

WYRE FOREST DISTRICT COUNCIL**PLANNING COMMITTEE**13TH September 2011 Schedule 489 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:** 11/0427/FULL**Site Address:** 73 CASTLE ROAD, COOKLEY, KIDDERMINSTER, DY10 3TD**Decision:** The item be deferred to allow the Committee to carry out a site visit.**Application Reference:** 11/0437/LIST**Site Address:** ELLIOT HOUSE, WOLVERLEY VILLAGE, WOLVERLEY, KIDDERMINSTER, DY11 5XE**APPROVED** subject to the following conditions:

1. A7 (Listed Building/Conservation Area Consent)
2. A11 (Approved plans)
3. B1 (Samples/details of materials)
4. Details of closing mechanism
5. Details of fixings to wall

Notes: (1) It should be noted that the planting of a hedge or trees in this location would require no planning permission. Works to or the removal of trees within the Conservation Area requires the submission of an application for tree works under the Town and Country Planning Act 1990. No such works should take place without the written permission of the Local Planning Authority.

(2) This consent relates to Listed Building Consent only, and does not give any permission under the Town and Country Planning Act 1990. The applicant is advised that as the proposed gate is within the curtilage of a Listed Building formal planning permission will also be required. No works can take place until such permission has been granted.

Reason for Approval The proposed gates and guide wires are considered appropriate in terms of scale, design and appearance and would not detract from the character, appearance or setting of the adjacent Grade II* and Grade II listed buildings and structures, as such the development would accord with the requirements of Policies LB.2, LB.3 of the Adopted Wyre Forest District Local Plan

Councillor Martin left the room during consideration of the following item.

Application Reference: 11/0483/FULL
Site Address: KIDDERMINSTER GENERAL HOSPITAL, BEWDLEY ROAD, KIDDERMINSTER, DY11 6RJ
APPROVAL subject to the following conditions: <ol style="list-style-type: none"> 1. A6 (Full with no reserved matters) 2. A11 (Approved plans) 3. C3 (Tree protection during construction) 4. C6 (Landscaping – small scheme; 3 spaces in Zone 5) 5. C8 (Landscape implementation) 6. Zone 3 – Landscaping to implemented prior to first use 7. Details of restoration works to locally listed building 8. G2 (Protection of existing building) 9. Zone 3 – Only used as staff parking 10. Prior to the commencement of development a scheme for disabled parking across the whole site shall be submitted and approved in writing by the Local Planning Authority. The parking spaces shown within each shall be provided prior to completion of works to that zone. <p><u>Reason for Approval.</u> There is a justifiable need for additional parking at Kidderminster Hospital. The additional spaces have been provided in a way that will not result in harm being caused to the visual amenities of the area or neighbours amenity. The proposed works to the locally listed building will enhance its appearance, and additional parking in close proximity will not result in harm. The proposed landscaping is considered to be of a quality that will enhance the visual appearance of the site as a whole. For these reasons the proposal is in accordance with the policies listed as follows TR.17, CY.3, LB.1. D.4 (Adopted Wyre Forest District Local Plan) CTC.19, T.4 (Worcestershire County Structure Plan), QE5, T7 (West Midlands Regional Spatial Strategy), PPS1, PPS5, PPG13 County Council Highway Design Guide (annexed to LTP3)</p>

Application Reference: 11/0109/FULL
Site Address: CONVEYOR UNITS LTD, SANDY LANE, TITTON, STOURPORT-ON-SEVERN, DY13 9PT
APPROVED subject to the following conditions: <ol style="list-style-type: none"> 1. A6 (Full with no reserved matters) 2. A11 (Approved plans) 3. Details of materials to be submitted 4. Floor levels in accordance with approved drawing 5. Restriction of development hereby approved to B8 use only 6. Access, turning area and parking facilities to be consolidated, surfaced and drained in accordance with details to be agreed 7. All site clearance works to be undertaken in the presence of a suitably qualified ecologist <p>Note: Footpath No. 573</p>

Reason for Approval. The application site is located in an area allocated for industrial purposes. The principle is therefore acceptable. The impact upon highways, biodiversity, flooding and the amenity enjoyed by adjacent residential occupiers has been considered along with the requirement for adequate parking, and it has been concluded that the proposed scheme complies with planning policy. The obstruction of footpath No. 573 has also been taken into account and it is also considered that its proposed extinguishment is appropriate in this instance. For these reasons the proposal is considered to comply with the policies listed as follows D.10, D.18, NR.2, NR.11, NR.12, NC.1, NC.2, NC.7, TR.17 (Adopted Wyre Forest District Local Plan) DS01, CP01, CP02, CP08, CP11, CP13, CP14 (Adopted Wyre Forest District Local Plan), T4, D25, CTC8 (Worcestershire County Structure Plan)T7, PA1, PA5, PA6, QE9 (West Midlands Regional Spatial Strategy), PPG1, PPS4, PPS7, PPG24, PPS9

