

WYRE FOREST DISTRICT COUNCIL
PLANNING (DEVELOPMENT CONTROL) COMMITTEE
12TH FEBRUARY 2008 - SCHEDULE 446 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.

**07/1215/FULL and
07/1216/LIST
89-90 WELCH GATE, BEWDLEY, DY122AX**

APPROVED subject to the following conditions:

1. A6 (Full with no reserved matters) [07/01215/FULL] /
A7 (Listed Building/Conservation Area Consent) [07/1216/LIST]
2. A11 (Approved plans)
3. Approval of all facing materials
4. 1.20 Section of staircase to be approved
5. Approval of new door to front entrance to upper floor flat
6. Details of making good around door for new entrance
7. Programme of Archaeological work
8. Staircase/balcony not to be used as a sitting out/amenity area.

Note:

Disabled Access.

Reason for Approval (07/1215/FULL)

The principle of residential development in this location is acceptable and the proposal can otherwise be implemented without creating a significant adverse effect on the neighbour amenity/privacy. The character and appearance of Bewdley Conservation Area would be preserved. For these reasons the proposal is considered to be in compliance with policies H.2, D.1, D.3, D.17, LB.1, LB.2, LB.3, CA.1, CA.3, AR.2, AR.3, NR.11 and TR.17 of the Adopted Wyre Forest District Local Plan. SD.2, CTC.19 and CTC.20 of the Adopted Worcestershire County Structure Plan; QE.1, QE.3, and QE.5 (Regional Planning Guidance 11)

Reason for Approval (07/1216/LIST)

The principle of residential development in this location is acceptable and the proposal can otherwise be implemented without creating a significant adverse effect on the character/appearance of the Grade II Listed Building. The character and appearance of Bewdley Conservation Area would be preserved. For these reasons the proposal is considered to be in compliance with policies IH.2, D.1, D.3, D.17, LB.1, LB.2, LB.3, CA.1, CA.3, AR.2, AR.3, NR.11 and TR.17 of the Adopted Wyre

Forest District Local Plan. SD.2, CTC.19 and CTC.20 of the Adopted Worcestershire County Structure Plan; QE.1, QE.3, and QE.5 (Regional Planning Guidance 11).

07/1260/FULL

1 ROXALL CLOSE, BLAKEDOWN, KIDDERMINSTER, DY103JX

REFUSED for the following reason:

Reasons for Refusal

1. The proposed dwellings, by reason of their size and positioning in relation to the overall size of the site, would constitute over-development of the site. Thus, the proposal would be contrary to Policies D.1 and D.3 of the Adopted Wyre Forest District Local Plan and the Council's Design Quality Supplementary Planning Guidance.
2. Due to the close proximity of the dwellings to the boundaries of the adjacent residential properties, the proposed development would result in an unacceptable loss of amenity to those neighbouring properties. The proposed development would therefore be contrary to Policy D.1 of the Adopted Wyre Forest District Local Plan.

In the event that English Heritage List the existing building, I also recommend that **delegated** authority to **REFUSE** the application for the following reason:

1. The development would result in the loss of a listed Building which makes a positive contribution to the village of Blakedown and no justification has been provided to demonstrate that the development outweighs the individual importance of the Listed Building or that there are no alternatives to demolition. To approve the development in these circumstances would be contrary to the aims and provisions of Policy LB.1 of the Adopted Wyre Forest District Local Plan, Policy CTC.19 of the Worcestershire County Structure Plan and Policy QE.1 of the Regional Spatial Strategy (RPG11)

Councillor Mrs P V Hayward left the meeting at 6.50 pm after consideration of the above application.

07/1291/FULL

KENDAL LODGE, DOWLES ROAD, BEWDLEY, DY122RD

APPROVED Subject to the following conditions:

1. A6 (Full with no reserved matters)
2. A11 (Approved Plans)
3. B1 (Samples/Details of material)

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4. B11 (Details of enclosure)
5. C2 (Retention of existing trees)
6. C5 (Hand digging near trees)
7. C6 (Landscaping)
8. C8 (Landscape implementation)
9. D3 (Slope stability)
10. D2 (Landfill gas investigation)
11. E2 (Foul and surface water drainage)
12. F5 (Hours of operation)
13. H13 (Access, turning and parking)
14. J1 (removal of permitted development rights)
15. Details of retaining walls to be submitted

Reason for Approval

The development by virtue of its design and layout would relate well to the character of the area and would have an acceptable appearance in the streetscene. Careful consideration has been given to the impact of the proposal on the amenity of neighbours and it is considered that they would not be unduly affected. The proposal would not give rise to a situation which is detrimental to highway safety. The proposal therefore complies with policies H.2, H.5, D.1, D.3, D.10, D.11, D.16, NR.4, NR.9, TR.9 and TR.17 of the Adopted Wyre Forest District Local Plan; CTC.1, D.1 and D.5 of the Worcestershire County Structure Plan; CF.3, CF.4, CF.6, QE.1, QE.3, and T.7 (Regional Planning Guidance 11); PPS1, PPS.3, PPG.14 and Design Quality SPG.

