

Open

# Planning Committee

## Agenda

6pm  
Tuesday, 19 May 2026  
Council Chamber  
Wyre Forest House  
Finepoint Way  
Kidderminster



## Planning Committee

### Members of Committee:

Chairman: Councillor R Drew  
Vice-Chairman: Councillor J F Byng

Councillor J Aston

Councillor L Carroll

Councillor M J Hart

Councillor N Martin

Councillor C Rogers

Councillor E Bourne

Councillor H E Dyke

Councillor D Little

Councillor F M Oborski MBE

Councillor D Ross

### Information for Members of the Public:-

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

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

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

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

### Public Speaking

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

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

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

If you have any queries about this Agenda or require any details of background papers, further documents or information you should contact Louisa Bright Principal Committee and Member Services Officer, Wyre Forest House, Finepoint Way, Kidderminster, DY11 7WF. Telephone: 01562 732763 or email

[louisa.bright@wyreforestdc.gov.uk](mailto:louisa.bright@wyreforestdc.gov.uk)

### Disclosure of Interests

Members and co-opted Members of the Council are reminded that, in accordance with the Council's Code of Conduct and the statutory provisions of the Localism Act, they are required to consider in ADVANCE of each meeting whether they have a disclosable pecuniary interest (DPI), an other registrable interest (ORI) or a non-

**registrable interest (NRI) in relation to any matter on the agenda. If advice is needed, Members should contact the Monitoring Officer or other legal officer in good time before the meeting.**

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

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

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

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

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

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

## **WEBCASTING NOTICE**

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

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

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

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

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

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

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

\*Unless there are no reports in the open session.

## NOTES

- Councillors, who are not Members of the Planning Committee, but who wish to attend and to make comments on any application on this list or accompanying Agenda, are required to give notice by informing the Chairman, Director of Legal & Governance, or Director of Housing & Planning 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 Housing & Planning.
- 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, 19 May 2026

Council Chamber, Wyre Forest House, Finepoint Way, 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, together with the name of the Councillor for whom he/she is acting.	
3.	<b>Declarations of Interests by Members</b>  In accordance with the Code of Conduct, to invite Members to declare the existence and nature of any disclosable pecuniary interest (DPI), an other registrable interest (ORI) or a non-registrable interest (NRI) in relation to any matter on the agenda.  Please see the Members' Code of Conduct as set out in Section 14 of the Council's Constitution for full details.	
4.	<b>Minutes</b>  To confirm as a correct record the Minutes of the meeting held on the 14 April 2026.	7
5.	<b>Applications to be Determined</b>  To consider the report of the Planning Manager on planning and related applications to be determined.	15
6.	<b>To consider any other business, details of which have been communicated to the Director of Legal &amp; Governance 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>	
7.	<b>Exclusion of the Press and Public</b>  To consider passing the following resolution:  "That under Section 100A(4) of the Local Government Act 1972 the press and public be excluded from the meeting during the consideration of the following item of business on the grounds that it involves the likely disclosure of "exempt information" as defined in paragraph 3 of Part 1 of Schedule 12A to the Act".	

Part 2

Not open to the Press and Public

8.	<b>To consider any other business, details of which have been communicated to the Director of Legal &amp; Governance 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>	
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WYRE FOREST DISTRICT COUNCIL

PLANNING COMMITTEE

COUNCIL CHAMBER, WYRE FOREST HOUSE,  
FINEPOINT WAY, KIDDERMINSTER

14 APRIL 2026 (6 PM)

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**Present:**

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

**Observers:**

There were no members present as observers.

**PL.37 Apologies for Absence**

Apologies for absence were received from Councillor: H E Dyke.

**PL.38 Appointment of Substitutes**

Councillor L Whitehouse was a substitute for Councillor H E Dyke.

**PL.39 Declarations of Interests by Members**

Councillor R Drew declared in respect of application 26/0043/FUL, that the final application had come before Wolverley and Cookley Parish Council on 7 April. He stated that he took no part in the conversations and had not pre-determined his view.

**PL.40 Minutes**

**Decision: The minutes of the meeting held on 17 March 2026 be confirmed as a correct record and signed by the Chairman.**

**PL.41 Applications To Be Determined**

The Committee considered those applications for determination (now incorporated in Development Control Schedule No. 633 attached).

**Decision: The applications now submitted be determined, in accordance with the decisions set out in Development Control Schedule No. 633 attached, subject to incorporation of any further conditions or reasons (or variations) thought to be necessary to give full effect to the Authority's wishes about any particular application.**

There being no further business, the meeting ended at 6.30pm.

**WYRE FOREST DISTRICT COUNCIL**

**PLANNING COMMITTEE**

**14 April 2026 - Schedule 633 Development Management**

The schedule frequently refers to various standard conditions and notes for permission and standard reasons and refusals. Details of the full wording of these can be obtained from the Planning Manager, Wyre Forest House, Finepoint Way, Kidderminster. However, a brief description can be seen in brackets alongside each standard condition, note or reason mentioned.

<b>Application Reference:</b> 25/0952/OUT
<b>Site Address:</b> Land At Deloraine And The Bungalow, Woodrow Lane, Dorhall, Chaddesley Corbett, Worcestershire DY10 4QG
<p>APPROVED subject to:</p> <p>a. The following conditions</p> <ol style="list-style-type: none"> <li>1. Details of the appearance, landscaping, layout and scale (hereafter called “the Reserved Matters”) shall be submitted to and approved by the local planning authority before development commences.</li> <li>2. Application for approval of Reserved Matters shall be made before the expiration of three years from the date of this permission.</li> <li>3. Development shall be begin not later than the expiration of two years from the final approval of the reserved matters or, in the case of approval on different dates, the final approval of the last such matter to be approved.</li> <li>4. Development shall not exceed the height of the existing two storey dwellinghouse and shall not exceed four dwellinghouses in total.</li> <li>5. The replacement units shall not exceed the combined floor area and volume of the existing development.</li> <li>6. The housing type and mix of the infill units shall meet the local housing need as set out in the Chaddesley Corbett Parish Housing Needs Survey.</li> <li>7. Details on how a water efficiency standard of 110 litres per person per day can be achieved including measures to support recycling and the re-use of water.</li> <li>8. Details of the means by which the development will incorporate energy from renewable or low carbon sources equivalent to at least 10% of predicted energy requirements have been submitted to and approved in writing by the Local Planning Authority.</li> <li>9. Landscaping scheme submitted in accordance with condition 1 shall include: <ul style="list-style-type: none"> <li>• Planting plans and schedules indicating location, volume, size of proposed tree, hedge and shrubs.</li> <li>• Existing landscaping features which are to be retained and or removed.</li> <li>• A timetable for the implementation of the approved landscaping scheme.</li> </ul> </li> <li>10. Construction Environment Management Plan (Nuisance).</li> <li>11. Provision of visibility splays.</li> </ol>

12. Provision of access layout.
13. Closure of existing access points on Woodrow Lane prior to first occupation.
14. Details of car and cycle parking.
15. Construction Traffic Management Plan.
16. Unexpected contaminated land condition.
17. Ecological Mitigation and Enhancement measures as set out in the Bat Emergence Survey Report.
18. Construction Environmental Management Plan (Biodiversity).
19. Scheme of tree and hedgerow protection measures and implementation
20. No tree or hedgerow removal shall take place between 1st March – 31st August.
21. Except for any trees and hedges that are identified for removal on the approved landscaping scheme pursuant to condition 9, if within a period of five years from the date of the completion of the dwellings, any new or retained trees, hedgerows or shrubs are felled, removed, uprooted, destroyed or die or become seriously damaged, diseased or defective, must be replaced by planting of identical tree/plant species within the first available planting season following the removal, uprooting, destruction or death of the original trees or plants.
22. Habitat Management and Monitoring Plan.
23. External lighting plan.
24. Development to be carried out in accordance with the submitted drainage plan, location plan and means of access plans.
25. Development shall be implemented in accordance with the approved plans relating to means of access and the Location Plan to provide clarity of the application site.

Informatives

- a. Asbestos
- b. Building Regulations
- c. Mandatory BNG condition

**Application Reference:** 25/0962/FUL

**Site Address:** Unit 2, Riverside, Exchange Street, Kidderminster, Worcestershire DY10 1BY

DELEGATED APPROVAL subject to:

- a) The following conditions
  1. The materials to be used externally on the development hereby authorised shall comply with the details shown on the approved plan.
  2. External access hatch use.
  3. Use Class E(b).

4. Approved plans.

b) No objections being received following service of notice on the land owner.

**Application Reference:** 23/0947/FUL

**Site Address:** Ribbesford House, Ribbesford Road, Bewdley, Worcestershire DY12 2TG

REFUSED for the following reasons:

1. The development would result in an over intensive use of the building to the detriment of the significance of the heritage asset (Grade II\*) and would lead to inadequate standards of amenity for future occupiers in terms of the size of six apartments that fall below the nationally described space standards. The development therefore conflicts with Policies SP.20, SP.21 and DM.24, and DM.23 of the Wyre Forest District Local Plan, and Para 213-4 of the National Planning Policy Framework which is clear that that schemes should preserve and where appropriate enhance heritage assets, and should not lead to harm or loss of significance without significant justification.
2. The proposed housing mix comprising mainly of one-bedroom apartments does not represent the housing needs of Bewdley and Rock ward, evidenced through the Bewdley Housing Needs Survey (April 2023) which identifies greatest demand for two- and three-bedroom homes, and is out of character with the lower density housing of the local rural area including Ribbesford as a minor rural settlement. Consequently, the proposal fails to meet with the requirements of Policies SP.1, SP.2, SP.20, SP.21, DM.3 and DM.24 of the Wyre Forest District Local Plan.
3. The loss of trees and vegetation required to facilitate the extent of proposed car parking provision would result in significant harm to landscape character that cannot be offset through replacement planting due to its proximity to the site boundary, which would be required in order to conceal parked cars from wider public viewpoints. The scheme would therefore represent unacceptable harm through erosion of landscape character in direct conflict with Policy SP.20, SP.22, DM.24 and SP.28 of the Wyre Forest District Local Plan and Paragraphs 129(d) and 180(b) of the NPPF.
4. In the absence of information that demonstrates otherwise, the proposal would result in the loss of flora and trees that has the potential to support habitat and foraging activities of protected species, and in the absence of sufficient detail it cannot be confirmed that the development would not cause an offence under The Conservation of Habitats and Species Regulations 2017 (as amended). Furthermore, insufficient information has been submitted with respect to

Biodiversity Net Gain. The scheme therefore is contrary to Policy SP.23 and Paragraph 187 of the NPPF.

5. Insufficient information has been submitted to demonstrate that safe and suitable access for the proposal can be achieved in accordance with Highways standards. In the absence of this evidence, it has not been demonstrated that the scheme would not represent a highway safety hazard to all road users, including pedestrian, cyclist and equestrian users of bridleway RB-518, which is coincident with vehicle access to the site. The development has therefore been found to directly conflict with Policy SP.27 of the Wyre Forest District Local Plan, the WCC Streetscape Design Guide, and Paragraph 115(b) of the NPPF.
6. Insufficient information has been submitted to demonstrate that the scheme would not lead to an increased risk of flooding on- and off-site and that the development would achieve appropriate long-term sustainable management of surface and foul drainage. The development is therefore contrary to Policies SP.30, SP.31 and SP.32 of the Wyre Forest District Local Plan and Paragraphs 181-2 of the NPPF.

**Application Reference:** 23/0939/LBC

**Site Address:** Ribbesford House, Ribbesford Road, Bewdley, Worcestershire DY12 2TG

REFUSED for the following reasons:

1. The development would result in the subdivision of the Grade II\* listed building that would lead to the loss of the historic floorplan and diminish the significance of the heritage asset. The substantial harm caused to the heritage asset would not be outweighed by the public benefits of the scheme in terms of delivering housing. The development is therefore contrary to Policies SP.21 and DM.23 of the Wyre Forest District Local Plan and the National Planning Policy Framework.

**Application Reference:** 25/0526/FUL

**Site Address:** Unit 4 To 6, Parker Place, Firs Industrial Estate, Kidderminster Worcestershire DY11 7QN

DELEGATED APPROVAL subject to:

- a. The completion of the S106 Agreement to secure a £5,000 contribution towards a traffic regulation order monitoring fee; and
- b. The following conditions
  1. 3-year Time Limit to commence development.

2. The materials to be used externally on the development hereby authorised shall comply with the details shown on the approved plan.
3. Tiered investigation for potential contaminated land.
4. Access, parking and turning layout.
5. Travel Plan.
6. Construction Traffic Management Plan (CTMP).
7. Details of proprietary treatment.
8. Construction Environmental Management Plan (CEMP).
9. No external lighting installed on-site.
10. Provision of swift nesting boxes.
11. Electric vehicle charging points.
12. Secure cycle parking.
13. Construction Management Plan (CMP).
14. Landscaping and boundary treatment scheme.
15. Implementation of landscaping and boundary treatment scheme.
16. Use Class B8 warehousing/storage.
17. Development to be in accordance with approved plans.

Informatives:

Section 278 Agreement Informative.

No Drainage to Discharge to Highway.

Affected sewers and water mains.

WRS Code of Best Practice for Demolition and Construction Sites.

Infrastructure Services Team (Canal and River Trust).

**Application Reference:** 25/0745/FUL

**Site Address:** Units 5-7, Severnside Business Park, Cheapside, Stourport On Severn, Worcestershire DY13 9HT

APPROVED subject to:

a. The following conditions:

1. 3-year Time Limit to commence development.
2. The materials to be used externally on the development hereby authorised shall comply with the details shown on the approved plan.
3. Access, parking and turning layout.
4. Car Park Management Plan (CPMP).
5. Cycle Parking.
6. Tiered investigation for potential contaminated land.
7. Use Class E (d) only.
8. The padel tennis courts shall only be used between the hours of 07:00 - 21:00.
9. Energy Statement to show that 10% of the development's energy consumption would be sourced by renewable or low carbon sources.

10. Development to be in accordance with the approved plans.

Informatives:

Floodline Warning Direct service.

**Application Reference:** 25/0941/TDC

**Site Address:** Land At Os 379750 269570, Redhouse Road, Stourport On Severn, Worcestershire

APPROVED subject to:

a. The following conditions:

1. Standard 3-year condition for implementation of permission.
2. Notwithstanding approved plans, details of external materials.
3. Details of hard and soft landscaping scheme and boundary treatments.
4. Implementation of landscaping scheme.
5. Reporting of unexpected contamination.
6. Provision of visibility splays as indicated on submitted plans.
7. Provision of access and parking as indicated on submitted plans.
8. Surfacing of access with bound material within 5 metres of highway.
9. Submission of badger protection measures.
10. Delivery of ecological enhancement features.
11. Retention and protection of hedgerow onsite.
12. Submission of Construction and Environmental Management Plan (CEMP).
13. Submission of external lighting plan.
14. Submission of a Reasonable Avoidance Methods Statement (RAM) for reptiles and hedgehogs.
15. Provision of hedgehog highway.
16. Removal of Permitted Development Rights for enlargements of dwelling (Class A and AA) and outbuildings (Class E).
17. Removal of Permitted Development Rights for new boundary fencing, walls and enclosures.
18. Development to be implemented in accordance with approved plans.
19. Retention of the hedgerow between the proposed dwelling and New Barns Farm.
20. No external lighting to be installed without prior approval.

b. The following informative:

1. The development shall be carried out in accordance with Severn Trent's Asset Protection Guidance document.

**Application Reference:** 26/0043/FUL

**Site Address:** Land At Os 383863 280765, Bridge Road, Cookley, Kidderminster, Worcestershire

APPROVED subject to:

a. The following conditions:

1. Three years to implement proposed horse shelters.
2. No external lighting to be installed.
3. External materials and finish to be dark timber stained.
4. Siting of manure heaps far from watercourses and water sources.
5. Provision of soakaways and direction of surface water runoff to these soakaways.
6. Removal of structures should the use of the land for horse keeping cease for a period exceeding 6 months.
7. There shall be no assembly and siting of temporary structures including field shelters or caravans that would otherwise be allowed without full planning permission.
8. Development to be in accordance with the approved plans.
9. The retrospective shelters hereby approved shall be sited in accordance with the proposed plans.

