORGAN CERAMICS BEWDLEY ROAD STOURPORT-ON-SEVERN DY138QR	Removal of Condition 10 of 10/0321/OUTL to remove requirement for a continuous block of single aspect houses along the south west boundary	Redrow Homes	Paul Round
11/0602/FULL	10/10/2011	05/12/2011	1 MUSKOKA BEWDLEY DY122BJ	Single storey side extension	Mr R Farmer	James Houghton
11/0600/FULL	11/10/2011	06/12/2011	30 NEVILLE AVENUE KIDDERMINSTER DY117AL	Ground floor and first floor rear and side extension	MR MARK SIVELLE	Paul Wrigglesworth

WF No.	Valid Date	Target Date	Address of Site	Description of Proposal	Applicant	Case Officer
11/0603/LIST	11/10/2011	06/12/2011	16 SEVERN SIDE SOUTH BEWDLEY DY122DX	Alteration of window to kitchen to form french doors, replacement of other windows on rear elevation. Other alterations to internal layout.	Mr & Mrs P Hayden	Stuart Allum
11/0604/FULL	12/10/2011	07/12/2011	11 KENILWORTH DRIVE KIDDERMINSTER DY101YD	Replacement and resiting of boundary fence, so that it aligns with adjacent property, No. 15 Kenilworth Drive	MR A PERRY- KEENE	Julia McKenzie- Watts
11/0605/FULL	12/10/2011	07/12/2011	SLINGFIELD MILL WEAVERS WHARF KIDDERMINSTER DY101AA	Erection of 4 no CCTV cameras to the exterior of Slingfield Mill	Premier Inn Hotels Ltd	Paul Wrigglesworth
11/0606/LIST	12/10/2011	07/12/2011	SLINGFIELD MILL WEAVERS WHARF KIDDERMINSTER DY101AA	Installation of CCTV cameras and external signage for new Premier Inn Hotel and plaster boarding of walls to third floor guest lobby	Premier Inn Hotels Ltd	Paul Wrigglesworth
11/0607/FULL	12/10/2011	07/12/2011	31 HOLMCROFT ROAD KIDDERMINSTER DY103AQ	Conversion of existing garage with extension to a bedroom, internal modifications and front extension	Miss C Walling	James Houghton
11/0610/FULL	12/10/2011	07/12/2011	22 LINDEN AVENUE KIDDERMINSTER DY103AB	Single storey front extension	Mr M Kragulj	Stuart Allum
11/0611/CERTP	14/10/2011	09/12/2011	12 NEW WOOD LANE BLAKEDOWN KIDDERMINSTER DY103LD	Certificate of Lawful Development: Proposed Development - Single storey rear extension	Mr N Poole	Paul Wrigglesworth
11/0608/TREE	17/10/2011	12/12/2011	37 ROUND HILL WHARF KIDDERMINSTER DY116US	Removal of a group of minor oak limbs growing over the rear garden	MR BRYAN TAYLOR - JUST TREES	Alvan Kingston

WF No.	Valid Date	Target Date	Address of Site	Description of Proposal	Applicant	Case Officer
11/0609/TREE	17/10/2011	12/12/2011	ELFIN GLEN GORST HILL ROCK KIDDERMINSTER DY149YH	Removal of an oak tree	MR P ROGERS	Alvan Kingston
11/0613/FULL	17/10/2011	12/12/2011	54 HIGHFIELD ROAD KIDDERMINSTER DY102TJ	Extension - rear conservatory and WC	Mr D Clarke	Stuart Allum
11/0612/FULL	18/10/2011	13/12/2011	31 FARFIELD KIDDERMINSTER DY101UQ	Erection of a two storey rear extension (resubmission of 11/0402/FULL)	Ms K R O'Kell	Stuart Allum
11/0614/LIST	18/10/2011	13/12/2011	THURSTON COURT SEVERN SIDE SOUTH BEWDLEY DY122DX	Internal and external repairs to building	Residents of Thurston Court	James Houghton
11/0615/FULL	18/10/2011	13/12/2011	BENTLEY GROVE CURSLEY LANE MUSTOW GREEN KIDDERMINSTER DY104LF	Change of use to Residential Care Home - Use Class C2	MADE ARCHITECTURE	Julia McKenzie- Watts
11/0619/FULL	20/10/2011	15/12/2011	WITLEY JONES FURNITURE LTD BEECH HOUSE SANDY LANE TITTON STOURPORT-ON-SEVERN DY139QA	Proposed extension to Furniture Manufacturing Unit and installation of P.V. panels	WITLEY JONES FURNITURE LTD	James Houghton
11/0620/FULL	20/10/2011	15/12/2011	BROOM MEADOW COTTAGES BROOME STOURBRIDGE DY9 0EZ	Refurbishment of existing property, demolition of existing single storey side extension, erection of new two storey side extension with new vehicular access and detached garage	Mr D Pheysey	Stuart Allum
11/0616/FULL	24/10/2011	19/12/2011	ALPHA ADHESIVES & SEALANTS LTD LLEWELLYN CLOSE SANDY LANE INDUSTRIAL ESTATE STOURPORT-ON-SEVERN DY139RH		ALPHA ADHESIVES & SEALANTS LTD	
11/0621/TREE	24/10/2011	19/12/2011	15 TRINITY FIELDS KIDDERMINSTER DY102DF	Fell two Scotts Pine and crown one Scotts Pine	Mr J Suesse	Alvan Kingston