08/0015/FULL

ADJACENT TO 16 SUMMER ROAD, KIDDERMINSTER, DY117JS

APPROVED subject to the following conditions:

1. A6 (Full with no reserved matters)
2. A11 (Approved plans)
3. B1 (Samples/details of materials)
4. B11 (Details of enclosure)
5. B13 (Levels details)
6. C6 (Landscaping - small scheme)
7. C8 (Landscape implementation)
8. Drainage details
9. Public sewer
10. J1 (Removal of permitted development – residential)
11. H13 (Access, turning and parking)
12. E2 (Foul and surface water)
13. Handrail shall be fixed to any external steps
14. J7 (Windows obscure glazing <side elevations>)
15. D1 (Contaminated Land)
16. H.13 (Access, turning and parking)
17. Windows in rear dormers to be top hung only

Notes

HN5 (Highway)

SN1 (Removal of Permitted Development Rights)
SN10 (Disabled Persons Act 1981)
HN.1 (Mud on highway)
HN.4 (No laying of private apparatus)
HN.5 (No highway works permitted)

Reason for Approval

The proposed dwellings are considered to be of an appropriate scale and design and will have an acceptable appearance in the street scene. The impact of the proposed development including the dormer window on the amenity of neighbouring properties has been carefully assessed and it is considered that there will be no undue impact on their amenity. For these reasons the proposal is considered to comply with policies H.2, D.1, D.3, D.10, D.11, TR.9 and TR.17 of the Adopted Wyre Forest District Local Plan; QE.3 (Regional Planning Guidance 11); Design Quality SPG; PPS.1 and PPS.3.

07/1299/FULL

121 SUTTON PARK ROAD, KIDDERMINSTER, DY116JG

APPROVED subject to the following conditions:

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

Reason for Approval.

The proposed extensions are considered to be of an appropriate scale and design in relation to the original dwelling and will present an acceptable appearance to the street scene. The impact of the extensions upon the neighbouring properties has been carefully assessed and it is considered that no undue loss of amenity or privacy would occur as a result of the development.

07/1240/FULL

**STOURPORT SPORTS CLUB LTD, KINGSWAY, STOURPORT-ON-SEVERN,
DY138BQ**

APPROVED subject to the following conditions:

1. A6 (Full with no reserved matters)
2. A11 (Approved plans)
3. B1 (Samples/details of materials)
4. B13 (Levels details)
5. Restriction on use for Sports only

Reason for Approval

Whilst the proposal represents inappropriate development in the Green Belt and results in loss of openness, it is considered that Very Special Circumstances exist that would outweigh the harm that would be caused, namely the regional context of the development. The design and siting of the building is considered to be acceptable in context of the open countryside. The proposal is considered to be compliant with the policies D.1, D.3, D.9, D.10, D.11, D.19, NR.3, GB.1, GB.2, GB.6, TR.9, TR.17, LR.9, LR.11 and LR.17 of the Adopted Wyre Forest District Local Plan; CTC.6 and D.39 of the Worcestershire County Structure Plan; PA.10, QE.3, QE.6 of Regional Planning Guidance 11; PPS.1, PPG.2, PPS.7 and PPG.17.

07/1245/FULL THE EAGLES NEST, CONINGSBY DRIVE, KIDDERMINSTER, DY115LY

DELEGATED APPROVAL subject to:

- a) the signing of a **Section 106 Agreement** to secure the following:
 - £16,164 Education contribution
 - £7,192 Open Space contribution
 - £10,000 Public Realm contribution

- b) and subject to the following conditions
 1. A6 (Standard time)
 2. A11 (Approved plans)
 3. B1 (Samples/Details of materials)
 4. B9 (Details of windows/doors)
 5. B11 (Details of Enclosure)
 6. Bat, badger and reptile survey to be carried out prior to development commencing.
 7. C6 <The planting scheme to include a large specimen tree which should be allowed to grow to maturity>
 8. C8 (Landscape Implementation)
 9. C14 (Landscape Maintenance)
 10. E2 (Foul and Surface Water)
 11. H6 (Vehicular Access Construction)
 12. H9 (Driveway Gradient)
 13. H10b (Parking – Single House)
 14. H13 (Access, Turning and Parking)
 15. H21 (Wheel Washing)
 16. H27 (Parking of Site Operatives)
 17. J7 (Windows: Obscure Glazing)
 18. J8 (No further Windows)
 19. J9 (Open Plan Frontages)

