

**WYRE FOREST DISTRICT COUNCIL****PLANNING COMMITTEE**11<sup>th</sup> October 2011 Schedule 490 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:** 11/0252/FULL**Site Address:** HOPLEYS CAMPING AND CARAVAN SITE, DODDINGTREE, CLEOBURY ROAD, BEWDLEY, DY12 2QL**APPROVAL** subject to the conditions as listed:

1. A6 (Full with no reserved matters)
2. A11 (Approved plans)
3. Only pitches Nos. 1 – 48 and the four tepees shall be available for use 12 months of the year. Remaining pitches shall only be available for use between 2<sup>nd</sup> March and 30<sup>th</sup> October in any one year.
4. Additional detailed landscaping scheme in accordance with planting scheme shown on approved drawing
5. Drainage
6. Measures to reduce soil erosion during the levelling or re-profiling process
7. The retention of features of ecological value such as mature trees
8. The protection of trees and hedgerows
9. The prevention of works taking place within the bird nesting season
10. The submission of a landscaping scheme
11. The removal of Japanese Knotweed
12. The prevention of works within the area identified as a wayside vegetation (due to the potential impact upon reptiles).
13. Holiday occupancy only
14. No lighting unless otherwise agreed in writing
15. Tree retention
16. Tree protection

Reason for Approval

It is considered that the impact of the use of the site for the provision of camping pitches would have a minimal impact on the visual amenity of the landscape given that they would be set below the skyline and that use of the majority of the site would be seasonal. Furthermore it is considered that there would be no significant impact upon the outlook or amenity currently enjoyed by occupiers of the surrounding residential properties. The application is considered to be in accordance with the relevant Policies NC.2, TR.17, D.4, NR.11 and NR.12 of the Adopted Wyre Forest District Local Plan (2004) and Policies DS01, DS04, CP02, CP03, CP12 and CP13 of the Adopted Wyre Forest Core Strategy (2010).

Councillor J Holden left the meeting during the following item.

Councillor Godwin arrived at 6.32pm during the officer presentation on this item.

<b>Application Reference:</b> 11/0467/FULL
<b>Site Address:</b> LAND AT POWER STATION ROAD, STOURPORT-ON-SEVERN, DY13 9PF
<b>REFUSED</b> for the following reason:  1. The site constitutes non-previously developed land and falls outside an area allocated for residential development as set out in Policy H.2 of the Adopted Wyre Forest District Local Plan. To allow residential development in this location would be in direct conflict with the strategic aims of directing residential development within the urban areas of Kidderminster and Stourport on Severn on previously developed land. Justification has not been provided to support the release of the land for residential development, particularly given that the Council has a robust five year housing supply. To allow the development in these circumstances would be in direct conflict with Policies H.2 and H.9 of the Adopted Wyre Forest District Local Plan, Policies DS01, DS03 and DS04 of the Adopted Wyre Forest Core Strategy, or policies 1 or 2 of the emerging Site Allocations and Policies DPD and Government advice in PPS3.

Councillor J Holden rejoined the meeting to exercise his right to speak in respect of the following item but then left the meeting for the remainder of the discussion and the vote.

<b>Application Reference:</b> 11/0468/FULL
<b>Site Address:</b> LAND ADJACENT TO POWER STATION ROAD AND, WORCESTER ROAD, STOURPORT-ON-SEVERN, DY13 9RP
<b>REFUSED</b> for the following reasons:  1. The application site does not constitute previously developed land as defined by Annex B of Planning Policy Statement 3. To allow the development would conflict with the strategic aims of the District Council in focussing new development onto brownfield sites. It is considered that there are no material circumstances in this case that would outweigh the presumption against development, particularly given the Council have identified a minimum 5 year supply of housing land within the District. The principle of residential development on this site is therefore considered to be contrary to Policy H.2 of the Adopted Wyre Forest District Local Plan, Policies DS01 and DS03 of the Adopted Wyre Forest Core Strategy, Policy 1 of the emerging Site Allocations and Policies DPD and Government policy contained in Planning Policy Statement 3.  2. The proposed development would result in the loss of an area of informal green open space which contributes to the visual amenity and open aspect of the established residential estate. The justification for the development proposed as presented by the applicants is considered insufficient to outweigh the harm that would be caused through the loss of this informal

open space; the impact on the open aspect of the estate; and, impact on visual amenity, particularly given that no satisfactory compensatory provision has been offered. To approve the development under these circumstances would be in direct conflict with Policy LR.1 of the Adopted Wyre Forest District Local Plan, Policies CP11 and CP13 of the Core Strategy and Policies 22 and 25 of the emerging Site Allocations and Policies DPD.