APPROVAL to be given to application W/11/00868/PN made to Wychavon District Council **subject to the conditions listed above.**

Application Reference: 11/0163/FULL / 11/0533/CAC

Site Address: CHURCHFIELDS BUSINESS PARK, CLENSMORE STREET, KIDDERMINSTER, DY10 2JY

Delegated APPROVAL subject to:

- 1) No objections from Community and Partnership Services Directorate;
- 2) No objections from British Waterways;
- 3) No objections to the latest plans from neighbours with respect to the amendments to the design of plots 209 and 210 during the current reconsultation period;
- 4) The signing of a **Section 106 Agreement** for the following;
 - i. Affordable housing 22% (49 units – 17 shared ownership / 32 social rented)
 - ii. Education - £150 000
 - iii. AQMA - £29 000 (towards appropriate traffic management scheme to reduce emissions)
 - iv. Sustainable Transport - £35 000 (towards refurbishing Limekiln bridge)
 - v. Highway Improvements - £284 000 (as indicated in Churchfields Masterplan including but not limited to improving bus services 9/9a)
 - vi. Open Space £200 000; and
- 5) The conditions listed below, which may be amended or added to as a result of the outstanding consultation responses
 1. Prior to commencement details of current and proposed levels across the site
 2. Prior to commencement details of materials
 3. Prior to commencement large scale details of windows facing the Canal Conservation Area
 4. Notwithstanding plans submitted prior to commencement details all boundary treatment
 5. Retention of the canal boundary wall
 6. Demolition outside of bird nesting season (March to July) otherwise suitably qualified ecologist to undertake checks
 7. Mitigation measures made in section 5 of the ecological survey
 8. Landscaping to be undertaken in accordance with approved plans

9. Prior to commencement of development details of a timescale for the implementation of the approved landscaping and the maintenance thereafter shall be agreed
10. Any trees which die within the first five years of planting to be replaced
11. Prior to the commencement of development details of all lighting (including details of foundations) that minimises light spillage onto the canal corridor to be agreed
12. The finished floor levels of the dwellings shall be as shown on drawing Figure 6 which forms part of the Flood Risk Assessment unless otherwise agreed in writing.
13. Prior to the commencement of development details of a scheme to prevent runoff from any materials generated or stored on site through the demolition / site clearance / re-levelling and subsequent construction phases polluting the canal corridor and Puxton Marsh SSSI shall be submitted to be agreed in writing
14. Prior to commencement of development details of bat bricks and bat and bird nesting boxes shall be submitted to and agreed. The agreed details shall be implemented prior to the occupation of the first dwelling unless otherwise agreed in writing.
15. Full recording of the Corn Mill building prior to its demolition
16. Prior to the commencement of development details of how the canal boundary wall is to be reduced in height and repaired shall be submitted to and agreed. Such details shall include all materials to be used plus their colour with particular regard to the proposing capping material.
17. Any building still on site by 1st March 2012 shall be re-surveyed for the presence of bats. Should evidence of bats be found details of appropriate mitigation measures including a timescale of implementation shall be submitted to and agreed in writing.
18. Prior to the any works of demolition on site an additional survey for otter shall be undertaken with the results submitted. Should evidence of otter be found details of appropriate mitigation measures including a timescale of implementation shall be submitted to and agreed in writing.
19. Prior to the commencement of development a method statement detailing how the existing Japanese knotweed is to proposed to be removed from site and disposed shall be submitted to and agreed in writing. Such details shall include a timescale of implementation and resurveys once the initial works of removal have been undertaken to ensure that it has been removed in its entirety.
20. Notwithstanding the details submitted prior to the commencement of development details of foul and surface water drainage including SuDS to be submitted.
21. Prior to the commencement of development details of a scheme to deal with the risks associated with contamination of the site (parts 1, 2, 3, 4).
22. Details of remediation to deal with contamination not previously identified.
23. No infiltration of surface water drainage into the ground is permitted other than with the express written consent of the Local Planning.
24. Prior to the commencement of development details of the proximity and method of foundation construction for those units fronting the canal to be submitted.
25. Prior to the commencement of development full details of any and all excavations and earth removal to be submitted to and agreed

26. Prior to the commencement of development details of all measures to prevent the ingress of construction of materials into the waterway during the course of construction shall be agreed.
27. A programme of archaeological works to be carried out to fully record the areas of surviving remains.
28. Removal of permitted development allowances to retain open plan frontages
29. Visibility splays
30. Driveway gradient
31. Access turning and parking
32. Cycle parking
33. On site roads submission of details
34. On site roads phasing
35. Parking for site operatives
36. Welcome pack for residents promoting sustainable travel
37. Dedicated secure store for materials
38. Dedicated waste and storage space
39. Notwithstanding the details submitted no development prior to the agreement relating to the interface between the canal and the application site.

