

WYRE FOREST DISTRICT COUNCIL

PLANNING (DEVELOPMENT CONTROL) COMMITTEE

14TH AUGUST 2007 - SCHEDULE 441 DEVELOPMENT CONTROL DECISIONS

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 Head of Planning, Health and Environment, Duke House, Clensmore Street, Kidderminster. However, a brief description can be seen in brackets alongside each standard condition, note or reason mentioned.

Councillors S J Williams, Mrs H E Dyke and M J Shellie left the room during consideration of the application below.

07/0299/FULL

FORMER DEPOT, BUTTS LANE, STONE, KIDDERMINSTER,

delegated **APPROVAL** subject to:

- a) the signing of a **Section 106 Agreement** to secure the following:
 - 9 shared equity units of affordable housing via one of the Council's partner RSL's
 - Access of public to the informal landscaped areas.
 - Use of meeting room by Parish Council.
 - Management of informal landscaped area
 - Education contribution of £39,534
 - Prevention of separation of live unit from its respective work unit
 - Highway works to include New footpath along Butts Lane, and one way systems to be implemented at the developer's expense
 - Travel Plan & Travel Plan Co-ordinator
 - No occupation of any of the residential or live work units until the pumping station has been upgraded in accordance with a scheme agreed with Severn Trent Water, following further investigative work at the applicant's expense.

- b) and subject to the following conditions
 1. A6 (Full with no reserved matters)
 2. A11 (Approved plans)
 3. Grampian condition to ensure that the one way system is no work commences until the Traffic Regulation Order imposing one way systems on the unclassified roads as identified have been approved and implemented.
 4. B1 (Samples/details of materials)
 5. Provision of further details and incorporation and implementation of sustainability measures as identified eg

- ground source heating, photovoltaics, rain water harvesting, sedum roofs
6. Use of each work unit to be limited to B1 uses only and to be carried out without detriment to amenity of other units.
 7. Use of work element only to operate in conjunction with the assigned residential unit and the residential accommodation not to be occupied other than by occupiers of the work space.
 8. B15 (Owl/bat boxes)
 9. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking and re-enacting that order with or without modification), no development as specified in Part 1 Class(es) A, B, C, D other than those expressly authorised by this permission, shall be carried out without express planning permission first being obtained from the Local Planning Authority.
 10. No development shall take place until detailed plans and sections of the proposed windows and doors at a scale of 1:20 together with details of proposed finishes have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.
 11. No development shall take place until details of types and colours of all external materials, including hard surfacing have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details
 12. Details of colour and materials of gutters downpipes and external flues to be submitted and agreed before work on site commences
 13. No demolition of buildings and repair works limited to the areas of buildings identified for repair.
 14. No development shall take place until details of all walls, fences and other means of enclosure have been submitted to and approved in writing by the Local Planning Authority. The approved details shall be completed prior to the occupation of any of the buildings on the site
 15. Implementation of the boundary treatment adjacent to building 11
 16. Laying out of informal landscape areas including provision of pools and footpaths before occupation (planting of trees to be phased in accordance with prior agreement)
 17. C7 (Landscaping – large scheme including hard surfacing materials)
 18. C8 (Landscape protection)
 19. C2 (Retention of existing trees)
 20. C3 (Tree protection during construction)
 21. C10 (Visibility splay – replacement hedge)
 22. C12 (Details of earthworks)

23. C13 (Landscape management plan)
24. F5 (Construction site noise/vibration)
25. Any external lighting within the site to be subject of the written consent of the Local Planning Authority
26. Details of disabled parking
27. Details of signage
28. Highway conditions
29. Environment Agency conditions
30. Severn Trent Water conditions
31. No retail use.

