



IMPORTANT - This communication affects your property

APPLICATION NO. 07/1105/EIA

To:
 G L Hearn
 20 Soho Square
 LONDON
 W1D 3QW

On behalf of:
 Santon Group Developments
 Ltd/Tesco Stores Ltd
 c/o Agent

OUTLINE PLANNING PERMISSION

Town and Country Planning Act 1990
 Town and Country Planning (General Development Procedure) Order 1995
 Town and Country Planning (Environmental Impact Assessment) (England and Wales)
 Regulations 1999

In pursuance of its powers under the above mentioned Act and Order, and having regard to the Development Plan, the WYRE FOREST DISTRICT COUNCIL, as Local Planning Authority, hereby **PERMITS** in **OUTLINE** the:-

**Outline Application: Construction of a new Class A1 supermarket with associated means of access, customer car park, petrol filling station, new road & bridge, footbridge, landscaping, highways & other works
 FORMER CARPETS OF WORTH SITE, SEVERN ROAD, STOURPORT-ON-SEVERN.**

in accordance with the application received by the Council on 31 October 2007 and as subsequently amended subject to the following condition(s):-

- (1) The development hereby permitted shall be begun either before the expiration of three years from the date of this permission, or before the expiration of two years from the date of approval of the last of the reserved matters to be approved, whichever is the later.

Reason

This condition is required to be imposed by Section 51 of the Planning and Compulsory Purchase Act 2004.

DATED

19 MAY 2008

(Signed) 
 Authorised Signatory

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(2) The approval of the Local Planning Authority shall be obtained in writing with respect to the plans and particulars of the following reserved matters (hereinafter called "the reserved matters") before any development is commenced:

- Layout, including layout of roads, (with the exception of the foodstore building itself, the siting of which is hereby approved in accordance with plan. No 6046-P07 Rev. J

- Scale
- Appearance
- Landscaping

Reason

The application is an outline application under the provisions of Article 1(2) of the Town and Country Planning (General Development Procedure) Order 1995 and no particulars have been submitted with respect to the matters reserved in this permission.

(3) Application for approval of the reserved matters shall be made to the Local Planning Authority before the expiration of three years from the date of this permission.

Reason

This condition is required to be imposed by Section 51 of the Planning Compulsory Purchase Act 2004.

(4) The development hereby approved shall be carried out strictly in accordance with the following plans/drawings:

- 6046-P07-J dated 22nd February 2008
- 6046-P10C dated 22nd February 2008

stamped "Approved" unless other minor variations are agreed in writing after the date of this permission and before implementation with the Local Planning Authority.

Reason

In the interests of clarity and in order to define the permission.

(5) The reserved matters application/s shall follow the principles for the development of the site as established by the submitted details which accompanied the outline application, albeit that those details are entirely for illustrative purposes only.

Reason

In the interests of clarity.

AUTHORISED SIGNATORY

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(6) The foodstore hereby approved shall not exceed the following floor space allocations (maxima):

Gross external- up to 4209 sq. metres measured externally
Nett retail sales- up to 2919 sq. metres

unless otherwise agreed in writing with the Local Planning Authority.


Reason

In the interest of clarity, in order to define the permission and to ensure that it accords with Policies RT.1 and RT.4 of the Adopted Wyre Forest District Local Plan.

(7) No development shall commence until a detailed Restoration and Mitigation Plan for the restoration and enhancement of the River Stour Corridor (west bank) within the application site has been submitted to and approved by the Local Planning Authority in writing. That Plan shall follow the principles established by the submitted Biodiversity Statement (Munro & Whitten February 2008), including detailed measures for the removal of the existing sheet piling and the re-grading of the river bank; a detailed Environmental Protection Scheme, the contents of which shall be agreed in writing beforehand with the Local Planning Authority, to provide a timetable for these works and details of measures to avoid disturbance and the impact of these works on the River Stour itself. Unless otherwise agreed in writing with the Local Planning Authority, the development shall not be occupied until the approved Plan has been implemented and completed in accordance with the agreed timetable.

Reason

To ensure that there is no unreasonable impact upon the character and amenities of the area, that the natural assets of the site provided by the River Stour are safeguarded and enhanced and that it accords with Policies D.1, STC.2 (iv), NC.2, NC. 3, NC.4, NC.5, NC.6 and NC.7 of the Adopted Wyre Forest District Local Plan.



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(8) No development shall commence until a detailed Landscape and Biodiversity Plan, to improve and enhance the biodiversity of the site, has been submitted to and approved by the Local Planning Authority in writing. That scheme shall follow the principles established by the submitted Biodiversity Statement (Munro & Whitten February 2008), including landscaping and planting details; proposals for the provision of nest tunnels and holts, nest and roosting boxes throughout the site; proposals for the control and management of litter/debris arising from the operation of the store and for the identification and prevention of invasive plant species; proposals for the ongoing management and maintenance of the corridor, to ensure its long term contribution towards biodiversity enhancement once the enhancement measures have been implemented in accordance with the approved Plan; and a detailed proposal for the implementation and completion of the Plan. The Plan shall also include details of the road and pedestrian bridges across the River Stour to demonstrate how their design addresses biodiversity requirements (including the need to provide access along the river corridor for wildlife). Unless otherwise agreed in writing with the Local Planning Authority or in accordance with the agreed scheme for the implementation of the Plan, the development shall not be occupied until any physical works required by the approved Plan have been implemented and completed.