**REFUSED** application W/11/00867/PN made to Wychavon District Council for the following reasons:

1. The application site does not constitute previously developed land as defined by Annex B of Planning Policy Statement 3. To allow the development would conflict with the strategic aims of the District Council in focussing new development onto brownfield sites. It is considered that there are no material circumstances in this case that would outweigh the presumption against development, particularly given the Council have identified a minimum 5 year supply of housing land within the District. The principle of residential development on this site is therefore considered to be contrary to Policy H.2 of the Adopted Wyre Forest District Local Plan, Policies DS01 and DS03 of the Adopted Wyre Forest Core Strategy, Policy 1 of the emerging Site Allocations and Policies DPD and Government policy contained in Planning Policy Statement 3.
  
2. The proposed development would result in the loss of an area of informal green open space which contributes to the visual amenity and open aspect of the established residential estate. The justification for the development proposed as presented by the applicants is considered insufficient to outweigh the harm that would be caused through the loss of this informal open space; the impact on the open aspect of the estate; and, impact on visual amenity, particularly given that no satisfactory compensatory provision has been offered. To approve the development under these circumstances would be in direct conflict with Policy LR.1 of the Adopted Wyre Forest District Local Plan, Policies CP11 and CP13 of the Core Strategy and Policies 22 and 25 of the emerging Site Allocations and Policies DPD.

Councillor J Holden left the meeting at this point, (7.14pm).

**Application Reference:** 08/1044/FULL

**Site Address:** FORMER VICTORIA SPORTS FIELD, SPENNELLS VALLEY ROAD, KIDDERMINSTER

**Delegated** authority to **APPROVE** subject to the submission of:

- i) amendments to the landscaping as suggested by Arboricultural Officer;

- ii) an additional lighting strategy for the bowling green undertaken by suitable qualified person indicating vertical light spillage and the impact of the proposed lighting upon ecology with no objections raised by Worcestershire Wildlife Trust, Natural England and the Council's Countryside and Conservation Officer;
- iii) the signing of a **Section 106 Agreement** for the items listed under paragraph 4.66; and thereafter
- v) subject to the following conditions:
  - 1. Three year time limit
  - 2. In accordance with approved plans
  - 3. Details of boundary treatment
  - 4. Retention of parking
  - 5. Bowling club to be used only for that purpose and no other
  - 6. Sample of materials
  - 7. Visibility splays
  - 8. Secure parking for 20 cycles
  - 9. Implementation of parking spaces for 177 cars and the loading and unloading of commercial vehicles
  - 10. Scheme to be submitted and agreed regarding areas for the manoeuvring, parking, loading and unloading of vehicles
  - 11. Details of right turning facility to be submitted and agreed
  - 12. Details of wheel cleaning apparatus to be submitted and agreed
  - 13. Means of vehicular access to be from Spennells Valley Road only
  - 14. Details of parking for site operatives and visitors
  - 15. Development to be implemented in accordance with submitted Travel Plan.
  - 16. Finished floor levels no lower than 32.4m AOD
  - 17. Provision and implementation of a surface water regulation system including the use of SuDS
  - 18. Details of foul drainage
  - 19. Details of design of bird and bat boxes
  - 20. Agreed design of bird and bat boxes to be installed in locations shown on approved plan prior to first use of bowling club
  - 21. Ecologist present during site clearance
  - 22. Works to trees outside nesting season (March to September unless ecologist present)
  - 23. Additional bird / bat enhancement measures on buildings
  - 24. Habitat suitability index assessment of adjacent pond on golf course with suitable mitigation measures if necessary
  - 25. Tree retention in accordance with plans
  - 26. Tree protection in accordance with BS5837/2005
  - 27. Lighting in accordance with details to be agreed
  - 28. Glazing in accordance with Environmental Noise Report recommendations

- 29. Planting in accordance with approved plans, timescale to be agreed
- 30. Details of landscaping maintenance
- 31. Play area within area shown on layout only

