

WYRE FOREST DISTRICT COUNCIL

PLANNING (DEVELOPMENT CONTROL) COMMITTEE

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

7TH MARCH 2006 (6PM)

PRESENT:

Councillors: S J Williams (Chairman), M A W Hazlewood (Vice-Chairman), J Aston, J Baker, A J Buckley, N J Desmond, Mrs H E Dyke, Mrs J Fairbrother-Millis, B T Glass, P B Harrison, M J Hart, Mrs P V Hayward, Mrs S M Hayward, C D Nicholls, Mrs F M Oborski, Mrs J L Salter, J A Shaw, J C Simmonds and K J Stokes.

OBSERVERS:

There were no members present as observers

DC.72 APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillors: J-P Campion, S J M Clee, M J Shellie and A D Williams.

DC.73 APPOINTMENT OF SUBSTITUTES

Councillor J Baker was appointed as a substitute for Councillor S J M Clee.
Councillor B T Glass was appointed as a substitute for Councillor A D Williams.
Councillor Mrs P V Hayward was appointed as a substitute for Councillor J-P Campion.

DC.74 DECLARATION OF INTERESTS

Councillor Mrs F M Oborski declared a prejudicial interest in application number WF.05/1051 as she is Chairman of the Wyre Forest Community Housing Board.
Councillor J C Simmonds declared a prejudicial interest in application number WF.05/1051 as he is a member of the Wyre Forest Community Housing Board.
Councillor J Baker declared a prejudicial interest in application number WF.05/1051 as he is a member of the Wyre Forest Community Housing Board.
Councillor Mrs H E Dyke declared a prejudicial interest in application number WF.05/1051 as she is a Board Member of Wyre Forest Community Housing. She also declared a personal interest in application number WF.06/665 as she had received correspondence from residents and spoken to them but she came to the meeting with an open mind.
Councillor Mrs J Fairbrother-Millis declared a personal interest in application number WF.06/0044 as she had spoken with the agent but she came to the meeting with an open mind.
Councillor B T Glass declared a personal interest in application number

WF.06/0044 as he had spoken with the agent but he came to the meeting with an open mind.

Councillor N J Desmond declared a prejudicial interest in application number WF.06/0154 as he had been the chief advocate of this proposal as the Cabinet Member for Community and Leisure .

Councillor J Aston declared a personal interest in application number WF.06/0065 as he had received correspondence from residents and spoken to them but he came to the meeting with an open mind.

Councillor M A W Hazlewood declared a personal interest in application numbers WF.06/0065 and WF.06/0145 as he had received correspondence regarding these applications but he came to the meeting with an open mind.

DC.75 MINUTES

DECISION:

The minutes of the meeting held on 7th February 2006 be confirmed as a correct record and signed by the Chairman.

DC.76 APPLICATIONS TO BE DETERMINED

The Committee considered those applications for determination (now incorporated in Development Control Schedule No. 426 attached).

DECISION:

The applications now submitted be determined, in accordance with the decisions set out in Development Control Schedule No. 426 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.

DC.77 APPLICATIONS PENDING DECISION

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

DECISION:

The schedule be noted.

DC.78 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.

DC.79 TREE PRESERVATION ORDER NO. 296 (2005) LAND AT REAR OF 99 AND 100 STOURBRIDGE ROAD, KIDDERMINSTER

A report was considered from the Development Control Manager that asked the Committee to determine whether Tree Preservation Order number 296 (2005) relating to land at the rear of 99 and 100 Stourbridge Road, Kidderminster should be confirmed or not.

The Council had approved a planning application (WF/0790/05) for the construction of three dwellings within the rear gardens of 102 - 104 Stourbridge Road, Kidderminster. The approval did not require the removal of any significant trees. However, the adjacent gardens of 99 and 100 Stourbridge Road contained many trees, which provided significant amenity when viewed from Frank Freeman Court and the neighbouring Council-managed recreation ground to the north. The trees within these gardens were considered to be under potential threat of removal under the premise of gaining planning permission to build further properties as a continuation of Frank Freeman Close.

The trees provided amenity as an attractive group. The trees were therefore considered to be under potential threat of removal, due to the development proposals in the vicinity. The trees were therefore considered suitable for continued protection by the Trees Preservation Order.

It was noted that one objection to the Tree Protection Order had been received from the owner of 100 Stourbridge Road who had raised the following issues:

- The Tree Preservation Order was arbitrary
- The Tree Preservation Order was disproportionate
- The Tree Preservation Order was unfair
- The Tree Preservation Order had been misused

The objections and representations have been fully considered and it was concluded that the Tree Preservation Order should be confirmed.

DECISION:

The Tree Preservation Order, in its current form, be confirmed as the trees contribute to the amenity of the locality and may be under threat of removal.

DC.80 SECTION 106 MONITORING

A report was considered from the Head of Planning, Health and Environment that informed Members of the published performance statistics relating to Development Control.

DECISION: The report be noted.

The meeting ended at 7.55 p.m.,