WF No.	Valid Date	Target Date	Address of Site	Description of Proposal	Applicant	Case Officer
11/0622/FULL	24/10/2011	19/12/2011	19 THE RIDGEWAY STOURPORT-ON-SEVERN DY138XT	Single storey garage and utility extension to side and rear	Mr & Mrs Pullen	Julia Mellor
11/0618/FULL	25/10/2011	20/12/2011	ALPHA ADHESIVES & SEALANTS LTD LLEWELLYN CLOSE SANDY LANE INDUSTRIAL ESTATE STOURPORT-ON-SEVERN DY139RH		ALPHA ADHESIVES & SEALANTS LTD	
11/0623/FULL	25/10/2011	20/12/2011	20 CHICHESTER AVENUE KIDDERMINSTER DY115JA		Mr & Mrs Clarke	
11/0624/TREE	25/10/2011	20/12/2011	KING CHARLES HIGH SCHOOL HILL GROVE HOUSE COMBERTON ROAD KIDDERMINSTER DY101XA	Trim trees to boundary of astro turf	Miss S Knight	Alvan Kingston

## WYRE FOREST DISTRICT COUNCIL

Planning Committee

08 November 2011

### PLANNING AND ENFORCEMENT APPEALS

Appeal and Application Number	Planning Inspectorate Reference	Appellant	Site (Proposal)	Form of Appeal and Start Date	Written Reps. or Statement Required By	Proof of Evidence required by	Public Inquiry, Hearing or Site Visit date	Decision
WFA1392 11/0486/ENF	APP/R1845/C/11 /2158124	Mrs I Harding	12 STOKESAY CLOSE KIDDERMINSTER DY101YB  Unauthorised erection of boundary wall (Enforcement Case No 10/0048/ENF)	WR  10/08/2011	  21/09/2011			
WFA1393 11/0489/ENF	APP/R1845/C/11 /2158189	Mr G Attwood	LAND AT THE ROBIN HOOD PH DRAYTON ROAD DRAYTON  Unauthorised erection of a building (Enforcement Case 10/0173/ENF)	WR  11/08/2011	  22/09/2011			

Appeal and Application Number	Planning Inspectorate Reference	Appellant	Site (Proposal)	Form of Appeal and Start Date	Written Reps. or Statement Required By	Proof of Evidence required by	Public Inquiry, Hearing or Site Visit date	Decision
WFA1395 10/0635/FULL	APP/R1845/A/11 /2158862	Willmar Hire	FIVE ACRES HEIGHTINGTON ROAD BLISS GATE KIDDERMINSTER  Replacement storage and agricultural machinery workshop building	WR 23/08/2011	04/10/2011			
WFA1396 11/0383/FULL	APP/R1845/A/11 /2159374	Mr M Daneshfar	DRIVING TEST CENTRE 21 CASTLE ROAD KIDDERMINSTER  Internal alterations and conversion to form 3no 3 bedroom apartments	WR 31/08/2011	12/10/2011			
WFA1397 11/0193/LIST	APP/R1845/E/11 /2155253	Ms Emily Field	5 RICKETTS PLACE STOURPORT ROAD BEWDLEY DY121DW  To add velux window to rear roof	WR 20/09/2011	01/11/2011			

**WYRE FOREST DISTRICT COUNCIL**

**PLANNING COMMITTEE**  
**8<sup>th</sup> NOVEMBER 2011**

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

<b>OPEN</b>	
<b>DIRECTOR:</b>	Director of Planning and Regulatory Services
<b>CONTACT OFFICER:</b>	John Baggott – Extension 2515 John.Baggott@wyreforestdc.gov.uk
<b>APPENDICES:</b>	None

**1. PURPOSE OF REPORT**

- 1.1 To provide Members with a monthly progress report on performance against national indicators (NI 157, formerly BV 109).

**2. RECOMMENDATION**

- 2.1 **That the report be noted**

**3. BACKGROUND**

- 3.1 At Full Council in May 2006 it was agreed as part of the Recovery Plan that a report on the performance against best value performance indicators (BVPI 109, now NI 157) be reported to the Planning (Development Control) Committee on a monthly basis.

- 3.2 The national targets for determining planning applications are as follows:

NI 157 a (Major applications)	-	60% within 13 weeks.
NI 157 b (Minor applications)	-	65% within 8 weeks.
NI 157 c (other applications)	-	80% within 8 weeks.

3.3 In addition to these national targets there are Local targets set out within the Business Plan for 2011/12. These are as follows:

- Major applications - 65% within 13 weeks.
- Minor applications - 75% within 8 weeks.
- Other applications - 85% within 8 weeks.

**4. PERFORMANCE**

**Major applications**

4.1 The following table shows the quarterly performance figures for major applications for the period from 1<sup>st</sup> January 2009 to 30<sup>th</sup> September 2011. It also shows the performance at the time of compiling the report within the 3<sup>rd</sup> Quarter of 2011/12 although the relevant period does not end until 31<sup>st</sup> December 2011 and as such these figures may be subject to further change.

