

WYRE FOREST DISTRICT COUNCILPLANNING COMMITTEE

Tuesday 8<sup>th</sup> December – Schedule 468 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.

<b>PART A</b>
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<b>Application Reference:</b> 09/0681/FULL
<b>Site Address:</b> LAND BETWEEN 2 PARK LANE AND 35 LOAD STREET, BEWDLEY, DY12 2EL
<b>APPROVED</b> subject to the following conditions:
<ol style="list-style-type: none"> <li>1. A6 (Full with No Reserved Matters)</li> <li>2. A11 (Approved Plans) – Drawings 786-1b, 786-4c, 786-5b – all dated 25<sup>th</sup> September 2009.</li> <li>3. B1 (Materials) Samples - D1, D3, CA1</li> <li>4. B8 (Mortar Details) – D1, D3, CA1</li> <li>5. G1 (Details of Works to Listed Buildings) Doors Windows rainwater goods Soil &amp; vent Pipes Flues</li> <li>6. C6 (Landscaping – small scheme) D1, D3, CA1</li> <li>7. E2 (Foul and Surface Water)</li> <li>8. F5 (Construction Site Noise/Vibration)</li> <li>9. No development shall take until the applicant has secured the implementation of a programme of historic building recording and interpretation, in accordance with a written scheme of investigation which has been submitted by the applicant and approved by the Planning Authority</li> <li>10. G8 (Observation of Excavation) the County Archaeologist</li> <li>11. 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 (including dormer windows), construction of or alterations to outbuildings larger than 10 cubic metres 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 <u>not</u> be carried out without express planning permission first being obtained from the Local Planning Authority.</li> <li>12. J9 (Open Plan Frontages)</li> <li>13. Highway Conditions</li> </ol>

Notes

- A SN1 (Removal of Permitted Development Rights)
- B SN12 (Neighbours' rights)
- C HN5 (No Highways works Permitted)
- D HN9 (Storm Water Disposal Arrangements Required)

Reason for Approval

The proposed dwellings are well designed and provide an enhancement to the appearance of the Conservation Area. Sufficient car parking and amenity space is provided for the dwellings. The impact on neighbouring properties has been fully assessed and it is considered that no undue harm will be caused to residential amenity of neighbouring properties. For these reasons the proposal is considered to be in accordance with Policies H.2, D.1, D.3, D.4, CA.1, LB.4, TR.9 and TR.17 of the Adopted Wyre Forest District Local Plan.

***Councillors J W Parish, M J Shellie and K J Stokes left the room during consideration of the application below.***

**Application Reference:** 09/0737/FULL

**Site Address:** THE HOLLOW, TRIMPLEY, BEWDLEY, DY12 1NQ

**APPROVED**, subject to the following conditions:

1. A6(Full with No Reserved Matters)
2. A11(Approved Plans)  
Site Location Plan  
Drawing No. JON/01/09  
both date stamped 19 October 2009
3. B3(Finishing Materials to Match)
4. Drainage condition – details of surface water drainage, to include soakaway and percolation test.

Reason for Approval

The proposed conservatory, by virtue of its scale, is considered to constitute appropriate development in this Green Belt location. The design of the extension proposed is acceptable and would not cause harm to character of the host property or the visual amenity of the Landscape Protection Area. For these reasons the proposal accords with Policies GB.1, GB.6, LA.1, D.1, D.3 and D.17 of the Adopted Wyre Forest District Local Plan.

<b>Application Reference:</b> 09/0744/FULL
<b>Site Address:</b> THE OAKS PADDOCK, STAKENBRIDGE LANE, CHURCHILL KIDDERMINSTER DY10 3LU
<b>REFUSED</b> for the following reasons: <ol style="list-style-type: none"><li>1. The site is located within the West Midlands Green Belt. The development is considered to be inappropriate within the Green Belt which is by definition harmful. There is further harm caused to the openness and appearance of the Green Belt. It is considered that there are no very special circumstances to justify this inappropriate development and as such the proposal is contrary to Policy GB.1 of the Adopted Wyre Forest District Local Plan, Policies D.12 and D.39 of the Worcestershire County Structure Plan and government guidance within PPG2.</li><li>2. It is considered that the site is prominently located as it lies immediately adjacent to Stakenbridge Lane and Definitive Public Footpath No. 510 and opposite Footpath Bridleway No. 502. By virtue of its siting and appearance it is considered that the development significantly detracts from and harms the character of the countryside at this rural location and the visual amenity of this part of the Green Belt contrary to Policies GB.6, LA.1, LA6, D.3, D.5 and D.1 of the Adopted Wyre Forest District Local Plan, Policies SD.2 and CTC.1 of the Worcestershire County Structure Plan, the aims of Policies QE1 and QE6 of RSS and the guidance of PPS7.</li><li>3. The location of the residential accommodation fails to accord with:<ol style="list-style-type: none"><li>a. Housing policies H.2 or H.9 of the Adopted Wyre Forest District Local Plan;</li><li>b. Gypsy Site Provision Policy H.15 parts (f) and (g) of the Adopted Wyre Forest District Local Plan or part (iii) of Policy D.18 of the Worcestershire County Structure Plan; or</li><li>c. Residential Caravans and Mobile Homes Policy H.16 of the Adopted Wyre Forest District Local Plan and Policy D.17 of the Worcestershire County Structure Plan.</li></ol></li></ol> <p>The above policies seek to guide residential development to appropriate locations. To approve the development at the location proposed would retain a solitary development which lies outside a settlement boundary and goes against planning policy which seeks to protect the green belt and open countryside.</p>