Reason

To ensure that the biodiversity potential and the natural assets of the site provided by the River Stour are safeguarded and enhanced and that the proposal accords with Policies D.1, STC.2 (iv), NC.2, NC. 3, NC.4, NC.5, NC.6 and NC.7 of the Adopted Wyre Forest District Local Plan.

(9) No development shall commence until a Lighting Strategy for the illumination of the site and building/s has been submitted to and approved in writing by the Local Planning Authority. That Strategy shall pay specific regard to the need to reduce the impact of illumination on the occupiers of residential properties in the vicinity of the site, and upon the river corridor which is a sensitive wildlife corridor and ecological resource. The development shall not be brought into use until a detailed scheme for the lighting of the site and building/s, which shall accord with the principles established by the agreed Lighting Strategy, and also ensuring that any lighting sited on any building or within the car park shall be directed away from the public highway to ensure that no such light source shall be visible from outside the application site, has been submitted to and approved by the Local Planning Authority, and has been implemented and completed in accordance with the approved details.

Reason

To ensure that the natural assets of the site provided by the River Stour are safeguarded and enhanced and that it accords with Policies STC.2 (iv), NC.2, NC.3, NC.4, and NC.5 of the Adopted Wyre Forest District Local Plan.

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(10) The development hereby approved shall not be opened for trade until such time as an entrance to the foodstore from the Mitton Street/Severn Road junction as been provided in accordance with the Reserved Matters pursuant to Condition 2 and made available for public use.

Reason

To ensure that there is full and appropriate pedestrian access to the development from the town centre.

(11) No development shall commence until samples of types and colours of all external materials, including hard surfacing, have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.

Reason

To ensure that the external appearance of the development is satisfactory and that it accords with Policies D.1, D.3, D.5, D.9, D.10, D.11, D.15, D.17 and D.18 of the Adopted Wyre Forest District Local Plan.

(12) No development shall commence until details of all walls, fences and other means of enclosure have been submitted to and approved in writing by the Local Planning Authority. The approved details shall be completed prior to the occupation of any of the buildings on the site.

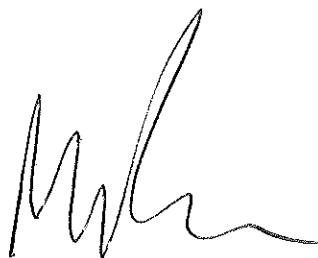
Reason

To provide adequate privacy and an acceptable external appearance, and to ensure that it accords with Policies D.1, D.3, D.5, D.10, D.11, D.15, D.17 and D.18 of the Adopted Wyre Forest District Local Plan.

(13) No development shall commence on the site until a scheme has been submitted to and approved in writing by the Local Planning Authority showing a suitably screened area which makes provision within the site for storage, prior to disposal, of refuse, crates, packing cases and other waste materials. The area shall be laid out in accordance with the approved details prior to first occupation of the development hereby approved and thereafter retained. There shall be no storage of refuse crates packing cases and other waste materials in areas of the site other than that approved.

Reason

In the interests of amenity and to ensure that no obstruction is caused on the adjoining highway. To ensure that the development accords with Policies D.1, D.18 and TR.9 of the Adopted Wyre Forest District Local Plan.



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(14) Notwithstanding any indication of proposed levels on the approved plans or indicative drawings or sketches, which shall be taken to be for indicative purposes only, no development shall commence until details of the existing and proposed levels across the site and relative to adjoining land, together with the finished floor levels of the proposed building(s), car parks and roads have been submitted and approved in writing by the Local Planning Authority. There shall be no variation in these levels without the written approval of the Local Planning Authority

Reason

In order to ensure the satisfactory appearance of the development and its relationship to adjoining properties, and that it accords with Policies D.1, D.3, D.5, D.15, D.17 and D.18 of the Adopted Wyre Forest District Local Plan.

(15) No development shall commence until full details of both hard and soft landscape proposals have been submitted to and approved by the Local Planning Authority and these works shall be carried out as approved.

Hard landscaping details shall include:

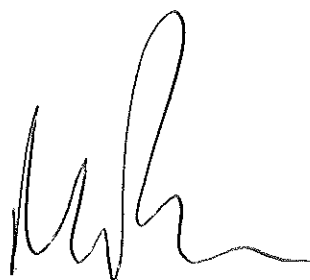
- Car parking layouts
- Other vehicle and pedestrian access and circulation areas
- Hard surfacing materials, including off site highway works/pedestrian crossings etc.
- Minor artefacts and structures (e.g. furniture, play equipment, refuse or other storage units, signs, lighting)
- Proposed and existing functional services above and below ground (e.g. drainage, power, communications cables, pipelines, etc. indicating lines, manholes, supports, etc.)

