

WYRE FOREST DISTRICT COUNCIL

PLANNING (DEVELOPMENT CONTROL) COMMITTEE

11th SEPTEMBER 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.

07/0716/FULL

4 CHURCHILL LANE, BLAKEDOWN, KIDDERMINSTER, DY103NB

DELEGATED AUTHORITY TO REFUSE subject to the expiration of the consultation deadline for Worcestershire County Council (footpaths).

Reason for refusal (subject to the comments of Worcestershire County Council (footpaths))

1. The access for the proposed development utilises a narrow track, which is a Public Right of Way (Footpath 530). The proposed intensification of vehicular movements on this access at its junction with Churchill Lane (C2136) where visibility is restricted in both directions, would be detrimental to highway safety. The development would therefore be contrary to Policies TR.9 and LR.8 of the Adopted Wyre Forest District Local Plan.

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

07/0727/FULL

LAND ADJOINING MARTLEY ROAD, STOURPORT ON SEVERN

APPLICATION DEFERRED for a site visit to take place.

07/0770/FULL

46 MARLPOOL PLACE, KIDDERMINSTER, DY115BA

REFUSED for the following reason:

The proposed extensions by virtue of their form and design are considered to be out of keeping with the form and architectural characteristics of the original building. The proposed development would therefore be contrary to Policy D.17 of the Adopted Wyre Forest District Local Plan and advice within the Adopted Design Quality Supplementary Planning Guidance.

07/0805/FULL

LAND OFF CHESHIRE AVENUE, STOURPORT-ON-SEVERN, DY130EA

IREFUSED for the following reason:

The trees both within and bordering the application site have significant amenity value. The current application contains insufficient information to demonstrate the full impact of the proposed development upon these trees. There is also inadequate detail to demonstrate that there would be no significant impact upon the amenity of the future owner/occupier of the property by way of impact to daylight to the dwelling and garden area along with concerns over safety and debris. Such concerns would result in pressure for felling or more significant pruning of the existing trees which would result in a loss of amenity to the wider area. The development is therefore contrary to Policies D.1, D.3 and D.4 of the Adopted Wyre Forest District Local Plan and Policy CTC.5 of the Worcestershire County Structure Plan.

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

DELEGATED APPROVAL of application 07/0605/FULL subject to:

- a) the signing of a **Section 106 Agreement** to secure the following:
- Contribution of £6,930 towards Education provision
 - Contribution of £540 towards the County Council's Sustainable Accessibility Strategy within Wolverley
 - Contribution of £5,000 towards upgrade of Traffic Signals at Wolverley Village
 - Contribution of £3,880 towards Open Space at Brown Westhead Park
- b) and subject to the following conditions:
1. A6 (Full with no reserved matters)
 2. A11 (Approved plans)
 3. B1 (Samples/details of materials)
 4. B2 (Sample brick panel)
 5. B11 (Details of enclosure)
 6. B13 (Levels details)
 7. B9 (Details of windows and doors)
 8. B15 (Owl/bat box)
 9. C6 (Landscaping – small scheme)
 10. C8 (Landscape implementation)
 11. E2 (Foul and surface water)
 12. F5 (Construction site noise/vibration)

13. F13 (Control of dust)
14. G11 (Comprehensive photographic survey)
15. J1 (Removal of permitted development – residential)
16. Details of Public Art

Reason for Approval

The utilisation of the approved building for 10 apartments is considered to be acceptable as the units can be accommodated on the site without prejudicing the amenities of the area or highway safety. For these reasons the proposal is considered to be in accordance with policies H.9, D.1, GB.1, GB.2, GB.6, LA.2, LB.1, LB.5, CA.1, CA.2, TR.9, TR.17, IMP.1 of the Adopted Wyre Forest District Local Plan; CTC.1, CTC.19, CTC.20 and D.39 of the Worcestershire County Structure Plan; QE.1, QE.3, QE.5, QE.6, CF.2 of (RPG11) and PPG.2, PPS.7 and PPG.15.

APPROVAL of application 07/0606/CAC subject to the following conditions:

1. A7 (Listed Building/Conservation Area Consent)
2. A11 (Approved plans)
3. This consent only to be implemented in conjunction with application 07/0605/FULL

07/0715/FULL

THE HERONS NURSING HOME, HERONSWOOD ROAD, KIDDERMINSTER, DY104EX

If no decision has been made by English Heritage or if they indicate that they do not propose to List the building by 12th October 2007, that the application be **APPROVED** subject to the conditions below:

1. A6 (Standard time)
2. A11 (Approved Plans)
3. Tying the use to occupation by the elderly in association with Herons Nursing Home.
4. Grampian condition requiring a Section 106 to be entered into to ensure the introduction of the nesting boxes as required by the Countryside and Conservation Officer
5. B3 (Finishing Materials to match)
6. B9 (Details of Windows and Doors)
7. C2 (Retention of Existing Trees)
8. C3 (Tree Protection During Construction)
9. C6 (Landscaping – small scheme)
10. C8 (Landscape Implementation)
11. C14 (Landscape Maintenance)
12. Drainage
13. Visibility Splay 2m x 50m in the direction of the Heronswood Shops
14. Bat survey to be undertaken before any work on site commences and should bats be present no work to commence before the necessary mitigation measures/ licence has been obtained.
15. A programme of historic building recording be carried out prior to and during demolition.

