

**WYRE FOREST DISTRICT COUNCIL**

**PLANNING COMMITTEE**

**Tuesday 13<sup>th</sup> October– Schedule 466 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:** 09/0505/FULL

**Site Address:** OXBINE, CALLOW HILL, ROCK, KIDDERMINSTER, DY14 9XB

**APPROVED** subject to the following conditions:

1. A6 (Full with no reserved matters)
2. A11 (Approved plans)
3. B1 (Samples of materials)
4. B15 (Owl/bat box)
5. C6 (Landscaping – small scheme)
6. The foundations for the garage associated with Plot C shall be erected in such a way as to ensure that no damage occurs to the Ash tree within the grounds of Mapps Barn
7. Development shall not begin until drainage details have been submitted and approved by the Local Planning Authority.
8. There is a public sewer which crosses the site. No buildings shall be erected or trees planted within 2.5 (150FWS) metres either side of this sewer.
9. Visibility splays
10. Vehicle access construction
11. Driveway gradient
12. Access, turning and parking
13. Cycle parking (multi unit)

**Notes**

A Mud on highway

B Alteration of highway to provide new or amend vehicle crossover

**Reason for Approval**

The proposed dwellings would form an infill development within the settlement boundary, are considered to be well designed and will have an acceptable appearance in the street scene. The impact of the dwellings upon the occupants of neighbouring properties has been carefully assessed and it is considered that there will be no undue impact on amenity. The proposed development is considered to accord with the requirements of Policies H.2, D.1, D.3, D.4, D.5, D.10, D.11, D.13, LA.2, TR.9 and TR.17 of the Adopted Wyre Forest District Local Plan (2004).

*Councillor J P Champion left the meeting at 6.55 pm before consideration of the application below.*

**Application Reference:** 09/0506/FULL

**Site Address:** OXBINE, CALLOW HILL, ROCK, KIDDERMINSTER, DY14 9XB

**APPROVED** subject to the following conditions:

1. A6 (Full with no reserved matters)
2. A11 (Approved plans)
3. B1 (Samples of materials)
4. B15 (owl/bat box)
5. C6 (Landscaping – small scheme)
6. The foundations for the garage associated with Plot C shall be erected in such a way as to ensure that no damage occurs to the Ash tree within the grounds of Mapps Barn
7. Development shall not begin until drainage details have been submitted and approved by the Local Planning Authority
8. There is a public sewer which crosses the site. No buildings shall be erected or trees planted within 2.5 (150FWS) metres either side of this sewer.
9. Visibility splays
10. Vehicle access construction
11. Driveway gradient
12. Access, turning and parking

Notes

A Mud on highway

B Alteration of highway to provide new or amend vehicle crossover

Reason for Approval

The proposed dwelling would form an infill development within the settlement boundary, are considered to be well designed and will have an acceptable appearance in the street scene. The impact of the dwelling upon the occupants of neighbouring properties has been carefully assessed and it is considered that there will be no undue impact on amenity. The proposed development is considered to accord with the requirements of Policies H.2, D.1, D.3, D.4, D.5, D.10, D.11, D.13, LA.2, TR.9 and TR.17 of the Adopted Wyre Forest District Local Plan (2004).

**Application Reference:** 09/0541/FULL

**Site Address:** ELFIN GLEN, ROCK, KIDDERMINSTER, DY14 9YH

**APPROVED** subject to the following conditions:

1. A6 (Full with no reserved matters)
2. A11 (Approved plans)
3. B1 (Samples/details of materials)
4. Prior to any demolition or works commencing on site an Arboricultural Method Statement shall be submitted to and approved in writing.
5. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (as amended) (or any order revoking and re-enacting that Order with or without modification), extensions (including porches and canopies), alterations to external elevations (including painting and cladding), alterations to the roof, construction of outbuildings or swimming pools, installation of chimneys, flues, satellite dishes, solar panels (either on the building or freestanding), or installation of ground or water source heat pump within the curtilage of the dwelling, other than those expressly authorised by this permission, shall not be carried out without express planning permission first being obtained from the Local Planning Authority.
6. B15 (Owl/bat box)
7. C6 (Landscaping – small scheme)
8. C8 (Landscape implementation)
9. Vehicular access construction
10. Driveway and/or vehicle turning area
11. Access, turning and parking
12. Parking for 2 cycles
13. Parking for site operatives and visitors
14. Details of Septic Tank

**Notes**

- HN1 Mud on highway  
HN5 No highway works permitted  
SN3 Protection of species

**Reason for Approval**

The proposed replacement dwelling is considered acceptable in size, design and siting and will not result in harm being caused to the character of the area or the Landscape Protection Area. Matters of highway safety and neighbours amenity have been considered, however it is concluded that no adverse harm will occur. For these reasons the proposal is considered to be in accordance with policies H.9, D.1, D.3, D.4, D.5, LA.1, LA.2, LR.9, TR.17 and NR.7 of the Adopted Wyre Forest District Local Plan; CTC.1 of the Worcestershire County Structure Plan and QE.3 and CE.6 of the West Midlands Regional Spatial Strategy.

