

WYRE FOREST DISTRICT COUNCIL

PLANNING COMMITTEE

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

9TH FEBRUARY 2010 (6 PM)

Present:

Councillors: S J Williams (Chairman), S J M Clee, P B Harrison, M J Hart, M B Kelly, H J Martin, F M Oborski, J W Parish, M Price, M A Salter, K J Stokes and G C Yarranton.

Observer: Councillor G H Eeles.

PL.84 Apologies for Absence

Apologies for absence were received from Councillors:
D R Godwin (Vice-Chairman), C D Nicholls and M J Shellie.

PL.85 Appointment of Substitutes

Councillor S J M Clee was appointed as a substitute for Councillor D R Godwin.
Councillor M B Kelly was appointed as a substitute for Councillor C D Nicholls.
Councillor K J Stokes was appointed as a substitute for Councillor M J Shellie.

PL.86 Declaration of Interests

All Standing Members of the Committee except Councillor J W Parish declared that they had received an email relating to application 09/0601/FULL.
Councillors M B Kelly and G C Yarranton declared a prejudicial interest in application numbers 09/0601/FULL and 09/0850/FULL as they are Members of the Board of The Community Housing Group
Councillor F M Oborski declared regarding application numbers 09/0860/FULL and 09/0688/FULL as she had received communications regarding both applications but she came to the meeting with an open mind.
Councillors M Price and P B Harrison declared regarding 09/0601/FULL they had received some phone calls regarding the application but they had not expressed any opinion and came to the meeting with an open mind.

PL.87 Minutes

Decision: The minutes of the meeting held on 12th January 2010 be confirmed as a correct record and signed by the Chairman.

PL.88 Applications to be Determined

The Committee considered those applications for determination (now incorporated in Development Control Schedule No.470 attached).

Decision: The applications now submitted be determined, in accordance with the decisions set out in Development Control Schedule No. 470 attached, subject to incorporation of any further conditions or reasons (or variations) thought to be necessary to give full effect to the Authority's wishes about any particular application.

PL.89 List of Pending Applications

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

Decision: The schedule be noted.

PL.90 Planning and Related Appeals

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

Decision: The details be noted.

PL.91 Monthly Progress Report on performance Against NI157 (BV109) Targets for Determining Planning Applications

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

Decision: The report be noted.

PL.92 Land off Beaulieu Close, Kidderminster, Tree Preservation Order Number 339

A report was considered from the Director of Planning and Regulatory Services that asked the Committee to determine whether Tree Preservation Order No. 339 relating to woodland on Land Off Beaulieu Close, Kidderminster, should be confirmed or not.

Decision: That Tree Preservation order 339 relating to Land off Beaulieu Close, Kidderminster, be confirmed without modification.

PL.93 Land off Puxton Lane, Kidderminster, Tree Preservation Order No. 335

A report was considered from the Director of Planning and Regulatory Services that asked the Committee to determine whether Tree preservation order No. 335 should be confirmed or not.

Decision: That the Tree Preservation Order dated 20th October 2009 relating to land off Puxton Lane, Kidderminster, be confirmed as this area of woodland contributes to the amenity of the locality and is considered worthy of protection.

PL.94 Section 106 Obligation Monitoring

A report was considered from the Development Manager which listed the most current Section 106 obligations that required monitoring.

Decision: The report be noted.

PL.95 Exclusion of the Press and Public

Decision: 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 2 of Part 1 of Schedule 12A to the Act.

PL.96 Planning Enforcement

09/0255/ENF

The Committee considered a planning enforcement case relating to a detached property in Kidderminster where planning permission had been granted for a detached dwelling to be built in the grounds to the rear of the property.

A verbal complaint had been received following which enforcement officers visited the site.

Officers found that insufficient space had been left to create the necessary tandem parking spaces which would also provide the disabled access to the rear of the building. In addition, drainage pipes had been diverted without the formal authority of the utility company.

Officers also noted that there were discrepancies in respect of the size of the dwelling and its position on the site. Consequently it was discovered that the dwelling was marginally larger than that shown on the approved drawings.

Members were advised that at present the dwelling was not occupied and was in an unfinished state. If the building were to be occupied without the necessary works being undertaken it would be possible for a Breach of Condition Notice to be served.

Members were informed that the breaches of planning control could be regularised through the Non-Material Amendments procedure.

Agenda Item No. 4

Decision: The Director of Legal and Corporate Services receive delegated powers to serve or withhold a Breach of Condition Notice in respect of conditions 7 and 11 if occupation takes place and the outstanding issues of drainage, parking and footway provision have not been met.

The meeting ended at 7.40 pm.