Reason for Approval

The proposed development is considered to be acceptable in terms of design, affect on neighbouring property, car parking and highway safety. The loss of the existing building has been carefully examined against its history, architecture and setting, however it is not protected by either statutory or Local Listing and in these circumstances the benefits of redevelopment are judged to outweigh its retention. After taking into account these and all other issues the application is judged to be in accordance with Policies H.2, H.13, D.1, D.3, D.10, D.11, D.17, D.18, TR.9 and TR.17 of the Adopted Wyre Forest District Local Plan; SD.1, SD.3, D.3, D.9 and T.1 of the Worcestershire County Structure Plan; QE.1, QE.3 of (RPG.11); PPS.1, PPS.3 and PPS.9; and Design Quality SPG, Planning Obligations SPG.

In the event that **English Heritage decide to List** the building before 12th October 2007, the application be **delegated to REFUSE** for the reason given.

The proposed development involves the demolition of a Listed Building considered to be of architectural and historical merit. To demolish the building would be contrary to the aims and provisions of Policy LB.1 of the Adopted Wyre Forest District Local Plan as it has not been clearly demonstrated that the criteria associated with this policy have been met. The demolition of this building would also be contrary to Policy CTC.19 of the Worcestershire County Structure Plan and Policies QE.1, QE.3 and QE.5 of the Regional Spatial Strategy (RPG11, 2004) and Government advice contained in PPG15.

Councillor W G Jones left the room during consideration of the application below.

07/0731/FULL

WOODLAND NURSERIES, THE NURSERY, HABBERLEY ROAD, BEWDLEY, DY121LA

APPROVED, subject to the following conditions:-

1. A6 (Full with no Reserved Matters)
2. A11 (Approved Plans)
3. B1 (Material Samples)
4. C6 (Landscaping – small scheme)
5. C8 (Landscaping – implementation)
6. All Retailing activity shall only take place within the defined retail area of the building hereby permitted as shown on submitted plan. No other retail sales shall take place within the site or on land outlined in blue.
7. The items to be sold within the approved retail area of the building hereby permitted shall only include produce which is produced on the applicant's ancillary land holding unless the sale of any other item is agreed in writing by the Local Planning Authority.
8. The storage area within the building hereby permitted shall only be used for storing items in connection with the horticultural activity at Woodlands Nurseries and for no other purpose.

9. Existing retail building adjacent to dwelling to be demolished before approved building first brought into use.
10. Drainage details to be submitted
11. This permission is for the erection of a replacement building only as shown on the approved plans and does not include any engineering operations or works to the existing 'Wildlife Pond'.
12. Highway conditions

Reason for Approval

The proposal is considered to be appropriate development in the Green Belt because the need for the building has been demonstrated in agricultural/horticultural terms and the retail element is controllable by condition as ancillary to the horticultural production of the site. Neither the openness/visual amenity of the Green Belt, the character of the Landscape Protection Area or the amenity of neighbouring properties would be harmed by this proposal and policies GB.1, GB.2, GB.6, D.1, D.3, D.4, D.5, AG.4, AG.7, RT.12, LA.1, LA.2, TR.9 and TR.17 of the Adopted Wyre Forest District Local Plan, D.36, D.39, CTC.1, CTC.4 and T.4 of the Adopted Worcestershire County Structure Plan; QE.1, QE.3 and QE.6 of (RPG.11); Design Quality SPG, PPS.1, PPS.7 and PPG.2. would also be satisfied. The proposal is also acceptable in terms of its impact on highway safety.

07/0749/FULL

71 RICHMOND ROAD, BEWDLEY, DY122BG

APPROVED subject to the following conditions:

1. A.6
2. A.11
3. B.3
4. J.3

Reason for approval:

The proposed extensions are considered to be well designed and would appear subservient to the original dwelling. Whilst the provision of two bedrooms for ancillary accommodation is contrary to Policy H.18 it is considered that on the basis that the site is allocated in a residential area this is not sufficient reason to refuse the application.

07/0768/FULL

UNIT 341 RUSHOCK TRADING ESTATE, RUSHOCK, DROITWICH, WR9 0NR

APPROVED subject to the following conditions:

1. A6 (Standard time)
2. A11 (Approved Plans)

Reason for Approval

As an identified Major Developed Site in the Green Belt, the building is capable of being used for the full range of employment uses as applied for. The effect of this would be such that the amenity of the area would be safeguarded, and highway safety

would not be compromised. The proposal is therefore considered to be in compliance with policies E.5, GB.1, GB.2, GB.4, GB.6 and TR.9 of the Adopted Wyre Forest District Local Plan; D.28, D.29 and D.16 of the Adopted Worcestershire County Structure Plan; QE.1, and QE.3 of (RPG.11); and PPG.2.