Notes

- A The applicant should be aware that the granting of planning permission does not override the need for compliance with the relevant law, including obtaining and complying with the terms and conditions of any licences required as described in Part IV of the Circular 06/2005
- B SN12 (Neighbours' rights)
- C Highway

Reason for approval

The development is considered to be appropriate development and is not harmful to the openness or appearance of the Green Belt. The proposed scheme is felt to make a valuable contribution to the visual amenity of the area. The scheme is well designed and is acceptable in terms of impact on neighbouring property, the existing vegetation and the ecology of the site. The application has been carefully considered in terms of sustainability, drainage, highway safety and the existing road network and taken overall the scheme is judged to be satisfactory in these matters subject to conditions. After carefully assessing these factors and other issues raised the proposal is considered to be in general conformity with the policies of the Development Plan.

07/0469/OUTL

MORGAN ADVANCED CERAMICS LTD, BEWDLEY ROAD, STOURPORT-ON-SEVERN, DY138QR

delegated authority be given to **APPROVE** subject to:

- a. **referral to the Secretary of the State as a Departure** from the Development Plan, and the matter not being called in for determination by him;
- b. the signing of a **Section 106 Agreement** to secure the following:
 - 30% affordable housing (60% rented, 40% shared ownership), mix of sizes
 - off-site contribution towards Open Space/Strategic play provision (equivalent of capital cost of NEAP or LEAP)

- financial contribution of £98,000 towards improving traffic light signals at the junction of Minster Road with Worcester Street
 - provision and maintenance of on site amenity space and landscaped areas
 - education contribution of either £139,000 or £180,200 depending on whether open space/strategic play contribution is for LEAP/NEAP
 - rights for mitigation measures to be carried out on land retained by MAC
- c. the signing of a **Unilateral Agreement** to secure the following:
- Noise survey and mitigation scheme
 - Landscaping and environmental enhancement of footpath link
 - Programme of works
- d. and subject to the following conditions:
1. A1 (Standard outline)
 2. A2 (Standard outline – reserved matters)
 3. A3 (Submission of reserved matters)
 4. A5 (Scope of outline permission)
 5. A11 (Approved plans)
 6. B1 (Samples/details of materials)
 7. B2 (Sample brick panel)
 8. B9 (Details of windows and doors)
 9. B15 (Bat boxes)
 10. C2 (Retention of existing trees)
 11. C3 (Tree protection during construction)
 12. C9 (Hedge protection)
 13. C5 (Hand digging near trees)
 14. C7 (Landscaping – large scheme)
 15. C13 (Landscape management plan : Means of enclosure, car parking. Layouts, vehicular/pedestrian access/circulation area, hard surfacing material)
 16. C8 (Landscape implementation)
 17. Noise survey and mitigation measures
 18. F5 (Construction site noise/vibration)
 19. Bat survey
 20. H3 (Visibility splays [amended])
 21. H8 (Access closure [amended])
 22. H13 (Access, turning and parking [amended])
 23. H17 (Junction improvement/off site works [amended])
 24. H27 (Parking of site operatives)
 25. Environment Agency – Drainage
 26. Environment Agency – Pollution
 27. Environment Agency - Prevention
 28. J13 (House of work – operations)
 29. Severn Trent Water
 30. H21 (Wheel washing)

31. HN1 (Mud on Highway)
32. No habitable windows overlooking factory (Reason : To avoid odours from retained factory use).

Notes

- A Bats
- B Access Officer
- C HN7 (Engineering details to be submitted)
- D HN8 (County Council to adopt roadworks)
- E HN9 (Storm water disposal arrangements required)
- F HN13 (Provision of visibility splay)
- G HN17 (Street lighting design details)
- H HN21 (Damage by external traffic)
- I Environment Agency - Waste information/contamination soil
- J SN2 (Section 106 Agreement)

Reason for Approval

Although the site is allocated for employment use in the Local Plan, it is considered that there are material considerations in this case which outweigh the provisions of the Local Plan. The proposed access details are considered acceptable. Based on the illustrative layout contained with the submitted Master Plan Officers are satisfied that the site can accommodate up to 150 residential units without having an adverse impact on neighbouring properties, the character of the area or trees of amenity value within the site. The impact of the residential development on highway safety has been carefully considered however it is concluded that there would be no undue harm caused by the proposal. Issues relating to affordable housing, highway safety, open space/play provision, contamination, flood risk and biodiversity enhancement can be satisfactorily dealt with by conditions or through a section 106 agreement. The detailed design will also be the subject of further consideration at reserved matters stage. The issues relating to control of noise from the remaining industrial activities, the provision of the environmental enhancement works and the programme of works to the existing factory can be secured through a separate unilateral agreement with the applicant.

