

WYRE FOREST DISTRICT COUNCILPLANNING COMMITTEEThursday 20th May 2010– Schedule 473 Development Control

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

PART A**Application Reference:** 10/0064/OUTL**Site Address:** LAND AT PUXTON LANE, PUXTON LANE, KIDDERMINSTER, DY115DF**REFUSED** for the following reasons:

1. The site lies within an established Floodplain. Insufficient information has been submitted to adequately characterise the site and to demonstrate that the development is appropriate in this location in respect of flood risk and does not take account of the level 2 Strategic Flood Risk Assessment (SFRA). In addition the information submitted is considered to be inadequate to demonstrate that the impacts and mitigation required as a result of the proposed development are understood and can be appropriately addressed. Inadequate demonstration has been proven by the Applicant that this is a sequentially preferable site and that no other sites within flood zone 1 are suitable, particularly given the sites allocation within the SFRA. To approve the application would be contrary to Policy NR.5 of the Adopted Wyre Forest District Council Local Plan and Government Advice in PPS25.
2. The site lies adjacent to the Puxton Marshes SSSI. Insufficient information has been submitted to demonstrate that protected species will not be adversely affected by the proposal or that significant harm will not ensue to nationally designated area. In addition insufficient detail has been submitted to show mitigation for loss or enhancement of biodiversity within the site and the surrounding area. To approve the application would in light of these issues be contrary to Policies NC.1, NC.5 and NC.7 of the Adopted Wyre Forest District Local Plan and Government Advice in PPS9.
3. The proposed means of access to be Office Development as proposed is via Puxton Lane, a narrow roadway, and a Public Right of Way (which is not adopted highway and outside the Applicants ownership). It is considered that the proposed highway access and the surrounding highway network, particularly Puxton Lane is inadequate to accommodate the traffic associated with the development and as such vehicular and pedestrian safety will be compromised. Whilst the proposed alterations to the highway have been taken into account it is considered that the works proposed to this substandard access route are insufficient to provide the required standard and are outside the applicants' control, as such the proposal does not provide an attractive route to provide sustainable transport measures. To approve the application under these circumstances would be in direct conflict with Policies TR.9 and LR.8 of the Adopted Wyre Forest District Local Plan and Government Advice in PPG13.

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| <p>4. The site lies outside an area allocated for employment use and is considered to be out of centre. The development of this out of centre site which is unallocated would undermine the Council's strategy for locating office development within town centre areas or within identified areas. The sequential approach adopted by the Applicants does not adequately demonstrate why the proposed site is preferable and others have been disregarded having taken into account all relevant aspects. The proposal if approved would be in conflict with Policies E.2 and E.10 of the Adopted Wyre Forest District Local Plan.</p> |
| <p>5. The trees on the site are protected by the Land off Puxton Lane, Kidderminster Woodland Tree Preservation Order (No.335). Although the application is submitted in outline, it is considered that the proposed 3,500 square metres of office development could not realistically be accommodated without resulting in the removal of a number of trees that provide significant visual amenity to the surrounding area especially when viewed in conjunction with other woodland areas. The loss of these trees would reduce the visual amenity of the area and be in conflict with Policy D.4 of the Adopted Wyre Forest District Local Plan.</p> |

18:25 Councillors J Baker and A T Hingley left the meeting after consideration of the application above.

<p>Application Reference: 10/0129/FULL</p>
<p>Site Address: THE BARN, AUSTCLIFFE ROAD, COOKLEY, KIDDERMINSTER, DY103UP</p>
<p>APPROVED, subject to the following conditions:</p> <ol style="list-style-type: none">1. A6 (Full with no reserved matters)2. A11 (Approved plans)3. Existing manège to be returned to grassed paddock within one month of completion of proposed menage.4. No commercial use of new menage5. No floodlighting of new menage <p><u>Reason for Approval</u> The proposal is considered to be appropriate development in the Green Belt on the basis that the proposed menage is sited and designed in such a way that the openness and visual amenity of the Green Belt would not be harmed. The development has also been assessed in terms of neighbour amenity given the proximity of existing adjacent residential development, and subject to the imposition of relevant conditions is considered acceptable. Accordingly, the provisions of policies GB.1, GB.2, GB.3, GB.6, D.1, D.3, D.5, CA.6, TR.9, TR17, EQ.3 (AWFDLP), SD.2, D.39, RST.1 (WCSP) have been satisfied.</p>

18:37 Councillor D R Godwin left the meeting during consideration of the application below.