07/0785/FULL

16 BEACH ROAD, STOURPORT-ON-SEVERN, DY130NA

APPLICATION WITHDRAWN

07/0790/FULL

BEWDLEY TOWN F C, RIBBESFORD MEADOWS, RIBBESFORD, BEWDLEY, DY122TJ

REFUSED for the following reason:

The application site is located within a Landscape Protection Area and an Area of Great Landscape Value. To allow the retention of the floodlights in the upright position on a permanent basis would have a detrimental impact on the quality and character of this landscape. The proposal is, therefore, contrary to Policies D.1, D.3, D.5, LA.1 and LA.2 of the Adopted Wyre Forest District Local Plan, Policies CTC.1 and CTC.4 of the Adopted Worcestershire County Structure Plan, Policies QE1, QE6 and QE7 of the Regional Spatial Strategy (RPG11) and guidance in PPS7.

07/0804/FULL

19 BIGBURY LANE, STOURPORT-ON-SEVERN, DY139JU

REFUSED for the following reason:

The proposed dog grooming building, by virtue of its likelihood to result in and adverse impact in terms of noise and smell (including, but not limited to, disturbance associated with customers dropping off and fetching their dogs) is considered to be unacceptable in this location as it would harm the amenity of local residents. It is therefore contrary to Policies D.1, H.8 and NR.11 of the Adopted Wyre Forest District Local Plan and government advice within Planning Policy Guidance Note 4.

07/0810/ADVE

QUEEN ELIZABETH II GARDENS, HIGH STREET, BEWDLEY

APPROVED subject to the following conditions:

1. L1 (Standard Advertisement Conditions)
2. L2 (Removal of Rights to Advertise)
3. L9 (Standard Time)

07/0819/FULL

**KINGSFORD STORES, KINGSFORD LANE, WOLVERLEY, KIDDERMINSTER,
DY115SA**

DELEGATED APPROVAL subject to completion of the consultation period and no new issues being raised and subject to the following conditions:

1. A6 (Full with no reserved matters)
2. A11 (Approved plans)
3. Removal of caravan prior to any works commencing on site
4. B1 (Samples/details of materials)
5. B9 (Details of windows and doors)
6. B11 (Details of enclosure)
7. B13 (Levels details)
8. B15 (Owl/bat box)
9. C2 (Retention of existing trees)
10. C3 (Tree protection during construction)
11. C6 (Landscaping – small scheme)
12. C8 (Landscape implementation)
13. C9 (Hedge protection)
14. C10 (Visibility splay – replacement hedge)
15. E2 (Foul and surface water)
16. E6 (No drainage to watercourse)
17. J1 (Removal of permitted development – residential)
18. H6 (Vehicular access construction)
19. H12 (Parking and turning – single house)
20. H13 (Access, turning and parking)
21. H27 (Parking of site operatives)
22. The meadow area identified on 0740/-2A shall be retained as a wildlife area and does not form part of the domestic curtilage of either of the two dwellings hereby permitted.
23. Environment Agency Conditions
24. D1 Contaminated Land

Notes

- A SN3 (Protection of species)
- B SN1 (Removal of permitted development rights)
- C HN1 (Mud on highway)
- D HN10 (Drainage arrangements)
- E HN22 (Removal of structures)
- F HN5 (No highway works permitted)

Reason for Approval

Although the proposal represents inappropriate development within the Green Belt, no other harm in respect of design quality, highway issues, impact on surrounding uses, or nature conservation can be proven. It is felt that the Very Special Circumstances that exist in this case result in the in principle harm being outweighed on this occasion. For these reasons the proposal is felt to be compliant with polices H.9, GB.1, GB.2, GB.6, LA.1, LA.2, D.1, D.3, D.4, D.5, TR.9 and TR.17 of the Adopted Wyre Forest District Local Plan; D.39 and

CTC.4 of the Worcestershire County Structure Plan; QE.1, QE.3, QE.6 of RPG.11; and PPS.1, PPG.2, PPS.3, PPS.7 and PPS.9

Councillor W G Jones left the room during consideration of the application below.

07/0826/FULL

13 BELLE ORCHARD, KIDDERMINSTER, DY116PW

APPROVED subject to the following conditions:

1. A6 (Full with no reserved matters)
2. A11 (Approved plans)
3. B3 (Finishing materials to match)
4. Side facing bedroom window – obscure glazing
5. Privacy screens to be retained permanently

Reason for Approval

The proposed extension is considered to be of an appropriate scale and design in relation 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.