Notes

- A Badger licence is required from Natural England to close the sett on site
- B Bats
- C Otters
- D Environment Agency comments on the Geo-environmental Assessment Report (Ref 09032/1, August 2009)
- E British Waterways Third party works permission
- F British Waterways Access
- G British Waterways Encroachment
- H British Waterways Right of Support
- I Highways

Reason for Approval. Whilst the proposed use of the site for residential purposes is contrary to the Adopted Local Plan the principle of developing the site for housing is compliant with the adopted Core Strategy and the emerging policy of the draft Site Allocations and Policies and the draft KCAAP DPD's which are material together with the Churchfields Masterplan which is anticipated to be adopted as a DPD shortly and is therefore given significant weight.

The proposed layout indicating a total of 223 dwellings is considered to meet the design policies of the Adopted and emerging plans by addressing the canal, enhancing its green infrastructure and contributing to its nature conservation value. The proposed scheme is considered to pay due regard to the Canal Conservation Area and provides sufficient open space and parking for future residents. The highway and flooding implications have been assessed together with the impact upon privacy and outlook for neighbours and it is considered that the proposal is acceptable.

Delegated APPROVAL of the application for conservation area consent Reference 11/0533/CAC subject to:

- 1) No objections during the remaining consultation period,
- 2) the submission of additional information to provide greater detail of the proposed level of the wall to the satisfaction of the Conservation Officer; and
- 3) the following conditions:
 1. Notwithstanding any indication on the drawings prior to the first demolition or reduction in the height of the wall samples of materials to be agreed
 2. Prior to first demolition or reduction in the height of the wall details of repair to be agreed

Reason for Approval. It is considered that there is sufficient justification for the proposed reduction in the boundary wall to the canal to allow the regeneration of the Churchfields North site for housing whilst the proposed impact upon the appearance and character of the Canal Conservation Area is acceptable.

Councillors Yarranton and Hardiman left the meeting during consideration of the following item

Application Reference: 11/0390/FULL

Site Address: CORNER OF HURCOTT ROAD AND, STOURBRIDGE ROAD, KIDDERMINSTER, DY10 2PJ

Delegated authority to APPROVE the application be given, subject to:

- i) the signing of a **Section 106 Agreement** to secure a contribution (figure to be confirmed) towards Air quality Monitoring in the vicinity of the site; and,
- ii) the following conditions and notes:
 1. A6 (Full with no reserved matters)
 2. A11 (Approved Plans)
 3. B1 (Samples of materials)
 4. B13 (Levels details)
 5. C3 (Tree protection during construction)
 6. C8 (Landscape Implementation)
 7. C14 (Landscape Maintenance)
 8. 100% Affordable Housing only
 9. E2 (Foul and Surface water)
 10. F5 (Construction Site/Noise Vibration)
 11. Construction Method Statement – Construction hours and parking.
 12. F12 (No burning of materials)
 13. F13 (Control of Dust)
 14. Construction traffic – wheel wash
 15. H3 (visibility splays)
 16. H9 (Driveway gradient)
 17. H13 (Access, Turning and Parking)
 18. Road Layout details to be submitted
 19. J1 (Removal of Permitted Development – Residential)
 20. Method statement required in the event of previously unidentified

- contaminated land being found
- 21. Development carried out in accordance with approved Flood Risk Assessment
- 22. Cycle parking provision.
- 23. Lighting details.
- 24. Security measures – lockable access gates
- 25. Residents welcome pack

Notes:

- A. SN2 (Section 106 Agreement)
- B. SN1 (Removal of Permitted Development Rights)
- C. HN1 (Mud on Highway)
- D. HN4 (No Laying of Private Apparatus)
- E. HN7 (Section 278 Agreement)
- F. Section 38 Agreement
- G. Protection of visibility splays
- H. Design of street lighting