Application Reference: 10/0147/FULL
Site Address: GROVE FARM, DRY MILL LANE, DOWLES, BEWDLEY, DY122LQ
REFUSED for the following reason: <p>Dry Mill Lane is a narrow, two-way road with minimal verge or passing space and no pedestrian footway or other form of refuge. The proposed development would result in an increase in vehicular movements along Dry Mill Lane, with insufficient provision made to ensure that adequate visibility is provided for vehicles exiting the site onto Dry Mill Lane. The proposed development is therefore considered to be detrimental to pedestrian and highway safety, contrary to Policies TR.7, TR.9 and RB.1 (v) of the Adopted Wyre Forest District Local Plan.</p> <p>Recommended: To refer the matter back to the Enforcement Section for further investigation.</p>

19:00 Councillor D R Godwin re-entered the meeting following consideration of the application above.

Application Reference: 10/0071/FULL
Site Address: LICHFIELD BASIN, STOURPORT-ON-SEVERN, DY139HB
APPROVED subject to the following conditions: <ol style="list-style-type: none"> 1. A6 (Full with no reserved matters) 2. A11 (Approved plans) 3. B1 (Samples of materials) 4. G1 – (Details of windows and doors) (Plots 13-19) 5. H13 (Highway) 6. Boundary treatment 7. Landscaping 8. Obscure glazing 9. Notwithstanding the details shown on the approved plans, no works to the approved car parking layout (to provide 10 spaces) shall be commenced until details (including a cross section) of the boundary treatment to No. 18 Lichfield Street have been submitted to and approved in writing by the Local Planning Authority. The agreed boundary treatment shall be implemented in accordance with the agreed details prior to the first use of the car park and retained at all times thereafter.
<u>Reason</u> <p>To ensure sufficient privacy is maintained (particularly in respect to the intrusion from car headlights) to the adjacent residential occupiers in accordance with Policy D.1 of the Adopted Wyre Forest District Local Plan.</p>

Reason for Approval

The proposed amendments are considered be acceptable and will not result in harm to the character of the conservation or the Listed Structures in the area and will not prejudice the design quality of the development as a whole. The application has been considered in the context of the previous approval and in my opinion no serious adverse impact on neighbouring properties will arise. Accordingly the proposed development is considered to comply with policies H.1, H.2, H.4, H.5, H.10, D.1, D.3, D.9, D.10, D.11, D.13, D.14, D.15, D.16, NR.2, NR.5, NR.7, NR.10, NR.1, LB.5, CA.1, TR.6, TR.7, TR.9, TR.10, TR.17, TR.18 and STC.1 of the Adopted Wyre Forest District Local Plan. Policies SD.2, CTC.19, CTC.20 and T.4 of the Worcestershire County Structure Plan, Policies RR.3, CF.4, CF.5, QE.1, QE.2, QE.3 and QE.5 of the West Midlands Regional Spatial Strategy, the Severn Road Development Brief, the Wyre Forest District Council Design Quality Supplementary Planning Guidance and PPS.1, PPS.3 and PPS.5.

19:19 Councillor G W Ballinger left the meeting during consideration of the application above.

19:35 Councillor J Holden left the meeting following consideration of the application above.