07/0559/FULL

YEW TREE FARM, POUND BANK, ROCK, KIDDERMINSTER, DY14 9TH

REFUSED for the following reason:

1. The application site is located within an attractive landscape and it is considered that the siting of 24 caravans, together with the associated hardsurfacing and facilities block would have a significant adverse effect on the quality and character of the area designated as part of the Landscape Protection Area and Area of Great Landscape Value. As such, it is considered that the proposal would conflict with Policies LA.1, LA.2, AG.8, TM.1 and TM.6 of the Adopted Wyre Forest District Local Plan, Policies CTC.1, CTC.4, RST.14 and RST.19 of the Worcestershire County Structure Plan and the aims of Policies PA.15, QE.1, QE.6 of the Regional Spatial Strategy (RPG11 2004).

Councillor G C Yarranton left the room during consideration of the application below.

07/0605/FULL &

07/0606/CAC

LIVE & LET LIVE, WOLVERLEY VILLAGE, WOLVERLEY, KIDDERMINSTER, DY115XE

APPLICATIONS DEFERRED to allow a site visit to take place.

07/0637/FULL

25 CHURCH WALK, STOURPORT-ON-SEVERN, DY13 0AL

REFUSED for the following reasons:

1. The creation of two plots would represent an over-development of the site resulting in a poor relationship with the neighbouring properties due to the proposed proximity of the dwellings to the boundaries of the site. Due to the restrictions of the plot size, the siting of the proposed dwellings and the pattern of the existing development, the proposed development would not adhere to or contribute to the character or local distinctiveness of the area and would result in harm being caused to the visual amenities of the area. To approve the development in these circumstances would be contrary to Policies D.1 and D.3 of the Adopted Wyre Forest District Local Plan, Policies QE.1 and QE.3 of the Regional Spatial Strategy (RPG11) and the aims of the adopted Design Quality Supplementary Planning Guidance (2004) and adopted government policy within PPS1 and PPS3
2. By virtue of the siting of the properties together with the separation distances to the front of Plots 1 and 2 and to the rear of Plot 1, it is considered that there would be a loss of privacy to the adjacent properties known as 15a Church Walk, Aranmore and Thornton by virtue of the overlooking of their private garden areas from first floor habitable windows. As such, the proposed development is contrary to Policy D.1 of the Adopted Wyre Forest District Local Plan.
3. The existing access to the property is barely 3m wide, this is contrary to the Highway Authority's current standards that indicate a minimum width for shared drives of 3.5m.
4. The maximum number of properties allowed from a private shared drive is 5, this proposal would exceed this number.
5. The visibility from the private drive onto Church Walk (from all points) is totally inadequate and well below the required standards.

Points 3 - 5 above would all have serious implications for highway safety in the area.

Councillor M A W Hazlewood left the meeting at 8.32 pm after consideration of the above application.

07/0686/FULL

WEST MIDLAND SAFARI PARK, SPRING GROVE, BEWDLEY, DY12 1LF

APPROVED subject to the following conditions:

1. A11 – location plan (1:2500) dated 29-5-07, drawing 2473/9 dated 5-7-07 and drawing WMSP06/07-02 undated.
2. The open storage areas hereby permitted shall only be used for storing materials in connection with the West Midlands Safari Park, and such storage shall only take place in the 5 areas highlighted in orange on the approved plan (drawing 2473/9 dated 5-7-07)
Reason:- in the interests of visual amenity and to preserve the openness of the Green Belt and the character of the surrounding landscape. In accordance with policies GB1, GB6 and LA2 of the Adopted Wyre Forest District Local Plan and policies D39 and CTC4 of the Worcestershire County Structure Plan.
3. The open storage of materials hereby approved shall not exceed 1.5 metres in height in the approved locations as shown on Drawing No. 2473/9 dated 5-7-07 (as amended):

Reason:- in the interests of visual amenity and to preserve the openness of the Green Belt and the character of the surrounding landscape. In accordance with policies GB1, GB6 and LA2 of the Adopted Wyre Forest District Local Plan and policies D39 and CTC4 of the Worcestershire County Structure Plan.