4.2 As previously advised, due to the continued low number of new major applications that have been received over recent months, performance in this area has been affected due to the number of older and more complex major applications which have reached final determination and which have already gone beyond 13 weeks. Whilst every effort has been made to manage these applications effectively, performance in this category is becoming increasingly difficult and performance during both the 1<sup>st</sup> and 2<sup>nd</sup> Quarters of 2011/12 has regrettably fallen below the National target. Performance is likely to continue to be affected in the current and future quarters.

Quarter	No. determined	No. determined within 13 weeks	% determined within 13 weeks
1 January – 31 March 2009	4	4	100%
1 April – 30 June 2009	3	2	66.67%
1 July – 30 September 2009	5	2	40%
1 October – 31 December 2009	9	8	88.89%
1 January – 31 March 2010	5	3	60%
1 April – 30 June 2010	9	6	66.67%
1 July – 30 September 2010	3	2	66.67%
1 October – 31 December	13	9	69.23%

2010			
1 January – 31 March 2011	6	4	66.67%
1 April – 30 June 2011	5	2	40%
1 July – 30 September 2011	6	3	50%
1 October – 31 December 2011 (figures taken 25 October 2011)	5	2	40%

**Minor applications**

4.3 The following table shows the quarterly performance figures for minor applications for the period from 1<sup>st</sup> January 2009 to 30<sup>th</sup> September 2011. It also shows the performance at the time of compiling the report within the 3<sup>rd</sup> Quarter of 2011/12 although the relevant period does not end until 31<sup>st</sup> December 2011 and, as such, these figures may be subject to further change. Performance within this category has consistently met the national targets. However, with the continued relatively low numbers of new minor applications having been received, added to older more complex applications reaching final determination, performance in this category is now proving to be a real challenge. In attempting to manage performance during the 1<sup>st</sup> Quarter of 2011/12, a number of “out of time” applications were retained and not determined until the start of the 2<sup>nd</sup> Quarter. However the overall number of new minor applications received, and determined, during the 2<sup>nd</sup> Quarter was ultimately insufficient to compensate for the “out of time” applications resulting in performance regrettably falling below the national target.

Quarter	No. determined	No. determined within 8 weeks	% determined within 8 weeks
1 January – 31 March 2009	41	31	75.61%
1 April – 30 June 2009	56	47	83.93%
1 July – 30 September 2009	40	31	77.50%
1 October – 31 December 2009	50	37	74.00%
1 January – 31 March 2010	33	24	72.73%
1 April – 30 June 2010	29	23	79.31%
1 July – 30 September 2010	36	27	75.00%

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1 October – 31 December 2010	36	27	75.00%
1 January – 31 March 2011	26	19	73.08%
1 April – 30 June 2011	39	26	66.67%
1 July – 30 September 2011	27	16	59.26%
1 October – 31 December 2011 (figures taken 25 October 2011)	15	6	40%

### Other applications

- 4.4 The following table shows the quarterly performance figures for other applications for the period from 1<sup>st</sup> January 2009 to 30<sup>th</sup> September 2011. It also shows the performance at the time of compiling the report within the 3<sup>rd</sup> Quarter of 2011/12 although the relevant period does not end until 31<sup>st</sup> December 2011 and, as such, these figures may be subject to further change.
- 4.5 Performance in this category has consistently met, or been close to meeting, the national targets, but in managing performance during the 1<sup>st</sup> Quarter of 2011/12 an unusually high number of older applications came to final determination at the end of the Quarter. These had to be suitably managed, with the result being a significant proportion of these applications were determined at the start of the 2<sup>nd</sup> Quarter of 2011/12, which has had a direct impact upon the performance figures for the 2<sup>nd</sup> Quarter, with performance regrettably falling short of the national target.

Quarter	No. determined	No. determined within 8 weeks	% determined within 8 weeks
1 January – 31 March 2009	99	89	89.90%
1 April – 30 June 2009	129	114	88.37%
1 July – 30 September 2009	135	115	85.19%
1 October – 31 December 2009	94	80	85.11%
1 January – 31 March 2010	84	72	85.71%
1 April – 30 June 2010	124	111	89.52%
1 July – 30 September 2010	119	94	78.99%

1 October – 31 December 2010	109	91	83.49%
1 January – 31 March 2011	97	84	86.60%
1 April – 30 June 2011	109	88	80.73%
1 July – 30 September 2011	112	79	70.54%
1 October – 31 December 2011 (figures taken 25 October 2011)	38	26	68.42%

**5. FINANCIAL IMPLICATIONS**

5.1 There are no financial implications.

**6. LEGAL AND POLICY IMPLICATIONS**

6.1 There are no legal or policy implications.

**7. RISK MANAGEMENT**

7.1 There are risk management issues if performance continues to fail to meet the national targets.

**8. EQUALITY IMPACT ASSESSMENT**

8.1 This report relates to the analysis of performance levels against national and local indicators. There are no equality impact issues to be addressed.