Soft landscape details shall accord with the principles established on the approved layout plan no. 6046-P07-J and shall include:

- Planting plans
- Written specifications (including cultivation and other operations associated with plant and grass establishment)
- Schedules of plants, noting species, planting sizes and proposed numbers/densities where appropriate
- Implementation timetables

Reason

To ensure the provision of amenity afforded by appropriate landscape design, in accordance with Policies D.3, D.4, D.5, D.9, D.10, D.11, D.13, D.15 and D.16 of the Adopted Wyre Forest District Local Plan.



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(16) The plans and particulars submitted in accordance with Condition 15 above shall include:

- a) a plan showing the location of, and allocating a reference number to, each existing tree on the site which has a stem with a diameter, measured over the bark at a point 1.5 metres above ground level exceeding 75mm, showing which trees are to be retained and the crown spread of each retained tree;
- b) details of the species, diameter (measured in accordance with paragraph (a) above), and the approximate height, and an assessment of the general state of health and stability, of each retained tree and of each tree which is on land adjacent to the site and to which paragraphs (c) and (d) below apply;
- c) details of any proposed topping or lopping of any retained tree, or of any tree on land adjacent to the site;
- d) details of any proposed alterations in existing ground levels, and of the position of any proposed excavation within the crown spread of any retained tree or of any tree on land adjacent to the site
- e) details of the specification and position of fencing [and of any other measures to be taken] for the protection of any retained tree from damage before or during the course of development.

In this condition "retained tree" means an existing tree which is to be retained in accordance with the plan referred to in paragraph (a) above.

Reason

In order to identify the location, type, size and health of trees on and adjacent to the development site, and that it accords with Policies D.3, D.4, D.11 and NC.6 of the Adopted Wyre Forest District Local Plan.

(17) All hard and soft landscape works shall be carried out in accordance with the approved details and to a standard in accordance with the relevant recommendations of British Standard [4428 : 1989]. The works shall be carried out prior to the occupation of any part of the development or in accordance with the timetable agreed with the Local Planning Authority. Any trees or plants that, within a period of five years after planting, are removed, die or become seriously damaged or defective, shall be replaced with others of species, size and number as originally approved, by the end of the first available planting season thereafter.

Reason

To ensure the provision, establishment and maintenance of a reasonable standard of landscape in accordance with the approved designs, and in accordance with Policies D.3, D.4, D.5, D.9, D.10, D.11, D.13, D.15 and D.16 of the Adopted Wyre Forest District Local Plan.

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(18) In this condition "retained tree" means an existing tree which is to be retained in accordance with the approved plans and particulars; and paragraphs (a) and (b) below shall have effect until the expiration of 5 years from the date of the occupation of the building for its permitted use .

- a) No retained tree shall be cut down, uprooted or destroyed, nor shall any retained tree be topped or lopped other than in accordance with the approved plans and particulars, without the written approval of the local planning authority. Any topping or lopping approved shall be carried out in accordance with British Standard [3998 (Tree Work).
- b) If any retained tree is removed uprooted or destroyed or dies, another tree shall be planted at the same place and that tree shall be of such size and species, and shall be planted at such time, as may be specified in writing by the Local Planning Authority.
- c) The erection of fencing for the protection of any retained tree shall be undertaken in accordance with the approved plans and particulars before any equipment, machinery or materials are brought on to the site for the purposes of the development, and shall be maintained until all equipment, machinery and surplus materials have been removed from the site. Nothing shall be stored or placed in any area fenced in accordance with this condition and the ground levels within those areas shall not be altered, nor shall any excavation be made, without the written consent of the Local Planning Authority.

Reason

To ensure the retention of identified trees in accordance with Policies D.3, D.4, D.11 and NC.6 of the Adopted Wyre Forest District Local Plan.

(19) Unless approved in writing by the Local Planning Authority no ground clearance or construction work shall commence until a chestnut pale or similar form of protective fencing, to BS 5837 : 2005 at least 1.25 metres high securely mounted on timber posts firmly driven into the ground has been erected around each tree/tree group or hedge to be preserved on the site or on immediately adjoining land, and no further work shall be carried out on the site until the written approval of the Local Planning Authority has been issued confirming that the protective fencing is erected in accordance with this condition. The fencing shall be located at least 1.00 metre beyond the line described by the furthest extent of the canopy of each tree/tree group or hedge. Within the areas so fenced, the existing ground level shall be neither raised nor lowered, all excavations shall then be carried out by hand. Roots with a diameter of more than 25 millimetres shall be left unsevered. There shall be no construction work, development or development-related activity of any description, including the deposit of spoil or the storage of materials within the fenced areas. The protective fencing shall thereafter be maintained during the period of construction.