## EXECUTIVE SUMMARY TO REPORT OF DEVELOPMENT MANAGER

## Planning Committee

## Part A Applications

Ref:	Address of Site	Recommendation	Page No.
25/0628/FUL	154 St Johns Avenue Kidderminster Worcestershire DY11 6AT	Approval	16
26/0161/S73	Land Adjacent 11 Stourport Road Bewdley Worcestershire	Approval	34
25/0797/FUL	Unit 1 Britannia Business Park Stourport Road Service Road Kidderminster Worcestershire DY11 7QP	Delegated Approval	41

## Part B Applications

Ref:	Address of Site	Recommendation	Page No.
25/0961/FUL	Unit 2 Riverside Exchange Street Kidderminster Worcestershire DY10 1BY	Approval	54
25/0963/ADV	Unit 2 Riverside Exchange Street Kidderminster Worcestershire DY10 1BY	Approval	61
26/0021/LBC	Unit 2 Riverside Exchange Street Kidderminster Worcestershire DY10 1BY	Approval	66
24/0687/FUL	Land At Os 377180 274615 Whartons Farm Cleobury Road Bewdley Worcestershire	Approval	70

**WYRE FOREST DISTRICT COUNCIL**

**PLANNING COMMITTEE**

**19 May 2026**

**PART A**

Application	25/0628/FUL	Date	26.08.2025
Reference:		Received:	
Ord Sheet:	381919 276623	Expiry	19.12.2025
		Date:	
Case Officer	Julia Mckenzie-Watts	Ward:	Blakebrook And Habberley South

**Proposal:**           Erection of five detached dwellings

**Site Address:**    154 St Johns Avenue, Kidderminster, Worcestershire, DY11 6AT

**Applicant:**        Mr Will Renwick

<b>Summary of Policy</b>	<b>Policies SP.1, SP.2, SP.6, SP.9, SP.11, SP.13, SP.20, SP.23, SP.27, SP.29, SP.30, SP.31, SP.32, SP.33, SP.35, SP.37, DM.24, DM.26 of the Wyre Forest Local Plan (Adopted April 2022) Health and Wellbeing SPD Design, Amenity and Shopfronts SPD Housing SPD Streetscape Design Guide 2022 National Planning Policy Framework 2024 National Planning Practice Guidance National Design Guide</b>
<b>Recommendation</b>	<b>APPROVAL</b>
<b>Reason for referral to Committee</b>	<b>Member of the public registered to speak</b>

**1.0 Planning History**

1.1 24/0189/FUL - Erection of 9no. Dwellings, Refurbishment and Extension of the Existing Dwelling and Demolition of the existing Detached Garage and Outbuildings: application withdrawn 25/6/2024

**2.0 Consultations and Representations**

2.1 Kidderminster Town Council – No objection.

2.2 Tree and Biodiversity Officer – No objection subject to conditions.

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- 2.3 North Worcestershire Water Management Officer – No objection subject to a surface water drainage condition.
- 2.4 Severn Trent Water – No objection subject to a foul and surface water drainage condition and advice notes.
- 2.5 Highway Authority – No objection subject to conditions with respect to the provision of visibility splays, widened access layout, passing and turning areas and implementation of a surface water drainage strategy to prevent surface water run-off into the public highway.
- 2.6 Worcestershire Regulatory Services (Nuisance Assessment team) – No objection. Due to noise from road traffic on the Worcester Road, the applicant should submit a noise impact assessment, in line with BS8233:2014, for further comment.
- 2.7 Worcestershire Regulatory Services (Contaminated Land team) – No objection.
- 2.8 Worcestershire Archaeologist – No objection. There are no archaeological concerns with development of this site. The conservation officer should be consulted in relation to the setting of The Grove and the wider impact on the character of the local area. The Grove (WSM41489) is an unlisted early 19th century house and is recorded on the Historic Environment Record. There are associated, broadly contemporary, unlisted outbuildings (WSM82002), one of which is within the development site.
- 2.9 Hereford And Worcester Fire And Rescue Service – No objection. Fire Service Vehicle access should comply with the requirements of ADB 2019 Vol. 1 B5, section 13 & Table 13.1. In particular - there should be Fire Service vehicle access for a Fire Appliance to within 45 metres of all points inside dwelling houses/Flats. Access road and hardstandings to be in accordance with ADB 2019 Vol. 1 Table 13.1 Dead-end access routes longer than 20m require turning facilities. Water for firefighting purposes should be provided in accordance with: ' National guidance document on the provision of water for fire - fighting' and BS 9990  
The proposed plans appear to comply with ADB.
- 2.10 Conservation Officer - No objection. The application site lies outside of any designated conservation area and does not include any designated heritage assets. However, it forms part of the wider setting of The Grove (HER ref: WSM41489), an early 19th-century unlisted building of local historic interest, together with associated curtilage outbuildings (WSM82002), one of which is understood to fall within the application site. While non-designated, such assets are recognised within the NPPF (Section 16) as having a degree of significance, and it is therefore appropriate to have regard to their setting and any potential impacts arising from development proposals. The submitted Planning Statement provides a general assessment of character and appearance but does not directly address the historic interest of The Grove, its associated outbuildings, or the role of the application site within their setting. However, a site visit has been undertaken to assess the relationship between the application site and these heritage assets, and to inform a proportionate understanding of their significance and setting.

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In this context, the main heritage considerations relate to:

- The contribution of the application site to the setting of The Grove
- The relationship between the retained outbuilding and the proposed development
- The extent to which the subdivision of the plot may influence the historic character of the wider site

The proposed development, comprising five detached dwellings including four to the rear, would introduce a change to the existing spatial arrangement of the site. However, the surrounding area is characterised by relatively large detached properties set within generous plots, which provides a degree of contextual support for this form of development. Based on observations from the site visit and the information available, the application site does not appear to make a strong or sensitive contribution to the significance or setting of The Grove or its associated outbuildings. The relationship between the assets and the site is relatively limited, and the presence of existing subdivision and surrounding development reduces the extent to which the site can be understood as part of a coherent historic setting. While a more explicit acknowledgement of the historic context within the submission would have been beneficial, the level of information provided is considered sufficient to reach a proportionate and informed view in this instance. Overall, the proposal is not considered likely to result in harm to the significance or setting of the non-designated heritage asset, subject to appropriate consideration of layout and scale.

2.11 Public consultation - 18 letters of objection and 6 letters with neutral comments received from nearby occupiers.

The letters of objection can be summarised as follows:

- Overdevelopment of the site
- Access to the property will be dangerous and cause light and noise pollution.
- Parking issues on the road with the school at drop off and pick up times
- Bin store, how are the bins to be managed?
- Plot 1 – the plot width has not been reduced, a house to the front of the front elevation of the existing house is not going to enable the avenue to retain its character. The property to the east of the site will have its light affected and their garden will be in the shadow of plot 1, surely this has to be a consideration.
- Noise and traffic impacts are unacceptable.
- Trees have been cut down on the site
- Noise for people working at home.
- Traffic calming measures are required
- There is a covenant on this 150 year property with the land registry WR114900-154 stating there is to be only 1 private residential house to be on this land which is all so horticultural land having housing cattle for a number of years .
- Impact on our privacy and overlooking, taking away our views.
- The houses won't blend into the area.
- Impact on foxes and the badgers setts on the site.
- Block light to number 155 as windows will be facing this property.
- No bat and bird boxes are shown on the plans
- There is a 150 year covenant on the site which only permits one dwelling

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*[Officer comment – a covenant is not a material planning consideration]*

The letters of neutral comments can be summarised as follows:

- Development is going to happen anyway
- Fewer dwellings is a lot better compared to the withdrawn application
- Traffic calming measures should be encouraged
- Swift nest bricks a planning condition to provide enhancement for biodiversity
- Concern about school traffic and on-street parking

### **3.0 Site Location and Description**

- 3.1 The application site comprises a large garden area, outbuildings and double garaging in a residential area of Kidderminster on approximately 0.7 hectares of land within the substantial curtilage of No.154 St Johns Avenue and is accessed from St Johns Avenue itself via a long driveway.
- 3.2 The area is residential, houses within the area are mainly detached in nature, with a mix of both single and two storey dwellings. Immediately to the north of the application site lies Baxter College and St Johns Church of England Primary School.
- 3.3 The current application seeks planning permission for the erection of five detached dwellings and represents a resubmission following a withdrawn application (reference 24/0189/FUL) for the erection of 9no. dwellings.
- 3.4 The following supporting documents have been submitted with the application:
- Preliminary Ecological Appraisal
  - Road safety audit
  - Planning statement
  - Optimal season grassland survey
  - Drainage report
  - BNG
  - Highways report
  - Tree constraints plan
  - Tree protection plan
  - Arboricultural Impact Assessment

### **4.0 Officer Comments**

- 4.1 The main considerations for this application are:
- Principle of development
  - Design, Scale, Layout and Appearance
  - Residential Amenity
  - Highway Safety
  - Flood Risk and Drainage

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- Pollution and potential contaminated land
- Trees, Biodiversity and Landscaping
- Refuse
- Heritage

#### PRINCIPLE OF DEVELOPMENT

- 4.2 The Development Plan for Wyre Forest is comprised of the Wyre Forest District Local Plan, which was adopted in April 2022 and for the purposes of decision making is up to date. Applications for planning permission are required to be determined in accordance with the development plan unless material considerations indicate otherwise. It should also be worth noting that due to the robustness of the Local Plan, decision making on applications is firmly plan-led.
- 4.3 One of the key material considerations is the National Planning Policy Framework (the 'NPPF') (December 2024 version). The NPPF sets out the Government's planning policies for England and how these should be applied. It states that the purpose of the planning system is to contribute to the achievement of sustainable development (para. 7). So that sustainable development is pursued in a positive way at the heart of the NPPF is a presumption in favour of sustainable development (paras. 10-11). It states that decision makers at every level should seek to approve applications for sustainable development where possible (para. 39). It also states that the planning system should be genuinely plan-led (para. 15). It also states that the planning system should be genuinely plan-led (para. 15). The NPPF seeks to significantly boost the supply of housing (para. 60) and requires the housing needs of different groups in the community to be addressed including those seeking affordable housing to be addressed and people wishing to commission or build their own homes (para. 62). Where relevant reference to other parts and requirements of the NPPF will be made throughout this report.
- 4.4 Policy SP.2 of the Wyre Forest District Local Plan guides the process of locating new windfall development and seeks to focus new development in accordance with the hierarchy of settlements in the district.
- 4.5 The application site is located to the side and rear of the existing large, detached property at 154 St Johns Avenue in the main town of Wyre Forest, Kidderminster. The principle of development is therefore considered to be acceptable subject to the following site specific considerations.

#### DESIGN, SCALE, LAYOUT AND APPEARANCE

- 4.6 The NPPF states that good quality design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities. Decision takers should always seek high quality design and should ensure developments:
- a) will function well and add to the overall quality of the area, not just for the short term but over the lifetime of the development.
  - b) are visually attractive as a result of good architecture, layout and appropriate and effective landscaping;

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- c) are sympathetic to local character and history, including the surrounding built environment and landscape setting, while not preventing or discouraging appropriate innovation or change (such as increased densities);
- d) establish or maintain a strong sense of place, using the arrangement of streets, spaces, building types and materials to create attractive, welcoming and distinctive places to live, work and visit;
- e) optimise the potential of the site to accommodate and sustain an appropriate amount and mix of development (including green and other public space) and support local facilities and transport networks; and
- f) create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users; and where crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion and resilience.

4.7 Policy SP.9 (housing mix and density) requires that all new housing developments are well designed and address local housing needs incorporating a range of different types, tenures and sizes of housing to create mixed communities. The policy goes on to state that the actual mix of the housing will be influenced by the context of the site, the market needs and the most up to date housing needs specific to the location and that the make up of individual developments, their design and density will be in sympathy with the development context and existing neighbouring development. It is anticipated that new brownfield and greenfield developments will have a minimum density of 35 dwellings per hectare, unless it can be shown that there are strong reasons why this would be in conflict with the development context and existing neighbouring development. Individual site characteristics may mean that this level of density is not achievable on all greenfield developments, and this will need to be robustly justified and evidenced by the applicant in relation to housing needs and local context.

4.8 In terms of compliance with policy SP.9, St Johns Avenue as a whole contains properties of differing types, styles, sizes and ages most of which have large long rear gardens particularly on this side of the road, apart from the adjacent dwelling at number 155 which has a very short garden, quite out of character with the other properties within the immediate vicinity of the site. Whilst the policy states that development should incorporate housing densities of at least 35 dwellings per hectare (this site is 0.7 hectares), the Council originally raised concern over the initial application for nine dwellings on the site which would have resulted in overdevelopment of the site and therefore having reviewed the design aspects and constraints of the site, in reality a density of 35 dwellings would not be achievable on this site as it would result in a cramped appearance of the development and therefore the proposed density of 9 dwellings per hectare is considered acceptable in this location.

4.9 Policies SP.20 and DM.24 state that all development will be expected to be of a high design quality, will need to integrate effectively with its surroundings, in terms of form and function, reinforce local distinctiveness and conserve, and where appropriate, enhance cultural and heritage assets, landmarks and their settings. New and

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innovative designs which promote high levels of inclusivity and sustainability will be encouraged and supported where they enhance the overall quality of the built environment.

4.10 The proposed dwellings would be two storeys in height with rooms in the roof to reflect the building heights of neighbouring dwellings. The accommodation is to be arranged over three floors with study, sitting room, utility, W.C and open plan kitchen / breakfast / dining and family room at ground floor, with master suite and two bedrooms and bathroom on the first floor and a further two bedrooms and shower room in the roof. The dwellings have been arranged in a line of three dwellings (plots 2-4) to the rear of the site, one to the front adjacent to number 153 St Johns Avenue and plot 5 to the rear of the existing house. The dwellings will each have active frontages and rear gardens to create a clear public and private realm each with a double garage with parking spaces to the front. A bin collection point is also proposed to the front of plot 1, this will consist of a 1.8m high, 3m wide, 1.7m wide brick enclosure with brick headers to allow the residents living in plots 2-5 to wheel their bins to the bin collection point for collection from the evening before bin collection day and the morning of collection day.

4.11 The four dwellings at the rear of the site (plots 2-5) would measure 14.39 metres in width, 9.6 metres in depth and would have a pitched roof measuring 5.0 metres in height to the eaves and 9.1 metres in height to the ridge. Plot 1 at the site frontage would measure 12.3 metres in width, 10.5 metres in depth and would have a pitched roof measuring 5.0 metres in height to the eaves and 8.7 metres in height to the ridge. Plot 1 at the front of the site has been redesigned to include a single projecting gable, a recessed front element and the inclusion of a chimney which is considered to be acceptable, however the 12.3 metre width has not been amended as requested as the agent has sent through a list of the adjacent dwellings to the site and their widths which shows that plot 1 will be narrower than the adjacent dwellings:

Number 153 –12.3 metres in width  
 Number 156 - 14.3 metres in width  
 Number 157 - 17.22 metres in width  
 Number 158 - 11 metres in width  
 Number 159 - 13.8 metres in width

4.12 The development has been designed to reinforce the character of St Johns Avenue, which is characterised by large, detached houses set in well-proportioned gardens. The design of the dwellings will incorporate double fronted traditional properties to assimilate with those in the surrounding area with the design detailing to the roof, chimneys and stone detailing to the windows adding visual interest to ensure the development does not appear overly uniform or monolithic, a condition will be added to any approval seeking the submission of materials types and colours to ensure that these are acceptable for the locality, levels of the site, boundary treatment and details of the refuse storage to ensure a high-quality development.

4.13 The design, scale and proposed materials, reflects the local vernacular and is of an appropriate and of a sensitive design. It is clear that the proposal would not represent an over development of the site and the residential development on the site would be in keeping with the character, appearance, plot size and density of other residential

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development in the surrounding area. The proposal sits comfortably and is consistent with the character and appearance of the surrounding area.

- 4.14 The indicative room sizes, internal layout of the dwellings and the size of garden spaces are all considered acceptable in the context of the Design, Amenity and Shopfronts SPD and each dwelling would benefit from sufficient levels of natural light and ventilation to habitable living spaces. On this basis, the proposal is considered to represent high quality design and would be in accordance with LP Policy SP.9, Policy SP.20, Policy SP.22, Policy DM.2, Policy DM.24, Policy DM.26, the Design Guidance SPD and the advice in the NPPF.

#### RESIDENTIAL AMENITY

- 4.15 The NPPF requires that all new developments create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users; and where crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion and resilience (paragraph 135(f)). Paragraph 126 of the National Design Guide (2019) states that 'well-designed homes and communal areas within buildings provide a good standard and quality of internal space. This includes room sizes, floor-to-ceiling heights, internal and external storage, sunlight, daylight and ventilation.'
- 4.16 There is concern about the location in close proximity to a primary school which is located to the rear, however as there is no local or national planning policy that indicates that additional distances ought to be provided where land uses are located adjacent to schools the proposed garden lengths are acceptable. In this instance, the extreme edge of an existing large school playing field is considered to be significantly less sensitive to overlooking issues compared to a rear garden of a residential property which would be used more extensively and in a more private nature. There is an existing row of trees with heights ranging from 4-7 metres which provide screening, however, the submitted plans show for additional tree planting and these will be conditioned to be retained and replanted for the lifetime of the development if any are damaged or die in order to ensure that the screen is retained and enhanced.
- 4.17 The most sensitive relationship within the site boundary is between Plot 5 and the existing dwelling. The Council's guidance states that a 12.5 metre distance is required where habitable windows face a blank side elevation. In this case this is an oblique angled relationship rather than a direct back-to-side relationship and therefore the proposal meets with the Council's guidance. In respect of overlooking from the existing dwelling towards the rear garden of Plot 5, the windows on the rear elevation that are closest to the boundary with this plot are non-habitable windows. The agent has stated that internal alterations carried out to the existing dwelling would ensure that any first floor windows on the eastern side of the rear elevation will be obscure glazed and serve non-habitable rooms and that the applicant is content to secure this by a planning condition given that the existing dwelling is located within the blue line land. Although the main dwelling itself is outside of the red line and within the blue line, a proposed Grampian condition will ensure that no development shall commence on the proposed development until all works to the existing dwelling have been completed to the satisfaction of the Local Planning Authority to avoid undue overlooking of the rear garden to plot 05.

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- 4.18 The distances between the new and existing dwellings have been carefully designed to ensure that there are adequate distances between the proposed dwellings and the existing dwellings and land uses in the surrounding area. Having regard to the above, the proposals would not have a significant impact on the living conditions of occupiers of nearby dwellings. The impact on the living conditions of existing residents close to the proposals would be minimised and their amenity would not be safeguarded in accordance with Policies SP.20 and DM.24. Despite the close proximity to number 155 there would be no overlooking of this property or impact on privacy due to the separation distance between the nearest dwellings. A 2 metre high boundary fence dropping to 1m at the front of the site is also to be erected along the side boundary to further reduce any impact. The proposals comply with the NPPF in that acceptable living standards are to be provided.
- 4.19 Your Officers are therefore of the view that the site is of a sufficient size to accommodate five dwellings without any detriment of residential amenity through loss of privacy or light and the scheme therefore complies with Policies SP.20 and DM.24 of the local plan, the Design, Amenity and Shopfronts SPD, the Health and Wellbeing SPD and government advice contained within the NPPF.

#### HIGHWAY SAFETY

- 4.20 The NPPF states in Paragraph 108 that promoting sustainable transport should be considered from the earliest stages of plan-making and development proposals, so that:
- a. the potential impacts of development on transport networks can be addressed;
  - b. opportunities from existing or proposed transport infrastructure, and changing transport technology and usage, are realised – for example in relation to the scale, location or density of development that can be accommodated;
  - c. opportunities to promote walking, cycling and public transport use are identified and pursued;
  - d. the environmental impacts of traffic and transport infrastructure can be identified, assessed and taken into account – including appropriate opportunities for avoiding and mitigating any adverse effects, and for net environmental gains; and
  - e. patterns of movement, streets, parking and other transport considerations are integral to the design of schemes and contribute to making high quality places.
- 4.21 Paragraph 115 of the NPPF advises that development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.
- 4.22 Paragraph 117 of the NPPF advises that all developments that will generate significant amounts of movement should be required to provide a travel plan, and the application should be supported by a transport statement or transport assessment so that the likely impacts of the proposal can be assessed.
- 4.23 Policy SP.27 of the Wyre Forest District Local Plan states: Proposals must demonstrate that:
- the location and layout of development will minimise the demand for travel;
  - they offer viable sustainable transport choices, with a particular focus on active travel

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modes with attractive and well-designed walking and cycling networks;

- they address road safety issues; and in particular,
- they are consistent with the delivery of the Worcestershire Local Transport Plan objectives

‘Priority will be given to improving infrastructure, technology and services to support active travel (walking and cycling) and passenger transport (bus, rail and community transport) during the plan period.’