**9. CONCLUSION**

9.1 Members are advised of continued concerns in respect of the performance against major applications targets, due to the relatively low number of new major applications being received which would offset the older, more complex, major applications which are nearing determination. Similarly, performance against minor applications continues to suffer, and every effort is being made, insofar as is possible, to manage new applications within all categories effectively to ensure that performance in this area shows an improvement during future quarters. Performance in the others category has also suffered during the 2<sup>nd</sup> Quarter, for the reasons referred to in paragraph 4.5, and it is of huge disappointment to report a failure to meet the national target in this category in particular. Procedures have been put into place in an attempt to see an immediate improvement during the 3<sup>rd</sup> Quarter of 2011/12.



- 9.2 Members are advised that the number of planning case officers was reduced by 1 FTE, with effect from 1<sup>st</sup> January 2011. The impact of this lost post is now being felt within Development Control which in turn is having an adverse impact upon performance in all categories of applications. Added to which, the numbers of chargeable pre-application enquiries and applications which are not recorded under the NI 157 (e.g. discharge of conditions and non-material amendments) has shown a marked increase in recent months, which in turn has had an knock-on effect overall performance against NI157.
- 9.3 The Council has no control over the number and timing of applications being submitted for determination, but undoubtedly the economic climate has had an impact upon the number of new applications, in all categories, which have been received over recent months.

**10. CONSULTEES**

- 10.1 None

**11. BACKGROUND PAPERS**

- Report on Recovery Plan (Full Council) – May 2006
- Monthly progress reports – Planning (DC) Committee (June 2006 – May 2009)
- DCLG : Planning Performance Statistics – Planning (DC) Committee (August 2006 – May 2009)
- Monthly progress reports – Planning Committee (June 2009 – October 2011)
- DCLG : Planning Performance Statistics – Planning Committee (August 2009 – May 2011)

## SECTION 106 OBLIGATION MONITORING

**NOTE: THIS LIST IS NOT EXHAUSTIVE BUT DETAILS THE MOST ‘CURRENT’ OBLIGATIONS, WHICH REQUIRE MONITORING**

This list only records applications dating back to 2008 and should Members wish to see records relating to applications before then, they are available on request

Application Number	Site	Provisions	Triggers for Compliance	Performance
08/1044/FULL	Former Victoria Sports Field, Spennells Valley Road, Kidderminster	<ul style="list-style-type: none"> <li>• Contribution of a £100,000 to Wyre Forest District Council to enhance sporting provision</li> <li>• £10,000 to Worcestershire County Council towards sustainable cycle routes</li> <li>• Sponsorship of Kidderminster Victoria Cricket Club providing £3,500 per annum for 10 years</li> <li>• Sponsorship of Worcestershire Bowling League of £1,500 per annum for 5 years</li> </ul>		

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Application Number	Site	Provisions	Triggers for Compliance	Performance
11/0163/FULL	Churchfields Business Park, Clensmore Street Kidderminster	<ul style="list-style-type: none"> <li>• Affordable housing 22% (49 units – 17 shared ownership / 32 social rented)</li> <li>• Education - £150 000</li> <li>• AQMA - £29 000 (towards appropriate traffic management scheme to reduce emissions)</li> <li>• Sustainable Transport - £35 000 (towards refurbishing Limekiln bridge)</li> <li>• Highway Improvements - £284 000 (as indicated in Churchfields Masterplan including but not limited to improving bus services 9/9a)</li> <li>• Open Space £200 000</li> </ul>		
11/0390/FULL	Corner of Hurcott Road and Stourbridge Road Kidderminster	<ul style="list-style-type: none"> <li>• Air Quality Monitoring and Management contribution of £10,000</li> </ul>		
11/0471/FULL	Clent Avenue, Kidderminster	<ul style="list-style-type: none"> <li>• Open space contribution of £2,023.92</li> </ul>		
11/0469/FULL	Richmond Road Bewdley	<ul style="list-style-type: none"> <li>• Open space contribution of £1,779.04</li> </ul>		

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<b>Application Number</b>	<b>Site</b>	<b>Provisions</b>	<b>Triggers for Compliance</b>	<b>Performance</b>
10/0523/FULL	The Watermill Park Lane Kidderminster	<ul style="list-style-type: none"> <li>• Contribution of £10,000 towards ramp linking the canal towpath with the Stourport Road and maintenance for a 5 year period</li> </ul>	Commencement of development	Completed
10/0752/FULL	Rose Cottage Clattercut Lane Chaddesley Corbett	<ul style="list-style-type: none"> <li>• To prevent implementation of 10/0653/FULL approved 13<sup>th</sup> December 2010</li> <li>• To ensure demolition of existing dwelling known as Rose Cottage within 3 months of first occupation of new dwelling</li> </ul>	Immediate	Completed
10/0633/FULL	Puxton Drive Kidderminster	<ul style="list-style-type: none"> <li>• Education contribution of £38,224</li> <li>• Highway contribution of £20,000</li> <li>• Affordable housing provision of 25 units (11 Shared Ownership &amp; 14 Rent)</li> </ul>	<ul style="list-style-type: none"> <li>• Occupation of one third of dwellings</li> <li>• Occupation of first dwelling</li> <li>• Before completion of the general market dwellings</li> </ul>	Completed
10/0550/FULL	Land adjacent to Sebright Road, Kidderminster	<ul style="list-style-type: none"> <li>• Public open space contribution of £3055.92</li> <li>• Sustainable transport contribution of £90.00</li> </ul>	Commencement of development	Draft to be circulated