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19 MAY 2010


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Reason

To prevent trees or hedgerows on site from being damaged during building works, in accordance with Policies D.3, D.4, D.11 and NC.6 of the Adopted Wyre Forest District Local Plan.

(20) No development shall commence until a Remediation Strategy for dealing with the risks associated with the contamination of the application site has been submitted to and approved in writing by the Local Planning Authority. Such scheme shall cover the following:

1. a preliminary risk assessment which has identified all previous uses, potential contaminants associated with those uses, a conceptual model of the site including sources, pathways and receptors, and potentially unacceptable risks arising from contamination at the site
2. a site investigation scheme, based on 1. above, to provide information for a detailed assessment of the risk to all receptors which may be affected, including those off site
3. the site investigation results and the detailed risk assessment 2. and, based on these, an options appraisal and remediation strategy giving full details of the remediation measures and site remediation criteria required and how they are to be undertaken
4. a verification plan providing details of the data that will be collected in order to demonstrate that the works set out in 3. are complete and identifying any requirements for longer term monitoring of pollutant linkages, maintenance and arrangements for contingency action.

The scheme shall be implemented as approved and be completed before the store is first opened to the public.

Reason

To prevent pollution of the water environment in accordance with Policy NR.2 of the Adopted Wyre Forest District Local Plan.

(21) Unless otherwise agreed in writing with the Local Planning Authority, prior to commencement of the building of the store or the petrol filling station, a Verification Report demonstrating completion of the works set out in the approved Remediation Strategy pursuant to Condition 20 and the effectiveness of the remediation shall be submitted to and approved by the Local Planning Authority in writing. The Report shall include results of sampling and monitoring carried out in accordance with the approved verification plan to demonstrate that the site remediation criteria as set out in the site remediation strategy have been met. It shall also include a plan (a 'long term monitoring and maintenance plan') for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action, as identified in the verification plan, and for reporting of this to the Local Planning Authority.

Reason

To prevent pollution of the water environment in accordance with Policy NR.2 of the Adopted Wyre Forest District Local Plan.

DATED

19 MAY 2012


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(22) Reports on monitoring, maintenance and any contingency action carried out in accordance with the long term monitoring and maintenance plan referred to in Condition 21 shall be submitted to the Local Planning Authority in accordance with a timetable to be incorporated within that Plan, unless otherwise agreed in writing with the Local Planning Authority. On completion of the monitoring programme a final report demonstrating that all long-term site remediation criteria have been met and documenting the decision to cease monitoring shall be submitted to and approved by the Local Planning Authority in writing.

Reason

To prevent pollution of the water environment in accordance with Policy NR.2 of the Adopted Wyre Forest District Local Plan.

(23) If, during development, contamination not previously identified, is found to be present at the site then (unless otherwise agreed in writing with the Local Planning Authority) no further development shall be carried out until an amendment to the approved Remediation Strategy, which shall detail how this contamination shall be dealt with, has been submitted to and approved by the Local Planning Authority in writing.

Reason

To prevent pollution of the water environment in accordance with Policy NR.2 of the Adopted Wyre Forest District Local Plan.

(24) No infiltration of surface water drainage into the ground shall be permitted other than with the written consent of the Local Planning Authority.

Reason

To prevent pollution of the water environment in accordance with Policy NR.2 of the Adopted Wyre Forest District Local Plan.

(25) Piling or any other foundation designs using penetrative methods shall not be permitted unless in accordance with details which shall first be submitted to and agreed in writing by the Local Planning Authority. In such circumstances the development shall be implemented and completed in accordance with those approved details.

Reason

To prevent pollution of the water environment in accordance with Policy NR.2 of the Adopted Wyre Forest District Local Plan.

(26) No development shall commence until surface water and foul water drainage details, which shall include a scheme for the provision and implementation of surface water run-off limitation and sustainable drainage principles and an assessment of the hydrological and hydrogeological context of the development, have been submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be completed before the development is first occupied.

Reason

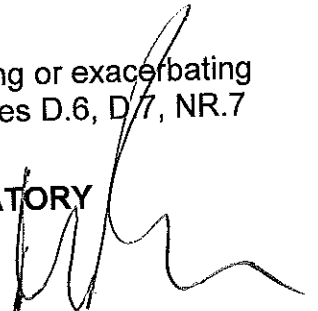
To ensure satisfactory drainage of the site, to reduce the risk of creating or exacerbating flooding, and to minimise the risk of pollution in accordance with Policies D.6, D.7, NR.7 and NR.9 of the Adopted Wyre Forest District Local Plan.

DATED

19 MAY 2001

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(27) No development shall commence until a scheme for the enclosure of any noise emitting plant and machinery with sound-proofing material, including details of any sound-insulating enclosure, mounting to reduce vibration and transmission of structural borne sound, and ventilation or extract system, has been submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be completed prior to the first occupation of the building and shall thereafter be retained.