Notes

A SN2 (Section 106 Agreement)

- B SN5 (No Advertisements)
- C SN12 (Neighbours' rights)
- D SN13 (Landscaping/Planting Works) HN1 (Mud on Highway)
- E HN5 (No Highway Works Permitted)
- F HN22 (Removal of Structures)

Reason for Approval

The development by virtue of its design would contribute positively to improving the visual amenity of the streetscene and the area as a whole and would not harm the visual amenity of the adjacent Green Belt. Careful consideration has been given to the impact of the proposal on the amenity of neighbours and it is considered that they would not be unduly affected. The proposal would not give rise to a situation which is detrimental to highway safety. The proposal therefore accords with policies H.2, H.5, D.1, D.10, D.11, D.13, D.16, LR.1, LR.2, NR.9 and IMP.1 of the Adopted Wyre Forest District Local Plan; CTC.1, D.1, D.5, and D.43 of the Worcestershire County Structure Plan; CF.3, CF.4, CF.6. QE.1, QE.3, QE.6, T.7 Regional Planning Guidance 11; PPS.1, PPS.3; Design Quality SPG and Planning Obligations SPD.

In the event that the Section 106 Agreement is not completed by 28th February 2008, I also recommend that **delegated** authority be given to **REFUSE** for the following reason:

1. The applicants have failed to enter in to an agreement under Section 106 of the Town and Country Planning Act 1990 (as amended) to secure contributions for Public Open space, Education Contributions and Public Realm. In the absence of this agreement the proposed scheme fails to comply with Policies LR.1, LR.2, D.12, CY.4 and IMP.1 of the Adopted Wyre Forest District Local Plan and the adopted Supplementary Planning Document on Planning Obligations.

07/1249/FULL

UNITS 1-4 BALDWIN ROAD, STOURPORT-ON-SEVERN, DY139AZ

REFUSED for the following reasons:

1. The proposal is considered to represent an overdevelopment of the site resulting in a cramped visual appearance and poor design quality. This is particular evident through the through the position of parking areas, insufficient provision of car parking spaces, the significant lack of amenity provision for the number of residential units, small degree of landscaping and relationship of blocks to the boundaries and existing streetscene. As such the development is considered contrary to Policies D.1, D.3 and TR.17 of the Adopted Wyre Forest District Local Plan, Policy QE.3 of the Regional Spatial Strategy (RPG.11), the aims of the Adopted Design Quality Supplementary Planning Guidance (2004) and Government Policy in PPS.1 and PPS.3.
2. By virtue of its siting, massing and design. It is considered that Block A would poorly relate to the existing developments fronting Baldwin Road,

particularly the 'Magal' buildings that lie opposite the site, and that the development would dominate this part of Baldwin Road. The design of the development does not reflect or positively contribute to the existing streetscene. As such the development is considered contrary to Policies D.1 and D.3 of the Adopted Wyre Forest District Local Plan, Policy QE.3 of the Regional Spatial Strategy (RPG.11), the aims of the Adopted Design Quality Supplementary Planning Guidance (2004) and Government Policy in PPS.1 and PPS.3.

3. It is considered that the separation distance between the habitable window to the third floor of Block B and the private amenity space to the rear of No. 9 Baldwin Road is inadequate and therefore there would be a significant loss of privacy to the neighbouring residential occupiers by virtue of overlooking. As such the development is contrary to Policy D.1 of the Adopted Wyre Forest District Local Plan and the aims of the Adopted Design Quality Supplementary Planning Guidance (2004).
4. By virtue of the position, scale and massing of Block C in relation to the amenity area of Plot 1 of the layout approved under Planning Permission 07/0619/OUTL, for the site to the rear 33 Baldwin Road, the proposed development would have a significant adverse impact on the residential amenity of this plot and its future occupiers. As such the proposal is considered to be contrary to Policy D.1 of the Adopted Wyre Forest District Local Plan, and the Adopted Design Quality Supplementary Planning Guidance (2004).
5. The failure of the Applicants to agree to enter into a Section 106 Agreement to secure contributions towards Educational Provision as set out in the Council's Supplementary Planning Document on Planning Obligations. The Local Education Authority has demonstrated that there is a need for such contributions and to neglect to pay the required contributions would be in direct conflict with Policies CY.4 and IMP.1 of the Adopted Wyre Forest District Local Plan and the Supplementary Planning Document on Planning Obligations (2007).
6. The Applicant has failed to demonstrate that the required visibility splay of 2.4m x 70m can be achieved in both directions within land under their ownership. Without such evidence it is considered that the proposed access cannot safely accommodate the traffic generation associated with the development and to allow the development in these circumstances would be contrary to the interests of highway safety and Policy TR.9 of the Adopted Wyre Forest District Local Plan.
7. The submitted layout drawing shows tandem parking spaces. Although the total number of spaces complies with the parking standards set out in the Adopted Wyre Forest District Local Plan, it is considered that the use of tandem spaces in the locations proposed would reduce the available number of spaces and as such would result in the number of