4. The landscaping shown on drawing WMSP06/07-02 shall be planted within 3 months of the date of this permission. All landscape works shall be carried and to a standard in accordance with the relevant recommendations of British Standard [4428 : 1989]. Any trees or plants that, within a period of five years after planting, are removed, die or become seriously damaged or defective, shall be replaced with others of species, size and number as originally approved, by the end of the first available planting season thereafter.

NOTE

SN13 <4> (Landscaping to be viewed by Local Planning Authority following completion)

Reason for Approval

The proposal is judged to be appropriate development in the Green Belt. Due to its low key use and limited storage area, the use of the area is considered acceptable in principle. Subject to the landscaping being implemented and the height of external storage being restricted, it is considered that the residents of Spring Grove Farm Barn's will not be adversely affected by the proposal and there will not be significant harm to the visual amenity of the Green Belt or the Landscape. For these reasons the development is compliant policies H.9, D.1, D.3, GB.1, GB.6, LA.2, LB.1, LB.5, CA.1, CA.2, TR.9, TR.17, IMP1, of the Adopted Wyre Forest District Local Plan and

CTC.1, CTC.19, CTC.20 and D.39 of the Worcestershire County Structure Plan and QE.1, QE.3, QE.5, QE.6, CF.2 of (RPG11) and PPG.2, PPS.7 and PPG.15.

**07/0049/REGS3 &
07/0050/LIST
6 LOAD STREET, BEWDLEY, DY12 2AF**

07/0049/REGS3) **APPROVED** subject to the following conditions:

1. A6 (Full with No Reserved Matters)
2. A11 (Approved Plans)
3. B1 (Samples/Details of Materials)
4. No consent given for advertisements or external signage

Reason for Approval

The proposed alterations to enable disabled access to the building are considered to be acceptable in terms of their impact on the character and appearance of this Grade II Listed Building and also the Bewdley Conservation Area. For these reasons the proposal is considered to be in accordance with policies CA.1, LB.1, D.1, D.3 and CY.2 of the Adopted Wyre Forest District Local Plan; CTC.19 and CTC.20 of the Worcestershire County Structure Plan; QE.1, QE.3 and QE.5 (RPG11); and Design Quality SPG; PPs.1 and PPG15.

07/050/LIST **DELEGATED AUTHORITY TO APPROVE** following referral to the Secretary of State (in accordance with Environment Circular 14/97) and subject to the following conditions:

1. A7 (Listed Building Consent)
2. A11 (Approved Plans)
3. B1 (Samples/Details of Materials)
4. G1 (Details of Works to Listed Building – new glazing)
5. No consent given for advertisements or external signage

Reason for Approval

The proposed alterations to enable disabled access to the building are considered to be acceptable in terms of their impact on the character and appearance of this Grade II Listed Building. For these reasons the proposal is considered to be in accordance with policies CA.1, LB.1, D.1, D.3 and CY.2 of the Adopted Wyre Forest District Local Plan; CTC.19 and CTC.20 of the Worcestershire County Structure Plan; QE.1, QE.3 and QE.5 (RPG11); and Design Quality SPG; PPs.1 and PPG15.