Reason

To protect the amenities of occupiers of nearby properties from excessive noise, in accordance with Policy NR.11 of the Adopted Wyre Forest District Local Plan.

(28) No development shall commence until a scheme for protecting the existing dwellings which front the site (in Severn Road/Stour Lane and Mitton Street) from noise and vibration from the site during the construction works has been submitted to and approved in writing by the Local Planning Authority; all measures which form part of the scheme shall be strictly adhered to throughout the period of construction.

Reason

To safeguard the amenity of neighbouring properties by reducing the noise levels emitted from the site, in accordance with Policy NR.11 of the Adopted Wyre Forest District Local Plan.

(29) Before any bakery, kitchen, food preparation or cooking area is brought into use, details of an odour neutralising plant shall be submitted to and approved in writing by the Local Planning Authority; the approved equipment shall be installed and be in full working order prior to the commencement of the use hereby permitted. No baking, cooking or food preparation shall be carried out on the site save during such times as the approved equipment is operational and effective to suppress the emission of fumes or smells to the level of the approved scheme.

Reason

To protect the amenities of occupiers of adjoining properties, in accordance with Policy NR.10 of the Adopted Wyre Forest District Local Plan.

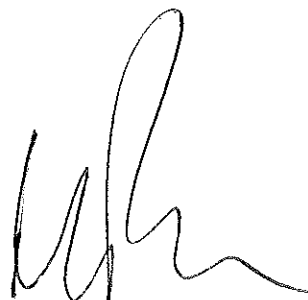
(30) No development shall commence until details have been submitted to and approved in writing by the Local Planning Authority for the suppression of dust from the site during construction; all agreed details shall be implemented throughout the course of the development.

Reason

To protect the amenities of adjoining land users, in accordance with Policy NR.10 of the Adopted Wyre Forest District Local Plan.

DATED

19 MAY 2008



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(31) No development or any excavation works shall commence until a written scheme of investigation has been submitted to and approved in writing by the Local Planning Authority identifying a programme of archaeological work including details of all works and a timetable for such works. Such scheme of investigation submitted for approval must have been prepared by an archaeologist approved by the Local Planning Authority. The programme shall indicate the degree of supervision by an archaeologist approved by the Local Planning Authority that is proposed for the archaeological work and no development or any excavation works shall take place until the programme has been completed.

Reason

The site is known to be in an area of archaeological importance and to ensure the development accords with Policy AR.3 of the Adopted Wyre Forest District Local Plan

(32) The developer shall afford access to the application site at all reasonable times during construction of the building(s) hereby permitted to the County Archaeologist or an archaeologist nominated by the Local Planning Authority and shall allow him/her to observe the excavation and record items of interest and finds.

Reason

To ensure that items of archaeological interest are recorded, and that the development accords with Policies AR.3 and AR.4 of the Adopted Wyre Forest District Local Plan.

(33) No development shall commence until a scheme indicating the provision to be made for ambulant disabled people to gain access to and within the development shall be submitted to and approved in writing by the Local Planning Authority. The agreed scheme shall be implemented before the development hereby permitted is brought into use.

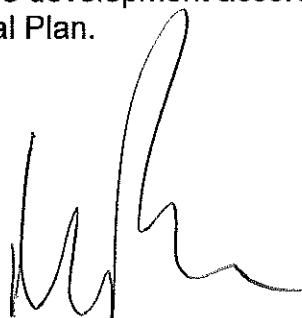
Reason

To ensure adequate facilities for the disabled. To ensure that the development accords with Policies D.1 and D.19 of the Adopted Wyre Forest District Local Plan.

(34) No development shall commence until visibility splays have been provided at the junction of the new site access road with Severn Road, from a point 0.6m above ground level at the centre of the access to the application site and 4.5m back from the near side edge of the adjoining carriageway (measured perpendicularly), for a distance of 70m in each direction along the nearside edge of the adjoining carriageway. Nothing shall be planted/erected and/or allowed to grow on the triangular area of land so formed which would obstruct the referenced visibility splay.

Reason

In the interests of highway safety and to ensure that the development accords with Policies TR.9 and D.9 of the Adopted Wyre Forest District Local Plan.



DATED

19 MAY 2008

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(35) The development hereby permitted shall not be brought into use until:

1. the site access, turning areas and all parking facilities
2. areas for the manouevring, parking, loading and unloading of vehicles

have been laid out, consolidated, surfaced and drained in accordance with the details to be approved under the reserved matters application.

Reason

In the interests of highway safety and to ensure that the development accords with Policy TR.17 of the Adopted Wyre Forest District Local Plan.