- 4.24 Further to the Highways initial recommendation of deferral and ongoing discussion between the Applicant and the Highway Authority, a DMRB GG119 compliant Stage 1 Road Safety Audit has been undertaken as requested, to assess the geometric layout and design of the access and the achievable visibility splays, in accordance with adopted standards and guidance, such as Manual for Streets.
- 4.25 Neighbours have raised concerns with regards to the time that the audit was carried out and have queried why this was not done at the busiest times of the day which are school drop off and pick up time, Highways have responded to this query and have stated that ‘it is noted that the wider area is subject to congestion at school drop of and pick up times due to the location of Baxter College and St Johns Church of England Primary School to the north of the proposed site, and there is a school pedestrian access on St John’s Avenue, approximately 55 metres to the west of the site. The RSA Stage 1 process comprises both on site and desktop assessments and whilst It is acknowledged that the site visit was undertaken at 1.30pm, i.e. outside school drop off / pick up times, the matters of access layout and design for RSA assessment are not time dependent and are not invalidated by the concentration of traffic activity associated with the school, which is typically short duration and time limited.’.
- 4.26 It is considered that the access layout is deemed to be compliant with highway’s streetscape design guide standards. It is noted that there are existing ‘School Keep Clear’ markings on the carriageway plus signage which stipulates No stopping at any time on entrance markings. There are also double yellow line restrictions for approximately 60 metres on the opposite side of the road to deter on-street parking. Any contravention of formal traffic regulation orders is a matter for Civil Enforcement and importantly, the presence of on-street parking associated with the schools is an existing situation, not caused by the development proposal. Moreover, the trip generation associated with 5 dwellings is low, being typically approximately 3- 4 two-way trips in the AM and PM peak hours and these peak hours don’t correspond directly with the school peaks which are shorter although more intensive. Highways therefore conclude that the scale of the development is modest and unlikely to materially increase congestion beyond the existing level and it would be challenging to maintain an objection, particularly as the RSA has identified no safety problems to be addressed.
- 4.27 Based on the RSA Stage 1 findings, the Highway Authority does not consider that further stages of road safety audit are required, plus the highway modification is an extension of an existing dropped kerb rather than full access works and there are no personal injury collision (PIC) records on St Johns Avenue. However, as part of the Highway Authority’s ongoing responsibility, personal injury collision data is continually collected and Highways will monitor the operation of the location in relation to the site

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access post development and where necessary, appropriate actions would be considered. Within the site, as shown on Drawing no. 154JAK2 100 P06, the private access drive which will function as a shared surface for vehicles and pedestrians, is of variable width as a speed reducing measure and low-level lighting will be installed. A lighting condition will be added to secure the lighting details.

- 4.28 The parking provision complies with standards for Plots 1 and 5 and exceeds standards for Plots 2, 3 and 4 and cycle parking can be accommodated within the garages. Dropped kerb works will be required in the highway, to facilitate access, with works to be carried out by WCC contractors Ringway Infrastructure Services. Highways have also recommended that the adjacent dropped kerb is combined into a single continuous dropped crossing to prevent vehicles mounting sections of full kerb and this will also improve the crossfall on the footway for disabled users and a condition will be added to this effect.
- 4.29 The site will remain private and will not be adopted by the Highway Authority and as such, a local authority refuse vehicle will not enter to the site to collect waste and recycling directly from the individual dwellings. Therefore, a Refuse Strategy is required by condition as to ensure adequate servicing of the proposed site. Any revision to the site layout as shown on drawing no. 154JAK2 100 P06, to accommodate refuse storage, will require further consultation with the Highway Authority.
- 4.30 The planning submission has been assessed against local policy in the Streetscape Design Guide (SDG) and national policy in the National Planning Policy Framework (NPPF). Having reviewed the access design and layout, which is compliant with standards, with no safety problems identified by RSA and no personal injury collision data, there is no evidence to indicate that the modest scale of development proposed would conflict with Paragraph 116 NPPF and therefore, there are no grounds for refusal which could be upheld at appeal subject to the inclusion of conditions and notes.
- 4.31 **RENEWABLE AND LOW CARBON ENERGY**  
Policy SP.37 of the Wyre Forest District Local Plan relates to reducing carbon emissions and to secure sustainable energy solutions. The policy requires major developments to incorporate energy from renewable or low carbon sources equivalent to at least 10% predicted energy requirements and to be accompanied by an Energy Statement. Also, that all developments should include electric vehicle charging points and, where possible, be fitted with solar panels. Policy SP.29 requires developments to incorporate design features including achieving internal water use of 110 litres per person per day.
- 4.32 All houses will be provided solar photovoltaics which are to be situated on the roof space of each dwelling, allowing each resident to benefit directly from the energy savings associated with the solar photovoltaic system on their roof space. Electric vehicle charging and each car park area for the flats will have access to electric vehicle charging, (in accordance with Building Regulations).
- 4.33 Therefore, subject to the inclusion of a condition, the development would accord with Policies SP.29 and SP.37 of the Wyre Forest District Local Plan.

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#### FLOOD RISK AND DRAINAGE

- 4.34 Policies SP.30 and SP.31 of the Wyre Forest District Local Plan refers to flood risk management and sustainable drainage and policy SP.32 advises that effective on-site management of surface water can improve water quality, water conservation, the replenishment of ground water supplies and reduce instances of flooding. All new developments with surface water impacts will be required to demonstrate that flows and volumes of surface water runoff leaving a development site do not exceed Greenfield levels. Also, all major developments will be required to submit a detailed Drainage Strategy to show that the proposed drainage system meets the criteria for providing Sustainable Drainage Systems (SuDS) and that the proposed drainage systems will be managed and maintained for the lifetime of the development.
- 4.35 The proposed drainage strategy presented in detail in the submitted report aims to reduce the surface water discharge to 1.6l/s for all storm events up to and including the 1 in 100-year storm plus 40% allowance for climate change and allowing a 10% urban creep allowance too. As no on site testing has been undertaken yet, the strategy proposed utilises an underground attenuation tank to store water, with a pumped discharge to the sewer system in the road, which according to the STW sewer maps is a foul sewer system. The report states that infiltration testing will be completed prior to detailed design and should infiltration prove to be feasible, the design will be revised to remove the outlet and the below ground tank will be revised to a soakaway.
- 4.36 The site itself is not at risk of flooding from any source and as areas in the vicinity of the proposed development are believed to be at low risk of surface water flooding. The North Worcestershire Water Management Officer are not opposed to the principle of having a drainage strategy that sets out a preferred option and a fallback option, in this case the preferred option is the discharge via soakaway and the fallback option is the use of an underground attenuation tank, however there is concern that the location currently allocated for the SuDS would not be suitable for the soakaway (the preferred option), and therefore that changes might need to be made to the layout to accommodate the discharge via soakaway
- 4.37 North Worcestershire Water Management Officer have therefore raised no objection subject to the inclusion of a condition in relation to no development other than demolition commencing till the surface water drainage scheme has been agreed and as such the development would accord with Policies SP.31 and SP.32 of the Wyre Forest District Local Plan and Paragraph 159 and 167 of the National Planning Policy Framework.
- 4.38 **POLLUTION AND POTENTIAL CONTAMINATED LAND**  
The NPPF, in paragraph 198, advises that 'Planning Policies and decisions should also ensure that new development is appropriate for its location taking into account the likely effects (including cumulative effects) of pollution on health, living conditions and the natural environment, as well as the potential sensitivity of the site or the wider area to impacts that could arise from the development. In doing so they should:
- a) mitigate and reduce to a minimum potential adverse impact resulting from noise from new development – and avoid noise giving rise to significant adverse impacts on health and the quality of life;

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b) identify and protect tranquil areas which have remained relatively undisturbed by noise and are prized for their recreational and amenity value for this reason; and  
c) limit the impact of light pollution from artificial light on local amenity, intrinsically dark landscapes and nature conservation’.

- 4.39 Policy SP.33 of the Wyre Forest District Local Plan requires ‘Development proposals to be designed to avoid any significant adverse impacts from pollution, including cumulative ones, on: human health and wellbeing; biodiversity; the water environment; neighbouring land uses; and existing or proposed Air Quality Management Areas (AQMA).
- 4.40 Para 197 of the NPPF is clear that where a site is affected by contamination issues, responsibility rests with the developer and/or landowner. WRS Contaminated Land team have been consulted and have commented that they have no objections to the proposal and therefore the application is acceptable in this regard.

#### TREES AND BIODIVERSITY

- 4.41 The application was submitted prior to the requirement for the need for a 10% biodiversity net gain which is now required for all applications. Policies SP.23 and DM.26 of the Wyre Forest District Local Plan concern biodiversity and landscaping and expect all new developments to make a positive contribution to the natural environment through biodiversity net gain, provision of habitat and availability of appropriate foraging opportunities. It is acknowledged that the application predates the mandatory Biodiversity Net Gain (BNG) requirements, however a measurable gain in biodiversity is still expected.
- 4.42 In the exercise of its functions the Council is required to give due regard to the requirements of The Conservation of Habitats and Species Regulations 2017 (as amended) and this is enshrined throughout national and local planning policy.
- 4.43 Circular 06/2005 states that the presence of a protected species is a material consideration when a development is being considered which would be likely to result in harm to the species or its habitat. It goes on to state that ‘it is essential that the presence or otherwise of protected species and the extent that they may be affected by the proposed development, is established before planning permission is granted’ (Para 99).
- 4.44 Badgers (*Meles meles*) are known to be active on the site and therefore a badger survey has been submitted by the applicant which was undertaken by a suitably qualified and experienced ecologist. The result of the survey identifies a main sett and five outlier setts within the site boundary. The ecologist has advised that, without mitigation, the proposed development would have a high impact on these setts. The original number of proposed dwellings has been reduced, and a large area has now been excluded from development for the conservation of badgers as shown on the submitted plan. The current recommendation is to retain the main sett, incorporating enhancement planting and protective exclusion fencing, while the outlier setts would be closed under a Natural England licence.
- 4.45 The site was subject to degradation of on site habitat by way of the removal of a number of large trees to the rear and side of the site prior to the submission of the original application, 24/0189/FUL. This loss has been accounted for in the BNG

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calculation and will form part of the sites Biodiversity mitigation. The current application has been submitted with a Biodiversity Net Gain assessment which shows the following:

- 4.46 The current development proposals result in a -6.39 (-81.21%) net loss in area-based habitat units and a +0.75 (+135.96%) net gain in hedgerow units . The proposed development therefore surpasses the minimum target of 10% biodiversity net gain for hedgerows but does not surpass the target for area-based habitats . In order to achieve a minimum of 10% uplift in BNG units, the proposals must deliver an additional 7.18 area based units. In order to satisfy trading errors within the metric, the 6.957 units must comprise:
- +3.07 units any medium distinctiveness grassland
  - +3.39 units individual trees
  - +0.31 units any medium distinctiveness woodland
  - +0.41 units any other habitat
- 4.47 The above units will be delivered through the enhancement of either on-site or off-site provision which will be determined post decision. Your officers are satisfied that the mandatory 10% BNG can be achieved.
- 4.48 The Council's Trees and Biodiversity Officer has provided further comments upon receipt of the revised PEA and metric that there is no further objection subject to the inclusion of conditions. Your Officers are in agreement with the Trees and Biodiversity Officer and the conditions as recommended would be included as part of any subsequent approval in order to demonstrate compliance with Policy SP.23 and DM.26 of the local plan, the NPPF and the Environment Act 2021.

#### WASTE

- 4.49 Policy SP.35 of the Local plan relates to waste and sets out that proposals for new development should incorporate adequate facilities into the design to allow occupiers to separate and store waste for recycling and recovery unless existing provision is adequate. Such facilities should be well-designed and to ensure that waste is dealt with at as high a level as possible on the waste hierarchy; to protect amenities and prevent pollution, the waste implications of all new development must be considered.
- 4.50 The Worcestershire Waste Core Strategy requires that on-site facilities for separating or storing waste should be adequate to meet the needs of occupiers of any proposed new development. Such facilities should be well designed so that they do not act as an eyesore.
- 4.51 The Council provides a kerbside collection service, and where roads are not adopted, bins are required to be presented at the kerbside, as the Council is unable to access such roads with its collection vehicles and would be unable to service the properties from both an insurance and operational perspective, as they are unable to drive refuse vehicles along unadopted roads. The agent's preferred option was for the Council's refuse vehicles to enter the private drive, subject to an indemnity agreement, however The Council's waste team are not prepared to enter the site due to insurance concerns and therefore an alternative solution was sought. A private refuse collection company was suggested; however, the agent has stated that this would introduce an ongoing

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financial burden for future residents, which could affect the attractiveness and saleability of the dwellings and would require additional legal arrangements to be put in place.

- 4.52 According to Building Regulations (Approved Document H), the recommended drag distance for refuse collectors is 25 metres and the proposed location of the bin store as indicated on plan meets the requirement. The refuse collection vehicle will therefore stop at the kerbside, and it is noted that the Council refuse team are in agreement with this proposal. However, at the same time, the residents are expected to drag their bins a maximum of 30 metres, which aligns with the inclusive design principles in the Department for Transport's *Manual for Streets* guidance, and the actual drag distance on this site is much further and therefore does not accord with the recommended guidance.
- 4.53 It is therefore proposed to position a refuse collection point at the site frontage; this would allow 8 bins at any one time to be stored within the open fronted 3m wide, 1.7m deep, 1.8m high brick structure. Plots 2, 3, 4 and 5 are to wheel their bins to the bin collection point for collection and are to only leave bins in the bin collection point from the evening before bin collection day and the morning of collection day as their bins are to be stored at their own property for the rest of the week. The agent has stated that they are more than happy to make this agreement legally binding through stipulating this condition in the relevant title deeds (note - this cannot be a planning condition).
- 4.54 There have been neighbour concerns with regards to the bin storage area and potential smells and mess. However as has been set out above the bins will not be left in the collection point, they will only be there for collection by the Council's Waste team and the Council's Waste team have confirmed that this represents a practical and deliverable solution. It noted that the residents of plots 2, 3,4 and 5 are expected to drag their bins a maximum of 30 metres, which aligns with the inclusive design principles in the Department for Transport's *Manual for Streets* guidance. The actual drag distance on this site is much further and as such does not accord with the recommended guidance, however the residents will be made aware of this fact and is not in itself a reason to refuse the application.
- 4.55 Your Officers are therefore satisfied that the provision of the bin storage area in conjunction with a refuse management plan will ensure that the development accords with Policy SP.35 and will result in suitable refuse arrangements. A condition will be added to any approval to seek agreement of details of the materials to be used for the bin storage.

#### HERITAGE

- 4.56 Policies SP.21 and DM.23 of the Wyre Forest District Local Plan relate to Safeguarding the Historic Environment and advise that development proposals should avoid harm or loss of significance to a heritage asset wherever possible. The level of harm should require very robust justification and substantial harm to a designated heritage asset should only be allowed in exceptional circumstances.
- 4.57 The application site lies outside of any designated conservation area and does not include any designated heritage assets. However, it forms part of the wider setting of

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The Grove (HER ref: WSM41489), an early 19th-century unlisted building of local historic interest, together with associated curtilage outbuildings (WSM82002), one of which is understood to fall within the application site. While non-designated, such assets are recognised within the NPPF (Section 16) as having a degree of significance, and it is therefore appropriate to have regard to their setting and any potential impacts arising from development proposals.

4.58 The submitted Planning Statement provides a general assessment of character and appearance but does not directly address the historic interest of The Grove, its associated outbuildings, or the role of the application site within their setting. The main heritage considerations relate to:

- the contribution of the application site to the setting of The Grove
- The relationship between the retained outbuilding and the proposed development
- The extent to which the subdivision of the plot may influence the historic character of the wider site

4.59 The application site does not appear to make a strong or sensitive contribution to the significance or setting of The Grove or its associated outbuildings. The relationship between the assets and the site is relatively limited, and the presence of existing subdivision and surrounding development reduces the extent to which the site can be understood as part of a coherent historic setting.

4.60 The Council's Conservation Officer has commented that overall, the proposal is not considered likely to result in harm to the significance or setting of the non-designated heritage asset, subject to appropriate consideration of layout and scale and your Officers therefore consider that the development would accord with Policies SP.21 and DM.23 of the Wyre Forest District Local Plan and the National Planning Policy Framework.

## **5.0 Conclusion and Recommendations**

5.1 Section 38(6) of the Planning and Compulsory Purchase Act 2004 indicates that determination must be in accordance with the development plan unless material considerations indicate otherwise. Paragraph 12 of the NPPF advises that the presumption in favour of sustainable development does not change the statutory status of the development plan as the starting point for decision-making. Where a planning application conflicts with an up-to-date development plan (including any neighbourhood plans that form part of the development plan), permission should not usually be granted. Local planning authorities may take decisions that depart from an up-to-date development plan, but only if material considerations in a particular case indicate that the plan should not be followed.

5.2 No objection has been raised by any statutory consultee, including: Trees and Biodiversity, Drainage, Highways and Contaminated Land, subject to the imposition of conditions. Your Officers considers that the proposal would make efficient use of an underused site within a sustainable location in Kidderminster and the development would accord with the development plan.

