

WYRE FOREST DISTRICT COUNCIL**PLANNING COMMITTEE**
13TH DECEMBER 2011**ADDENDA AND CORRECTIONS**

REFERENCE NO.	PAGE	ADDENDA AND CORRECTIONS
PART A 11/0602/FULL	19	<u>Application</u> DEFERRED
PART B 10/0056/FULL	22	<p><u>Stourport on Severn Town Council</u> – Objection to the proposal and recommend refusal. The site should be reserved for employment purposes. If approved, the pitches should be deducted from the number required for the District.</p> <p><u>Neighbour</u> (additional response submitted previously) – We would also request that the application is reviewed under the PPG24 guidance in lieu of the issues that we have had with a previous application at Broach Road which was also adjacent to our site. Should the application be granted, we would request written confirmation that the PPG24 guidance had been applied.</p> <p>(Additional letters of objection received from previous objector) - Another incident of antisocial behaviour has added to our objection to the proposed development. Reiterate concern regarding crime and its potential to increase to the detriment of the area plus the consideration of environmental issues associated with the location of industrial premises operating directly next to residential properties</p> <p><u>Environment Agency</u> - No further comments to those provided previously</p>

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		<p><u>Worcestershire County Council Countryside Service</u> (additional comments) - Please note that the comments below neither form an objection or support for the application. As owners and managers of Hartlebury Common, Worcestershire County Council is keen to ensure that any development adjacent to the Common does not pose a threat to the biodiversity of the site (which is designated as a SSSI, Registered Common and LNR) or people's enjoyment of it through access and recreation. The existing and proposed access to this property is a track across the Common, for which there is no evidence of a legal right of access for vehicles. It is unlikely that Worcestershire County Council would grant permission for access to this site across its land, particularly for commercial use. The track lies within Wychavon District and there is no reference to it in this planning application.</p> <p>There has been a history of vehicles and materials associated with this property being stored on the Common without prior permission of Worcestershire County Council and we are keen to ensure that such activity does not continue, or indeed increase, as a result of this proposed development. As I have previously outlined, in order to manage the Common and SSSI under the requirements of the Wildlife and Countryside Act 1981 (as amended), the SSSI will be grazed in the future, and a public inquiry in 2009 gave permission for livestock fencing to be erected around the site. This new fencing will be positioned on the Common side of the track accessing the proposed development. The site now forms part of a ten year Higher Level Stewardship agreement between Natural England and Worcestershire County Council in order to secure its sustainable management.</p> <p>A bund exists alongside the Common side of the track, in order to protect the Common from illegal activity such as the riding of motorbikes and fly-tipping. This bund has been breached in recent years without the permission of Worcestershire County Council as a result of the need to manoeuvre large vehicles and mobile homes associated with this proposed development site.</p>

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		<p>It must be ensured that any access provision is adequate to allow the proposed change of use without damaging the Common, including the existing bund and proposed fence line. One of the plans associated with the application refers to "small bush plants grown on side of road to blend in with Common". This 'road' is the track owned by Worcestershire County Council. Any planting alongside the track or elsewhere on the Common would be entirely inappropriate and in any case would need the consent of Natural England and Worcestershire County Council. The plan also refers to a 'brick wall around boundary'. The actual proposed location of brick wall is unclear and appears to include the edge of track on Worcestershire County Council owned land, a Registered Common and SSSI. In the document prepared for Wyre Forest District Council titled "Assessment of Gypsies, Travellers and Travelling Show people", Sai-Wen is identified as a site shortlisted for further investigation. In the Achievability and Suitability sections of the report for this site, there is no mention of any of the constraints that I have referred to above and there is a statement which reads "There are no abnormal site constraints needing to be overcome". This does not accurately reflect the situation.</p> <p><u>Strategic Housing Services Manager</u> - No adverse comments, will need to resolve boundary treatment. It needs to be non-flammable if caravans stationed within 3m of the boundary. <i>(Officer Comment - In order for the site to achieve a site licence the development would need to meet certain requirements which in summary encompass the site layout, boundary treatment, lighting, type of caravan bases, utilities, refuse disposal, fire safety and maintenance. Planning conditions cannot be attached to the decision to ensure that it meets site licence requirements as the licence is outside of planning control and as such the requirements would duplicate other legislation. Therefore the applicants shall be made aware of the need to obtain a site licence via a note attached to the decision).</i></p>