Application Number	Site	Provisions	Triggers for Compliance	Performance
08/0768/OUTL	Former Carpets of Worth Factory, Severn Road, Stourport on Severn	<ul style="list-style-type: none"> <li>• Affordable Housing – 10% without grant assistance/20% with grant assistance</li>   <li>• Transport/Highways - £275,000 – broken down as follows:   <ul style="list-style-type: none"> <li>£50,000 – Junction Improvements at High Street/Bridge Street/York Street/New Street junction</li> <li>£25,000 – Bus Stop Infrastructure</li> <li>£180,000 – Bus Service Support</li> <li>£20,000 – Marketing of Bus Service</li> </ul> </li>   <li>• Education - £32, 292</li>   <li>Total Financial Contribution = £307,292.</li>   <li>• Viability appraisal</li> </ul>	<ul style="list-style-type: none"> <li>• Prior to occupation of one third of general market dwellings</li> <li>• Commencement of Development</li>   <li>• Commencement of Development</li>   <li>• If reserved matters not granted within 36 months of date of permission</li> </ul>	Completed

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<b>Application Number</b>	<b>Site</b>	<b>Provisions</b>	<b>Triggers for Compliance</b>	<b>Performance</b>
10/0558/FULL	Car Parking area at end of Church Street, Kidderminster	<ul style="list-style-type: none"> <li>• Education contribution of £7,408</li> <li>• Open space provision</li> <li>• Bio diversity contribution</li> <li>• Public realm provision</li> </ul>	First occupation	Completed
10/0446/FULL	Land adjoining 7 Hartlebury Road, Stourport on Severn	<ul style="list-style-type: none"> <li>• Open Space contribution of £2,182.80</li> <li>• Education contribution of £20,311.00</li> </ul>	First occupation	Completed
10/0505/FULL	Briars Hotel 100 Habberley Road, Kidderminster	<ul style="list-style-type: none"> <li>• Education contribution of £45,123</li> <li>• Open Space contribution of £17,025.84</li> <li>• Biodiversity contribution (to be agreed)</li> <li>• Transfer of woodland to WFDC</li> </ul>	First occupation	Completed
10/0347/FULL	Hume Street, Kidderminster	<ul style="list-style-type: none"> <li>• Bus Service contribution £58,000</li> <li>• Highways contribution £22,000</li> </ul>	<ul style="list-style-type: none"> <li>• Commencement of Development</li> <li>• First occupation</li> </ul>	Completed

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Application Number	Site	Provisions	Triggers for Compliance	Performance
10/0321/OUTL	Morganite Advanced Ceramics, Bewdley Road, Stourport-on-Severn	<ul style="list-style-type: none"> <li>• 30% affordable housing mix of sizes</li> <li>• Off-site contribution towards Open Space/Strategic play provision (equivalent of capital cost of NEAP or LEAP)</li> <li>• Financial contribution of £98,000 towards improving traffic light signals at the junction of Minster Road with Worcester Street</li> <li>• Provision and maintenance of on site amenity space and landscaped areas</li> <li>• Education contribution of either £139,000 or £180,200 depending on whether open space/strategic play contribution is for LEAP/NEAP</li> <li>• Rights for mitigation measures to be carried out on land retained by MAC</li> </ul>	<ul style="list-style-type: none"> <li>• 80<sup>th</sup> general market dwelling or 80% general market dwellings whichever is lower</li> <li>• On occupation of 40<sup>th</sup> dwelling</li> <li>• Commencement of development</li> <li>• 50% on occupation of 30<sup>th</sup> general market dwelling &amp; 50% on occupation of the 60<sup>th</sup></li> </ul>	Completed
10/0165/FULL	Rear of 78 Mill Street Kidderminster	<ul style="list-style-type: none"> <li>• Education contribution</li> <li>• Public Open Space contribution</li> </ul>	<ul style="list-style-type: none"> <li>• First dwelling to be occupied</li> </ul>	Completed
10/0125/FULL	New Manor Public House 76 Minster Road Stourport on Severn	<ul style="list-style-type: none"> <li>• Education contribution</li> <li>• Public Open Space contribution</li> </ul>	<ul style="list-style-type: none"> <li>• First dwelling to be occupied</li> </ul>	Completed

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Application Number	Site	Provisions	Triggers for Compliance	Performance
09/0775/FULL	J Sainsbury Plc 2 Carpet Trades Way Kidderminster	<ul style="list-style-type: none"> <li>• £10,000 towards a study to assess improvements to the transport infrastructure of Crossley Retail Park</li> <li>• To carry out the landscaping of the open space between the petrol station and the Ringway</li> </ul>	<ul style="list-style-type: none"> <li>• First opening of store following completion of development</li> <li>• First opening of store following completion of development</li> </ul>	Completed
09/0641/FULL	44 Barnetts Lane, Kidderminster	<ul style="list-style-type: none"> <li>• Education contribution - £5,556</li> <li>• Public Open Space contribution - £2,469.60</li> </ul>	<ul style="list-style-type: none"> <li>• Commencement of development</li> <li>• Occupation of first dwelling</li> </ul>	Completed