***Councillor M J Hart left the meeting at 7.05 p.m. following consideration of the application above.***

<b>Application Reference:</b> 09/0608/TREE
<b>Site Address:</b> 17 THRELFALL DRIVE, BEWDLEY, DY12 1HU
<b>APPROVED</b> , subject to the following conditions: <ol style="list-style-type: none"> <li>1. 2 year restriction of Consent Notice</li> <li>2. Arboricultural Watching Brief</li> <li>3. C17 (TPO Schedule of Works)</li> <li>4. C16 (TPO Replacement tree(s))</li> </ol> <p><u>Schedule of Works</u></p> <p>Only the following works shall take place: Fell one Horse Chestnut.</p>

<b>Application Reference:</b> 09/0684/FULL
<b>Site Address:</b> HEATHFIELD SCHOOL, WOLVERLEY ROAD, WOLVERLEY, KIDDERMINSTER, DY103QE
<b>APPROVED</b> subject to the following conditions; <ol style="list-style-type: none"> <li>1. A6 (Full with No Reserved Matters)</li> <li>2. A11 (Approved Plans)</li> <li>3. B1a (Materials)</li> <li>4. Materials sample board to be submitted</li> <li>5. B9 (Materials)</li> <li>6. Protection of trees to be retained on site</li> <li>7. Notwithstanding the details shown on the Landscape masterplan (drawing GLA-543-004) no development shall commence until a revised landscaping scheme has been submitted to and approved by the Local planning authority. The development shall be carried out in strict accordance with those details.</li> <li>8. Existing portacabins and buildings shown to be demolished on drawing 'Site Plan Phase 1' shall be removed from site before the first use of the building.'</li> <li>9. Before development commences. A scheme to show how the site of the Andrews block will be treated following its removal shall be submitted to the LPA. All works shall be carried out in strict accordance with those details within 1 month of the first occupation of the building hereby approved.</li> </ol> <p><u>Reason for Approval</u></p> <p>The application site is washed over by the West Midlands Green Belt. The applicant has satisfactorily demonstrated that material circumstances exist which would outweigh the harm by definition of this proposal and harm to openness. The proposal would not cause harm to the visual amenity of the Green Belt or Landscape Protection Area and no trees or features of significance in this landscape setting would be lost or damaged. There would be no deterioration of highway safety as a result of the works proposed and no harm would be caused to a protected species on site. This being the case, the proposed development is considered to be in accordance with Policies D.1, D.3, D.4, D.5, D.11, LA.1, LA.2, GB.1, GB.2, GB.6, NC.6, NC.7, TR.9, TR.17 and CY.5 of the Adopted Wyre Forest District Local Plan.</p>

<b>Application Reference:</b> 09/0731/FULL
<b>Site Address:</b> HERONS PARK NURSING HOME, HERONSWOOD ROAD, KIDDERMINSTER, DY104EX
<b>APPLICATION DEFERRED</b> to allow for the collation of more information regarding parking.

<b>Application Reference:</b> 09/0770/FULL
<b>Site Address:</b> APARTMENTS 1-12, BROOME HOUSE, BROOME, STOURBRIDGE, DY9 0HB
<p><b>APPROVED</b> the removal of condition 4 and the variation of condition 3 as follows:</p> <p>The sheltered accommodation hereby permitted shall only be occupied by persons of 45 years or over, or persons of 40 years or over if co-habiting with a partner of 45 years or over.</p> <p>Reason To define the permission and to ensure that occupation is compatible with the existing nursing home site and its position in the Green Belt, and to ensure compliance with car parking standards and provisions for educational contributions. To accord with Policies GB.1, TR.17 and CY.4 of the Adopted Wyre Forest District Local Plan.</p> <p>All other conditions attached to the original permission and the variation remain and are repeated here in full along with the additional condition recommended by the Highway Authority for the avoidance of doubt.</p> <ol style="list-style-type: none"> <li>1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission. Reason This condition is required to be imposed by Section 51 of the Planning and Compulsory Purchase Act 2004.</li> <li>2. The development hereby approved shall be carried out strictly in accordance with the following plans/drawings:  OS based Location Place, Topographical Survey and Drawing Nos. 1990-01, 02, 03, 06, 07, 08 &amp; 11 - all received and dated 8th January 2007 stamped "Approved" unless other minor variations are agreed in writing after the date of this permission and before implementation with the Local Planning Authority.  Reason In the interests of clarity and in order to define the permission.</li> <li>3. The sheltered accommodation hereby permitted shall only be occupied by persons of 45 years or over, or persons of 40 years of over if co-habiting with a partner of 45 years or over.  Reason To define the permission and to ensure that occupation is compatible with the existing nursing home site and its position in the Green Belt, and to ensure compliance with car parking standards and provisions for educational contributions. To accord with Policies GB.1, TR.17 and CY.4 of the Adopted Wyre Forest District Local Plan.</li> </ol>