**07/0522/FULL
MORGAN ADVANCED CERAMICS LTD, BEWDLEY ROAD, STOURPORT-ON
-SEVERN, DY13 8QR**

APPROVED subject to the following conditions:

1. A6 (Full with No Reserved Matters)
2. A11 (Approved Plans)
3. B3 (Finishing Materials to Match)
4. Highway conditions

5. C2 landscaping of car parking areas
6. No consent for external plant or equipment not indicated on approved plans.
7. There shall be no external storage of equipment or materials other than within the areas identified for external storage on the approved plans.
8. Details of disabled parking provision
9. Restriction of hours of demolition/construction works
10. Bat survey.

NOTE:
Bats

Reason for Approval

The proposed alterations to the existing factory and the erection of a new storage building are considered to be in accordance with the employment related policies of the Local Plan. The impact of the proposed development on the amenity of neighbours and highway safety has been carefully assessed and it is considered that there will be no undue harm arising from the proposal. The proposal is therefore in accordance with policies E.2, D.1, D.3, D.9, D.15, D.19, NR.11, TR.9, and TR.17 of the Adopted Wyre Forest District Local Plan; SD.2, SD.6, D.20 T.1 and T.4 of the Adopted Worcestershire County Structure Plan; PA.6, QE.3 and T.2 of (RPG11) and PPs1, and Design Quality SPG.

07/0524/FULL

UNITS 1 - 4, BALDWIN ROAD, STOURPORT-ON-SEVERN, DY13 9AU

APPLICATION WITHDRAWN.

07/0545/FULL

13 WHEATMILL CLOSE, BLAKEDOWN, KIDDERMINSTER, DY10 3JS

APPROVED subject to the following conditions:-

1. A6 (Approved with no reserved matters)
2. A11 (Approved plans)
3. B3 (Finishing materials to match)

Note
SN12 (Neighbours' rights)

Reason for Approval

The proposed extension is considered to be of an appropriate scale and design to the main dwelling and will have an acceptable appearance in the street scene. The impact of the extension upon neighbouring properties has been carefully assessed and it is considered that there will be no undue impact upon their amenity. For these reasons the proposal is considered to be in accordance with policies D.1, D.3, D.17, TR.9 and TR.17 of the Adopted Wyre Forest District Local Plan; QE.3 of the Regional Spatial Strategy and PPS.1.

07/0583/FULL

**PLUMBASE LTD, EDWIN AVENUE, HOO FARM INDUSTRIAL ESTATE,
KIDDERMINSTER, DY11 7RA**

DELEGATED AUTHORITY TO APPROVEsubject to:

- a) an obligation to secure the following:
 - biodiversity contribution of £200 (to be spent over 3 years) on the Spennells Value Nature Reserve
- b) and subject to the following conditions:
 1. A6 (Full with no reserved matters)
 2. A11 (Approved plans)
 3. B6 (External details – approved plan)
 4. This permission relates to a wholesale Plumbers merchants only
 5. The hedgerow forming the boundary with Edwin Avenue shall be retained (with the exception of the vehicular access)
 6. The areas of outside storage shall be strictly limited to those areas as demarked on the approved plan
 7. Details of an external cycle shelter to be submitted and approved
 8. Drainage details
 9. H5 (Access gates)
 10. H6 (Vehicular access construction)
 11. Turning/parking, change of use commercial approval plans

NOTES

- A. HN1 (Mud on highway)
- B. HN10 (Drainage arrangements)
- C. HN22 (Removal of structures)
- D. SN12 (Neighbours' rights)
- E. SN2 (Section 106 Agreement)
- F. This permission relates solely to the development contained within the application site as edged red on Drawing CFL588 - 01.

Reason for Approval

The land is allocated for purposes which include trade warehouses. A design and siting of the building together with the car parking arrangements and storage facilities are considered to be acceptable. There is no serious adverse impact on adjoining property and the access is judged to be satisfactory in terms of highway safety. To approve the development would be in accordance with policies E.2, D.1, D.4, D.9, D.10, D.11, IMP.1, NR.7, TR.6, TR.9 and TR.17 of the Adopted Wyre Forest District Local Plan; D.24 and D.25 of the Worcestershire County Structure Plan; Design Quality SPG; Planning Obligations SPD; and PPS.1, PPS.9 and PPG.4.