Application Number	Site	Provisions	Triggers for Compliance	Performance
08/1053/EIA	Former Carpets of Worth Site, Severn Road, Stourport on Severn	<p>Obligations to Worcestershire County Council:</p> <ol style="list-style-type: none"> <li data-bbox="748 421 1290 619">1. Contribution towards the provision of signage and street furniture to promote sustainable access (by pedestrians and cyclists) to and within Stourport of £20,000</li> <li data-bbox="748 657 1290 1086">2. Contributions towards the provision of new and enhancement of existing bus services based on the agreed routes enhancing service numbers 914, 915 and 11 and to provide an addition service to Areley Kings (each linking the development to the town centre) to improve accessibility to the Former Carpets of Worth site by means of public transport by:</li> </ol>		Completed

Application Number	Site	Provisions	Triggers for Compliance	Performance
		<p>(a) agreeing with WCC the details of the service including frequency, bus type/size (any future amendment to which is to be agreed first with the developer);</p> <p>(b) paying an initial sum of £95,000 by way of contribution to capital costs such as public transport infrastructure and marketing;</p> <p>(c) paying a sum of £200,000 to WCC in order to subsidise the running costs of the services in the first year of service;</p> <p>(d) conducting together with WCC a review at the end of the first year of the effectiveness of the service including (but not limiting to) revenue generation, a review of occupancy, route, frequency and timetable ;</p>		

Application Number	Site	Provisions	Triggers for Compliance	Performance
		<p>(e) after the review has taken place, to make to WCC a payment in respect of a deficit (if any) between the cost of running the service and the receipt from fares with reconciliation payments being made as/if required during the second year</p> <p>(f) under paragraph 2(c) and 2(e) the developer may pay sums up to £478,000.</p> <p>3. Contribution to improve pedestrian linkage to the Town Centre utilising Lodge Road of £30,000</p> <p>4. Contribution of £50,000 to improve junctions along the route of the enhanced bus services and/or otherwise affected by traffic impact from the development which may include (but not be restricted to) the junction of York Street/Bridge Street/High Street/New Street</p>		

Application Number	Site	Provisions	Triggers for Compliance	Performance
		<p>5. Travel plan to be agreed, implemented and kept under review.</p> <p>6. Costs indemnity in respect of the promotion of traffic regulation orders as are necessary in light of the development and the highway works</p> <p>7. Provision of a link road and footbridge:</p> <p>(a) to establish prior to commencement of development to the satisfaction of WFDC and WCC that control of the land for the footings of the pedestrian bridge and link road has been secured; and</p>		

Application Number	Site	Provisions	Triggers for Compliance	Performance
		<p>(b) to construct the pedestrian bridge and the link road bridge prior to the development first opening for trade.</p> <p>8. Prior to commencement of development to agree a construction programme identifying compounds and traffic movement during construction.</p> <p>9. Prior to the development first opening for trade to agree with WCC a lorry routing agreement.</p> <p>Obligations to Wyre Forest District Council:</p> <p>10. Prior to the first opening of the store to provide WFDC with details of a trolley management plan.</p>		

Application Number	Site	Provisions	Triggers for Compliance	Performance
		<p>11. To provide a contribution to air quality monitoring during and after construction of the development, including the provision of equipment, of £41,000</p> <p>12. To provide:</p> <p>(a) a contribution towards signs/finger posting to improve connectivity between the store and the Town Centre £20,000, and</p> <p>(b) public art on-site</p>		

Application Number	Site	Provisions	Triggers for Compliance	Performance
		<p>13. To close the existing Tesco store in Stourport to the public on or before the opening of the new store.</p> <p>14. To implement a car park management scheme to control use by non-Tesco customers.</p> <p>15. To:</p> <p>1) enter into a lorry routing agreement which will require heavy delivery vehicles to approach the store via the new road which is to be provided and not along Mitton Street, and seek to ensure that as many delivery lorries as possible during the morning, afternoon, and evening take place outside peak traffic periods and not before 6am, or after 11pm.</p>		

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Application Number	Site	Provisions	Triggers for Compliance	Performance
09/0292/FULL	Former Bewdley Wribbenhall First School Land adjacent to Shaw Hedge Road, Bewdley	<ul style="list-style-type: none"> <li>• Public Open Space contribution - £12,759.60</li> <li>• To be retained for Affordable Housing Only</li> </ul>		Engrossment out for signature
09/0509/FULL	Former Shell Garage, Vale Road, Stourport on Severn	<ul style="list-style-type: none"> <li>• Affordable housing contribution - Nil if shell and core built within 24 months, if not further financial viability to be submitted and any increase in site value will require contributions up to £224,000</li> <li>• Highway works contribution - £10,000</li> <li>• Upgrade of towpath - £2,733</li> </ul>	<ul style="list-style-type: none"> <li>• First occupation</li> <li>• First occupation</li> </ul>	Completed



