

WYRE FOREST DISTRICT COUNCILPLANNING COMMITTEE

Tuesday 8<sup>th</sup> February 2011– Schedule 482 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.

<b>PART A</b>
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Councillors H E Dyke and G C Yarranton left the meeting during consideration of the below application.

<b>Application Reference:</b> 10/0633/FULL
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<b>Site Address:</b> PUXTON DRIVE, KIDDERMINSTER, DY11 5DR
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<b>Delegated APPROVAL</b> subject to:
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| <ul style="list-style-type: none"> <li>i. The signing of a <b>Section 106 Agreement</b> to secure the following matters:           <ul style="list-style-type: none"> <li>a. 25 Affordable Housing Units</li> <li>b. £38,224 towards educational facilities</li> <li>c. £20,000 towards bus shelters</li> </ul> </li> <br/> <li>ii. the submission of satisfactory ecological surveys and a no objection response from Natural England to the submission, and</li> <br/> <li>iii. submission of satisfactory details of boundary treatment adjacent to the SSSI including details of planting and maintenance plus relevant cross sections, and</li> <br/> <li>iv. the following conditions:           <ul style="list-style-type: none"> <li>1. A6 (Full with no reserved matters)</li> <li>2. A11 (Approved plans)</li> <li>3. B1 (Samples/details of materials)</li> <li>4. B11 (Details of enclosure)</li> <li>5. C2 (Retention of existing trees)</li> <li>6. C7 (Implementation of Landscape Management Strategy)</li> <li>7. C8 (Landscape implementation)</li> <li>8. C12 (Details of earthworks)</li> <li>9. J1 (Removal of permitted development – residential)</li> <li>10. Drainage</li> <li>11. Environment Agency</li> <li>12. Driveway construction</li> <li>13. Access, turning and parking</li> <li>14. Highway improvements / offsite works</li> <li>15. Wheel washing</li> <li>16. Parking for site operatives</li> <li>17. Travel Plan</li> <li>18. Lighting scheme</li> <li>19. Bat roosts</li> </ul> </li> </ul> |
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20. Further survey if commencement not within 12 months

Notes

- A SN2 (Section 106 Agreement)
- B SN3 (Protection of species)
- C Mud on highway
- D Section 278 Agreement
- E Section 38 Agreement Details
- F Drainage Details for Section 38
- G No drainage to discharge to highway
- H Design of Street Lighting for Section 278
- I Works adjoining highway
- J Direction sign
- K Long Term Management of SSSI
- L Natural England - Run-Off
- M Contact British Waterways

iv) submission of satisfactory details of boundary treatment adjacent to the SSSI including details of planting and maintenance plus relevant cross sections

Reason for Approval

The proposed development is considered to be acceptable in respect of design, layout and density providing affordable housing at an appropriate level. The proposed traffic generation can be accommodated on the exiting road network without compromising highway safety, and neighbouring properties will not be adversely affected by the proposal. The impact of the development on the SSSI and future flooding have been fully considered and is felt no adverse harm will be caused to the SSSI or put future residents or other areas at increased risk of flooding.

**Application Reference:** 10/0720/FULL

**Site Address:** WEST MIDLAND SAFARI PARK, SPRING GROVE, BEWDLEY, DY12 1LF

**APPROVED** subject to the following conditions:

1. A8 (Temporary Permission – Buildings) <3 years>
2. A11 (Full with no reserved matters)
3. B6 (External Details – Approved Plan)
4. The land and structure hereby approved shall be used for picnicking purposes only in accordance with the details as submitted for consideration and at no time throughout the lifetime of the development should the land and structure be used for outdoor entertainment or the playing of live or recorded music.
5. The structure hereby approved shall not be altered in any way without prior written approval from the Local Planning Authority. In particular, no side walls shall be erected or ancillary equipment, such as heaters, speakers or similar equipment installed without prior written approval from the Local Planning Authority.
6. The structure shall not be altered in any way without formal approval. In particular no side walls shall be erected or ancillary equipment, such as heaters, speakers or similar equipment installed without formal approval.

Reason for Approval

Although within the West Midlands Green Belt and constituting inappropriate development, it is considered that sufficient material considerations exist that support the proposal so as to

outweigh the in principle harm created by the development. The design and appearance of the structure are considered to be acceptable within the context of the landscape for a temporary period of time. Residential properties will not be adversely affected by the proposal. The application is therefore considered to be in accordance with policies GB1, GB2, GB3, GB6, and NR11 of the Adopted Wyre Forest District Local Plan, CP10, CP11, and CP12 of the Adopted Wyre Forest Core Strategy, D39 of the Worcestershire County Structure Plan, QE6 of the West Midlands Regional Spatial Strategy, Planning Policy Statement 1, Planning Policy Guidance 2, Planning Policy Statement 7, and the Good Practice Guide on Planning for Tourism.