(36) No development shall commence until engineering design and specification details, including any retaining structures to existing or proposed highways, of the following:

- Lichfield Street improvements
- Mitton Street/Severn Road junction
- Mitton Street
- Mitton Street/Vale Road/Lion Hill junction

have been submitted to and approved in writing by the Local Planning Authority, and the development shall not be occupied until the works have been constructed and completed in accordance with the approved details.

Reason

To ensure the safe and free flow of traffic and pedestrians in the highway and to ensure the environmental acceptability of the highway works in accordance with Policy TR.10 of the Adopted Wyre Forest District Local Plan.

(37) No development shall commence until details of the location and engineering specification of highway drains have been submitted to and approved in writing by the Local Planning Authority, and the development shall not be occupied until the scheme has been constructed in accordance with the approved drawings.

Reason

To ensure an adequate and acceptable means of access is available before the development is occupied.

(38) No development shall commence until wheel cleaning apparatus has been provided on site in accordance with details to be submitted to and approved in writing by the Local Planning Authority, and which shall be operated and maintained during the construction of the development hereby approved.

Reason

To ensure that the wheels of vehicles are cleaned before leaving the site in the interests of Highway Safety in accordance with Policy TR.9 of the Adopted Wyre Forest District Local Plan.

DATED

19 MAY 2009


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(39) There shall be no deliveries to or despatched from the site outside the hours of 06.00 and 23.00 hours

Reason

To minimise noise disturbance to neighbouring residents and to ensure that the development accords with Policies H.8, D.1, D.18, NR.10, NR.11 and NR.12 of the Adopted Wyre Forest District Local Plan.

(40) Neither the foodstore nor the petrol filling station hereby permitted shall be open to customers or any other persons not employed within the business operating from the site outside the following times:

08.00 to 20.00 hours on Mondays to Thursdays, and 08.00 to 21.00 hours on Fridays and Saturdays.

Reason

In the interests of public safety and amenity and to ensure that the development accords with Policies E.10, D.1 and D.18 of the Adopted Wyre Forest District Local Plan.

(41) No part of the petrol filling station shall be used for the sale, display, repair, servicing or washing of vehicles.

Reason

To protect the visual amenity of the area, and to ensure that the development accords with Policy D.1 of the Adopted Wyre Forest District Local Plan.

(42) No development shall commence until a detailed Floodplain Compensation Scheme has been submitted to and approved in writing by the Local Planning Authority. Such Scheme shall follow the principles set out in the Flood Risk Assessment by Peter Brett Associates dated November 2006, which accompanies this planning application. The approved Scheme shall be implemented concurrently with the approved development and unless otherwise agreed in writing with the Local Planning Authority, the development hereby approved shall not be brought into use until the Scheme has been completed in accordance with the approved details.

Reason

To mitigate for lost floodplain storage resulting from the development, in accordance with Policy NR5 of the Adopted Wyre Forest District Local Plan.

(43) No development shall commence until details of parking for site operatives and visitors during construction works has been provided to and agreed in writing by Local Planning Authority. Such parking shall remain available for this purpose throughout the period of construction of the foodstore, petrol filling station and associated works.

Reason

To prevent indiscriminate parking on the public highway in the interests of highway safety.

DATED

19 MAY 2000


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NOTES

(A) This approval should be read in conjunction with the obligation entered into under Section 106 of the Town and Country Planning Act 1990 (as amended) which accompanies it.

(B) Developers are advised that it is an offence to undertake development which will have a detrimental impact on species or habitats protected under European and/or British Law. The Applicant is advised to contact Natural England, Worcestershire Team, Bronsil House, Eastnor, Ledbury, Herefordshire HR8 1EP

(C) There are public sewers which cross the site. No buildings shall be erected or trees planted within 2.5m of a 150SWS, 225 FWS or 225 FRS, & 5.0m of a 375FWS either side of these sewers. The Applicant may wish to apply to Severn Trent Water to divert these sewers in accordance with section 185 of the Water Industry Act 1991.

(D) The developers' attention is drawn to the formal comments of the Environment Agency which are enclosed herewith. The Agency also advises that any works affecting the watercourse may need their prior Discharge Consent.

(E) The car park should be designed in accordance with Park Mark Safer Parking Scheme (the comments and recommendations of West Mercia Constabulary's Crime Risk Manager are attached for information).

(F) The attention of the Applicant is drawn to the need to keep the highway free from any mud or other deleterious material emanating from the application site or any works pertaining thereto.

(G) This permission does not authorise the laying of private apparatus within the confines of the public highway

The applicant should apply to the Worcestershire County Council's Network Control Manager, County Hall, Spetchley Road, Worcester WR5 2NP (telephone 0845 607 2005), for consent under the New Roads and Streetworks Act 1991 to install private apparatus within the confines of the public highway. Precise details of all works within the public highway must be agreed on site with the Highway Authority.