spaces being below the required parking standards. The proposal is thus contrary to Policy TR.17 of the Adopted Wyre Forest District Local Plan.

07/1265/OUTL

LAND TO REAR OF BRITEN LTD, EDWIN AVENUE, HOO FARM INDUSTRIAL ESTATE, KIDDERMINSTER, DY117RA

APPROVED subject to the following conditions:

1. A1 (Standard outline)
2. A2 (Standard outline – reserved matters : landscaping of the site)
3. A3 (Submission of reserved matters)
4. A11 (Approved plans)
5. B1 (Samples/details of materials)
6. C8 (Landscape implementation)
7. Define use
8. Control of lighting
9. Severn Trent Water condition
10. H13 (Access, turning and parking)
11. Protection of neighbouring property from construction work
12. No development shall take place until an investigation of the site has been undertaken to ascertain whether the site is affected by slope instability etc.
13. Provision of biodiversity measures

Notes

- A HN1 (Mud on highway)
- B HN4 (No laying of private apparatus)
- C HN5 (No highway works permitted)
- D Landscaping scheme

Reason for Approval

The proposed development is considered to be acceptable in terms of land use designation, impact on neighbouring property, visual amenity and with respect to car parking and highway related issues. For these reasons the proposal is considered to be in accordance policies E.2, D.1, D.3, D.10, D.11, D.15, TR.9 and TR.17 of the Adopted Wyre Forest District Local Plan; D.24 and D.25 of the Worcestershire County Structure Plan; QE.1, QE.3, PA.1, PA.6 Regional Planning Guidance 11; Design Quality Supplementary Planning Guidance; Planning Obligations Supplementary Planning Document PPS1, and PPG.4.

07/1294/FULL

UNIT 330 RUSHOCK TRADING ESTATE, RUSHOCK, DROITWICH, WR9 0NR

APPROVED subject to the following conditions:

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

Reason for Approval

As an identified Major Development 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 the policies listed above.

07/1303/FULL

**FROGMORE COTTAGE, WOLVERLEY VILLAGE, WOLVERLEY,
KIDDERMINSTER, DY115XE**

APPROVED subject to conditions:

1. A6 (Full with No Reserved Matters)
2. A11 (Approved Plans)
3. B1 (Samples/Details of Materials)
4. J8 (No Further Windows)

Reason for Approval

The proposal is considered to be appropriate development in the Green Belt because the cumulative impact of the previous and proposed extensions is proportionate to the size and scale of the original building. The proposed design is also visually subservient relative to the original building and is otherwise satisfactory in terms of acknowledged interests such as neighbour amenity/privacy, protection of the landscape and the preservation/enhancement of the Wolverley Conservation Area. The development is therefore in conformity with policies E.5, GB.1, GB.4, GB.6, D.1 and TR.9 of the Adopted Wyre Forest District Local Plan; D.16 and D.29 of the Adopted Worcestershire County Structure Plan; QE.1 and QE.3 of Regional Planning Guidance 11 and PPG2.

07/1312/FULL

42 SOMERLEYTON AVENUE, KIDDERMINSTER, DY103AS

APPROVED subject to the following conditions:

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

3. B3 (Finishing materials to match)
4. B1 (Samples/details of materials)
5. J7 (Windows: obscure glazing)
6. Highway conditions

Reason for Approval

The alterations and extensions are considered to accord with criteria set out in Policies D.1, D.3 and D.17 iv) of the Adopted Wyre Forest District Local Plan in that the proposal would clearly complement and respect adjacent development, relate to the appearance and character of the surrounding townscape and not have a serious adverse effect on the amenity of neighbouring residents.