25/0628/FUL

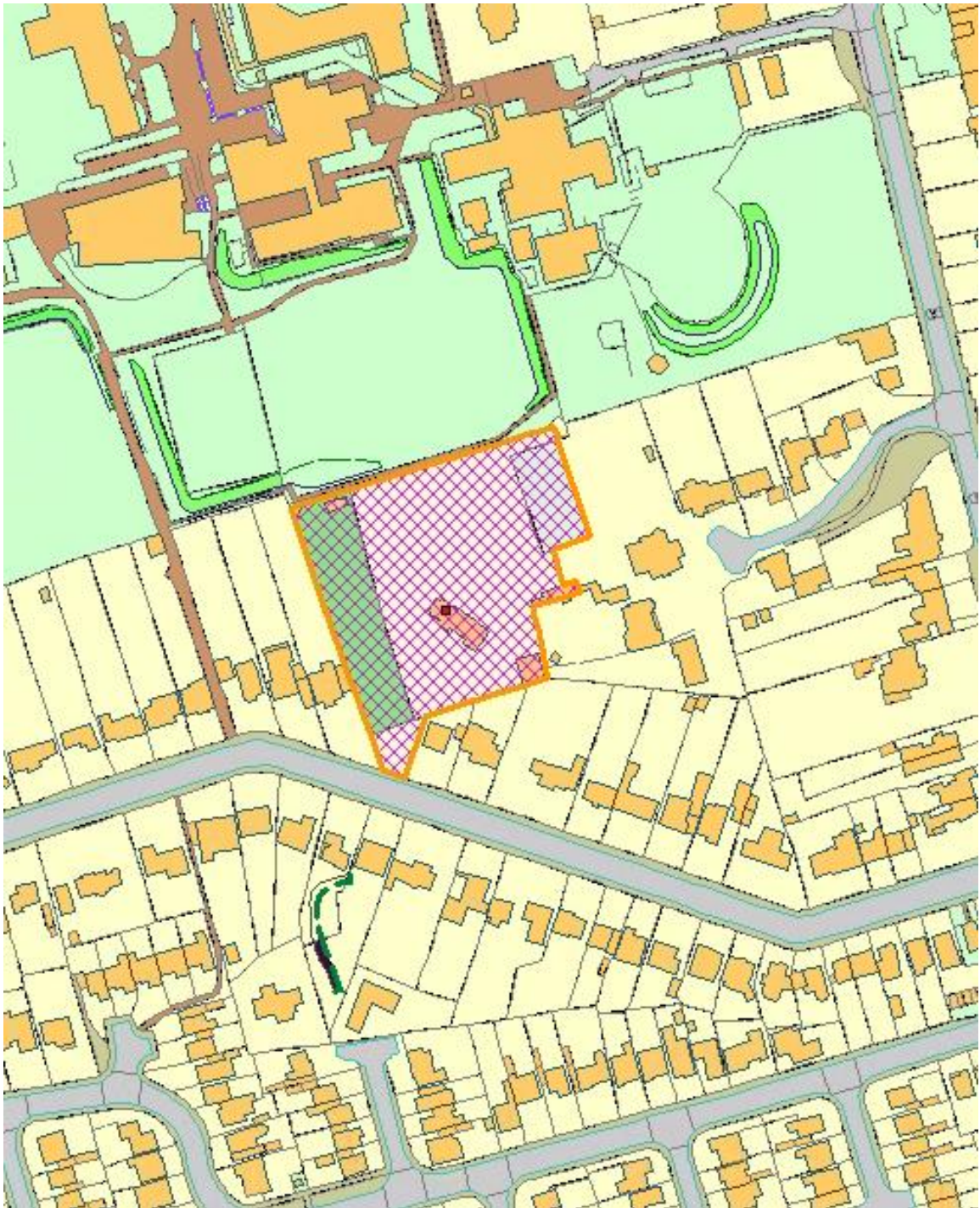
5.3 It is therefore recommended that the application is **APPROVED** subject to:

a. The following conditions:

- 1) Three-year time limit to implement development
- 2) Details of all external building and hard surfacing materials
- 3) Details of boundary treatment including retaining walls
- 4) Details of site levels and finished floor levels
- 5) Surface water drainage details
- 6) Water Efficiency
- 7) Foul water drainage disposal
- 8) No external lighting unless details submitted to and agreed in writing by the LPA
- 9) Badger Survey and implementation of agreed mitigation measures
- 10) Construction Environment Management Plan (Biodiversity)
- 11) Vegetation clearance outside bird nesting season
- 12) Landscaping plan to be implemented
- 13) Arboricultural Method Statement and Tree Protection Measures
- 14) Tree planting along boundary that adjoins the school boundary and retention of trees
- 15) Landscape and Environment Management Plan
- 16) Noise impact assessment and implementation of agreed measures
- 17) Access and parking provision to be provided
- 18) Cycle Parking to be provided
- 19) Refuse collection point enclosure details and implementation
- 20) Construction Environmental Management (CEMP) (Highways)- demolition and construction phases, details of vehicular movements
- 21) Visibility splays to be provided
- 22) Widened access layout
- 23) Passing and turning area information
- 24) Water efficiency measures
- 25) Submission of energy statement and implementation of measures
- 26) All first floor windows on the eastern side of the rear elevation of the existing dwellinghouse to be fitted with obscure glazed windows prior to first occupation of the development
- 27) Development to be in accordance with the approved plans

Informatives

- a. WFDC waste and collection details for new residents
- b. Own responsibility to obtain Building Regulations
- c. Sewer and water mains advice note (Severn Trent)
- d. BNG Plan
- e. Vegetation removal outside of bird nesting season



Strategic Growth

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**PART A**

<b>Application Reference:</b>	<b>26/0161/S73</b>	<b>Date Received:</b>	<b>05.03.2026</b>
<b>Ord Sheet:</b>	<b>378927 275354</b>	<b>Expiry Date:</b>	<b>30.04.2026</b>
<b>Case Officer</b>	<b>Julia Mckenzie-Watts</b>	<b>Ward:</b>	<b>Wribbenhall And Arley</b>

**Proposal:** Variation to condition 3 attached to approved planning application 22/0415/FUL (Increase opening hours to 10.00-18.30pm Monday to Saturday and 10.00-15.30pm on a Sunday and Bank Holidays.

**Site Address:** Land Adjacent, 11 Stourport Road, Bewdley, Worcestershire, ,

**Applicant:** Mr K Millman

<b>Summary of Policy</b>	<b>DM.23 DM.24 SP.20 SP.27 SP.31 of the adopted Wyre Forest District Local Plan (adopted April 2022) Design, Amenity &amp; Shopfronts SPD WCC Streetscape Design Guide National Planning Policy Framework National Planning Practice Guidance</b>
<b>Recommendation</b>	<b>APPROVAL</b>
<b>Reason for Referral to Committee</b>	<b>Application called in by Ward Councillor and member of public registered to speak against application</b>

**1.0 Planning History**

1.1 22/0415/FUL - Reinstatement of existing kiosk to serve refreshments with outdoor seating area: Approved 19/12/2022.

**2.0 Consultations and Representations**

2.1 Bewdley Town Council - No objection.

2.2 Bewdley Civic Society - No objection. Broadly support this application to alter the opening hours. The society was very interested in the comments of two neighbours who live in close proximity to the kiosk. They have experienced no problems with noise, litter, parking or ASB since the kiosk has been open. In our view the planned change in opening hours is reasonable. We welcome the enterprise shown by this small business.

2.3 Highway Authority – No objection.

2.4 Crime Risk Manager - No objection.

2.5 Conservation Officer – No objection.

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- 2.6 Environment Health (EH) – Applicant has registered the premises for food operation and included ‘High’ risk foods which usually means preparing/cooking/serving meat or foods which require a temperature-controlled element in some way. The premises is with EH pending a full inspection, once the inspection has taken place a star rating will be issued.
- 2.7 Public consultation – 3 letters of objection and 3 letters of supportive comments received from nearby occupiers.

The 3 letters of objection received can be summarised as follows:

- Noise and anti-social behaviour
- Pizza collection will be a traffic hazard
- No parking at the site
- Signage
- Waste and littering concerns
- The extended opening hours would encompass school times

The letters of support can be summarised as follows:

- No problem with noise, litter, anti-social behaviour and car parking since the kiosk opened.

### **3.0 Site Location and Description**

- 3.1 The application site is located on the northern side of Stourport Road, in close proximity to the Stourport Road / Kidderminster Road junction (also known as Beales Corner), within Bewdley. The site is adjoined to the west by a public footpath (No. 32) and to the northwest and opposite the site are residential properties. To the north the site is adjoined by open space, with the public footpath and adjoining residential gardens beyond and to the east, the site is adjoined by a public car parking area in Westbourne Street.
- 3.2 The site is situated in an edge of centre location as defined by the National Planning Policy Framework and lies within Bewdley Conservation Area and Flood Zones 2 and 3. The land is situated on a busy foot fall route between the Severn Valley Railway and the centre of Bewdley Town and is also located around 360 metres of Bewdley Primary School and around 520 metres of The Bewdley School and Sixth Form Centre.
- 3.3 The site comprises an existing kiosk operating as a café with ancillary hot food takeaway. It includes a small outdoor seating area with pedestrian access directly off Stourport Road. No off-street parking provision is available.
- 3.4 The kiosk was granted planning permission in December 2022 and to safeguard the amenity of neighbouring residents and to avoid the premises operating primarily as a hot food takeway given its proximity to residential properties and nearby schools, the following planning conditions were imposed on the decision notice:

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2) The kiosk and seating area hereby approved shall be used for Use Class E (b) (sale of food and drink) only and for no other use whatsoever without the prior written consent of the Local Planning Authority.

Reason To safeguard the amenities of the area and to ensure that the development complies with Policy SP.20 of the Adopted Local Plan.

3) The use hereby permitted shall only be conducted between the hours of 10.00am and 15.30pm each day. Outside of these time the premises shall be shut and all tables and chairs shall be secured in the approved storage shed.

Reason In order to maintain the amenities of the area and to ensure that the development accords with Policies SP.20 and DM.24 of the Adopted Local Plan.

10) No commercial kitchen oven shall be installed and used within the building at anytime.

Reason To preserve the amenity and privacy of adjoining properties and to ensure that the development accords with Policies SP.20 and DM.24 of the Adopted Local Plan.

3.5 The current application seeks solely to vary condition 3 to increase the opening hours from 1000-1530 each day to 1000-1830 Monday to Saturday and 1000–1530 on Sundays and Bank Holidays.

3.6 The applicant has submitted a supporting statement which has been summarised as follows:

*The application proposes a variation to working hours only. As a lawful Class E(b) use (approved at the time of 22/0415/FUL) the Use Class order permits the consumption of food and drink “mostly” on the premises and not “exclusively” on the premises. The applicant has confirmed that they comply with this restriction and so the need for a condition to limit takeaways is not required as it proposes to vary opening hours only and this would compromise the original permission. The original permission also prevents the installation of commercial kitchen equipment and this continues to be complied with by the applicant. The existing pizza oven is a table top-type and supports the preparation of hot food, however this does not amount to a material change of use of the premises to a hot food takeaway. Hot food takeaways are described within the Use Class Order as the consumption of food “mostly” undertaken off the premises. As already confirmed by the applicant, the hot food prepared on-site is mostly consumed on the premises and so a material change of use to hot food takeaway has not occurred. The changes to opening hours would continue to be in-keeping with normal shop opening times and reasonable in a market town such as Bewdley with a large day tourist visitor population. No material change of use of the premises has occurred, nor is this being applied for. Any alleged breach of condition should be investigated separately and outside of the considerations of this application.*

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#### 4.0 Officer Comments

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

- Residential Amenity
- Highway Safety

##### RESIDENTIAL AMENITY

- 4.2 The site is situated in close proximity to the town centre of Bewdley and along a main pedestrian route between Bewdley Railway Station (Severn Valley) and the town centre. The site is well connected to the town centre and situated on a route that is heavily utilised by pedestrians travelling between the Bewdley Railway Station and the town centre.
- 4.3 Policy DM.17 of the Wyre Forest District Local Plan refers specifically to new Food and Drink Retailing and advises that development proposals involving the sale of food and drink must not have an adverse impact in terms of:
- Residential amenity;
  - Pollution by virtue of litter, noise or odour;
  - Crime and Disorder;
- 4.4 The principle of development has been established through the granting of application 22/0415/FUL in December 2022. The minor changes proposed to the open hours through this current application do not bring into question the previously established principle of development or require this to be re-assessed.
- 4.5 Condition 3 of application 22/0415/FUL approved opening hours for the kiosk to between 10am and 15.30pm each day. The reason for this condition being applied at the time was in order to maintain the amenities of the area and to ensure that the development accorded with policies SP.20 and DM.24 of the Local Plan which require new developments to integrate effectively with its surroundings.
- 4.6 The site falls close to the town centre and on a busy A classified road where ambient noise levels are generally higher compared to a residential suburb. Also, due to the nature of the use, customers are unlikely to be visiting the site for long periods of time to cause significant noise disturbance. Officers therefore consider that the additional three hours (i.e. from 1530 to 1830 hours )being sought in this application on Mondays to Saturdays is unlikely to result in additional noise and disturbance to the detriment of neighbouring residential properties over and above what exists at the present time.
- 4.7 The concerns raised by local residents have been taken into consideration, however, Officers do not consider that the proposed increase in opening hours would result in significant harm to the amenity of neighbouring residents to warrant a refusal of the application and in turn uphold an appeal. No substantive evidence to support the objections raised has been forthcoming and it would be unreasonable to refuse this application on the grounds that the use is operating unlawfully as a hot food takeaway, given that the application has to be considered on its own individual merits which in this case, on relates to the extension of opening hours by three hours.

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- 4.8 In addition, condition 2 of the 22/0415/FUL approval, restricts the kiosk to Use Class E(b) which is for the sale of food and drink principally to visiting members of the public where consumption of that food and drink is mostly undertaken on the premises. At the present time there is no evidence that the use is operating primarily as a hot food takeaway from the site, however if this does arise and it is found that there is a breach of condition 2, an enforcement case will be raised and appropriate enforcement action will be pursued.

#### HIGHWAY SAFETY

- 4.9 Policy SP.27 of the Wyre Forest District Local Plan relates to Transport and Accessibility in the district and that to manage travel demand, proposals must demonstrate that:
- a. the location and layout of development will minimise the demand for travel;
  - b. they offer viable sustainable transport choices, with a particular focus on active travel modes with attractive and well-designed walking and cycling networks;
  - c. they address road safety issues; and in particular,
  - d. they are consistent with the delivery of the Worcestershire Local Transport Plan objectives.
- 4.10 The concerns raised to the application regarding parking are noted however the site is in a sustainable location near to town centre facilities and public parking and there will be a good level of pedestrian footfall to and from Bewdley Station. In addition, there are parking restrictions by way of double yellow lines on both sides of Stourport Road (B4195) to prevent parking on the carriageway. Similarly, Millside Court located opposite the site, is a private property and enforcement action would be possible if any unauthorised parking occurred at this property because of the proposed development.
- 4.11 No objection has been provided by the Highway Authority and Officers are of the view that the increase in opening hours would not give rise to any highway safety issues.

#### OTHER MATTERS

- 4.12 As with the previous application in 2022, concern has again been raised regarding alcohol being sold at the kiosk, this is not a planning issue as a licence would need to be applied for and there are certain criteria to be adhered to. A planning condition is attached to the previous 2022 approval to require a litter bin to be provided and retained on site to deter littering.

### 5.0 Conclusion and Recommendations

- 5.1 The proposed increase in opening hours by three hours on Mondays to Saturdays is unlikely to have an adverse impact on the amenity of neighbouring residential properties in terms of noise, litter and unauthorised parking. The proposal complies with all relevant policies contained within the Wyre Forest District Local Plan and there are no other material considerations to indicate otherwise.
- 5.2 It is therefore recommended that the application is **APPROVED** subject to:
- a) The following conditions;

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1. Restrict use of kiosk and seating area to Use Class E (b) (sale of food and drink) only and for no other use whatsoever without the prior written consent of the LPA
2. Restrict opening hours to between 1000 and 1830 Monday to Saturday and between 1000 and 1530 Sundays and Bank Holidays
3. No changes in site levels permitted without written approval of the LPA
4. No external lighting permitted without written approval of the LPA
5. No outside music at any time
6. Implementation and retention of litter bin and cycle storage as shown on Drawing No. 4204-02C.
7. No external plant to be installed without written approval of the LPA
8. Flood Mitigation Measures to be implemented, retained and maintained
9. No commercial kitchen oven to be installed at any time
10. Development to be implemented in accordance with approved plans



Strategic Growth

Land Adjacent 11 Stourport Road, Bewdley, Worcestershire

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**PART A**

<b>Application Reference:</b>	<b>25/0797/FUL</b>	<b>Date Received:</b>	<b>24.11.2025</b>
<b>Ord Sheet:</b>	<b>381870 273940</b>	<b>Expiry Date:</b>	<b>30.04.2026</b>
<b>Case Officer</b>	<b>Hayden Gillard</b>	<b>Ward:</b>	<b>Foley Park And Hoobrook</b>

**Proposal:** Change of use of premises from General Industrial (Use Class B2) to Gym (Use Class E) including provision of mezzanine floor and associated works (retrospective)

**Site Address:** Unit 1, Britannia Business Park, Stourport Road Service Road, Kidderminster, Worcestershire, DY11 7QP,

**Applicant:** Foundry Gym

<b>Summary of Policy</b>	<p>SP.1, SP.2, SP.3, SP.17, SP.20, SP.23, SP.27, SP.31, SP.32, SP.35, SP.37, DM.9, DM.14, DM.24, DM.26 and SA.K24 of the Wyre Forest Local Plan (Adopted April 2022)</p> <p>Design, Amenity and Shopfronts SPD  WCC Streetscape Design Guide  Health and Wellbeing SPD  Planning Obligations SPD  National Planning Policy Framework  Planning Practice Guidance</p>
<b>Recommendation</b>	<b>DELEGATED APPROVAL</b>
<b>Reason for referral to Committee</b>	<b>'Major' Planning Application and Departure from Local Plan</b>

**1.0 Planning History**

- 1.1 WF/0030/88 - Floodlit signs at Factory No.5 and No.6 at Stourport Road, Kidderminster – Approved 10.02.1988
- 1.2 WF/0041/88 - Alterations to frontage plus additional car parking at Factory 5 and 6, Stourport Road, Kidderminster – Approved 09.03.1988
- 1.3 24/0456/FUL - Change of use of premises from industrial (Use Class B2) to gym (Use Class E) (retrospective) – Refused 01.10.2024
- 1.4 24/0660/FUL - Change of use from industrial unit (Use Class B2) to gym (Use Class E) (retrospective) (resubmission) – Withdrawn 17.12.2024

**2.0 Consultations and Representations**

- 2.1 Kidderminster Town Council – No objection.

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2.2 Trees and Biodiversity Officer – No objection.

2.3 Worcestershire Regulatory Services (Nuisance Assessment Team) – No objection.

2.4 Highways Authority – No objection subject to conditions to secure car parking, cycle parking, car parking management plan and to require all car parking spaces to be marked out on the ground within three months of the date of the planning permission. It is noted that the planning application (25/0797/FUL) is retrospective in nature and seeks to regulate and retain the operations that are currently undertaken. The applicant seeks planning permission for the change of use from a 1,132m<sup>2</sup> industrial unit (Use Class B2) to a 1,620m<sup>2</sup> gym (Use Class E (d)).

Parking - Parking Standards in the Streetscape Design Guide 2022 require 1 space per 22m<sup>2</sup> for the proposed use, which equates to a total of 74 parking spaces and 60 spaces are shown across two car parks, on the Site Layout and Car Park Plan. This results in a shortfall of 14 spaces, with an associated concern regarding injudicious parking in the vicinity of the site, particularly on the highway verge on the service road which has been a regular occurrence historically, and which represents a highway safety hazard, particularly in the 'blue light zone' adjacent to Wyre Forest Fire Station. Car Park Management Plan - The CPMP sets out a justification for the proposed parking quantum, to include details of a parking accumulation exercise which demonstrates a peak of demand of 50 spaces on a weekday and a peak demand of 57 spaces at the weekend of the survey period, which can be met by the 60 space provision and Highways acknowledge that the peak demand of between 18:00-19:00 and 12:00-13:00 respectively, is outside the traditional AM and PM peak on the local roads. Moreover, Section 2.2.2 of the CPMP states that gym users will have access to an overspill car park located to the rear of the site, comprising of 450 spaces available to staff and visitors of the wider buildings and it is noted that the CPMP is by agreement with the landlord, as per the letter in Appendix D.