**Application Reference:** 10/0745/FULL

**Site Address:** 2 QUEENS ROAD, STOURPORT-ON-SEVERN, DY13 0BH

**APPROVED** subject to the following conditions:

1. A6 (Full with No Reserved Matters)
2. A11 (Approved Plans)
3. Fume Extraction Scheme to be implemented in accordance with technical details submitted prior to the first use.
4. Parking provision to be available prior to first use.
5. The approved use shall operate only within the following times, and there shall be no variation without the written consent of the Local Planning Authority. 12.00 - 23.00 hours Monday to Saturday inclusive. Closed Sundays.

Reason:

To safeguard the amenity of the local area in accordance with Policy NR11 of the Adopted Wyre Forest District Local Plan and Policy CP11 of the Wyre Forest Core Strategy 2010.

6. Litter shall be collected in accordance with a management plan to be submitted to and approved in writing by the Local Planning Authority before the approved hot food takeaway is first brought into use.

Reason:

To ensure that the immediate vicinity of the premises is kept free of litter, the objective being to safeguard the visual amenity of the area, and to ensure compliance with Policy CP11 of the Adopted Wyre Forest Core Strategy 2010.

Reason for Approval

The proposed change of use and alterations would be compatible with the existing retail uses in this group of local shops, which includes a convenience (food) outlet. The proposal would not be seriously harmful to local amenity, particularly that enjoyed by flat dwellers above and adjacent to the site. Accordingly, the proposal is considered to be in compliance with policies RT.6, RT.13, D.18, NR.10, NR.11, and TR.17 of the Adopted Wyre Forest District Local Plan, CP03, CP09, and CP11 of the Wyre Forest Core Strategy, and QE.1, and QE.3 of the West Midlands Regional Spatial Strategy.

**Application Reference:** 10/0617/FULL

**Site Address:** YEW TREE COTTAGE, GREY GREEN LANE, BEWDLEY, DY12 1LR

**Deferred for one Committee cycle to allow for the application to be advertised as a Departure from the Development Plan.**

**Minded to APPROVE** subject to the following conditions:

1. A6 (Full with no reserved matters)
2. A11 (Approved Plans)
3. B6 (External materials – approved plan)
4. Hedge retention

Reason for Approval

With reference to the special circumstances of the case, the proposed extensions are considered to be of an appropriate size, scale and design in relation to the dwelling curtilage as defined, and will have no perceptible impact upon the local streetscene. The impact of the extensions upon neighbouring properties has been carefully assessed and it is considered that no undue loss of privacy or amenity would occur as a result of the development. Accordingly, the proposal is considered to be in compliance with Policy CP11 of the Adopted Wyre Forest Core Strategy, notwithstanding the conflict with Policy D.17 of the Adopted Wyre Forest District Local Plan.

**Application Reference:** 10/0635/FULL

**Site Address:** FIVE ACRES, HEIGHTINGTON ROAD, BLISS GATE, KIDDERMINSTER, DY14 9SX

**APPROVED** subject to the following conditions:

1. A6 (Full with no reserved matters)
2. A11 (Approved plans)
3. B6 (External details – approved plan)
4. Building to be used for storage of plant hire and use as agricultural engineering as specified on the approved plan.
5. No external storage except in the area specified on the approved plan which shall be restricted to permit no more than three vehicles and three pieces of equipment or machinery (not being vehicles)
6. J1 (Removal of Permitted Development – Industrial)
7. C6 (Landscaping – small scheme)
8. C8 (Landscape implementation)
9. Footpath to be laid out prior to first use of the building
10. B15 (Bat Box)
11. No operations shall take place within the site or the building, including vehicle movements except between the following hours: - Monday to Friday 06:00 and 22:00 and Saturday between 06:00 and 14:00. No operation on Sunday.

Reason:

To minimise noise disturbance to neighbouring residents and to ensure that the development accords with Policy NR11 of the Adopted Wyre Forest District Local Plan.

Note

Public Right of Way

Reason for Approval

The replacement building for storage and agricultural engineering and the designation of a storage area offer substantial benefits to area through the re-instatement of the public right of way and the removal of existing buildings. The new building and the increase storage area will not adversely impact on the character of the landscape, neighbouring properties, amenity or highway safety.

**Application Reference:** 10/0663/FULL

**Site Address:** 26 BLACKWELL STREET, KIDDERMINSTER, DY10 2DU

**APPROVED** subject to the following conditions:

1. A6 (Full with no reserved matters)
2. A11 (Approved plans)
3. Provision of cycle storage.

Reason for Approval

The proposed conversion would offer no detriment to the character of the application property or to the character of the area. Whilst it is acknowledged that no parking would be provided by the development it is considered that the town centre location of the site and the proximity of public transport would minimise the need for parking. The proposal accords with the requirements of Policies H.7, RT.4, TC.2 and TR.17 of the Adopted Wyre Forest District Local Plan (2004).