Application Reference: 10/0125/FULL

Site Address: NEW MANOR PUBLIC HOUSE, 76 MINSTER ROAD, STOURPORT-ON-SEVERN, DY138AP

Delegated APPROVAL be given subject to:

- i. no objections to the revised plans submitted with respect to parking provision and no objections regarding the submitted bat survey;
 - ii. the signing of a **Section 106 Agreement** with contributions towards education provision and off site open space, and
 - iii. the following conditions:
 - 1. A6 (Full with no reserved matters)
 - 2. A11 (Approved plans)
 - 3. B1 (Samples/details of materials)
 - 4. B11 (Details of enclosure)
 - 5. B13 (Levels details)
 - 6. C2 (Retention of existing trees)
 - 7. C3 (Tree protection during construction)
 - 8. C6 (Landscaping – small scheme)
 - 9. C8 (Landscape implementation)
 - 10. C9 (Hedge protection)
 - 11. E2 (Foul and surface water)
 - 12. H13 (Access, turning and parking)
 - 13. H27 (Parking of site operatives)
 - 14. Details of cycle storage
 - 15. Demolition works not to affect nesting birds
 - 16. Provision for bats boxes to be made on site
- Note

SN2 (Section 106 Agreement)

Reason for Approval

The proposed use of the land for housing accords with Policy whilst the proposed design of the dwellings, the impact upon trees, ecology and highway safety is considered satisfactory. The impact upon neighbours has also been carefully assessed and it is considered that there would not be any significant harm. For these reasons the proposed scheme is considered to conform with Policies H.2, H.5, H.10, D.1, D.3, D.4, D.7, D.9, D.10, D.11, D.13, D.15, NR.8, NR.9, NR.11, NR.12, CY.2, LB.1, LR.2, IMP.1 and CY.4 of the Adopted Wyre forest District Local Plan and Policies SD.2, SD.3, D.5 and T.1 and IMP.1 of the Worcestershire County Structure Plan, Policies CF.2, CF.3, of the West Midlands Regional Spatial Strategy, the Wyre Forest District Council's Design Quality Supplementary Planning Guidance and Planning Obligations Supplementary Planning Document and PPS.1, PPS.3 and PPG.13.

Should the Section 106 not be signed before 11 June 2010 then delegated authority to REFUSE the application for the following reason:

- 1) The applicant has failed to secure a contribution towards education provision and off site open space in accordance with the Supplementary Planning Document – Planning Obligations (2007). Without this agreement it is considered that the proposed development fails to accord with Policies CY.4 and LR.2 of the Adopted Wyre Forest District Local Plan together with the aims of the Supplementary Planning Document – Planning Obligations (2007).

Application Reference: 10/0135/FULL

Site Reference: STOURPORT CARAVAN PARK, REDSTONE LANE, STOURPORT-ON-SEVERN, DY130HZ

APPROVED subject to the following conditions:

1. The caravans sited within the red line on the approved plans shall not be occupied at any time during 7th January to 7th February inclusive, with the exception of the Manager's Caravan highlighted blue, during which the park shall be closed except for access for maintenance requirements or park owners and staff.

Reason:

To preclude the use of the site as permanent residential accommodation and to comply with Policies H.9, TM.6, NC.5 and NR.5 of the Adopted Wyre Forest District Local Plan as the site lies outside an allocated area and within an area liable for flooding and the Redstone Local Nature Reserve (The Bogs) Special Wildlife Site

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

Reason

To preclude the use of the site as permanent residential accommodation and to comply with Policies H.9, TM.6, NC.5 and NR.5 of the Adopted Wyre Forest District Local Plan as the site lies outside an allocated area and within an area liable for flooding and the Redstone Local Nature Reserve (The Bogs) Special Wildlife Site.

