

WYRE FOREST DISTRICT COUNCILPLANNING COMMITTEE

Tuesday 13<sup>th</sup> July 2010– Schedule 475 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> 09/0602/S106
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<b>Site Address:</b> WM MORRISON SUPERMARKETS PLC, GREEN STREET, KIDDERMINSTER, DY10 1AZ
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<b>Delegated authority</b> be given to the Director of Legal and Corporate Services, in consultation with the Director of Planning and Regulatory Services, <b>to vary the Section 106 agreement.</b>
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<b>Application Reference:</b> 10/0262/FULL
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<b>Site Address:</b> UNITY INN, 142 PARK STREET, KIDDERMINSTER, DY11 6TR
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**APPLICATION DEFERRED.**

The application was deferred at the request of the Development Manager.

<b>Application Reference:</b> 10/0274/FULL
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<b>Site Address:</b> OXBINE, CALLOW HILL, ROCK, KIDDERMINSTER, DY14 9XB
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**REFUSED FOR THE FOLLOWING REASONS:**

1. The application site is located on the A456, Tenbury Road, a Regional Strategic Route. The proposed development of 3 detached dwellings would comprise of an overdevelopment of the site due to the reliance upon a single form of vehicular access and egress to and from the A456, which would serve all 3 dwellings. The proposed layout makes insufficient provision for manoeuvring space to ensure that all vehicles may enter and exit the site without obstruction by other vehicles. As such the proposed development would adversely affect highway safety and is thereby contrary to Policy TR.9 of the Adopted Wyre Forest District Local Plan and the aims of the Design Quality SPG (2004).
2. The existing site consists of a single dwelling and associated private garden. The proposed development proposes a net gain of 2 dwellings within the existing private garden. National planning guidance, in the form of PPS3 - Housing (June 2010) excludes private residential gardens from the definition of previously developed land so that there is no longer a presumption in favour of it's development. The proposed development to increase the net number of dwellings by developing the existing private garden is therefore not supported by PPS3 – Housing, and is contrary to Policy H.2 of the Adopted Wyre Forest District Local Plan. The extant planning permission is considered to be a material planning consideration but is not considered to outweigh compliance with national and local planning policy.

## PART B

**Application Reference:** 10/0259/FULL

**Site Address:** 15-17, COVENTRY STREET, KIDDERMINSTER, DY10 2BQ

**APPROVED** subject to the following conditions:

1. A6 (Full with no reserved matters)
2. A11 (Approved plans)
3. Severn Trent sustainable drainage condition

Reason for Approval

The application has been carefully considered in terms of the principle of allowing the development against existing planning policies and particularly Policies TC.4 and RT.2 of the Adopted Wyre Forest District Local Plan, together with the more recent advice contained within Planning Policy Statement 4 and the proposed change of use in a secondary shopping area, is judged to be acceptable. In addition, the application has been considered in terms of highway and access related issues together with the effect on neighbouring properties. For these reasons, the proposal is judged to be compliant with the aims and principles of policies RT.4, TC.2, CY2, E11, TR9, TR17 of the Adopted Wyre Forest District Local Plan, and Planning Policy Statements 1 and 4.

**Application Reference:** 10/0287/FULL

**Site Address:** LAND BETWEEN, 71 & 77 BEECHFIELD DRIVE, KIDDERMINSTER, DY11 5HQ

**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. E2 (Foul and surface water)
7. Single access - new - footway
8. Vehicle access construction
9. Driveway gradient
10. Parking - single house 2 spaces

Notes

- A SN12 (Neighbours' rights)
- B Private apparatus within the highway
- C Alteration of highway to provide new or amend vehicle crossover

Reason for Approval

Notwithstanding the non previously developed nature of the land it is considered that the design and layout of the dwellings would positively contribute to the character of the street scene to a degree that outweighs the harm that would be caused by lack of conformity to Policy H.2(i). Neighbouring properties and highway safety will be unaffected by this proposal. In light of this the proposal is considered to be in compliance with Policies D.1, D.3, TR.9 and TR.17 of the Adopted Wyre Forest District Local Plan.

<b>Application Reference:</b> 10/0301/FULL
<b>Site Address:</b> GORST HILL FARM, ROCK, KIDDERMINSTER, DY14 9YJ
<b>DEFERRED.</b>
The application was deferred at the request of the Development Manager.