**Application Reference:** 10/0731/FULL

**Site Address:** 13 NEW STREET, STOURPORT-ON-SEVERN, DY13 8UW

**APPROVED** subject to the following conditions:

1. A6 (Full with no reserved matters)
2. A11 (Approved plans)

Reason for Approval

The proposed conversion would offer no detriment to the character of the application property or to the character of the area. Whilst it is acknowledged that no parking would be provided by the development, it is considered that the town centre location of the site and the proximity of public transport would minimise the need for parking. The proposal accords with the requirements of Policies H.7, RT.4, TC.2 and TR.17 of the Adopted Wyre Forest District Local Plan (2004).

**Application Reference:** 10/0751/FULL

**Site Address:** FORMER NATIONAL STANDARD, LAND AT CORNER OF STOURPORT ROAD AND, WALTER NASH ROAD WEST, KIDDERMINSTER, DY11 7PZ

**Delegated authority to Approve or Refuse subject to the satisfactory outcome to consultation by the 30th March 2011**

- i. the satisfactory conclusion of consultation with Worcestershire Regulatory Services on contaminated land and a no objection response being received; and
- ii. the following conditions:

1. A6 (Full with No Reserved Matters)
2. A11 (Approved Plans)
3. B6 (External Details – Approved Plan)
4. Full specification of tree replacement and maintenance plan
5. C8 (Landscape Implementation)
6. Highway
7. Notwithstanding approved plans submission of fencing details to include paladin fencing in place of the palisade.
8. Submission of details of sustainability measures including photovoltaics
9. Any Contamination remediation conditions recommended by Worcestershire Regulatory Services
10. E2 (Foul and Surface Water)

Notes

- A. Highways
- B. No consent given for adverts

Reason for Approval

The use of the site is considered to be acceptable in this allocated employment area. The design of the buildings is compatible with the surrounding area and will provide an attractive frontage to the area. Despite the loss of protected trees it is considered that the regeneration of this site and the compensatory landscaping proposed is sufficient to outweigh the harm that would be created through the loss of trees. There are no highway issues that will result in harm to highway safety.

In the event that a satisfactory outcome cannot be achieved in respect of contamination by 30 March 2011, delegated authority is given to **REFUSE** the application for the following reason:

Insufficient and inadequate information has been provided to demonstrate to the Local Planning Authority that a contamination of the site can be satisfactorily remediated to allow safe use of the site for the use proposed. To allow the development in these circumstances would be contrary to Policy NR.2 of the Adopted Wyre Forest District Local Plan.

**Application Reference:** 10/0752/FULL

**Site Address:** ROSE COTTAGE, CLATTERCUT LANE, CHADDESLEY CORBETT, KIDDERMINSTER, DY10 4QT

**Delegated APPROVAL** subject to:

- a) the signing of a **Section 106 Agreement** to
  - i) prevent implementation of 10/0653/FULL;
  - ii) and require demolition of the existing dwelling within 3 months of occupation of the replacement dwelling, and
- b) the following conditions:
  1. A6 (Full with no reserved matters)
  2. A11 (Approved plans)
  3. B1 (Samples/details of materials)
  4. J1 (Removal of permitted development – residential)
  5. The annex accommodation shall not be occupied at any time other than by relatives or dependants of the occupiers of the main dwelling known as

- Rose Cottage, Clattercut Lane. At no time shall the annex be sold, let or otherwise severed from the main dwelling.
6. Demolition of existing property within 3 months of occupation of the new dwelling.

Reason for Approval

The proposal represents appropriate development in the Green Belt. It has been well designed to conform to this countryside location. The impact of the proposed dwelling on adjoining residential properties has been assessed and it is concluded that no undue harm will arise. There are no highway safety issues in this case. The application is therefore considered to be in accordance with policies H.9, H.18, GB.1, GB.2, GB.6, and TR.9 of the Adopted Wyre Forest District Local Plan, CP01, CP02, CP11, and CP12 of the Wyre Forest Core Strategy, D.39 of the Worcestershire County Structure Plan, QE3, and QE6 of the Regional Spatial Strategy, Planning Policy Statement 1, Planning Policy Statement 1 Supplement on Climate Change, Planning Policy Guidance 2, Planning Policy Statements 3, 4 and 7.

**Application Reference:** 11/0009/FULL

**Site Address:** MARKS & SPENCER PLC, UNIT 18-19, WEAVERS WHARF, KIDDERMINSTER, DY10 1AA

**APPROVED** subject to the following conditions:

1. A6 (Full with no reserved matters)
2. A11 (Approved plans)
3. Define use to ensure that the mezzanine is used for retail purposes (including cafeteria) in association with the existing store.

Reason for Approval

The proposal is considered to be acceptable in this location in terms of the principle of allowing the development, design, car parking and access for disabled people. To approve the application is in accordance with policies RT.1, TC.1, TC.2, KTC.1, D.1, NC.5, and IMP.1 of the Adopted Wyre Forest District Local Plan, DS02 and CP09 of the Wyre Forest Core Strategy, D.31 of the Worcestershire County Structure Plan, PA11 of the West Midlands Regional Spatial Strategy, and Planning Policy Statements 1 and 4.