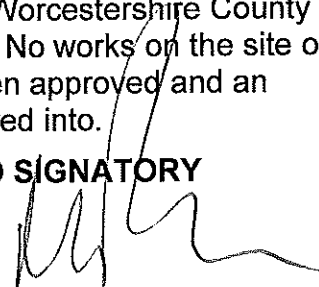
(H) No work on the site should be commenced until engineering details of the improvements to the Public Highway have been submitted to and approved by the Highway Authority and an agreement under Section 278 of the Highways Act 1980 entered into.

(I) If it is the Developer's intention to request the County Council, as Highway Authority, to adopt the proposed roadworks as maintainable at the public expense, then details of the layout and alignment, widths and levels of the proposed roadworks, which should comply with any plans approved under this planning consent unless otherwise agreed in writing, together with all necessary drainage arrangements and run off calculations shall be submitted to the County Council's Network Control Manager, Worcestershire County Council, County Hall, Spetchley Road, Worcester, WR5 2NP. No works on the site of the development shall be commenced until these details have been approved and an Agreement under Section 38 of the Highways Act, 1980, entered into.

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(J) It is not known if the proposed roadworks can be satisfactorily drained to an adequate outfall. Unless adequate storm water disposal arrangements can be provided, the County Council, as Highway Authority, will be unable to adopt the proposed roadworks as public highways.

The Applicant is, therefore, advised to submit the Engineering details referred to in this conditional approval to the County Council's County Network Control Manager, Worcestershire County Council, County Hall, Spetchley Road, Worcester, WR5 2NP at an early date to enable surface water disposal arrangements to be assessed.

(K) The Applicant's attention is drawn to the need to ensure that the provision of the visibility splay(s) required by this consent is safeguarded in any sale of the application site or part(s) thereof.

(L) This permission does not authorise the resiting of any street lighting columns or illuminated road traffic sign(s) affected by the proposed development. The Applicant should contact the Network Control Manager, Worcestershire County Council, County Hall, Spetchley Road, Worcester WR5 2NP for the necessary approval. Precise details of all works within the public highway must be agreed with the Highway Authority.

(M) There is increasing concern over the problem of 'sky-glow' caused by artificial lighting in towns and cities. Astronomical observations have been severely affected in recent years and there is a growing lobby to curtail lighting which emits light above the horizontal. Highway Authorities pay due regard to this problem when specifying new highway lighting and recommend that all proposals for exterior lighting should also comply with this requirement.

(N) This permission does not authorise the resiting of any street lighting columns or illuminated road traffic signs affected by the approved development. The Applicant should contact the Network Control Manager, Worcestershire County Council, County Hall, Spetchley Road, Worcester WR5 2NP for the necessary approval. Precise details of all works within the public highway must be agreed with the Highway Authority.

(O) The attention of the Applicant is drawn to Section 175 A(3) of the Highways Act 1980 within which the Highway Authority shall have regard to the needs of disabled persons when considering the desirability of providing ramps at appropriate places between carriageways and footways.



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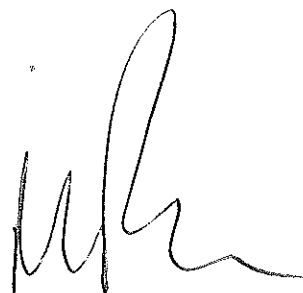
(P) The attention of the Applicant is drawing to Section 59 of the Highways Act 1980 which allows the Highway Authority to recover additional costs of road maintenance due to damage by extraordinary traffic.

The Highway Authority recommends that before any work is commenced upon the development hereby approved representatives of Worcestershire County Council, as the Highway Authority and the Applicant, shall carry out a joint road survey/inspection on the roads leading to this site. Any highlighted defects should be rectified to the specification and satisfaction of the Highway Authority before work is commenced on the development hereby approved. A further joint survey/inspection should be undertaken following completion of development hereby approved and any necessary remedial works should be completed to the specification and satisfaction of the Highway Authority within an agreed timescale.

(Q) Any work involving the removal or disturbance of ground or structures supporting or abutting the publicly maintained highway should be carried out in accordance with details to be submitted to and approved in writing by the Highway Authority.

(R) The applicant is advised to contact the under-mentioned Authorities in order to discuss the matters relevant to this application:-

- a) Environment Agency, Hafren House, Welshpool Road, Shelton, Shrewsbury SY3 8BB – For the attention of Justin Burnett
- b) Severn Trent Water Ltd., Network Development, Regis Road Tettenhall, Wolverhampton WV6 8RU- For the attention of Derek Lord
- c) Natural England, Block B, Government Buildings, Whittington Road, Worcester WR5 2LQ
- d) Access Officer, Wyre Forest District Council, Planning, Health and Environment Division, Duke House, Clensmore Street, Kidderminster, Worcs. DY10 2JX - For the attention of Chris Luckham
- e) West Mercia Constabulary, Police Station, Habberley Road, Kidderminster Worcs. – For the attention of PC Ian White, Crime Risk Manager



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SUMMARY REASONS FOR APPROVAL

The Council has received objections to this application which, in summary, broadly cover the following issues: retail need and impact on the retail function of the town centre/impact on highway safety and traffic conditions in the vicinity of the site and the town centre/ impact on the character of the town/impact on the residential amenities of occupiers of dwellinghouses in the vicinity of the site and the town/environmental considerations (including noise/air quality/pollution/impact on the River Stour floodplain).