**Councillor Mrs F M Oborski left the room during consideration of the application below.**

<b>Application Reference:</b> 09/0551/FULL
<b>Site Reference:</b> 8 SION AVENUE, KIDDERMINSTER, DY10 2YJ
<b>APPLICATION DEFERRED</b> to allow a site visit to take place.

<b>Application Reference:</b> 09/0509/FULL
<b>Site Address:</b> FORMER SHELL GARAGE, VALE ROAD, STOURPORT-ON-SEVERN, DY13 8YJ
<b>DELEGATED APPROVAL</b> subject to:  a) signing of a S.106 agreement with the following heads of terms: i) nil contribution for affordable housing with a caveat regarding shell and core to be completed within 24 months, with failure to achieve that resulting in the further submission of a viability appraisal that should it then show a contribution could be made, the contribution payable would be up to £224,000, the previously agreed sum. ii) £10,000 towards Highway Works iii) £2,733 towards upgrade of towpath  b) The following conditions: 1. A6 (Full with No Reserved Matters) 2. A11 (Approved Plans) 3. The development hereby permitted shall only be occupied by persons of over 60 years or over or persons of 55 years or over if cohabiting with a partner of 60 years or over. 4. B1a (Samples/Details of Materials) 5. B8 (Mortar Details – to be submitted) 6. B9 (Details of Windows and Doors) 7. Details of the agreed 300 mm roof overhang 8. The boundary treatment shall be carried out in accordance with agreed details 9. Details of all foundations 10. B13 (Level Details) 11. Details including materials and finish of the proposed pergola 12. C8 (Landscape Implementation) 13. – 20 Environment Agency 21.H.13 (Access, Turning and Parking)  <u>Reason for Approval</u> It is considered that the development of residential accommodation on this unallocated site within the Adopted Local Plan is of an appropriate design which would enhance the frontages to Vale Road and the Canal Conservation Area.  In the event that the Section 106 Agreement is not signed by the 16 October 2009, delegated authority be given to REFUSE the application for the following reason:

1. The applicants have failed to reach agreement to safeguard contributions for the satisfactory provision of affordable housing, should land values increase, as required by Policy H10 of the Adopted Local Plan, contributions towards the highway network and enhancement of the canal towpath, which should be secured through an obligation entered into pursuant to Section 106 of the Town and Country Planning Act 1990 (as amended). In the absence of this agreement the proposal results in an unacceptable provision of affordable housing, unacceptable impact on the highway network and enhancement to the Conservation Area contrary to Policies H.10, TR.9 and CA.1 of the Adopted Wyre Forest District Local Plan, Policies CTC.20 and D.6 of the Worcestershire County Structure Plan, Policies QE.5 and CF.5 of the West Midlands Regional Spatial Strategy and the aims of PPS.3.

**Application Reference:** 09/0595/FULL

**Site Address:** 94 STANKLYN LANE, STONE, KIDDERMINSTER, DY10 4AP

**APPROVED** subject to the following conditions:

1. A6 (Full with No Reserved Matters)
2. A11 (Approved Plans)
3. B3 (Materials)

Note  
SN12 (Neighbours)

Reason for Approval

The proposed extension is considered to be of an appropriate scale and design in relation to the host dwelling and would have no detrimental impact on the street scene. The impact of the extension on the occupants of neighbouring properties has been carefully assessed and it is considered that there will be no undue impact upon their amenity, any potential for harm can be controlled through condition. For these reasons the proposal is considered to be in accordance with Policies D.1, D.3 D.17 GB.2 and GB.6 of the Adopted Wyre Forest District Plan (2004) and the guidance laid out in Planning Policy Guidance Note 2: Green Belts.