Reason for Approval

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

Application Reference: 10/0149/FULL

Site Address: CAPTAINS, BROMSGROVE ROAD, STONE, KIDDERMINSTER, DY104AJ

APPROVED subject to the following conditions:

1. A6 (Full with no reserved matters)
2. A11 (Approved plans)
3. B3 (Matching materials)
4. Western boundary hedgerow retention

Note

Public footpath

Reason for Approval

The proposal is considered to be appropriate development in the Green Belt because the size, scale and design of the extension are proportionate and visually sympathetic to the form, size and architectural characteristics of the original, partly extended building. Neither the openness/visual amenity of the Green Belt, nor the amenity/privacy of the neighbouring properties would be seriously harmed by the proposal. For these reasons the proposal is considered to be in accordance with policies GB.1, GB.2, GB.6, D.1, D.3, D.4, D.5, D.6, D.7, D.10, D.11, D.17, LA.6, NR.9, LR.8, TR.9 (AWFDLP), SD.2, D.39 (WCSP) of the Adopted Wyre Forest District Local Plan.

Application Reference: 10/0162/TREE

Site Address: 29 ANTON CLOSE, BEWDLEY, DY121HX

APPROVED subject to the following conditions:

1. TPO1 - Non-standard Condition '2 year restriction of Consent Notice'.
2. C17 - TPO Schedule of Works
3. C16 - Replacement Tree <the first planting season> <*Prunus sargentii*> <14 to 16> <As close to the original as possible>.

Schedule of Works

Only the following works shall take place:

Fell one Horse Chestnut (*Aesculus hippocastanum*)

Application Reference: 10/0174/TREE
Site Address: 14 THRELFALL DRIVE, BEWDLEY, DY121HU
APPROVED subject to the following conditions: <ul style="list-style-type: none"> 1. TPO1 – (Non-standard Condition ‘2 year restriction of Consent Notice’). 2. C17 – (TPO Schedule of Works) 3. C16 – (Replacement Tree) <the first planting season> <Sorbus torminalis> <12 to 14> <As close to the original as possible>. <p><u>Schedule of Works</u> Only the following works shall take place:</p> <p>Fell one Horse Chestnut (Aesculus hippocastanum).</p>

Application Reference: 10/0180/FULL
Site Address: CHURCHILL & BLAKEDOWN SPORTS FIELD, BIRMINGHAM ROAD, BLAKEDOWN, KIDDERMINSTER, DY103JN
Delegated authority to APPROVE subject to a satisfactory bat survey being received, and the following conditions: <ul style="list-style-type: none"> 1. A6 (Full with no reserved matters) 2. A11 (Approved plans) 3. The building to be used primarily in association with existing sporting activities on the adjoining pitches 4. Phasing of development to ensure that the tennis club building is demolished after completion of pavilion 5. Materials to comply with details described and colours of cladding to be agreed 6. Sustainable drainage condition 7. Any bat related mitigation measures <p><u>Reason for Approval</u></p> <p>This application has been carefully considered in terms of Green Belt Policy. The factors which exist in terms of the need for improved consolidated facilities to serve the existing sports fields and tennis courts together with the ability for the pavilion to be used by the adjacent school is considered to outweigh any harm arising to the Green Belt in terms of inappropriateness and visual harm and are thus judged to amount to very special circumstances. The application has also been considered with regards to design, visual amenity, the effect on neighbouring property, ecology and traffic related matters. Accordingly the proposal is considered to comply with Policies D.1, D.3, D.5, D.9, D.10, D.11, D.19, NR.3, GB.1, GB.2, GB.6, TR.9, TR.17, LR.9, LR.10 and LR.1 of the Adopted Wyre Forest District Local Plan; and policies CTC.6, D.39 of the Worcestershire County Structure Plan and Policies PA.10, QE.3, and QE.6 of the West Midlands Regional Spatial Strategy and PPS.1, PPG.2, PPS.7 and PPG.17..</p>

Application Reference: 10/9005/NMA
Site Address: LAND ADJACENT TO MINSTER ROAD AND, FIRS INDUSTRIAL ESTATE, KIDDERMINSTER, DY117QN

APPROVAL be given to the amendments and that they can be considered as non-material amendments to planning permission granted by virtue of application 09/0097/REGS3. The conditions imposed at the time of the original approval will still apply.