Whilst the Highway Authority has previously questioned how the parking across two locations would impact the other business units on the wider site, particularly as the site reaches maximum occupation, on the basis that the additional 450 spaces are available for use and marked out on the ground, there will be ample provision albeit to the rear of the site, and it is highly unlikely that an objection could be maintained. The CPMP sets out the measures proposed to manage on the onsite parking and additionally, the Covering Letter has addressed the most recent comments from Highways, on a point-by-point basis and it is noted that additional measures have been put in place. For example, as presented in Table 1 of the Covering Letter, driver members are now required to provide their vehicle registration details using a digital kiosk upon arrival to authorise free parking. The digital kiosk will inform visitors of the car parking policy, which they will pledge to adhere to, which is more robust than taking vehicle registration details at the time of membership enrolment and this way, drivers are reminded of the car parking policy every time they use the kiosk, and the parking policy will therefore be reinforced. If necessary, drivers could also be reminded that parking on the highway verge or the carriageway is not acceptable.

However, the Highway Authority is not aware of any current issues with verge parking in this location and there have been little to no incidents of poor parking since the concerns have been highlighted through the planning process. The Applicant has also stated their commitment to maintaining good relations with their neighbours and the CPMP confirms that the Applicant will undertake regular contact with the Fire and Rescue Service.

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In addition, on-site marshalling has been introduced to oversee all parking activities, as described in Section 2.3.9, plus signage to direct drivers, and there are remedial measures to be undertaken in cases of infringements by members.

Sustainable travel initiatives will also be promoted via various channels and cycle parking will be provided as indicated on plan.

Conclusion - In accordance with the latest submitted details, the Highway Authority is satisfied that the Applicant has taken all reasonable and necessary steps to address the parking provision associated with the gym use and has demonstrated a clear commitment to the effective management of the site. Furthermore, taking into account the measures set out within the Car Park Management Plan, the involvement of the landlord, and the total number of parking spaces available across the wider business park, it is considered unlikely that the development will give rise to any adverse impact on highway safety or capacity. Consequently, the Highway Authority has no grounds upon which to raise any further objections in relation to Paragraph 116 of the National Planning Policy Framework (NPPF) and therefore recommends the following conditions.

2.5 Public Consultation – 4 letters of support received to the application and these have been summarised below:

- Facility provides clear health and wellbeing benefits
- Increases local activity and supports local economy
- Suitable and beneficial use of site
- No detriment to other gyms in the area
- Attracts new people to the area
- Friendly atmosphere with top quality equipment
- Loss to the area if forced to close
- Benefits visitors who wish to exercise

### 3.0 Site Location and Description

3.1 Unit 1, Brintons No. 6 Factory is one of a number of industrial units at Britannia Business Park, located off the Stourport Service Road, Kidderminster. It lies wholly within the South Kidderminster Enterprise Park (SKEP), which extends to both sides of the A451 Stourport Road and is also allocated as employment land on the adopted Policies Map. The unit sits within a larger commercial building of simple, industrial appearance, with adjacent units being in various stages of occupancy. The unit benefits from off-street parking.

3.2 As previously mentioned, the site lies within a designated employment area, with the surrounding area characterised by industrial and commercial enterprises. Vicarage Farm Heath Nature Reserve lies to the northwest - the site is otherwise not affected by any historic or landscape designation.

3.3 The retrospective application proposes the change of use of the premises from General Industrial (Class B2) to a Gym (Class E), including the provision of mezzanine floor and associated works. The proposal will be situated entirely within Unit 1 of the site.

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- 3.4 The proposal includes retrospective change of use of the ground and first floor for use as a gym/recreational area, with allocated car parking areas to the front and rear of the unit. A total of 60 parking spaces are available for members, including 3 accessible spaces, with 16 bike spaces.
- 3.5 The following supporting documents have been submitted with the application:
- Kidderminster Impact Assessment and Sequential Test Update Issue 3
  - Westprop Marketing Letter
  - Hexagon Commercial Property LHD 3
  - Rev C Transport Statement
  - Foundry Gym Planning Statement Final
  - Car Parking Management Plan
- 3.6 The application is exempt from mandatory BNG because the proposal is retrospective and de minimis – additionally, the development does not impact a priority habitat.

#### **4.0 Officer Comments**

4.1 The main considerations for this application are:

- Principle of Development
- Character and Appearance of Area
- Pollution and Potential Contaminated Land
- Renewable and Low Carbon Energy
- Trees and Biodiversity
- Access and Highway Safety
- Economic Benefits
- Viability of the Scheme

#### **PRINCIPLE OF DEVELOPMENT**

- 4.2 The Development Plan for Wyre Forest is comprised of the Wyre Forest District Local Plan, which was adopted in April 2022 and for the purposes of decision making is up to date. Applications for planning permission are required to be determined in accordance with the development plan unless material considerations indicate otherwise. It should also be worth noting that due to the robustness of the Local Plan, decision making on applications is firmly plan-led.
- 4.3 One of the key material considerations is the National Planning Policy Framework (the 'NPPF') (December 2024 version). The NPPF sets out the Government's planning policies for England and how these should be applied. It states that the purpose of the planning system is to contribute to the achievement of sustainable development (para. 7). So that sustainable development is pursued in a positive way at the heart of the NPPF is a presumption in favour of sustainable development (paras. 10-11). It states that decision makers at every level should seek to approve applications for sustainable development where possible (para. 39). It also states that the planning system should be genuinely plan-led (para. 15).

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- 4.4 The application site is located within the industrial estate and, outside of a town centre location and due to its location, the principle of the development is important. Policy SA.K24 sets out that the site is allocated for employment development (light Industrial, B2 and B8). Development proposals within the SKEP area should:
- i. Positively contribute to the economic well-being of the District
  - ii. Ensure that they are compatible with neighbouring areas and should not prejudice the operation and amenity of existing employment in the area
- 4.5 Additionally, SP.17 of the Local Plan states that ‘Land and premises within the District’s existing employment areas will be reserved for B2 and B8 use classes as well as employment generating uses including Class E offices (other than professional and financial services offices), research and development and light industrial uses and, where appropriate, sui generis uses’.
- 4.6 As a scheme that relates to retrospective change of use to an alternative use which is allocated for employment (as shown on the adopted Policies Map), this application additionally engages consideration of Policy DM.9 of the Local Plan.

Specific to this proposal, Policy DM.9 advises that:

2. Planning permission for the change of use to alternative uses of land or buildings which are allocated for employment use (as shown on the Policies Map), or were last used for employment purposes within use class B2, B8, Class E (g) offices (other than professional and financial services offices), research and development and light industrial use will only be granted where:

- a. A financial appraisal demonstrates that redevelopment for any employment generating use is unviable and is unlikely to achieve viability within 5 years; and
- b. Details are provided of active marketing of the premises / land for at least 12 months and appropriate to the prevailing market conditions; and/or
- c. The proposed use would be compatible with adjacent land uses and not prejudice the amenity, lawful operation, viability or future development of other businesses.

4.7 As a Class E leisure use, this also engages Policy DM.14 which states:-

1. Proposals for new edge or out-of-centre retail, offices, entertainment or leisure development in excess of 500sq.m gross floorspace will be required to submit a sequential test and an impact assessment demonstrating that there would be no adverse impact on the vitality and viability of a town centre as a whole. The Council will refuse planning permission where there is evidence that proposals are likely to have significant adverse impacts on the vitality and viability of a town centre as a whole.
2. Before out of centre sites are considered the sequential approach must demonstrate why there are no suitable or available sites within the Primary Shopping Area in the first instance and then edge of centre sites. When edge of centre and out of centre locations are considered, sites which are accessible and well connected to the town centre will be preferable.

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- 4.8 It is clear that the gym would result in the loss of an allocated employment site and the application has not been forthcoming with a supporting financial viability appraisal. As such, the development is in direct conflict with Policies SP.17 and DM.9 and represents a departure of the Wyre Forest District Local Plan. Notwithstanding this, the acceptability of the development must be considered objectively, having regard to material considerations, including the submitted Sequential Test and Impact Assessment, the operational characteristics of the use, and relevant appeal decisions.
- 4.9 The applicant has submitted a detailed Sequential Test and Impact Assessment given that the retrospective fitness gym is 1620sq.m in gross floor area (thereby exceeding 500sq.m) and lies in an out-of-town centre location. The Sequential Test assessment demonstrates that there are no sequentially preferable sites within the nearby town centres that are suitable, available and viable for the proposed use. The assessment considers thirty potential sites and concludes that none can accommodate the scale, format and operational requirements of the gym. Importantly, the evidence highlights that the business model relies on a large format floorspace, high ceilings, and the ability to provide a comprehensive and affordable fitness offer. These characteristics significantly limit the suitability of town centre units. This approach aligns with national guidance which recognises that the sequential test should not be applied in a manner divorced from commercial realities.
- 4.10 The Impact Assessment concludes that the development would not result in significant adverse impacts on the vitality or viability of Kidderminster Town Centre. The town centre is performing relatively well from the evidence provided, with improving vacancy rates and continued investment, and there is already a sufficient level of gym provision in central locations. Furthermore, evidence (including the WFDC Retail and Commercial Leisure Needs Study 2016) indicates that only a very small proportion of visitors would be encouraged to visit the town centre by additional leisure provision, suggesting that the relocation of the gym to a central location would not materially enhance footfall or vitality.
- 4.11 In terms of economic vitality, the continued operation of the gym provides clear economic and social benefits. The use has brought a previously vacant unit back into active use and supports local employment. As of April 2025, Foundry gym currently employs two full-time and four part time staff, with this number of part-time staff expected to increase to five in the near future. Current membership of the gym is estimated at around 1,300 members, with the majority comprised of local residents from the Kidderminster area.
- 4.12 The facility has also demonstrated strong market demand, with a substantial membership base, indicating that it is a viable and sustainable use in this location. In addition, the gym provides a valued community facility, contributing to health and wellbeing objectives and offering an accessible, affordable fitness option that is not widely available within the town centre. The submitted evidence demonstrates that out-of-centre locations are often necessary to deliver such facilities at lower cost, due to lower operational overheads.
- 4.13 As previously stated, Policy SP.17 seeks to safeguard designated employment areas for B2, B8 and appropriate Class E office uses in order to support the economic function of the District. The proposal results in the loss of a B2 unit and therefore

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conflicts with this policy position. However, the extent of harm arising from this loss must be assessed in the context of the wider employment land supply, the characteristics of the use. In this case, the unit remains in active and productive use, supporting employment and contributing to the local economy. The evidence indicates that the wider employment area continues to function effectively, and there is no substantive indication that the presence of the gym has undermined the operation, attractiveness or availability of surrounding employment land. The use is compatible with the surrounding industrial context, operating within an existing building with no external alterations and without prejudicing neighbouring occupiers.

- 4.14 Recent appeal decisions demonstrate that a strict application of employment land protection policies is not always determinative where the harm is limited and outweighed by benefits. In particular, an appeal decision relating to a fitness gym within an employment estate in Ipswich (appeal reference APP/R3515/W/20/3252567) found that, although the proposal conflicted with policies protecting employment uses and failed certain policy tests (including marketing evidence), the harm was only moderate and was outweighed by the benefits of continued employment generation and the provision of an accessible health facility to both the estate and wider community.
- 4.15 Further precedent from an application in Gosforth Business Park, North Tyneside demonstrates that leisure uses within employment areas can be acceptable where they are proportionate in scale and do not prejudice the overall function of the employment site. In that case, a health and fitness club was considered to be ancillary and compatible with the wider business park, with the Inspector noting that such uses can complement employment areas and serve both employees and the wider catchment without undermining the primary employment role.
- 4.16 When assessing planning balance, the proposal conflicts with Policies SP.17 and DM.9 of the Local Plan and therefore represents a departure from the development plan. However, the following material considerations weigh in favour of the development:
- The proposal satisfies the sequential test, with no suitable or viable alternative sites identified;
  - The development would not result in significant adverse impacts on town centre vitality, viability or investment;
  - The use is operationally successful and demonstrably viable;
  - The proposal secures the beneficial use of an existing unit and supports local employment;
  - The loss of an individual employment unit does not automatically result in unacceptable harm where the wider employment area remains robust;
  - The nature of employment generated by the proposed use is a relevant consideration;
  - The provision of community and health-related benefits can carry significant weight; and
  - Compatibility with surrounding uses and the absence of demonstrable harm to the employment function are key factors.

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- 4.17 Accordingly, whilst the proposal conflicts with Policy SP.17 and DM.9, the degree of harm arising from the loss of the B2 use is limited. When considered alongside the appeal precedents and the demonstrable benefits of the scheme, this harm is not sufficient to warrant refusal in this instance.

#### DESIGN AND IMPACT ON CHARACTER AND APPEARANCE OF AREA

- 4.18 The development has been implemented through internal reconfiguration only, and as such, the external appearance, scale, massing and overall character of the building remain unchanged. The site is located within an established employment area characterised by functional industrial and commercial buildings. In this context, the retention of the existing built form ensures that the development remains in keeping with the surrounding townscape and does not introduce any visual incongruity or harm to the character of the area.

- 4.19 It is acknowledged that some external fitness-related decals have been applied to the entrance doors. However, these are limited in scale, do not materially alter the appearance of the building, and are not considered to represent a defining component of the overall use of the site. As such, they do not give rise to any adverse visual impacts or warrant separate planning control in this instance. The proposed development is therefore considered to be in accordance with Policies SP.20 and DM.24 of the Wyre Forest District Local Plan and National Planning Policy Framework.

#### IMPACT ON RESIDENTIAL AMENITY

- 4.20 The proposal is situated a significant distance from any residential dwellings. As noted by Worcestershire Regulatory Services, no objections have been raised to the development. Your Officers therefore consider that the development would not result in an unacceptable development in terms of noise or be unduly overbearing, due to the adequate separation distance between the nearest dwelling and position of the unit.

#### FLOOD RISK AND DRAINAGE

- 4.21 Policies SP.30 and SP.31 of the Wyre Forest District Local Plan refers to flood risk management and sustainable drainage, which is consistent with the NPPF. The site lies within Flood Zone 1 where there is low likelihood of flooding and it is not anticipated that the re-use of the building would put undue pressure on surface water drainage systems. The development is therefore acceptable in this regard.

#### TREES AND BIODIVERSITY

- 4.22 While the application is not supported by ecological surveying, the site lies within an urban area and as a change of use affecting a modern commercial unit the proposal would be unlikely to disturb protected species or attract biodiversity net gain, as confirmed by comments from the Biodiversity Officer. The development is therefore acceptable in this regard.

#### ACCESS AND HIGHWAY SAFETY

- 4.23 The NPPF states in Paragraph 108 that promoting sustainable transport should be considered from the earliest stages of plan-making and development proposals, so that:

- a. the potential impacts of development on transport networks can be addressed;

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- b. opportunities from existing or proposed transport infrastructure, and changing transport technology and usage, are realised – for example in relation to the scale, location or density of development that can be accommodated;
- c. opportunities to promote walking, cycling and public transport use are identified and pursued;
- d. the environmental impacts of traffic and transport infrastructure can be identified, assessed and taken into account – including appropriate opportunities for avoiding and mitigating any adverse effects, and for net environmental gains; and
- e. patterns of movement, streets, parking and other transport considerations are integral to the design of schemes and contribute to making high quality places.

4.24 Paragraph 116 of the NPPF advises that development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.

4.25 Paragraph 117 of the NPPF advises that all developments that will generate significant amounts of movement should be required to provide a travel plan, and the application should be supported by a transport statement or transport assessment so that the likely impacts of the proposal can be assessed.

4.26 Policy SP.27 of the Wyre Forest District Local Plan states:

‘Proposals must demonstrate that:

- the location and layout of development will minimise the demand for travel;
- they offer viable sustainable transport choices, with a particular focus on active travel modes with attractive and well-designed walking and cycling networks;
- they address road safety issues; and in particular,
- they are consistent with the delivery of the Worcestershire Local Transport Plan objectives’.

‘Priority will be given to improving infrastructure, technology and services to support active travel (walking and cycling) and passenger transport (bus, rail and community transport) during the plan period.’

4.27 The Highway Authority initially reviewed the application, including the submitted transport and planning statement, and raised concerns regarding car parking provision, which had previously been raised in pre-application discussions between the applicant and the Highways Authority. It was initially recommended that a Car Park Management Plan (CPMP) be submitted to detail how parking impacts would be addressed across the site. The application has since been supported by a CPMP which has been prepared to address concerns raised by the Local Highway Authority and to ensure the safe and efficient operation of the site. The CPMP sets out a comprehensive strategy to manage parking demand, minimise overspill, and maintain safe access to the site.

4.28 In terms of quantitative provision, Worcestershire County Council’s Streetscape Design Guide (2022) identifies a requirement of 1 space per 22m<sup>2</sup> for a leisure use, equating to a total of 74 spaces. The development provides 60 marked spaces on site, resulting in a shortfall when assessed against the maximum standard. However, robust survey data submitted by the applicant demonstrates that peak parking demand

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is significantly lower than this theoretical requirement, with an observed maximum demand of approximately 50 spaces on weekdays and 57 spaces at weekends. This indicates that the existing provision is sufficient to accommodate the operational needs of the gym in practice. In addition, gym users have access to a substantial overspill car park to the rear of the site, providing approximately 450 spaces for staff and visitors across the wider business park. This arrangement has been agreed with the landlord and provides a significant reserve of parking capacity should demand exceed the primary provision.

- 4.29 The CPMP includes a range of management and mitigation measures designed to ensure that parking demand is effectively controlled and that any potential impacts on the surrounding highway network are minimised. These include:
- A digital kiosk system requiring users to register their vehicle on each visit, reinforcing compliance with parking rules;
  - On-site marshalling to actively manage parking behaviour and direct vehicles to appropriate spaces;
  - Clear signage directing users to designated parking areas, including overspill provision;
  - Ongoing liaison with the adjacent Fire and Rescue Service to ensure emergency access is not impeded;
  - Monitoring, review and enforcement mechanisms, including the ability to suspend memberships for repeated non-compliance; and
  - Promotion of sustainable travel options, including provision of cycle parking and encouragement of non-car modes
- 4.30 The Highway Authority has reviewed the submitted information, including the CPMP and supporting material, and has confirmed that it raises no objection to the development subject to conditions. The Authority is satisfied that the combination of on-site provision, overspill capacity, and management measures will ensure that parking demand can be accommodated without adverse impacts on highway safety or capacity. Subject to the recommended conditions, including the ongoing implementation and monitoring of the CPMP, the proposal is therefore considered acceptable in highways and parking terms. Your Officers concur with this view and have attached conditions accordingly.