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Application Number	Site	Provisions	Triggers for Compliance	Performance
09/0247/FULL	Former Depot, Butts Lane, Stone	<ul style="list-style-type: none"> <li>• Affordable Housing - 9 shared equity units of accommodation provided via one of the Council's partner RSL's</li> <li>• Community provision - Access of public to the informal landscaped areas - Use of meeting room by Parish Council - Management of informal landscaped area</li> <li>• Education Facilities - £39,537 towards Educational Facilities</li> <li>• Live /Work Units - Prevention of separation of live unit from its respective work unit</li> <li>• Travel Plan</li> <li>• Sustainable Transport - No contribution necessary</li> <li>• Biodiversity - Biodiversity enhancement provided on site as part of design/layout/landscaping. No contribution required</li> <li>• Open space - Extensive informal landscaped areas are proposed as part of the development. No contribution required</li> </ul>		Completed
09/0066/FULL	Land off Puxton Drive, Kidderminster	<ul style="list-style-type: none"> <li>• Education contribution of £38,224</li> <li>• Highway contribution of £20,000</li> <li>• affordable housing provision of 14 units</li> </ul>		Completed

Application Number	Site	Provisions	Triggers for Compliance	Performance
09/0061/OUTL	Sutton Reservoir, Sutton Park Road, Kidderminster	<ul style="list-style-type: none"> <li>• Education contribution of - £2,389 per 2/3 bed dwelling and £3,584 per 4+ bed dwelling</li> <li>• Highway contribution of - £14,000 (to be agreed) for junction improvements at the junctions of Sutton Park Road/Bewdley Hill (A456) and the traffic light junction at Bewdley Hill/Sutton Road and Summer Place.</li> <li>• Open Space contribution calculated at – No. of child bed spaces x 24 sq.m x £17.15</li> <li>• Biodiversity contribution (to be agreed)</li> <li>• Public realm contribution achievable through improvements to the streetscene by virtue of the development itself.</li> </ul>		Completed
08/0963/FULL	Brintons Ltd., Exchange Street, Kidderminster	<ul style="list-style-type: none"> <li>• All 60 units (with the exception of a single unit for a carer to stay on site) will be used in the provision of an extra care facility;</li> <li>• The units are restricted to people of 55 years of age or over (or related to); and</li> <li>• The units are provided by an RSL and therefore do not become market housing.</li> </ul>		Engrossment out for signature

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<b>Application Number</b>	<b>Site</b>	<b>Provisions</b>	<b>Triggers for Compliance</b>	<b>Performance</b>
08/1106/FULL	Land Adjacent Land Oak Public House, Birmingham Road, Kidderminster	<ul style="list-style-type: none"> <li>• Education contribution - £10,514</li> <li>• Open Space provision - £4,778</li> </ul>		Completed
08/1035/FULL	Hillgrove Court, Mill Street, Kidderminster	<ul style="list-style-type: none"> <li>• Education contribution - £5733.60</li> <li>• Open Space provision - £2469.60</li> </ul>		WCC reminded that payment due 01/04/09 Payment received 11/03/09
08/0879/OUTL	Areley Common First School, Stourport on Severn	<ul style="list-style-type: none"> <li>• Open Space contribution of £9,878.40</li> </ul>		Completed
08/0659/FULL	Hodge Hill Farm Barns, Birmingham Road, Kidderminster	<ul style="list-style-type: none"> <li>• Education contribution of £30,344.00</li> <li>• Open Space contribution of £3,704.40</li> </ul>		Completed
08/0787/FULL	93-94 New Road, Kidderminster	<ul style="list-style-type: none"> <li>• Contribution of £5,000 towards the maintenance of the Council car park</li> </ul>		Draft in circulation

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<b>Application Number</b>	<b>Site</b>	<b>Provisions</b>	<b>Triggers for Compliance</b>	<b>Performance</b>
08/0977/OUTL	108/109 Bewdley Hill, Kidderminster	<ul style="list-style-type: none"> <li>• Education contribution of £2,389 per 2 or 3 bed dwelling £3,584 per 4+ bed dwelling</li> <li>• Open Space contribution calculated using the following formula: No. of child bed spaces x 24 sq.m. x £17.15</li> <li>• Biodiversity – to be agreed</li> <li>• Public Realm – to be agreed</li> </ul>		Completed
08/0731/FULL	Briars Hotel, 100 Habberley Road, Kidderminster	<ul style="list-style-type: none"> <li>• Education contribution of £46,592</li> <li>• Open Space provision of £16,052.40</li> <li>• A contribution towards biodiversity which is to be agreed</li> </ul>		Completed
08/0495/FULL	The Old Post Office Site, Blackwell Street, Kidderminster	<ul style="list-style-type: none"> <li>• Educational contributions of £5,736</li> <li>• Highway contributions for £10,000 towards improved subway access</li> <li>• 10 Affordable Housing Units on either a shared equity or intermediate rent basis and a financial contribution of £68,704</li> </ul>		Engrossments out for signature
08 0848/FULL 08/0663/FULL (application withdrawn)	Former Milligans Public House, Mill Lane, Kidderminster	<ul style="list-style-type: none"> <li>• Education Contribution of £8,604.00</li> <li>• Open Space Provision of £3,704.40</li> </ul>		Completed