Reason for Approval. The proposed development has been assessed against relevant national, regional and local guidance. The application site constitutes previously developed land, based upon the definition given in Annex B of PPS3 – Housing and as such the in principle development of the site for residential purpose is supported by Policy H.2 of the adopted Wyre Forest District Local Plan and Policy DS01 of the adopted Wyre Forest Core strategy. The site is identified within the emerging Kidderminster Central Area Action Plan DPD and Churchfields Masterplan SPD as being suitable for residential development in the form proposed and is recognised as the first phase of the wider redevelopment and regeneration aspirations for the Churchfields area. There is a clear and demonstrable need for affordable housing within Kidderminster and the proposed development would provide a 100% affordable housing development with a net increase of 40% over and above the current level of provision on the site. The development itself has been assessed in terms of the potential impact upon neighbouring properties and other properties within the vicinity of the site, particularly in terms of the design and height of the proposed scheme, in particular the apartment block. In these regards it is considered that there will be no adverse impact caused by the development. The impact upon the existing highway network has been assessed and no adverse impact has been identified. The density of the development has been carefully assessed, with particular reference to Local Plan policy and PPS3, and it is considered that the proposed development makes an efficient and effective use of the land available and thereby is in accordance with the aims and aspirations of PPS3. Adequate provision has been made for foul and surface water drainage. In light of the above, and being mindful of all other relevant considerations it is considered that the application is compliant with the above Policies and H.2, D.4, D.10, D.11, D.15, NR.2, NR.11, (Adopted Wyre Forest District Local Plan) DS01, DS02, CP01, CP02, CP03, CP04, CP05, CP07, CP11 (AWFCS) KCAAP Preferred Options, Draft Churchfields SPD, Planning Obligations SPD Design Quality SPG, PPS1, PPS3, PPG13, PPS23. QE.3, T.3,T.7 (West Midlands Regional Spatial Strategy)

Application Reference: 11/0398/FULL
Site Address: 7 LICKHILL MEADOW, MOOR HALL LANE, STOURPORT-ON-SEVERN, DY13 8RD
REFUSED , for the following reason: Insufficient information has been submitted for an assessment of flood risk to be made. However, based on the flood information available, the site is not shown to be safe during a 1% plus climate change event. The intensification of use for 11 months (majority of the year) would lead to more risk of occupants being isolated in times of flood. This has the potential to place an additional burden on the emergency services given the extent, duration and frequency of flooding that may be experienced in this location. The proposal is therefore contrary to Policy CP02 of the Adopted Wyre Forest Core Strategy and guidance in PPS25.

Application Reference: 11/0403/FULL
Site Address: 16 BROOKSIDE WAY, BLAKEDOWN, KIDDERMINSTER, DY10 3NE
APPROVED subject to the following conditions: <ol style="list-style-type: none"> 1. A6 (Full with no reserved matters) 2. A11 (Approved plans) 3. B3 (Finishing materials to match) 4. Notwithstanding the approved plans, no first floor windows shall be permitted unless otherwise agreed in writing by the Local Planning Authority <p><u>Reason for Approval.</u> The extensions are considered appropriate in terms of scale and design. The development offers no detriment to the character of the area or the street scene and the impact on the amenity currently enjoyed by the occupants of neighbouring properties is minimal. The extension would accord with the provisions of Policy D.17 of the Adopted Wyre Forest District Local Plan (2004) and Policy CP11 of the Adopted Core Strategy (2010), QE3 (West Midlands Regional Spatial Strategy) Design Quality Supplementary Planning Guidance, PPG13.</p>

Application Reference: 11/0404/FULL
Site Address: SUNNYSIDE, POUND GREEN, ARLEY, BEWDLEY, DY12 3LB
APPROVED , subject to the following conditions:- <ol style="list-style-type: none"> 1. A6 (Full with no reserved matters) 2. A11 (Approved plans) 3. B6 (External materials as approved plan) <p><u>Reason for Approval.</u> The proposed extension is considered to be of an appropriate scale and design in relation to the original dwelling and will present an acceptable appearance in the lane side scene. No adverse impact would be created relative to neighbour amenity/privacy or the quality of the local landscape. Accordingly, this proposal is considered to be in compliance with Policy D.17 of the Adopted Wyre Forest District Local Plan and Policies CP11 and CP12 of the Adopted Wyre Forest Core Strategy, PPS1, PPS7.</p>

Application Reference: 11/0422/FULL

Site Address: 17-20, NEW ROAD, KIDDERMINSTER, DY10 1AF

Delegated APPROVAL subject to the satisfactory conclusion of the consultation process and the following conditions:

1. A6 (Full with no reserved matters)
2. A11 (Approved plans)
3. B3 Finishing materials to match)
4. B9 (Details of windows and doors)
5. Retention of existing shop front
6. Scheme for extraction of fumes and odours to be submitted
7. Pedestrian access only from the public car park

Note Neighbours' rights

Reason for Approval. The application has been carefully assessed with regards to the principle of allowing the development, the design and compatibility with the general area, the impact on neighbouring property, highway safety issues including the effect on the Council car park and the application is judged to be acceptable and compliant with the above mentioned policies in the Development Plan subject to policies D.1, D.3, D.9, D.18, TC.2, RT.4, RT.13, TR.9, TR.17, CA.6, NR.5, NR.10, NR.11 (Adopted Wyre Forest District Local Plan), QE.1, QE.3 (West Midlands Regional Spatial Strategy) Design Quality Supplementary Planning Guidance PPS1, PPS4