#### PLANNING OBLIGATIONS

- 4.31 The applicant has offered to enter into a Section 106 Agreement to achieve the following objectives:
- Annually, five free day-passes for each local resident living within the Birchen Coppice Pride in Place (Middle Super Output Area (MSOA)). This area also includes Rifle Range, Silverwoods and parts of Foley Park. As well as a 10% off vouchers for supplements on-sale at the premises;
  - Discounted memberships at 10% below standard rates for NHS staff, over 60's and under 17's; and
  - 12 free 45 minute boxing sessions held on the first Saturday morning for young people under 25 years of age, to encourage structured physical activity/healthy habits, marketed via Foundry's social media pages.
- 4.32 The above aims are considered to meet the tests sets out within Regulation 122(2) of the Community Infrastructure Levy Regulations 2010 as they are:

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- Necessary to make the development acceptable in planning terms;
- Directly related to the development; and
- Fairly and reasonably related in scale and kind to the development.

## 5.0 Conclusion and Recommendations

- 5.1 Section 38(6) of the Planning and Compulsory Purchase Act 2004 indicates that determination must be in accordance with the development plan unless material considerations indicate otherwise. Based on the information submitted against the above considerations, including Section 66 and Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990, the proposal is considered to be acceptable and accords with the principal determining criteria of the relevant development plan policies. There are no outstanding technical issues that cannot be addressed by condition, and the development is considered to be in accordance with the Wyre Forest District Local Plan.
- 5.2 Overall, the development represents a departure from the Wyre Forest District Local Plan, by reason of conflict with Policies SP.17 and DM.9 relating to the protection of employment land and the requirement for marketing and viability evidence. However, the applicant's assessment has demonstrated that the harm arising from this conflict is limited and, in this case, amounts to moderate harm. Set against this, there are a number of material considerations which weigh significantly in favour of the proposal. These include the demonstrated compliance with the sequential test, the absence of any significant adverse impact on the vitality and viability of defined centres, the continued productive use of the unit, and the provision of a well-used and accessible community facility contributing to health and wellbeing objectives. In addition, the development has been shown to be operationally viable, with no unacceptable impacts arising in respect of design, neighbouring amenity, or highway safety, the latter being supported by the Highway Authority's no objection subject to conditions.
- 5.3 Taking all matters into account, and having regard to the presumption in favour of sustainable development set out within the National Planning Policy Framework, it is considered that the benefits of the development clearly outweigh the identified policy conflict. The proposal is therefore recommended for approval, subject to the conditions and the signing of the S106 agreement.
- 5.4 It is therefore recommended that the application is **DELEGATED APPROVED** subject to:
- a) The signing of the S106 Agreement to secure additional public benefits as set out in paragraph 4.31; and
  - b) The following conditions:
    1. The existing car parking layout to be retained and kept available for its intended use at all times

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2. Cycle parking provision to be retained for the purposes of cycle parking only at all times
3. Car Park Management Plan (CPMP) to be adhered to at all times
4. Within 3 months of the grant of permission, detailed drawings of all car parking areas on the business park site shall be submitted to and agreed in writing by the LPA and thereafter implemented, and marked out on the ground and retained for the purposes of parking at all times
5. Use restricted to a gym only as defined by Use Class E(d)
6. No amplified music to be played at any time
7. No external plant and extraction equipment to be installed unless details submitted to and agreed in writing by the LPA
8. No external lighting unless details submitted to and agreed in writing by the LPA
9. Development to be in accordance with the approved plans



Strategic Growth

Unit 1 Britannia Business Park, Stourport Road Service Road, Kidderminster Worcestershire  
DY11 7QP

Crown Copyright 100018317



**PART B**

<b>Application Reference:</b>	<b>25/0961/FUL</b>	<b>Date Received:</b>	<b>13.01.2026</b>
<b>Ord Sheet:</b>	<b>383111 276507</b>	<b>Expiry Date:</b>	<b>31.03.2026</b>
<b>Case Officer</b>	<b>Hayden Gillard</b>	<b>Ward:</b>	<b>Blakebrook And Habberley South</b>

**Proposal:** Installation of replacement mechanical restaurant plant (retrospective)

**Site Address:** Unit 2, Riverside, Exchange Street, Kidderminster, Worcestershire, DY10 1BY

**Applicant:** Nando's Chickenland Ltd

<b>Summary of Policy</b>	<b>DM.13, DM.17, DM.23, DM.24, DM.25, DM.28, SP.1, SP.2, SP.3, SP.18, SP.20, SP.21, SP.25, SP.27, SP.33, and SP.37 of the Wyre Forest Local Plan (Adopted April 2022) Design Guidance SPD National Planning Policy Framework Planning Practice Guidance</b>
<b>Recommendation</b>	<b>APPROVAL</b>
<b>Reason for referral to Committee</b>	<b>Application site owned by District Council</b>

**1.0 Planning History**

- 1.1 WF/0499/95 - Redevelopment of 7.7 hectare site in Kidderminster Town Centre – Withdrawn 03.07.1996
- 1.2 WF/0075/00 - Listed Building Consent for works to replace slates, repaint felt, windows and downpipes, replace ground floor glass with toughened glass, repair brickwork and stonework at Brintons Main Office Building – Approved 27.03.2000
- 1.3 08/0963/FULL - Part demolition, part extension and alterations to provide 60 x 1 and 2 bed extra care residential units with 4 x A1/A3 retail units at ground floor together with ancillary care home facilities and associated parking – Approved 02.06.2010
- 1.4 14/0390/FULL - Partial demolition with reconstruction and alterations including riverside walkway and changes of use to whole premises to use classes A1/A3/A4/A5 in up to 6 units at ground floor level but including any levels above forming part of such units – Approved 01.09.2014
- 1.5 16/0339/ADVE - Installation of illuminated fascia sign and 2No. Menu box units – Approved 20.07.2016

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- 1.6 17/0140/ADVE - Display of 1no. Externally illuminated Fascia sign, 2no. Hanging signs (1 illuminated, 1 externally illuminated) and 3no. Non-illuminated signs – Approved 28.04.2017
- 1.7 25/0962/FUL - Alterations to shopfront including changes to window and door openings, installation of planters and metal and timber screen to outdoor seating area, and provision of external takeaway access hatch (retrospective) – Approved 14.04.2026

## **2.0 Consultations and Representations**

- 2.1 Kidderminster Town Council – Support.
- 2.2 Worcestershire Regulatory Services (Nuisance Assessment Team) - Given the discharge height, I will not insist on odour mitigation, as it could be easily retrofitted if needed. Therefore, I have no objection to the application in terms of odour.
- 2.3 Conservation Officer – No objection. The site lies within the Vicar Street and Exchange Street Conservation Area and adjoins a Grade II listed building. The proposal involves the replacement of existing mechanical plant at roof level, in previously approved positions, with equipment largely concealed from public view. Given the limited nature of the works, their discreet siting, and the absence of any physical impact on the adjacent listed building, the proposal would preserve the character and appearance of the conservation area and the setting of nearby heritage assets. No objections.
- 2.4 Public Consultation – No responses received.

## **3.0 Site Location and Description**

- 3.1 The application site relates to Unit 2 of the Riverside complex, which extends approximately 353 sqm. The site is currently comprised of four units, with the subject unit last occupied by Le Bistrot Pierre. Other occupants adjacent include an Indian restaurant, a café bar and a coffee shop.
- 3.2 The surrounding area is characterised by a mix of uses, including public and retail services, with Weavers Whard Shopping Centre and a bus terminal nearby. The unit adjoins a Grade II Listed Building, the former Brintons Carpet Works, and is also situated within the Vicar Street and Exchange Street conservation area. The River Stour lies a short distance to the west of the application site.
- 3.3 The application proposes the installation of a mechanical restaurant plant, for ventilation purposes. As of 31.03.2026, it is noted that works to the premises have begun – as such, the application is now deemed retrospective.

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3.4 The following supporting documents have been submitted with the application:

- Planning Statement
- Heritage Statement
- Flood Risk Assessment

3.5 The application is exempt from mandatory BNG because the proposal is below the relevant size threshold – additionally, the development does not impact a priority habitat.

#### 4.0 Officer Comments

4.1 The main considerations for this application are:

- Principle of Development
- Character and Appearance of Area
- Local Amenity/Pollution
- Historic Environment

##### PRINCIPLE OF DEVELOPMENT

4.2 The Development Plan for Wyre Forest is comprised of the Wyre Forest District Local Plan, which was adopted in April 2022. The Wyre Forest District Local Plan is complemented by a number of supplementary planning documents (SPD), these include the Planning Obligations SPD, Housing SPD, Health and Wellbeing SPD and Design, Amenity and Shopfronts SPD. In accordance with the Act, applications for planning permission are required to be determined in accordance with the development plan unless materials considerations indicate otherwise. It should also be worth noting that due to the robustness of the Local Plan, decision making on applications is firmly plan-led.

4.3 One of the key material considerations is the National Planning Policy Framework (the 'NPPF') (December 2024 version). The NPPF sets out the Government's planning policies for England and how these should be applied. It states that the purpose of the planning system is to contribute to the achievement of sustainable development (para. 7). So that sustainable development is pursued in a positive way at the heart of the NPPF is a presumption in favour of sustainable development (paras. 10-11). It states that decision makers at every level should seek to approve applications for sustainable development where possible (para. 39). It also states that the planning system should be genuinely plan-led (para. 15).

4.4 Policy SP.2 outlines that the Spatial Development Strategy and the site allocations in this Plan (as described by Policies SP.3 – SP.6) are based upon the following principles, specific to Kidderminster:

- a) Administrative centre of the District
- b) Focus of public services
- c) Focus of employment

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- 4.5 Additionally, Policy SP.3 states that Kidderminster will continue to be the strategic centre for the District and its role in providing a focus for new housing, commercial, employment, retail, office and leisure development is to be enhanced. Specifically, Development proposals which help to promote Kidderminster as the tourism 'hub' of the District will be encouraged during the plan period. This includes the provision of supporting facilities such as sports facilities, hotels, conferencing facilities and developments that improve the evening/nighttime economy and cultural offer of the town.
- 4.6 As the unit is located within Kidderminster Town Centre, the principle of development is important. Policy SP.18 sets out that, regarding town centre development:
- Support will be given to safeguarding, maintaining and enhancing the vitality and viability of the existing retail centres throughout the District.
  - New development for retail, commercial and leisure uses should be focussed on the three town centres of Kidderminster, Stourport-on-Severn and Bewdley. Main town centre uses should be located in town centres, then in edge of centre locations; and only if suitable sites are not available (or expected to become available within a reasonable period) should out of centre sites be considered.
- 4.7 The installation of a mechanical ventilation plant will not conflict with the above policy requirements and is necessary to facilitate the continued operation of the site. Additionally, the overall redevelopment will create jobs, and ensure the continued commercial use of the site, improving economic vitality in the district.

#### CHARACTER AND APPEARANCE OF AREA

- 4.8 The NPPF states good quality design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities. Decision takers should always seek high quality design, and should ensure developments:
- a) will function well and add to the overall quality of the area, not just for the short term but over the lifetime of the development.
  - b) are visually attractive as a result of good architecture, layout and appropriate and effective landscaping;
  - c) are sympathetic to local character and history, including the surrounding built environment and landscape setting, while not preventing or discouraging appropriate innovation or change (such as increased densities);
  - d) establish or maintain a strong sense of place, using the arrangement of streets, spaces, building types and materials to create attractive, welcoming and distinctive places to live, work and visit;
  - e) optimise the potential of the site to accommodate and sustain an appropriate amount and mix of development (including green and other public space) and support local facilities and transport networks; and
  - f) create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users; and where

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crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion and resilience.

- 4.9 All development within Wyre Forest District will be expected to exhibit high quality design and help to create and reinforce local distinctiveness as set out in Policies SP.20 and DM.24. The sites allocating policies require specific elements to be delivered as part of the overall development of the site.
- 4.10 The proposal would involve the installation of a replacement mechanical ventilation plant to the roof of the unit. The existing duct ventilation approved under a previous application will be retained, with six AC and catering condensers proposed as part of the new ventilation. The majority of required equipment will be installed internally, with planning consent only required for the external element. The exterior equipment will be located at the rear of the roofline, in the same location as the previously approved duct, and will remain largely shielded from public view. The replacement duct will measure approximately 1.64m in height; noted to be smaller than the duct to be replaced. As such, the current situation on-site is not deemed to be worsened by the proposals, and it would therefore be unreasonable to recommend any additional screening.
- 4.11 Your Officers consider that the proposed alterations would be of an acceptable design and scale and would be aesthetically in keeping with the character and appearance of the area. The proposed development is therefore considered to be in accordance with Policies SP.20 and DM.24 of the Wyre Forest District Local Plan and National Planning Policy Framework.

#### LOCAL AMENITY/POLLUTION

- 4.12 The NPPF requires new developments to create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users; and where crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion and resilience (paragraph 135(f)). Paragraph 126 of the National Design Guide (2019) states that 'well-designed homes and communal areas within buildings provide a good standard and quality of internal space. This includes room sizes, floor-to-ceiling heights, internal and external storage, sunlight, daylight and ventilation.'
- 4.13 The proposal is situated a significant distance from any residential dwellings. As noted by Worcestershire Regulatory Services, the discharge height of the proposed equipment will be sited at a suitable height, with minimal impacts on the surrounding pedestrian area. It is also noted that additional odour mitigation is not required but can easily be retrofitted if necessary. In light of this, it is considered that any potential future concerns raised can be satisfactorily addressed and that the proposal would not result in a detrimental impact on the wider pedestrian area.
- 4.14 Your Officers therefore consider that the development would not result in an unacceptable development in terms of noise, outlook, or levels of pollution, and would not result in a disproportionate impact to the pedestrian walkway. The proposed development is therefore considered to be in accordance with Policy DM.25 and SP.33 of the Wyre Forest District Local Plan and National Planning Policy Framework.

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## HISTORIC ENVIRONMENT

- 4.15 The development lies adjacent to the Vicar Street and Exchange Street Conservation Area. Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 states that when deciding whether to grant consent for development which affects a conservation area or its setting, Local Planning Authorities should have special regard to the desirability of preserving or enhancing the character or appearance of that area.
- 4.16 Policies SP.21 and DM.23 also encourage the preservation of the district's heritage assets (designated and non-designated) including their settings as a finite resource. Part 16 of the NPPF, which specifically relates to conserving and enhancing the historic environment advises local planning authorities to take account of:-
- a. the desirability of sustaining and enhancing the significance of heritage assets, and putting them to viable uses consistent with their conservation;
  - b. the wider social, cultural, economic and environmental benefits that conservation of the historic environment can bring;
  - c. the desirability of new development making a positive contribution to local character and distinctiveness; and
  - d. opportunities to draw on the contribution made by the historic environment to the character of a place.
- 4.17 Para 135(c) of the same document also reinforces that developments should be 'sympathetic to local character and history, including the surrounding built environment and landscape setting, while not preventing or discouraging appropriate innovation or change'.
- 4.18 The Council's Conservation Officer has been consulted for their views. No objections have been raised to the proposal, largely due to the limited nature of the works, their discreet siting, and the absence of any physical impact on the adjacent listed building. The proposal would therefore preserve the character and appearance of the conservation area and the setting of nearby heritage assets. The scheme is therefore deemed to accord with the above guidance.

## 5.0 Conclusion and Recommendations

- 5.1 Section 38(6) of the Planning and Compulsory Purchase Act 2004 indicates that determination must be in accordance with the development plan unless material considerations indicate otherwise. Paragraph 12 of the NPPF advises that the presumption in favour of sustainable development does not change the statutory status of the development plan as the starting point for decision-making. Where a planning application conflicts with an up-to-date development plan (including any neighbourhood plans that form part of the development plan), permission should not usually be granted. Local planning authorities may take decisions that depart from an up-to-date development plan, but only if material considerations in a particular case indicate that the plan should not be followed.
- 5.2 Taking all matters into account, the proposal is considered to represent an acceptable form of development that accords with the relevant policies of the Development Plan. The proposal is appropriate in this location, would not give rise to unacceptable impacts on pedestrians or pollution risk, and the concerns raised by consultees have

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been satisfactorily addressed. The development would also contribute positively to the vitality of the area and secure the beneficial use of the premises. Accordingly, the application is recommended for approval, subject to appropriate conditions.

5.3 It is therefore recommended that the application is **APPROVED** subject to:

a) The following conditions:

- 1) The materials to be used externally on the development hereby authorised shall comply with the details shown on the approved plan.
- 2) Existing mechanical ventilation to be removed prior to replacement installation.