07/0629/FULL

39 BEWDLEY HILL, KIDDERMINSTER, DY116JA

REFUSED for the following reason:

1. It is considered that the implementation of the proposed design of the boundary treatment including the brick wall and piers would have an adverse effect on highway safety. The proposal is therefore contrary to Policy TR.9 of the Adopted Wyre Forest District Local Plan.

07/0683/FULL

WEST MIDLAND SAFARI PARK, SPRING GROVE, BEWDLEY, DY12 1LF

APPROVED subject to the following conditions

1. A11 (Approved plans)
2. Log barriers to be installed within 2 months
3. Car park to be laid out in accordance approved plan within 2 months
4. Car Park to be used for the parking of staff vehicles only.
5. Landscaping specification.

Reason for Approval

The works to create and the use of the area as a car park are considered to be appropriate development in the Green Belt. The creation of the area has not resulted in harm being caused to the character of the landscape, the visual amenities of the Green Belt or highway safety. The protected trees on site have not be adversely affected by this development.

07/0685/FULL

WEST MIDLAND SAFARI PARK, SPRING GROVE, BEWDLEY, DY121LF

APPROVED subject to the following conditions:

1. A11 (Approved plans – Location Plan (1:2500) dated 29th May 2007 and Drawing No. 2473/8 dated 5th July 2007
2. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking and re-enacting that order with or without modification), no development as specified in Part 28 Class A, other than those expressly authorised by this permission, shall be carried out without express planning permission first being obtained from the Local Planning Authority.

Reason

To enable the Local Planning Authority to control the development and to safeguard the character and visual amenities of the Green Belt and Landscape, and to ensure that residential properties are not adversely affected. To ensure that the development accords with Policies D.1, GB.1, GB.6 and LA.2 of the Adopted Wyre Forest District Local Plan and Policies D.39 and CTC.4 of the Worcestershire County Structure Plan.

Reason for Approval

Although the development constitutes inappropriate development in the Green Belt through loss of openness, there are Very Special Circumstances in this case that outweighs the harm that would be caused by reason of inappropriateness. No other harm would be caused to any interests of acknowledged importance.

07/0725/FULL

WEST MIDLAND SAFARI PARK, SPRING GROVE, BEWDLEY, DY12 1LF

REFUSED for the following reasons.

1. The site is located within the West Midlands Green Belt. The ride and associated works constitute inappropriate development within the Green Belt that results in harm being caused. No very special circumstances have been presented by the applicant to outweigh the harm by reason of its inappropriateness. As such to retain the development in these circumstances would be in direct conflict with Policy GB1 of the Adopted Wyre Forest District Local Plan, Policy D39 of the Worcestershire County Structure Plan and Government advice in PPG2.
2. By reason of the position of the ride, development has been pushed further outside the established amusement area, encroaching into the countryside. In addition due to its position and overall scale and height, the ride and associated works have resulted in significant harm being caused to the visual amenities and openness of the Green Belt and the character of the protected landscape. The development is thus viewed as being in conflict with the aims of including land within the Green Belt. The development is therefore considered to be contrary to Policies GB1, GB6 and LA2 of the Adopted Wyre Forest District Local Plan, Policies D39 and CTC4 of the Worcestershire County Structure Plan, Policy QE.6 of the Regional Spatial Strategy (RPG11) and Government advice in PPG2 and PPS7.
3. The installation of the ride has resulted in the felling of a significant number of protected tree that existed on the site, and has caused significant harm to retained trees through root severance and change in ground levels, causing the need to fell two further trees. The removed trees would have significant contributed to the visual amenities of the area and have been removed without any justification. The remaining trees still provide significant amenity value to the Park, the loss of one and the potential compromising of the health of the others will ultimately result in a degradation of the visual amenities of the area and the surrounding landscape. The development is thus contrary to Policies D4, LA2 and LA6 of the Adopted Wyre Forest District Local Plan and Policies CTC4 and CTC5 of the Worcestershire County Structure Plan.