<p>4.</p>	<p>REMOVED BY PERMISSION 09/770/FULL</p>
<p>5.</p>	<p>No works or development shall take place until full details of all proposed planting, and the proposed times of planting, have been approved in writing by the Local Planning Authority, and all planting shall be carried out in accordance with those details and at those times.</p> <p>Reason To ensure the provision of amenity afforded by appropriate landscape design, in accordance with Policies D.3 and D.11 of the Adopted Wyre Forest District Local Plan.</p>
<p>6.</p>	<p>All hard and soft landscape works shall be carried out in accordance with the approved details and to a standard in accordance with the relevant recommendations of British Standard [4428 : 1989]. The works shall be carried out prior to the occupation of any part of the development or in accordance with the timetable agreed with the Local Planning Authority. 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.</p> <p>Reason To ensure the provision, establishment and maintenance of a reasonable standard of landscape in accordance with the approved designs, and in accordance with Policies D.3 and D.11 of the Adopted Wyre Forest District Local Plan.</p>
<p>7.</p>	<p>The development hereby permitted shall not be brought into use until areas for the manoeuvring, parking, loading and unloading of vehicles have been laid out, consolidated, surfaced and drained in accordance with a scheme to be submitted to and approved in writing by the Local Planning Authority and such areas shall thereafter be retained and kept available for those uses at all times.</p> <p>Reason To minimise the likelihood of indiscriminate parking and in the interests of highway safety, and to ensure that development is in accordance with Policies TR.9 and TR.17 of the Adopted Wyre Forest District Local Plan.</p>
<p>8</p>	<p>Development shall not begin until parking for site operatives and visitors has been provided within the application site in accordance with details to be submitted to and approved by the Local Planning Authority and such provision shall be retained and kept available during construction of the development.</p> <p>Reason To prevent indiscriminate parking in the interests of highway safety and to ensure the development accords with Policies TR.9 and TR.17 of the Adopted Wyre Forest District Local Plan.</p>

9.	<p>This permission gives no consent for any external alterations whatsoever except for those works referred to in conditions 10 and 11 below.</p> <p><b>Reason</b> To define the permission in order to safeguard the character and appearance of the Listed Building and to comply with Policy LB.1 of the Adopted Wyre Forest District Local Plan.</p>
10.	<p>Full details of extraction system to be installed shall be submitted to and approved in writing by the Local Planning Authority before any works on site commence. The development shall be carried out in accordance with the approved details.</p>
	<p><b>Reason</b> To define the permission in order to safeguard the character and appearance of the Listed Building and to comply with Policy LB.1 of the Adopted Wyre Forest.</p>
11.	<p>Full details of the stone ramped entrance shall be submitted to and approved in writing by the Local Planning Authority before any work on site commences. The development shall be carried out in accordance with the approved details.</p>
12.	<p>Prior to the first occupation of any dwelling hereby approved secure parking for 24 cycles to comply with the Council's standards shall be provided within the curtilage of property and these facilities shall thereafter be retained for the parking of cycles only.</p>
<p><b>NOTES</b></p> <p>a. Pursuant to condition 10 above, an application for Listed Building Consent will need to be submitted for any new extraction systems.</p> <p>b. Where conditions have been agreed on the basis of the original planning permission 07/0023/FULL there are taken as being agreed under this variation.</p>	
<p><u>Reason for Approval</u> The revised wording of condition number 3 and the removal of condition 4 has been carefully examined in terms of the effect on the character and appearance of the Listed Building, the Conservation Area and the Green Belt in terms of traffic generation and car parking provision and is judged to be acceptable in these respects. To approve the development is in accordance with Policies H.7, H.9, D.1, D.3, D.4, GB.1, GB.2, GB.6, CA.1, CA.6, LB.1, LB.2, TR.9, TR.10 TR.17, CY.4 of the Adopted Wyre Forest District Local Plan.</p>	

<p><b>Application Reference:</b> 09/0776/ADVE</p>
<p><b>Site Address:</b> BRINTON PARK, SUTTON ROAD, KIDDERMINSTER, DY11 6QT</p>
<p><b>APPROVED</b> subject to the following conditions:</p> <ol style="list-style-type: none"> <li>1. L1 (Standard Advert Condition)</li> <li>2. L8 (Non-illumination of sign)</li> </ol>