**PART B**

<b>Application Reference:</b>	<b>25/0963/ADV</b>	<b>Date Received:</b>	<b>13.01.2026</b>
<b>Ord Sheet:</b>	<b>383111 276507</b>	<b>Expiry Date:</b>	<b>31.03.2026</b>
<b>Case Officer</b>	<b>Hayden Gillard</b>	<b>Ward:</b>	<b>Blakebrook And Habberley South</b>

**Proposal:** Advertisement consent for the display of 1No. illuminated fascia sign, 1No. illuminated projecting sign, 1No. illuminated neon sign and 1No. illuminated fixed menu board (retrospective)

**Site Address:** Unit 2, Riverside, Exchange Street, Kidderminster, Worcestershire, DY10 1BY,

**Applicant:** Nando's Chickenland Ltd

<b>Summary of Policy</b>	<b>DM.27 of the Wyre Forest Local Plan (Adopted April 2022) Design Guidance SPD National Planning Policy Framework Planning Practice Guidance</b>
<b>Recommendation</b>	<b>APPROVAL</b>
<b>Reason for referral to Committee</b>	<b>Application site owned by District Council</b>

**1.0 Planning History**

- 1.1 WF/0499/95 - Redevelopment of 7.7 hectare site in Kidderminster Town Centre – Withdrawn 03.07.1996
- 1.2 WF/0075/00 - Listed Building Consent for works to replace slates, repaint felt, windows and downpipes, replace ground floor glass with toughened glass, repair brickwork and stonework at Brintons Main Office Building – Approved 27.03.2000
- 1.3 08/0963/FULL - Part demolition, part extension and alterations to provide 60 x 1 and 2 bed extra care residential units with 4 x A1/A3 retail units at ground floor together with ancillary care home facilities and associated parking – Approved 02.06.2010
- 1.4 14/0390/FULL - Partial demolition with reconstruction and alterations including riverside walkway and changes of use to whole premises to use classes A1/A3/A4/A5 in up to 6 units at ground floor level but including any levels above forming part of such units – Approved 01.09.2014
- 1.5 16/0339/ADVE - Installation of illuminated fascia sign and 2No. Menu box units – Approved 20.07.2016

25/0963/ADV

- 1.6 17/0140/ADVE - Display of 1no. Externally illuminated Fascia sign, 2no. Hanging signs (1 illuminated, 1 externally illuminated) and 3no. Non-illuminated signs – Approved 28.04.2017
- 1.7 25/0962/FUL - Alterations to shopfront including changes to window and door openings, installation of planters and metal and timber screen to outdoor seating area, and provision of external takeaway access hatch (retrospective) – Approved 14.04.2026

## 2.0 Consultations and Representations

- 2.1 Kidderminster Town Council – No objection.
- 2.2 Highways Authority - Worcestershire County Council acting in its role as the Highway Authority has undertaken a full assessment of this planning application. Based on the appraisal of the development proposals, the Transport Planning and Development Management Team Leader on behalf of the County Council, under Article 18 of the Town and Country Planning (Development Management Procedure) (England) Order, 2015 has no objection. The justification for this decision is provided below.  
Observations. The Applicant is seeking advertising consent for the display of various illuminated signage to the frontage their site which is located on Riverside Walk which is not part of the adopted highway. It is noted that the signage will have a luminance of level of 600 cd/m<sup>2</sup> which is the maximum level of night time luminance for advertising within a town centre location (Zone E4) where there are high levels of night activity, as set out in the Institute of Lighting Professionals Guidance 2023 PLG05: The Brightness of Illuminated Advertisements including digital displays. Whilst the proposed signage is also likely to be visible from Corporation Street, it is unlikely that there would be a detrimental impact on amenity or public safety in this location, where there are several bars and eateries and therefore there is No Objection.
- 2.3 Worcestershire Regulatory Services (Nuisance Assessment Team) – No objection.
- 2.4 Conservation Officer - No objections following submission of revised scheme.
- 2.5 Public Consultation – No responses received.

## 3.0 Site Location and Description

- 3.1 The application site relates to Unit 2 of the Riverside complex, which extends approximately 353 sqm. The site is currently comprised of four units, with the subject unit last occupied by Le Bistrot Pierre. Other occupants adjacent include an Indian restaurant, a café bar and a coffee shop.
- 3.2 The surrounding area is characterised by a mix of uses, including public and retail services, with Weavers Whard Shopping Centre and a bus terminal nearby. The unit adjoins a Grade II Listed Building, the former Brintons Carpet Works, and is also

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situated within the Vicar Street and Exchange Street conservation area. The River Stour lies a short distance to the west of the application site.

3.3 The application proposes an illuminated fascia sign, projecting sign, neon sign and menu board to be displayed on the exterior of the unit. As of 31.03.2026, it is noted that works to the premises have begun – as such, the application is now deemed retrospective.

3.4 The following supporting documents have been submitted with the application:

- Planning Statement
- Heritage Statement
- Flood Risk Assessment

**4.0 Officer Comments**

4.1 The main considerations for this application are:

- Impact upon amenity
- Impact on highway safety
- Impact on historic environment

**IMPACT ON AMENITY**

4.2 The proposal seeks consent for the display of four illuminated signs, integrated on the exterior of the unit. The applicant seeks permission to display the advertisement over a period of five years.

Type of advertisement	Description	Measurements	Illumination	Luminance Level
Fascia sign	Halo illumination by Academy Signs, fixed via Perspex spacers	4.6m width, 0.9m height	Internal	Variable
Projecting sign	Halo illumination in aged bronze, attached via steel bracket	0.9m width, 0.9m height	Internal	Variable
Neon sign	LED lighting by Academy Signs	2.0m width, 2.2m height	Internal	Variable
Menu board	Aged bronze on glazing	0.45m width, 0.65m height	Internal	Variable

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- 4.3 Policy DM.27 states that advertisements must “not, individually or cumulatively detract from the appearance and character of the area in which they are displayed and/or the building on which they are displayed.” Additionally, Paragraph 141 of the NPPF sets out the requirements for assessing the impact of advertisements on amenity, stating that consideration must be given to cumulative impacts. Your officers consider that the proposal does not unduly harm the amenity of surrounding occupiers or the character and appearance of the area and is therefore in accordance with the requirements of this policy.
- 4.4 The proposed advertisement is not located in close proximity to any residential units and lies in an area characterised by commercial and retail. Additionally, only a small parcel of land will be affected by the proposal, and therefore has minimal impact on the operational space of the wider site. In terms of effect on the townscape, it is noted that there are commercial units near the site with associated signage; thus, the proposal will not harm the character of the surrounding area. Additionally, in response to officer concerns over the original size of the signage, the scheme has been reduced, with the neon and fascia signage significantly reduced in scale. The location has been carefully considered regarding public safety, and the positioning will have no adverse effect on residents and visitors to the site. Your officers therefore consider that the proposal accords with Policy DM.27 of the development Plan.

#### HIGHWAY SAFETY

- 4.5 Paragraph 116 of the NPPF advises that development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.
- 4.6 Following consultation with the Highways Authority, it is noted that the luminance levels are deemed to be acceptable against the specifications recommended by the Institute of Lighting Professionals. Conditions will be included to control the levels of luminance permitted. Thus, in accordance with policy DM.27, the advertisements will not ‘detract or confuse the users of highways, navigable waterways and railways.’

#### HISTORIC ENVIRONMENT

- 4.7 The development lies adjacent to the Vicar Street and Exchange Street Conservation Area. Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 states that when deciding whether to grant consent for development which affects a conservation area or its setting, Local Planning Authorities should have special regard to the desirability of preserving or enhancing the character or appearance of that area.
- 4.8 The Council’s Conservation Officer has been consulted for their views. In response to an initial objection regarding the size/scale of the external signage, the applicant has submitted a revised scheme, reducing the size of the neon ‘heart’ sign, fascia signage and projecting sign. Additionally, the original yellow spiral backdrop has been omitted. Following these revisions, the Conservation Officer has no further objections to the proposal. The scheme is therefore deemed to accord with the above guidance.

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## 5.0 Conclusion and Recommendations

- 5.1 Section 38(6) of the Planning and Compulsory Purchase Act 2004 indicates that determination must be in accordance with the development plan unless material considerations indicate otherwise. Paragraph 12 of the NPPF advises that the presumption in favour of sustainable development does not change the statutory status of the development plan as the starting point for decision-making. Where a planning application conflicts with an up-to-date development plan (including any neighbourhood plans that form part of the development plan), permission should not usually be granted. Local planning authorities may take decisions that depart from an up-to-date development plan, but only if material considerations in a particular case indicate that the plan should not be followed.
- 5.2 Taking all matters into account, it is considered that the proposed signage accords with the relevant policies of the Development Plan. The signage is appropriate in this location, would not give rise to unacceptable impacts on highway safety, and the concerns raised by consultees have been satisfactorily addressed. The development would also contribute positively to the vitality of the area and secure the beneficial use of the premises. Accordingly, the application is recommended for approval, subject to appropriate conditions.
- 5.3 It is therefore recommended that the application is **APPROVED** subject to:
- a. the following conditions:
    1. Advert and any supporting structure to be kept in a clean, tidy and safe condition and no display of adverts without the permission of the landowner.
    2. In the hours of darkness, the advertisement display luminance shall be no greater than 600cd/m<sup>2</sup> in accordance with the recommended maximum nighttime luminance value set out in Table 10.4 within the Institution of Lighting Professionals - Professional Lighting Guide (PLG 05) 'Brightness of Illuminated Advertisements including Digital Displays' (or its equivalent in a replacement guide) in cd/m<sup>2</sup>.
    3. In daylight hours, the advertisement display luminance shall be controlled in order to reflect ambient light conditions (to ensure it is neither too bright or too dull), and shall at all times be no greater than the recommended maximum daytime luminance values set out in Table 10.5 within the Institution of Lighting Professionals - Professional Lighting Guide (PLG 05) 'Brightness of Illuminated Advertisements including Digital Displays' (or its equivalent in a replacement guide) in cd/m<sup>2</sup>.
    4. The advertisement(s) hereby granted consent shall not be illuminated by flashing or intermittent lighting.
    5. The advertisement consent hereby granted shall expire at the end of 5 years from the date of this consent.
    6. Advertisement to be in accordance with the approved plans.

**PART B**

<b>Application Reference:</b>	<b>26/0021/LBC</b>	<b>Date Received:</b>	<b>13.01.2026</b>
<b>Ord Sheet:</b>	<b>383111 276507</b>	<b>Expiry Date:</b>	<b>31.03.2026</b>
<b>Case Officer:</b>	<b>Hayden Gillard</b>	<b>Ward:</b>	<b>Blakebrook And Habberley South</b>

**Proposal:** Listed building consent for alterations to shopfront including changes to window and door openings, installation of planters and metal and timber screen to outdoor seating area and internal alterations, installation of replacement mechanical restaurant plant, and display of 1No. illuminated fascia sign, 1No. illuminated projecting sign, 1No. illuminated neon sign and 1No. illuminated fixed menu board (retrospective)

**Site Address:** Unit 2, Riverside, Exchange Street, Kidderminster, Worcestershire, DY10 1BY,  
**Applicant:** Nando's Chickenland Ltd

<b>Summary of Policy</b>	<b>DM.23, SP.21 of the Wyre Forest District Local Plan (adopted April 2022) National Planning Policy Framework National Planning Practice Guidance</b>
<b>Recommendation</b>	<b>APPROVAL</b>
<b>Reason for referral to Committee</b>	<b>Application site owned by District Council</b>

**1.0 Planning History**

- 1.1 WF/0499/95 - Redevelopment of 7.7 hectare site in Kidderminster Town Centre – Withdrawn 03.07.1996
- 1.2 WF/0075/00 - Listed Building Consent for works to replace slates, repaint felt, windows and downpipes, replace ground floor glass with toughened glass, repair brickwork and stonework at Brintons Main Office Building – Approved 27.03.2000
- 1.3 08/0963/FULL - Part demolition, part extension and alterations to provide 60 x 1 and 2 bed extra care residential units with 4 x A1/A3 retail units at ground floor together with ancillary care home facilities and associated parking – Approved 02.06.2010
- 1.4 14/0390/FULL - Partial demolition with reconstruction and alterations including riverside walkway and changes of use to whole premises to use classes A1/A3/A4/A5 in up to 6 units at ground floor level but including any levels above forming part of such units – Approved 01.09.2014
- 1.5 16/0339/ADVE - Installation of illuminated fascia sign and 2No. Menu box units – Approved 20.07.2016

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- 1.6 17/0140/ADVE - Display of 1no. Externally illuminated Fascia sign, 2no. Hanging signs (1 illuminated, 1 externally illuminated) and 3no. Non-illuminated signs – Approved 28.04.2017
- 1.7 17/2020/CR - Conditions 6 and 10 of Planning Permission 14/0390/FULL – Approved 12.09.2017
- 1.8 25/0962/FUL - Alterations to shopfront including changes to window and door openings, installation of planters and metal and timber screen to outdoor seating area, and provision of external takeaway access hatch (retrospective) – Approved 14.04.2026

## **2.0 Consultations and Representations**

- 2.1 Kidderminster Town Council – Support.
- 2.2 Conservation Officer – No objection. The application site lies within the Vicar Street Conservation Area and affects the setting of a Grade II listed building. The proposed internal alterations and the installation of replacement mechanical plant, largely confined to previously approved locations and discreetly sited, would result in no harm to the significance of the listed building or to the character and appearance of the conservation area. The principle of shopfront alteration and external seating is also acceptable in heritage terms, subject to detailed design and materials. However, concern is raised in relation to the proposed illuminated signage, including the illuminated fascia sign, projecting sign, neon sign and illuminated menu board. The cumulative impact of multiple illuminated advertisements would introduce an excessive level of visual clutter and night-time illumination within a sensitive historic environment. This would compete with the architectural character and historic character of the conservation area. As proposed, the illuminated signage would fail to preserve the character and appearance of the conservation area and would cause harm to the setting of the adjacent listed building. The signage element of the proposal is therefore not considered to be policy compliant. No objections following submission of revised signage scheme.
- 2.3 Public Consultation – No responses received.

## **3.0 Site Location and Description**

- 3.1 The application site relates to Unit 2 of the Riverside complex, which extends approximately 353 sqm. The site is currently comprised of four units, with the subject unit last occupied by Le Bistrot Pierre. Other occupants adjacent include an Indian restaurant, a café bar and a coffee shop.
- 3.2 The surrounding area is characterised by a mix of uses, including public and retail services, with Weavers Whard Shopping Centre and a bus terminal nearby. The unit adjoins a Grade II Listed Building, the former Brintons Carpet Works, and is also situated within the Vicar Street and Exchange Street conservation area. The River Stour lies a short distance to the west of the application site.

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- 3.3 The listed building consent proposes alterations to the shopfront, including changes to the window and door openings, the installation of planters and a metal and timber screen to the outdoor seating area, and the provision of external takeaway access hatch, installation of replacement mechanical restaurant plant, and display of 1No. illuminated fascia sign, 1No. illuminated projecting sign, 1No. illuminated neon sign and 1No. illuminated fixed menu board. As of 31.03.2026, it is noted that works to the premises have begun – as such, the application is now deemed retrospective.
- 3.4 The following supporting documents have been submitted with the application:
- Planning Statement
  - Heritage Statement
  - Flood Risk Assessment
- 3.5 The application is exempt from mandatory BNG because the proposal is below the relevant size threshold – additionally, the development does not impact a priority habitat.

#### 4.0 Officer Comments

4.1 The sole consideration for this application is:

- The impact on heritage and the integrity of the nearby listed building.

#### HISTORIC ENVIRONMENT

4.2 The development is adjacent to a Grade II Listed Building, and is also adjacent to the Staffordshire and Worcestershire Canal Conservation Area. Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 states that when deciding whether to grant consent for development which affects a conservation area or its setting, Local Planning Authorities should have special regard to the desirability of preserving or enhancing the character or appearance of that area. Part 16 of the NPPF which specifically relates to conserving and enhancing the historic environment advises local planning authorities to take account of:-

- e. the desirability of sustaining and enhancing the significance of heritage assets, and putting them to viable uses consistent with their conservation;
- f. the wider social, cultural, economic and environmental benefits that conservation of the historic environment can bring;
- g. the desirability of new development making a positive contribution to local character and distinctiveness; and
- h. opportunities to draw on the contribution made by the historic environment to the character of a place.

4.3 Policy SP.21 states that development proposals should protect, conserve, and enhance all heritage assets and their settings. Their contribution to the character of the landscape/townscape should be safeguarded and protected to sustain the historic quality, sense of place, environmental quality, and economic vibrancy of Wyre Forest District.

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- 4.4 Policy DM.23 states that proposals likely to affect the significance of a heritage asset (including the contribution made by its setting or any important vistas or views) should be accompanied by a description of its significance in sufficient detail to allow the potential impacts to be adequately assessed by a qualified and/or experienced heritage professional. Development proposals should avoid harm to or loss of heritage assets wherever possible. The sympathetic and creative reuse and adaptation of historic buildings will be encouraged. Additionally, repairs, alterations, extensions and conversions of heritage assets must be sympathetically designed to respect the significance of the form, character and materials of the original heritage asset and its setting.
- 4.5 The Council's Conservation Officer has been consulted for their views. In response to an initial objection regarding the size/scale of the external signage, the applicant has submitted a revised scheme, reducing the size of the neon 'heart' sign, fascia signage and projecting sign. Additionally, the original yellow spiral backdrop has been omitted. Following these revisions, the Conservation Officer has no further objections to the proposal. It is also noted that the planning committee has previously approved the proposed signage under application 25/0962/FUL. In terms of the outdoor seating proposed, this is deemed to reflect the previous use of the site, as well as the adjacent units along the riverside. As such, the proposal will keep in character with the existing situation on-site, with the return to active use of a vacant unit ultimately welcomed. The scheme is therefore deemed to accord with the above national and local plan policies.