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		<p><u>Worcestershire Regulatory Services</u> - The proposed residential development is on an industrial estate. By design the living environment in this location is environmentally and unsuitable for the applied for purpose. Prior approval of residential use on and in short vicinity of the estate has resulted in serious noise complaints that have not only affected the complainants but also cost business in the courts and in funding retrospective remedial noise mitigation measures.</p> <p>We would advise that the applicant would therefore need to demonstrate that the proposed development was capable of being completed with the necessary safeguards that would make residential occupation on this site acceptable in environmental noise terms. It is also considered important that the applicant accounts for the poor noise attenuation properties of caravans when submitting any technical information in support of their application.</p> <p>The comments should be considered as advice from WRS as a consultee to assist the council in making determinations; it should therefore be viewed as objective comment and not a recommendation. No noise report has been submitted so I cannot properly evaluate the specific noise impact on this development. So the information provided is advice based on the recent site history and the problems encountered by established residents living on and in the vicinity of the industrial estate.</p> <p>I would therefore advise in these circumstance that concerns raised with regard to noise are valid as the site history proves this out, so (the Council) must make the decision whether they are prepared to issue a planning consent for a residential development on an industrial estate with this information and face the consequence of criticism by the business premises on that site should noise complaints arise which are then subsequently confirmed to be justifiable problems that need resolution through the courts via costly remedial measures.</p>

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		<p><u>Wychavon District Council</u> - I am writing to advise that the Council has no comment to make with regard to the proposals and would recommend that the application is determined in accordance with the relevant development plan policies.</p> <p><u>Local Policing Officer</u> - This boundary between the two properties, one residential and the other industrial has not historically been conducive to community harmony.</p> <p><u>Officer Comments</u> - Since preparation of the Committee report Worcestershire County Council has indicated that it owns the access track leading to Saiwen. Notice has been served on the County accordingly.</p> <p><u>Change of recommendation</u> in paragraph 5.3 to read - Therefore after considering all the material considerations and giving due regard to the Equality Act 2010 and the Human Rights Act 1998 it is recommended that delegated APPROVAL be granted subject to:</p> <ul style="list-style-type: none"> • the expiry of the statutory period of notice as served on the landowner; • no new material planning objections being received; and, • the conditions listed in the report. <p>Further to paragraph 5.4 of the report officers at Wychavon District Council have advised that it is anticipated that the duplicate application reference W/11/02674 is likely to be reported to members of their Development Control Committee on 5th January 2012 with a recommendation that under Section 101(1) of the Local Government Act 1972 to delegate it decision making powers to Wyre Forest District Council. Therefore should this recommendation be approved there is a subsequent separate recommendation as follows:</p> <p><u>Second recommendation</u> - That with respect to the duplicate application made to Wychavon District Council (Ref. W/11/02674) delegated APPROVAL be granted subject to:</p> <ul style="list-style-type: none"> • Wychavon District Council Development Control Committee resolving to delegate their decision making powers to Wyre Forest District Council in respect of W/11/02674; • no new material planning objections being received; and, • the conditions listed in the report.

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11/0637/FULL	40	<u>Wolverley and Cookley Parish Council</u> – Recommend refusal; overdevelopment of site over and above original footprint.
11/0643/FULL	47	<p><u>Applicant</u> - Although there is no mention in the application submitted by my architects I would like to point out that I am very conscious of the visual impact the panels could have if all that was available was the very unsightly panels that have appeared on many roofs around the country in recent months and would not have gone ahead if these were the only option. My specification to the supplier was that the panels be black and must not have obvious bright aluminium on the face.</p> <p>They have quoted for panels that they tell me are specified by the planners in the Cotswolds as fitting their criteria with regards to visual impact. In addition I have specified that all brackets and clips must be black powder coated. I would be grateful if in your report to the planning committee that you would make them aware of these specifications which I have insisted upon in order to reduce the visual impact of the panels to a minimum.</p> <p><u>Amended Reason for Approval which should read</u> - The proposed solar panels are considered to be an appropriate addition to the dwelling as converted, and are considered to have no detrimental impact on the character and appearance of the Chaddesley Corbett Conservation Area. The impact of the panels upon neighbouring properties has been carefully assessed and it is considered that no undue or serious loss of amenity would occur as a result of the development. Accordingly, the proposal is considered to be in compliance with the policies listed above.</p>
11/0647/S106	51	<u>Stourport on Severn Town Council</u> – No objection to the proposal and recommend approval

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paragraph 9.1 is incorrect and should read:

Officers consider that the objections and representations have been fully considered and that the Tree Preservation Order should be confirmed in accordance with the recommendations set out in paragraphs 2.1, 2.2 and 2.3 of this report.