**Application Reference:** 09/0602/S106

**Site Address:** WM MORRISON SUPERMARKETS PLC, GREEN STREET,  
KIDDERMINSTER, DY10 1AZ

**APPLICATION DEFERRED** for officers to gather more information and present a more detailed report.

**Application Reference:** 09/0639/FULL

**Site Address:** STOURPORT SPORTS CLUB LTD, KINGSWAY, STOURPORT-ON-SEVERN, DY13 8BQ

**APPROVED** subject to the following conditions:

1. A6 (Full with No Reserved Matters)
2. A11 (Approved Plans)
3. B6 (Materials)
4. Ecological Area Management

Note

Public Right of Way

Reason for Approval

The scheme provides outdoor sporting activities that are appropriate in the Green Belt and do not cause harm to its openness or the character of the Landscape Protection Area. The site has sufficient capabilities in respect of parking and access to accommodate this activity without resulting in highway safety concerns. The sites biodiversity quality has been assessed and any potential losses have been mitigated within the proposal. There are no residential properties that will be directly affected by the proposal. For these reasons the proposal is considered to be compliant with policies D.5, LA.1, LA.2, GB.1, GB.2, GB.3, GB.6, NC.2, NC.3, NC.5, LR.10, TR.9 and TR.17 of the Adopted Wyre Forest District Local Plan; CTC.1, CTC.12 and RST.1 of the Worcestershire County Structure Plan; PA.10 and UR.3 of the West Midlands Regional Spatial Strategy and PPG.2, PPS.7 and PPG.17.

**Application Reference:** 09/0641/FULL

**Site Address:** 44 BARNETTS LANE, KIDDERMINSTER, DY10 3HH

**DELEGATED APPROVAL** subject to the signing of the **Section 106 Agreement** and subject to the following conditions :

1. A6 (Full with no reserved matters)
2. A11 (Approved plans)
3. B1 (Samples/details of materials)
4. B9 (Details of windows and doors)
5. B11 (Details of enclosure)
6. B13 (Levels details)
7. Provision of Bat boxes
8. Landscaping
9. Tree and hedge protection
10. Details of driveway construction to be approved (to safeguard trees)
11. Severn Trent Water condition regarding sustainable drainage
12. F5 (Construction site noise/vibration/hours of working)
13. Highway conditions

**Notes**

- A Reminding applicant of duties with regard to protected species
- B SN12 (Neighbours' rights)
- C Highway notes
- D Advisory note regarding route of heavy goods vehicles

**Reason for Approval**

The application has been carefully considered against the background of an Inspector's Decision Letter on a previous application (08/0521/FULL) and in terms of the principle of allowing the development in land use terms, the appropriateness of six flats in this low density residential area, the scale and design of the proposed development, the implications for highway safety, accessibility, impact on neighbouring property, the effect on trees, wildlife and Section 106 obligations and the application is now considered to be acceptable and in conformity with the Inspector's Decision Letter and in the light of this, the development is considered to be in accordance with Policies H.2, H.5, H.10, D.1, D.3, D.4, D.9, D.10, D.11, D.12, D.14, D.19, TR.7, TR.9, TR.17 of the Adopted Wyre Forest District Local Plan.

- 5.3 In the event that the Section 106 Agreement is not completed by 29 October 2009 to secure contributions for education facilities and a contribution to public open space, it is recommended that delegated authority be given to REFUSE the application.

*Councillors Mrs F M Oborski and M Price wished their votes against this application recorded.*

**Application Reference:** 09/0642/FULL

**Site Address:** STOURPORT SPORTS CLUB LTD, KINGSWAY, STOURPORT-ON-SEVERN, DY13 8BQ

**APPROVED** subject to the following conditions:

1. A6 (Full with no reserved matters)
2. A11 (Approved plans)
3. B6 (External details – approved plan)
4. Use for Sports Facilities and associated education purposes only
5. No fencing
6. No change in levels without prior written consent
7. Details of flood lighting

Reason for Approval

The proposals are considered to be acceptable and are necessary in establishing a Sports Village of regional significance in this area. The design of the buildings and their impact on the surroundings has been fully considered and found to be acceptable with any harm being outweighed by Very Special Circumstances. There is no significant highway or neighbour amenity issues in this case. For these reasons the proposal complies with policies D.1, D.3, D.5, LA.1, LA.2, GB.1, GB.2, GB.3, GB.6, NC.2, NC.3, NC.5, LR.10, TR.9 and TR.17 of the Adopted Wyre Forest District Local Plan; CTC.1, CTC.12 and RST.1 of the Worcestershire County Structure Plan; PA.10 and UR.3 of the West Midlands Regional Spatial Strategy and PPG.2, PPS.7 and PPG.17.