## 5.0 Conclusions and Recommendations

- 5.1 The proposal is considered acceptable and will not detract from the character of the area, instead contributing to the enhancement of heritage in the district. Additionally, the impact on the adjoining Grade II Listed Building is considered minimal. The proposal therefore complies in full with the requirements of policy DM.23 and SP.21 of the Wyre Forest District Local Plan.
- 5.2 It is therefore recommended that the application is **APPROVED** subject to:
- a. the following conditions:
- 1) The materials to be used externally on the development hereby authorised shall comply with the details shown on the approved plan
  - 2) The advertisement(s) hereby granted consent shall not be illuminated by flashing or intermittent lighting
  - 3) Development to be in accordance with the approved plans

**PART B**

<b>Application Reference:</b>	<b>24/0687/FUL</b>	<b>Date Received:</b>	<b>03.02.2025</b>
<b>Ord Sheet:</b>	<b>377175 274625</b>	<b>Expiry Date:</b>	<b>31.12.2025</b>
<b>Case Officer</b>	<b>Richard Jennings</b>	<b>Ward:</b>	<b>Bewdley And Rock</b>

**Proposal:** Change of use of land from agricultural to commercial self-storage facility for the stationing of 62No. containers (Use Class B8) (retrospective)

**Site Address:** Land At Os 377180 274615, Whartons Farm, Cleobury Road, Bewdley, Worcestershire, ,

**Applicant:** Ben And James Carpenter

<b>Summary of Policy</b>	SP.1, SP.2 SP.6, DM.10, DM.11, SP.37, SP.29, SP.32 SP.27, DM.9, CP10, SP.19, SP.20, SP.22, SP.23, SP.2 DM.9, DM.10, SP.17, SP.27, SP.27, SP.31, SP.32, DM.22, SP.23, SP.24, SP.20, DM.26 of the Wyre Forest District Local Plan (adopted April 2022) National Planning Policy Framework Planning Practice Guidance
<b>Recommendation</b>	<b>APPROVAL</b>
<b>Reason for referral to Committee</b>	'Major' planning application

**1.0 Planning History**

- 1.1 25/0128/CLE - 36 storage containers (Bewdley Auto Services Ltd, Unit 10 Whartons Farm): Approved 24/1/2025
- 1.2 23/0535/HOU - Installation of Electric Vehicle Charging Point (Whartons Park Farm): Approved 25/08/2025
- 1.3 23/0387/LBC - Installation of Electric Vehicle Charging Point (Whartons Park Farm): Approved 26/07/2023
- 1.4 22/0058/LBC - Renovation and restoration of main roof and smaller extension roof on north-side. (Whartons Park Farm): Approved 16/03/2022
- 1.5 21/0328/FUL - Proposed storage unit, open bays and security fencing (Whartons Park Farm): Approved 10/09/2021
- 1.6 20/0589/LBC - Proposed Shed and Greenhouse (Whartons Park Farm): Approved 04/09/2020
- 1.7 20/0545/HOU - Proposed Shed and Greenhouse (Whartons Park Farm): Approved 04/09/2020

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- 1.8 11/0260/FULL - Proposed change of use from Vehicle Storage Unit to Garage Workshop and M.O.T Testing Station (Re-submission of 10/0648/FULL) (Unit 6 & 7 Whartons Farm): Approved 28/06/2011
- 1.9 10/0648/FULL - Change existing unit from Vehicle Storage Unit to Garage Workshop and M.O.T. Testing Station (Whartons Farm): Refused 23/12/2010
- 1.10 WF/0802/92 – Change of use of buildings for storage of vintage vehicles - (Whartons Farm): Approved 15/12/1992
- 1.11 WF/0143/95 – Use of additional 1500 sq ft of floor space within existing agricultural building for storage – (Whartons Farm): Approved 21/03/1995
- 1.12 WF/0390/99 – Erection of a storage unit for agricultural purpose demolition of existing unit (Whartons Farm): Approved 22/06/1999
- 1.13 WF/0789/00 – Portable building, 2 storage containers and storage materials in connection with retail business - (Whartons Farm): Approved 17/10/2000
- 1.14 WF/0205/03 – Erection of a storage building, office unit and extension to workshop - (Whartons Farm): Approved 15/05/2003
- 1.15 WF/517/04 – Unit for the storage of vintage vehicles & screen bund - (Whartons Farm): Approved 1/07/2004

## 2.0 Consultations and Representations

- 2.1 Bewdley Town Council - No objection. Further to your recent correspondence and subsequent discussions, I write to confirm that Bewdley Town Council has now reviewed the updated information provided by statutory consultees. Having considered the matter, Members are minded to approve the application subject to mitigation conditions, and accordingly are prepared to withdraw their objection on that basis. The Council would request that the following conditions are applied to any consent granted:
  - 1. Landscaping and Screening  
Additional screening beyond the proposed bund to include native shrub and woodland planting, with full details (including species mix, densities and maintenance) to be submitted for approval and implemented accordingly.
  - 2. Hours of Operation  
Restriction of operational hours to 08:00 – 18:00 Monday to Saturday, with no Sunday or Bank Holiday use unless otherwise agreed.
  - 3. Lighting Restrictions  
No floodlighting to be installed. Any external lighting to be low-level, directional and subject to prior approval in order to protect local ecology.
  - 4. Ecology Protection  
Implementation of biodiversity enhancements in accordance with ecological recommendations.

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5. Access and Surfacing  
Completion of access road resurfacing prior to use and ongoing maintenance thereafter, in line with Highways requirements.
6. Construction Management  
Submission and approval of a Construction Management Plan to control delivery times, routing and site operations during the installation phase.

Members consider that the above conditions are necessary to mitigate the impact of the development and address the concerns previously raised.

I trust this provides the clarity required to progress determination. Should you require any further detail, please do not hesitate to contact me.

*[Officer Comment - Officers have worked closely with the Town Council over this proposal to alleviate their initial concerns. The revised comments which have been submitted whereby the Town Council accept the principle of development subject to consideration of the proposed conditions in order to make the development acceptable in planning terms, and this approach has been most helpful to your officers who agree with the imposition of all of the proposed conditions, as does the applicant, with the exception of the construction management plan which your officers consider is no longer required due to the retrospective nature of the proposal]*

- 2.2 Highway Authority – No objection subject to conditions to require containers have been laid out with adequate aisle width for short term parking and manoeuvring, as shown on the New Proposed Site Plan, drawing no. 24156.104 01; drainage area to be protected to prevent pedestrian access; pedestrian signage shown on drawing no. 2506044-01 has been installed either side of the public right of way BW 568; and existing site access on Cleobury Road has been resurfaced. The Highway Authority has previously recommended a conditional response to the retrospective application for a commercial self-storage facility at Whartons Farm comprising 62 containers and it is noted that the proposed onsite drainage arrangements have been amended. In all other respects, the application is unchanged, as set out in the Transport Statement prepared by Motion, which is the same as previously submitted. However, tracking details for a range of vehicles have been provided, as shown in Appendix D: Swept path analysis to demonstrate that, whilst tight for larger vehicles, the access and egress manoeuvres are achievable. It is noted that an aisle width of 5.739m at the pinch point is confirmed on the New Proposed Site Plan, drawing no. 24156.104 01. Whilst not labelled on plan, the drainage area must be adequately protected and fenced off, to prevent pedestrian access, as a matter of public safety. As before, the Public Right of Way footpath BW-568 runs across the site and signage is required to warn drivers of pedestrians crossing the site. Accordingly, a 544.1 road sign is proposed on either side of the PRow, as shown on drawing no. 2506044-01 to be secured by condition.
- 2.3 Worcestershire Regulatory Services (Nuisance team) – No objection.
- 2.4 Worcestershire Regulatory Services (Potential Contaminated Land team) – No objection.
- 2.5 WCC Public Rights Of Way Team – No objection. Bewdley parish footpath BW-568 crosses the primary vehicular access route to the site. The footpath is obstructed

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elsewhere on the site, but the current proposal should not create any further obstructions to the route of the Right of Way. Given the increase in traffic we would expect to see signage warning drivers of the right of way and walkers of the moving vehicles.

- 2.6 North Worcestershire Water Management – No objection, recommend conditional approval. A revised drainage assessment (CJ Emm, Dec 2025) has been submitted. The plans in this assessment now match the ones on the planning website and the number of containers now also matches (62). Given the scale of the earthworks required, the proximity to the ditch that feeds into the Snuff Mill Brook and the proposed discharge into this ditch, I would ask that the following condition gets attached to a future approval:

"No works in relation to site drainage shall take place until a method statement for the protection of the adjacent ditch from pollution during the course of construction has been submitted to and approved in writing by the local planning authority. The statement shall assess the risks from all pollution sources and pathways (including silt, cement and concrete, oils and chemicals, herbicides, aggregates, contaminated land and waste materials) and describe how these risks will be mitigated for this development. Development shall be carried out in accordance with the approved details."

I would also ask for the following informative:

"The applicant is advised to contact North Worcestershire Water Management via 01562 732191 or enquiries@nwwm.org.uk to discuss the need for a Land Drainage Consent. A Land Drainage Consent is required for all works that have the potential to alter the flow in an ordinary watercourse (including ditch), as set out in Land Drainage Act 1991 section 23 (as amended). More information can be found online on <https://www.wyreforestdc.gov.uk/community-and-environment/emergencies/land-drainage-and-flooding/consent-for-works/>."

- 2.7 Tree and Biodiversity Officer – No objection. The application is part-retrospective and as such the area of the development that has been already developed on, i.e. that which is already covered by the in-position storage containers is not part of any BNG. However, any area within the redline that is not already covered by the retrospective part of the application does fall under BNG. The application is not meeting any triggers that raise concerns related to protected species.

- 2.8 Public consultation – 1 letter of objection and 2 letters of comment received from nearby occupiers.

The grounds for objection are as follows:

- Close to adjoining properties
- Increase in traffic
- Increase of pollution
- Loss of privacy
- Potentially contaminated land

The 2 neutral comments request consideration of the following matters:

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- Volume of noise
- Type of storage
- Not aesthetically pleasing
- Security to neighbouring properties

### **3.0 Site Location and Description**

- 3.1 The site is located along the southern side of Cleobury Road, approximately 1.6 kilometres west of Bewdley town centre. The site is situated within an existing small industrial area and benefits from close proximity to the A456 for connections to the wider highway network. The proposal seeks consent to expand an existing well established, commercial site on the outskirts of Bewdley. The wider site already consist of a car repair garage and MOT shop, self-storage containers and other commercial premises.
- 3.2 The proposal seeks full planning permission for the retrospective change of use from agricultural to a commercial self-storage facility involving the siting of 62 storage containers.
- 3.3 A Transport Assessment, Drainage assessment and preliminary Ecological Assessment have been prepared by the applicant and accompany the application.

### **4.0 Officer Comments**

- 4.1 Your officers consider that the main considerations of this application are whether the proposed expansion of this existing business involving the retrospective siting of 62 additional storage containers (Use Class B8), would be acceptable in principle taking into account its location adjoining an existing commercial estate within this semi-rural locality. This will include whether there would be any detrimental impact on residential amenity, local character highway safety, ecology and drainage.

#### **PRINCIPLE OF DEVELOPMENT**

- 4.2 The National Planning Policy Framework (the Framework) sets out three objectives to achieving sustainable development: economic, social and environmental. It advises that planning decisions should play an active role in guiding development towards sustainable development, but in doing so should take local circumstances into account, to reflect the character, needs and opportunities of each area. It advises that the three objectives of sustainable development consist of:

- an economic objective – to help build a strong, responsive and competitive economy, by ensuring that sufficient land of the right types is available in the right places and at the right time to support growth, innovation and improved productivity; and by identifying and coordinating the provision of infrastructure;
- a social objective – to support strong, vibrant and healthy communities, by ensuring that a sufficient number and range of homes can be provided to meet the needs of present and future generations; and by fostering a well-designed and safe

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built environment, with accessible services and open spaces that reflect current and future needs and support communities' health, social and cultural well-being; and

- an environmental objective – to contribute to protecting and enhancing our natural, built and historic environment; including making effective use of land, helping to improve biodiversity, using natural resources prudently, minimising waste and pollution, and mitigating and adapting to climate change, including moving to a low carbon economy.

- 4.3 At the heart of the Framework is a presumption in favour of sustainable development, which for the purposes of decision making means “approving development proposals that accord with an up to date development plan without delay”.
- 4.4 The Framework states that significant weight should be placed on the need to support economic growth and productivity, taking into account both local business needs and wider opportunities for development. It also seeks to support sustainable growth within the rural economy. It should be noted that the revised draft NPPF places even greater significance on economic growth and proposes to raise the bar from ‘significant’ to ‘substantial’ when specifically considering the expansion or adaptation of existing businesses.
- 4.5 Economic development within rural areas, outside of the traditional town centres also features heavily within the revised draft, especially where the requirements of that business are suited to a rural or semi rural location, as is the case here, where a sizeable land area is required for the proposed operation.
- 4.6 The Framework also states that the presumption in favour of sustainable development does not change the statutory status of the development plan as the starting point for decision making.
- 4.7 The application site is located within the countryside, and outside of any defined settlement boundary as shown by the adopted Policies Map and is not allocated for employment land.
- 4.8 Policy SP.17 of the Local Plan states that proposals for economic development outside of the allocated areas will be assessed on their individual merits. The proposal would utilise a redundant part of the farm and support expansion of the existing enterprise in line with Policy DM.10 which states that support will be given for the sustainable growth and development of agricultural and other rural businesses that are in conformity with other policies in the plan so long as the proposal is in character with its surroundings and does not prejudice any existing agricultural undertaking. The land in question is of low quality and physically separated from the wider agricultural land by a wide tree belt and is therefore considered to be unusable and unviable for modern agricultural practice and therefore the proposal complies with the requirements of policy DM.32.
- 4.9 Due to the very nature of the business it is considered that there are no alternative employment sites that could provide the scale of outside storage space that the use

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requires within the allocated areas of the district. This would also lead to a segmentation of the existing business operations which are currently consolidated within the wider site.

- 4.10 The aforementioned policies are fully reflective of the Government's Guidance within the Framework.

#### IMPACT ON LANDSCAPE CHARACTER

- 4.11 In terms of impact on the semi-rural landscape of the locality, the proposed containers do not exceed the height of existing buildings and structures on the wider site. Conditions are proposed to ensure a comprehensive landscape scheme is submitted and implemented to minimise and short or long reaching views of the site, along with a restrictive condition to ensure the containers are single height only with no stacking and that there is no outside storage.

#### IMPACT ON RESIDENTIAL AMENITY

- 4.12 In terms of the impact on residential amenity, there are no residential properties immediately adjoining the site and separation distances to the nearest residential boundaries are considerable. No objection has been raised by Worcestershire Regulatory Services in terms of the potential for noise and disturbance due to the nature of the use and the separation distances which exist. The existing residential properties lie in closer proximity to the existing lawful business uses on site than the storage area which is the subject of this application.
- 4.13 Overall your officers are satisfied that there would be no adverse impact on residential amenity in terms of loss of outlook and privacy, due to the extensive landscaping which will be secured by condition, adequate separation distances and conditional restrictions on working practices.
- 4.14 Conditions to ensure residential amenity is fully protected are listed as part of the recommended conditions and will more than adequately protect residential amenity including a restriction on hours of operation. On that basis your officers consider that there are now no grounds on which to defend an appeal if permission were to be refused on the grounds of the proposals impact on neighbouring residential amenity.

#### HIGHWAY SAFETY

- 4.15 It is acknowledged that concerns have been raised by local residents regarding the Highway safety implications of the development. The submitted Transport Statement has fully assessed the impact of the development in terms of access, visibility, frequency and recorded issues.
- 4.16 The Transport Statement confirms that the traffic generation from the development is low and once sited, there is minimal HGV traffic going forward as the containers will remain permanently in situ. There is ample parking and manoeuvring area within the site, and the access to the site will benefit from good visibility. The number of vehicles movements and the times of deliveries can be fully controlled by conditions. The existing site access shall be closed off prior to the first use of the newly proposed access arrangements.

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- 4.17 The Transport Statement has been fully verified by the Highway Authority who concur with its conclusions. It is considered that no deterioration in highway safety will result as part of the proposed use. Your officers therefore consider that Highway safety, access and parking provision are not a justified reason for refusal, and will be adequately dealt with by way of planning conditions. There would therefore be no grounds on which to defend an appeal against a refusal of planning permission on Highway grounds.
- 4.18 Public Right of Way (PRoW) BW-568 currently runs across the site. The proposed development will not impact on the operation of this PRoW however, as part of consultation comments, WCC have requested that signage is provided warning drivers of pedestrians crossing the site. It is proposed that this is provided on either side of the PRoW to warn drivers of pedestrians utilising the PRoW and a condition is proposed accordingly. Your officers are therefore satisfied that the development complies with paragraph 105 of the Framework which advises that planning decisions should protect and enhance public rights of way and access, including taking opportunities to provide better facilities for users.

#### POTENTIAL CONTAMINATION LAND

- 4.19 Worcestershire Regulatory Services (WRS) have raised no objection to the application as the site has little potential for contamination due to its historical agricultural use. Your officers concur with this view and consider that contamination risk is very low.

#### DRAINAGE AND FLOOD RISK

- 4.20 The application is accompanied by a surface water drainage strategy (CJ Emm, Dec 2025) that fully details a scheme to attenuate water in a basin on the site and discharge it to the adjacent watercourse. The design discharge rate is 2.0l/s for all events up to the 1 in 100 year event plus 20% climate change allowance. This is roughly 50% of what would discharge from the site pre-development during the 1 in 100 year event, when no attenuation was provided. The proposed design is therefore fully in line with the National Standards for SuDS and compliant with the relevant policies contained within the development plan.

#### ECOLOGY AND BIODIVERSITY

- 4.21 The application is accompanied by a concise Preliminary Ecological Assessment which has fully evaluated the ecological potential of the site. It is concluded that there are no ecological restraints and the Council's Tree and Biodiversity Officer concurs with the findings of the report. Your officers concur with this view and consider that the development would not give rise to any harm to protected species and due to the application being retrospective is exempt from the mandatory 10% BNG requirement. The development does include additional tree planting which would enhance the ecological value of the site in accordance with Policy SP.23 of the Local Plan.

## 5.0 Conclusions and Recommendations

- 5.1 The application has been carefully considered in terms of comments received from local representations and consultees, and following the submission of additional information it is now considered that the development constitutes an appropriate land

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use of what is in the main, a previously developed site already. The additional landscaping to improve and strengthen screening, ensures there is little landscape impact and minimal harm has been identified in terms of residential amenity, local character and the surrounding environment with the introduction of suggested mitigation measures. No objection has been raised by the Highways Authority in relation to highway safety, access network capacity.

- 5.2 The Town Councils suggested conditions are considered wholly reasonable and relevant and are therefore included within the officer recommendation with the exception of the Construction Management Plan.
- 5.3 Your officers have carefully balanced all relevant material considerations and conclude that there are economic, environmental and social benefits associated with the proposed development, which would outweigh any minimal harm which has been identified. Your officers consider that there are sufficient reasons to recommend approval of the application, and refusal of planning permission would be extremely difficult to defend at appeal, giving significant weight to the professional opinions of the statutory consultees, none of whom would have any grounds on which to assist the Local Planning Authority in the defence of an appeal. The proposal provides an appropriate, viable use which results in minimal harm in this rural, yet developed site, adjoining existing commercial development, ensuring that the existing business is retained whilst promoting and retaining much needed jobs within the Wyre Forest District.
- 5.4 It is therefore recommended that the application is **APPROVED** subject to:
- a. the following conditions:
1. Maximum storage height of containers restricted to single height only.
  2. Landscaping scheme to be submitted, agreed, implemented.
  3. Landscape and Environment Management Plan (LEMP)
  4. No external lighting unless details are submitted to and approved in writing by the LPA
  5. No external boundary treatment unless details are submitted to and approved in writing by the LPA
  6. Restriction of operational hours to 08:00 – 18:00 Monday to Saturday, with no Sunday or Bank Holiday use
  7. Submission of a method statement for the protection of the adjacent ditch from pollution during construction
  8. Development hereby approved shall not be brought into use until the containers have been laid out with adequate aisle width for short term parking and manoeuvring, as shown on the New Proposed Site Plan, drawing no. 24156.104 01
  9. The Development hereby approved shall not be brought into use until the drainage area has been adequately protected to prevent pedestrian access.
  10. The Development hereby approved shall not be brought into use until the pedestrian signage shown on drawing no. 2506044-01 has been installed either side of the public right of way BW 568.
  11. The Development hereby approved shall not be brought into use until the existing site access onto Cleobury Road has been resurfaced with details to be submitted to and approved in writing by the Local Planning Authority.

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12. Construction Management Plan
13. Completion of access road resurfacing prior to use and ongoing maintenance thereafter, in line with Highways requirements
14. Development to be in accordance with approved Plans
15. Removal of all containers and the land to be restored to its former condition if the use hereby permitted ceases.
16. The use hereby permitted shall be strictly limited to self-storage only within Use Class B8.