Reason for Approval

The proposed development would result in the loss of sports pitches / open space, which are protected by virtue of Policies LR1 and LR6 of the Adopted Wyre Forest District Local Plan and Policy CP07 of the Adopted Wyre Forest Core Strategy. It is however considered that cumulatively, there are sufficient reasons which would justify supporting the proposed development. These reasons being that the site has not been in sporting use for 7 years; the development would provide a centre of excellence for bowling within the district; its provision would meet the aspirations of the Council's Open Space, Sport and Recreation Assessment; financial contributions would be made towards supporting and improving existing sporting provision in the district; and the proposed development would enable the landowner to reinvest and therefore safeguard jobs in Kidderminster. It is considered that the proposed design, layout, impact upon highways, flooding, drainage and neighbouring amenity is acceptable subject to conditions. The application is considered to be in accordance with the Policies D.4, TR.17, LR.1, LR.9, RT.13 of the Adopted Wyre Forest District Local Plan, DS01, DS02, CP01, CP03, CP07, CP09, CP10, CP11, CP14 of the Adopted Wyre Forest Core Strategy, T.4 of the Worcestershire County Structure Plan, Policies 10,13, 15, 19, 22, 23, 25, 26 Draft Site Allocations and Policies DPD, 2, 4, 5, 6, 8, 9, 19, 23, 27, 29, 31, 33, 34, 35, 36, 37, 39, 42, Draft KCAAP DPD, PPS1, PPS4; PPS9, PPG13, PPG17, PPG24, PPS25, Planning Obligations SPD and National Planning Policy Framework.

Councillor H & P Dyke left the meeting at this point, (8.06pm).

There was a comfort break at 8.06pm and the meeting reconvened at 8.12pm. Councillor S J Williams left the meeting at this point, and the Vice Chairman took the chair for the following item.

**Application Reference:** 10/0659/RESE

**Site Address:** SITE ADJACENT TO ROWBERRYS NURSERIES, LOWER CHADDESLEY, KIDDERMINSTER

**APPROVED**, subject to the following conditions:

- 1. A4 (Reserved matters only)
- 2. A11 (Approved plans)
- 3. B1 (Samples of materials)
- 4. E2 (Foul and surface water)
- 5. Access, turning and parking

Reason for Approval

The principle of developing the site for a new primary school and associated buildings and works has been agreed previously at the outline stage by virtue of

planning application 07/0482/OUTL. The means of access to the site together with the layout and scale of the development has also been agreed at the outline stage.

The proposed development has been carefully assessed in terms of its design and appearance, and the proposed landscaping, with due consideration given to the potential visual impact of the development on the Green Belt. The design of the school buildings and the choice of materials are considered to be acceptable and appropriate in this location. The hard and soft landscaping proposed has also been fully assessed and is considered to be acceptable and appropriate to this location. The impact of the development has been assessed in terms of the adjoining land uses and has been found to be acceptable. The application is considered to be acceptable and in accordance with policies H.9, D.4, D.10, D.11, D.15, NR.11, NR.12, GB.1, GB.2, GB.3, GB.6, NC.7, TR.17, LR.8, LR.9 of the Adopted Wyre Forest District Local Plan, DS04, CP01, CP02, CP03, CP07, CP11, CP12, CP14 of the Adopted Wyre Forest Core Strategy, D.12, D.38, D.39, T3, T.4, RST.1, RST.3 Worcestershire County Structure Plan, RR1, RR2, RR4, CF3, QE1, QE3, QE6, QE7, EN2, T2, T3, T7 West Midlands Regional Spatial Strategy, PPS1, PPG2, PPS7, PPS9, PPG13, PPG17, PPS25 and Design Quality Supplementary Planning Guidance.

Councillor S J Williams came back to the meeting at this point.

**Application Reference:** 11/0110/FULL

**Site Address:** LAND OPPOSITE THE GATEHOUSE, NELSON ROAD, SANDY LANE INDUSTRIAL ESTATE, STOURPORT-ON-SEVERN, DY139QB

**Members were minded to APPROVE** the application based on the following reasons:

1. There is an identified need for the pitches;
2. The site is located adjacent to a tolerated traveller site within the same flood zone;
3. There is sufficient early warning of potential flooding from the River Severn to allow occupiers to evacuate the site; and
4. There is a lack of alternative sites.

The above reasons were considered to outweigh the risk of flooding. The application was deferred for one cycle to allow the departure procedure to be undertaken.

**Application Reference:** 11/0177/FULL

**Site Address:** LAND BETWEEN 3 & 4 PINTA DRIVE, STOURPORT-ON-SEVERN, DY13 9RY

**REFUSED** for the following reason:

1. The application site does not constitute previously developed land as defined by Annex B of Planning Policy Statement 3. To allow the development would conflict with the strategic aims of the District Council in focussing new development onto brownfield sites. It is considered that there are no material

circumstances in this case that would outweigh the presumption against development, particularly given the Council have identified a minimum 5 year supply of housing land within the District. The principle of residential development on this site is therefore considered to be contrary to Policy H.2 of the Adopted Wyre Forest District Local Plan, Policies DS01 and DS03 of the Adopted Wyre Forest Core Strategy, Policy 1 of the emerging Site Allocations and Policies DPD and Government policy contained in Planning Policy Statement 3.