<b>Application Reference:</b> 10/0303/FULL
<b>Site Address:</b> FIELD OFF STAKENBRIDGE LANE, CHURCHILL
<p><b>Delegated</b> authority to <b>APPROVE</b> the application, subject to the receipt of a report and its satisfactory conclusions in terms of biodiversity interests, and the following conditions:-</p> <ol style="list-style-type: none"> <li>1. A6 (Full with No Reserved Matters)</li> <li>2. A11 (Approved Plans)</li> <li>3. B1 (Samples/Details of Materials)</li> <li>4. Fencing details</li> <li>5. J11 (Stables – No Commercial Use)</li> <li>6. C6 (Landscaping – Small Scheme)</li> <li>7. C7 (Landscaping – Implementation)</li> <li>8. No further subdivision of paddocks</li> <li>9. Highway Condition</li> <li>10. Highway Condition</li> </ol> <p>Note</p> <p>A. The attention of the Applicant is drawn to the need to keep the highway free from any mud or other deleterious material emanating from the application site or any works pertaining thereto.</p> <p><u>Reason for Approval</u></p> <p>The proposal is considered to be appropriate development in the Green Belt and the ancillary stable buildings and hardstanding would not adversely affect the openness or visual amenity of the Green Belt. The character/appearance of the adjacent Conservation Area would be preserved; and no adverse impact would be created in relation to nearby dwellings. Following advice from the Highway Authority, the development is not considered to be detrimental to highway safety. The proposed development is therefore considered to be in accordance with the policies GB.1, GB.2, GB.3, GB.6, EQ.2, EQ.3, CA.1, TR.9, of the Adopted Wyre Forest District Local Plan, SD.2, D.38, D.39, CTC.20 of the Worcestershire County Structure Plan, and Planning Policy Statement 7.</p>

**The Principal Solicitor left the meeting during consideration of the application below:**

<b>Application Reference:</b> 10/0330/FULL
<b>Site Address:</b> 6 MORELLA CLOSE, BEWDLEY, DY12 2HS
<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> </ol>

Reason for Approval

The proposed development is considered acceptable. It would have a negligible impact on the visual amenity and character of the immediate area, the impact of the proposed decking upon neighbouring properties has been carefully assessed and it is considered that there will be no undue loss of amenity. As such it is considered that the proposed development accords with the requirements of Policies D.1, D.3 and D.17 of the Adopted Wyre Forest District Local Plan.

**Application Reference:** 10/0333/TREE

**Site Address:** 12 THRELFALL DRIVE, BEWDLEY, DY12 1HU

**APPROVED** subject to the following conditions:

1. Non-standard Condition '2 year restriction of Consent Notice'.
2. C17 (Tree Preservation Order Schedule of Works)
3. C16 (Tree Preservation Order Replacement trees)

Schedule of Works

Only the following works shall take place:

Fell 2 x Horse chestnuts (*Aesculus hippocastanum*)

**Application Reference:** 10/0335/FULL

**Site Address:** HOPPERS PIECE, HEIGHTINGTON, BEWDLEY, DY12 2YP

**Delegated APPROVAL** subject to 'No Objection' response from the Highway Authority and the following conditions:

1. A6 (Full with No Reserved Matters)
2. A11 (Approved Plans)
3. Use of existing stone in construction and supplement with matching materials
4. J1 (Removal of Permitted Development – Residential)
5. J3 (Restriction of Separate Use)
6. J5 (Domestic Garages: Restriction of Residential Use)

Note

HN3 (Access via Public Right of Way)

The developer is advised to note that a Public Right of Way crosses near to the site. The developer is therefore advised of the following obligations:

- No disturbance of, or change to, the surface of the path or part thereof without written consent [this includes laying of concrete, tarmac or similar].
- No diminution in the width of the right of way for use by the public.
- Building materials must not be stored on the right of way.
- Vehicle movements and parking to be arranged so as not to unreasonably interfere with the public's use of the right of way.
- No additional barriers are placed across the right of way.
- The safety of the public using the right of way is to be ensured at all times.

Reason for Approval

Whilst there is a policy presumption against the proposed development it is considered that material circumstances are significant in this case and are sufficient to outweigh any potential policy harm. The proposal will not adversely affect the character of the landscape, highway safety or neighbouring properties amenity. For these reasons the

proposal, whilst being contrary to Policy RB.5, is in accordance with Policies D.1, D.5, LA.2, and D.17 of the Adopted Wyre Forest District Local Plan.

**Application Reference:** 10/0336/FULL

**Site Address:** LAND ADJ TO, MINSTER ROAD & FIRS INDUSTRIAL ESTATE,  
KIDDERMINSTER, DY11 7QN

**APPROVED** subject to the following conditions:

1. A6 (Full with No Reserved Matters)
2. A11 (Approved Plans)
3. B6 (Materials)
4. C8 (Landscape Implementation)

Reason for Approval

The proposed overflow car park constitutes appropriate development in the Green Belt and will be positioned in a discreet manner resulting in little harm to the Green Belt or the open countryside. The design and finish proposed will complement the proposed landscaping scheme and will provide a secondary option for visitors without compromising the quality of the facility as a whole. The proposal is thus in compliance with Policies D.1, D.5, GB.1, GB2, GB.6 and TR.17 of the Adopted Wyre Forest District Local Plan.