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Application Number	Site	Provisions	Triggers for Compliance	Performance
08/0662/FULL	Land to rear of 33 Baldwin Road, Stourport on Severn	<ul style="list-style-type: none"> <li>• If 10 units occupied by Waterloo Housing Association the following would apply:               <ul style="list-style-type: none"> <li>➤ Education Contributions - £4,701</li> <li>➤ Public Open Space Contributions - £2,469.60</li> </ul> </li> <li>• If 10 units not occupied by Waterloo Housing Association the following would apply:               <ul style="list-style-type: none"> <li>➤ Education Contributions - £51,711</li> <li>➤ Public Open Space Contributions - £4,527.60</li> </ul> </li> </ul>		Completed
08/0595/FULL	Harriers Trade Centre, Stadium Close, Kidderminster	<ul style="list-style-type: none"> <li>• Education contribution of £47,780 based on 20 dwellings at £2,389 each</li> <li>• Open space provision of £9878.40</li> <li>• Affordable housing provision of 8No Affordable houses 6 for rent and 2No for shared ownership.</li> </ul>		Completed

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Application Number	Site	Provisions	Triggers for Compliance	Performance
08/0538/OUTL	Sutton Arms Sutton Park Road Kidderminster	<ul style="list-style-type: none"> <li>• Public Open Space Contribution of: No. of child bed spaces proposed x 24sq.m x £17.15</li> <li>• Biodiversity (to be agreed)</li> <li>• Education provision as follows: £2,389 for each 2 or 3 bedroom dwelling £3,584 for each 4+ bedroom dwelling £956 for each flat</li> <li>• Public Realm (to be agreed)</li> </ul>		Completed
08/0533/FULL	Wilton Avenue, Kidderminster	<ul style="list-style-type: none"> <li>• Public Open Space contribution of £7,408.80</li> <li>• Compensation for Loss of Play Area - £80,000</li> <li>• Affordable Housing</li> </ul>		Draft in circulation Received £87,408.80 27/05/2009
08/0500/FULL	Land at corner of The Terrace/Tenbury Road, Clows Top Kidderminster	<ul style="list-style-type: none"> <li>• Suitable obligation in respect of acceptable drainage scheme</li> <li>• Public Open Space contribution £3,498.60</li> <li>• Affordable Housing</li> </ul>		
08/0490/FULL	75 Mill Road Stourport on Severn	<ul style="list-style-type: none"> <li>• Education contribution of £18,207</li> <li>• Open Space contribution of £2,881.20</li> </ul>		Completed

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<b>Application Number</b>	<b>Site</b>	<b>Provisions</b>	<b>Triggers for Compliance</b>	<b>Performance</b>
08/0418/FULL	Land to rear of The Roundhead, Willowfield Drive, Kidderminster	<ul style="list-style-type: none"> <li>• Education contribution of £33,012</li> <li>• Open Space contribution of £2,496.60</li> </ul>		Engrossments with applicant for signature
08/0366/FULL	Garage Site off Richmond Road, Bewdley	<ul style="list-style-type: none"> <li>• Open Space contribution of £1,646.40</li> </ul>		Draft in circulation
08/0311/FULL	Clent Avenue Kidderminster	<ul style="list-style-type: none"> <li>• Education contribution of £2,056</li> </ul>		Draft in circulation
08/0398/FULL	18 Load Street Bewdley	<ul style="list-style-type: none"> <li>• Education contribution of £6,621</li> <li>• Open Space contribution of £1,234.80</li> </ul>		Agreement complete WCC advised trigger point reached Payment received by WCC 20/06/08 Payment received 12/06/2008
06/0590/FULL	Stourvale Mills Green Street Kidderminster	<ul style="list-style-type: none"> <li>• Highway Contribution £40,000</li> <li>• Public Transport Contribution £20,000</li> </ul>		Paid direct to Worcestershire County Council
08/0347/FULL	127 Park Lane Kidderminster	<ul style="list-style-type: none"> <li>• Education contribution of £9,560.00</li> <li>• Open Space contribution of £3,996.00</li> </ul>		Agreement completed

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Application Number	Site	Provisions	Triggers for Compliance	Performance
08/0263/FULL	The Eagles Nest Coningsby Drive Kidderminster	<ul style="list-style-type: none"> <li>• Education contribution of £16,164</li> <li>• Public Realm contribution of £ £10,000 towards bus stop opposite</li> <li>• Open Space contribution of £7,192</li> <li>• Biodiversity contribution of the planting of a specimen tree of a type, species and position to be agreed.</li> </ul>		Agreement completed
08/0026/FULL	20,21,22 & 23 Horsefair Kidderminster	Variation of previous s106 to amend the trigger for conversion works		Completed
08/0045/FULL	Marks & Spencer Plc Unit 18-19 Weavers Wharf Kidderminster	£5,000 public realm contribution		Agreement completed £5,000 received 22/04/08
08/0188/FULL	Land adjoining Martley Road Stourport on Severn	<ul style="list-style-type: none"> <li>• Open Space contribution of £7,192.80</li> <li>• Biodiversity contribution of £1,000 off site contribution to be used towards removal of scrub to recreate acid grassland together with 10 year maintenance at Redstone marsh (as agreed as part of the previous application 07/0727/FULL)</li> </ul>		Agreement completed



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<b>Application Number</b>	<b>Site</b>	<b>Provisions</b>	<b>Triggers for Compliance</b>	<b>Performance</b>
08/0014/FULL	Land adjacent 154 Habberley Lane Kidderminster	<ul style="list-style-type: none"><li>• Education contribution of £10,398</li><li>• Public open space contribution of £2,397.60</li></ul>		Agreement completed W.C.C advised development commenced (07/04/08)