2. The proposed development would result in the loss of an area of informal green open space which contributes to the visual amenity and open aspect of the established residential estate. The justification for the development proposed as presented by the applicants is considered insufficient to outweigh the harm that would be caused through the loss of this informal open space; the impact on the open aspect of the estate; and, impact on visual amenity, particularly given that no satisfactory compensatory provision has been offered. To approve the development under these circumstances would be in direct conflict with Policy LR.1 of the Adopted Wyre Forest District Local Plan, Policies CP11 and CP13 of the Core Strategy and Policies 22 and 25 of the emerging Site Allocations and Policies DPD.

**Application Reference:** 11/0427/FULL

**Site Address:** 73 CASTLE ROAD, COOKLEY, KIDDERMINSTER, DY10 3TD

**APPROVED** subject to the following conditions:

1. A11 (Approved plans)
2. No commercial use

Reason for Approval

The building as erected does not detract from the appearance of the original main dwelling, and the surrounding residential environment. Any visual impact upon the street scene of Castle Road, Cookley is minimal. The impact of the building on neighbouring properties has been carefully assessed and it is considered that no undue loss of amenity or privacy has occurred as a result of the development. The application is considered to be acceptable and in accordance with policies D17, TR.17 of the Adopted Wyre Forest District Local Plan, CP11 of the Adopted Wyre Forest Core Strategy and PPS1.

**Application Reference:** 11/0296/FULL

**Site Address:** THE DOWER COTTAGE, BROOME, STOURBRIDGE, DY9 0HB

**APPROVED** subject to the following conditions:

1. A6 (Full with No Reserved Matters)
2. A11 (Approved plans)
3. A 1 metre square sample panel of the brick wall showing the proposed mix and mortar joint detail shall be erected on site and agreed in writing with the Local Planning Authority before any work on site commences.

Reason for Approval

The application has been carefully considered and on the balance of all evidence the proposal is judged to be acceptable and in keeping with the character and appearance of the Listed Building, the Conservation Area and the Green Belt. To allow the development in these circumstances is compliant with Policies LB.1, LB.5, CA.1 GB1, GB6, D17 of the Adopted Wyre Forest District Local Plan, CP11 of the Adopted Wyre Forest Core Strategy, CTC.19 CTC20 of the Worcestershire County Structure Plan, QE1QE5 of the West Midlands Regional Spatial Strategy, Design Quality SPG and PPS1, PPS5.

**Application Reference:** 11/0432/RESE

**Site Address:** 37-38 OLDNALL ROAD, KIDDERMINSTER, DY10 3HN

**APPROVED** subject to the following conditions:

1. A.4 (Reserved Matters only).
2. A11 (Approved plans).
3. The exact levels of the rear terraces hereby approved as part of the landscaping reserved matters shall be agreed on site and in writing with the Local Planning Authority before work on the terraces are commenced and the approved levels shall thereafter be strictly adhered to.
4. The proposed landscaping scheme shall be implemented strictly in accordance with the management plan.
5. The planting hereby approved shall be fully implemented in the first planting season following occupation of the building and the hard landscaping shall be fully implemented to the satisfaction of the Local Planning authority before the building is first brought into use.

Reason for Approval

The proposal has been carefully considered in terms of biodiversity, the existing trees and vegetation and with respect to the amenity of neighbouring properties and the visual amenity of the area as a whole and the scheme, subject to conditions is judged to be acceptable and compliant with policies D4, D10, D11 of the Adopted Wyre Forest District Local Plan, CP13, CP14 of the Adopted Wyre Forest Core Strategy and Design Quality SPG.

Councillors D Godwin, I Hardiman and G Yarranton left the meeting during consideration of the following item.