However, having considered the Environmental Information, the submitted objections, and all other material planning issues, the Council considers that the proposed development accords with regional planning objectives and both the general and site specific policies of the Adopted Wyre Forest District Local Plan.

Following a Retail Impact Assessment carried out by Consultants acting on behalf of the Council, and analysis of the applicants' and objectors' submissions in this respect, it is considered that there is a need for the proposed development in Stourport, there is no sequentially preferable site for a foodstore, there are improved and adequate links provided to the town centre and it is not considered that the proposed development would harm the viability and vitality of Stourport on Severn town centre. The proposed development would also have the benefit of attracting trade which presently leaks to other centres, including Kidderminster, which will reduce distances travelled by car.

In consultation with the Highway Authority a package of highway improvements is proposed (which are secured through the imposition of conditions and the completion of a s106 planning obligation), including a new road link between Severn Road and Discovery Road, and the proposal would not give rise to a situation which is detrimental to highway safety.

By virtue of the proposed siting of the store, and having regard to the illustrative details provided which depict the intended design approach towards the layout, scale, massing and appearance of the development, the proposal would be appropriate in its physical context, and would not be harmful to the character or appearance of the streetscene, the adjacent Conservation Area/s, or the setting of adjacent Listed and locally-listed buildings.

Having regard to the approved siting of the foodstore, the indicative design approach and site layout, and accompanying information, the Council does not consider that it would have an unacceptable impact on the residential amenities of the occupiers of any nearby dwellings.

Following consultation with the appropriate authorities, the Council considers that the proposal takes due account of biodiversity issues, and represents a biological enhancement of the River Stour (an improved wildlife corridor is provided, and the interests of protected species are adequately addressed), and the Council is satisfied that, (including having regard to the safeguards delivered by conditions and the s106 planning obligation) there are no objections in terms of other environmental issues, including air quality, noise, site contamination and flood risk.

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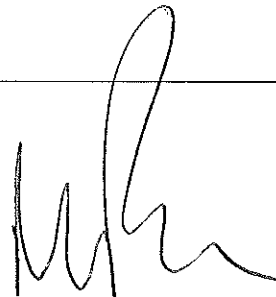
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For these reasons the proposal is considered to be in accordance with the following policies of the Adopted Wyre Forest District Local Plan (2004):

D.1 (Design Quality)
 D.3 (Local Distinctiveness)
 D.6 (Safeguarding of Resources by Design)
 D.7 (Sustainable Drainage)
 D.8 (Designing for Materials Recycling)
 D.9 (Design for Movement)
 D.10 (Boundary Treatment)
 D.11 (Design of Landscaping Schemes)
 D.12 (Public Art)
 D.14 (Street Furniture)
 D.15 (Car Park Design)
 D.16 (Designing for Community Safety)
 D.19 (Designing for Adaptability)
 LA.1 (Landscape Character)
 LA.4 (The Stour Valley)
 LA.6 (Landscape Features)
 LB.1 (Development Affecting a Listed Building)
 LB.5 (New Development Affecting the Setting of Listed Buildings)
 CA.1 (Development in Conservation Areas)
 LR.1 (Parks, Public Open Spaces and Other Open Space Areas)
 NR.2 (Contaminated Land)
 NR.5 (Floodplains)
 NR.6 (Development adjacent to Watercourses)
 NR.7 (Groundwater Resources)
 NR.10 (Air Quality)
 NR.11 (Noise Pollution)
 NR.12 (Light Pollution)
 NC.2 (Areas of Regional, County or Local Importance)
 NC.3 (Wildlife Corridors and Stepping Stones)
 NC.4 (Protected Species)
 NC.5 (Biodiversity)
 NC.6 (Landscaping Schemes)
 NC.7 (Ecological Surveys and Mitigation Plans)
 NC.8 (Public Access)
 TR.6 (Cycling Infrastructure)
 TR.7 (Provision for Pedestrians)
 TR.8 (Highway Network)
 TR.9 (Impacts of Development on the Highway Network)
 TR.10 (Environmental Impact of Highway Works)
 TR.15 (Proposed Stourport Relief Road)
 TR.17 (Car Parking Standards and Provision)
 TR.18 (Transport Assessment of New Development)
 TR.19 (Implementation of Travel Plans)
 RT.1 (Sequential Approach)
 RT.5 (Retail Parks and Major Stores)
 RT.9 (Petrol Filling Stations)
 STC.2 (Carpets of Worth (Severn Road Phase Two))
 IMP.1 (Planning (Section 106) Obligations)



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19 MAY 2008

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