**Application Reference:** 11/0469/FULL

**Site Address:** RICHMOND ROAD, BEWDLEY

**Delegated authority to APPROVE** subject to:

- a) the signing of **Section 106 Agreement** to secure
  - Open Space Contributions of £1,799.04; and

- b) the following conditions:
1. A6 (Full with no reserved matters)
  2. A11 (Approved plans)
  3. B6 (External details – approved plan)
  4. B11 (Details of enclosure)
  5. B13 (Levels details)
  6. C6 (Landscaping – small scheme)
  7. C8 (Landscape implementation)
  8. E2 (Foul and surface water)
  9. F13 (Control of dust)
  10. Hours of construction work
  11. J9 (Open plan frontages)
  12. Access, turning and parking
  13. Cycle Parking

Notes

- A. Advised to refer to the Secured by Design website for guidance on perimeter fencing and physical security standards
- B. SN1 (Removal of permitted development rights)
- C. Private apparatus within the highway

Reason for Approval

The proposed dwellings are well designed and will have minimal impact on the appearance of the street scene. The scheme is also acceptable in terms of highway safety. The impact of the dwellings upon the neighbouring properties has been carefully assessed and it is considered that there will be no undue impact on their amenity. The application is considered to be acceptable and in accordance with policies of the H.2, H.6, D.10, D.11, TR.17 of the Adopted Wyre Forest District Local Plan, DS01, DS03, CP03, CP04, CP11 of the Adopted Wyre Forest Core Strategy, SPD on Planning Obligations and PPS1, PPS3, PPG13.

Councillors D R Godwin, I Hardiman and G Yarranton came back to the meeting at this point.

**Application Reference:** 11/0498/FULL

**Site Address:** THE HOLLIES, TRIMPLEY LANE, SHATTERFORD, BEWDLEY, DY12 1RL

**REFUSED** for the following reasons:

1. The site is located within the West Midlands Green Belt. The development is considered to be inappropriate within the Green Belt which is by definition harmful. There is further harm caused to the openness and appearance of the Green Belt. It is considered that there are no very special circumstances to justify this inappropriate development and as such the proposal is contrary to Policy GB.1 of the Adopted Wyre Forest District Local Plan, Policies D.12 and D.39 of the Worcestershire County Structure Plan, Policy 20 of the

emerging Site Allocations and Policies DPD and government guidance within PPG2.

2. Due to the topography of the area the site is in an elevated and prominent location particularly when viewed from the Public Rights of Way to the west. The proposed development would detract from and harm the character of landscape and the visual amenity of the Green Belt in this rural location contrary to Policy GB.6 of the Adopted Wyre Forest District Local Plan, Policies CP06 and CP12 of the Adopted Wyre Forest Core Strategy, the aims of Policies QE1 and QE6 of the West Midlands Regional Spatial Strategy and Government guidance in PPG2 and PPS7.
3. The location of the residential accommodation fails to accord with:
  1. Housing Policies H.2 or H.9 of the Adopted Wyre Forest District Local Plan, or Policies DS01 or DS04 of the Adopted Wyre Forest Core Strategy, or policies 1 or 2 of the emerging Site Allocations and Policies DPD;
  2. Gypsy Site Provision Policy CP06 of the Adopted Wyre Forest Core Strategy in that it is not within or around the settlement boundaries of Kidderminster or Stourport on Severn and that sequentially preferable sites are available; or
  3. Residential Caravans and Mobile Homes Policy H.16 of the Adopted Wyre Forest District Local Plan and Policy D.17 of the Worcestershire County Structure Plan.

The above policies seek to guide residential development to appropriate locations. To approve the development at the location proposed would retain a solitary development which lies outside a settlement boundary and goes against planning policy which seeks to protect the Green Belt and open countryside.

**Application Reference:** 11/0518/FULL

**Site Address:** 1 BALDWIN ROAD, BEWDLEY, DY12 2BP

**REFUSED** for the following reason:

1. The proposed two-storey extension would be out of keeping with the form and architectural characteristics of the original building. In addition, it would appear as a prominent and incongruous feature in the Baldwin Road street scene by introducing an architecturally discordant feature in the form of twin hipped roofs to the established residential layout and architectural style of the immediate neighbourhood. The development is therefore considered to be contrary to Policy D.17 of the Adopted Wyre Forest District Local Plan and Policy CP 11 of the Wyre Forest Core Strategy.

**Application Reference:** 11/0523/FULL

**Site Address:** WALSHES FARM CARAVAN PARKS LTD, WALSHES FARM, DUNLEY ROAD, STOURPORT-ON-SEVERN, DY13 0AA

**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 5th January to 5th February inclusive, 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 Policy H.9 of the Adopted Wyre Forest District Local Plan and Policies DS04, CP02 and CP10 of the Adopted Wyre Forest Core Strategy as the site lies outside an allocated area and within an area liable for flooding.

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 Policy H9 of the Adopted Wyre Forest District Local Plan and Policies DS04, CP02 and CP10 of the Adopted Wyre Forest Core Strategy as the site lies outside an allocated area and within an area liable for flooding.

**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.