

WYRE FOREST DISTRICT COUNCIL**PLANNING COMMITTEE**14th February 2012 Schedule 494 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.

Application Reference: 11/0634/FULL
Site Address: LAND OFF GREY GREEN LANE, BEWDLEY
APPROVED subject to the following conditions:
<ol style="list-style-type: none"> 1. A6 (Full with no reserved matters) 2. A11 (Approved plans) 3. B1 (Samples/details of materials) 4. No demolition 5. J1 (Removal of permitted development – residential) 6. B9 (Details of windows and doors) 7. B11 (Details of enclosure) 8. C2 (Retention of existing trees) 9. C9 (Hedge protection) 10. E2 (Foul and surface water) 11. F5 (Construction site noise/vibration) 12. Highways 13. Highways 14. B15 (Owl/bat box) 15. Sustainability measures
Notes
A SN1 (Removal of permitted development rights)
B SN3 (Protection of species)
C Highways
D The land edged blue is not affected by this application and remains as agricultural land.
<u>Reason for Approval</u>
The re-use of this agricultural building for a single dwelling is considered to be appropriate development in the Green Belt and can be converted in line with relevant local plan policy. The design of the building provides an enhancement to the building and it surrounds and results in little impact on the visual amenity of the Green Belt or the character of the landscape. Impact on neighbouring properties has been carefully considered however no undue impact will be caused. The access to the property is considered to be acceptable and any resulting trip generation will not result in a loss of highway safety. Matters of ecology, biodiversity and sustainable energy requirement have been fully taken account within the proposed scheme in line with current advice.

The application is considered to be in accordance with H.9, D.4, D.10, GB.1, GB.2, GB.6, RB.1, RB.2, RB.3, RB.5, RB.6, NC.7, TR.17 of the Adopted Wyre Forest District Local Plan, DS04, CP01, CP02, CP03, CP11, CP12, CP14 of the Adopted Wyre Forest Core Strategy, CTC.21, D.39 of the Worcestershire County Structure Plan, CF4, QE3, QE6 of the West Midlands Regional Spatial Strategy, Policies 2, 15, 18, 20, 23, 25, 26, 27 (emerging SA&P DPD), Design Quality SPG, Landscape Character Assessment Supplementary Planning Guidance (WCC), Planning Policy Statement 1, Planning Policy Statement 1 (supplement on Climate Change), Planning Policy Guidance 2, Planning Policy Statement 3, Planning Policy Statement 7, Planning Policy Statement 9 and the Draft National Planning Policy Framework.

Application Reference: 11/0420/FULL/OUT

Site Address: LAND AT CHURCHFIELDS, KIDDERMINSTER,

That if the application was before the Committee to determine, they would be MINDED TO REFUSE for the following reasons:

1. The application as submitted fails to adequately satisfy the requirements of the sequential test insofar as the applicants have dismissed without sound reasons a sequentially preferable and deliverable site which is located within the eastern part of the town and is referred to by the Council as "The Eastern Gateway", as identified under Policy 31 of the Draft Kidderminster Central Area Action Plan. The development as proposed is therefore contrary to Policies EC15 and EC17.1(a) of PPS4; Policy RT5 of the Wyre Forest District Local Plan; Policy CP09 of the Wyre Forest District Core Strategy; Policy D33 of the Worcestershire County Structure Plan; Policy 10 of the Draft Site Allocations and Policies Development Plan Document; and, Policy 6 of the Draft Kidderminster Central Action Area Plan and the Draft National Planning Policy Framework.
2. The proposed development of the Churchfields site would be in direct conflict with and undermine the Council's regeneration proposals for the Bromsgrove Street Area of the town, otherwise referred to as "The Eastern Gateway", which has been identified as a deliverable retail-led regeneration opportunity site which would serve to improve the vitality and viability of the eastern part of town, to the overall benefit of the town as a whole. Were the proposed development to be permitted it would remove any realistic opportunity of comprehensively redeveloping and regenerating the eastern part of the town. The development as proposed would, therefore, be contrary to Policy RT5 of the Wyre Forest District Local Plan; Policies DS02 and CP09 of the Wyre Forest District Core Strategy; Policies 3 and 31 of the Draft Kidderminster Action Area Plan; and, Policies EC16.1(a) and EC17.1(b) of PPS4 and the Draft National Planning Policy Framework.
3. The proposed development by virtue of its scale is considered inappropriate in this location and would be prejudicial to the Council's vision for the redevelopment and regeneration of the Churchfields area including Horsefair as set out within the Churchfields Masterplan Supplementary Planning Document (SPD). The development is therefore contrary to the Adopted Churchfields SPD and Policy 19 of the Draft Kidderminster Central Action Area Plan.

4. The proposed development, both in terms of layout and external appearance, is contrary to good design practice promoted in By Design and the Council's adopted guidance and policies, with particular reference to the visual appearance of the development; inactive frontages; lack of definition of public and private space; and, natural surveillance of the proposed pedestrian linkages. The proposed development is therefore contrary to Design Principles 5, 6, 7, 8 and 9 of the Churchfields Masterplan; Policy CP11 of the Wyre Forest District Core Strategy; Policy 25 of the Draft Site Allocations and Policies Development Plan Document; Policies 12, 19 and 23 of the Draft Kidderminster Central Action Area Plan; Policy QE3 of the Regional Spatial Strategy; the Adopted Wyre Forest Design Quality Supplementary Planning Guidance; By Design; Policy EC10.2(c) of PPS4 and the aims of PPS1.

5. The proposed development and associated alterations to the "1902" building, which is a Locally Listed Building, are not considered acceptable as they fail to preserve or enhance the building in terms of its historic character, appearance, and setting. Furthermore, the proposed siting and layout of the development, in terms of the "bookend" building, service road and service yard, would have a detrimental impact upon the setting and appearance of the "1885" Building and the "1895" Building, both of which are Locally Listed Buildings. The development is, therefore, contrary to Policies LB1, LB2 and LB5 of the Wyre Forest District Local Plan; Policy CTC21 of the Worcestershire County Structure Plan; Policy 24 of the Draft Site Allocations and Policies Development Plan Document; Policy 19 of the Draft Kidderminster Central Action Area Plan; Design Principles 3, 6 and 9 of the Adopted Churchfields Masterplan Supplementary Planning Document; Policy QE5 of the Regional Spatial Strategy; and Policy HE8 of PPS5.

Application Reference: 11/0701/FULL
Site Address: 27 WOODLANDS ROAD, COOKLEY, KIDDERMINSTER, DY10 3TL
APPLICATION DEFERRED PENDING A SITE VIIST. APPLICATION TO BE RECONSIDERED AS A PART A REPORT WITH A FICHE AT THE NEXT MEETING OF THE COMMITTEE.

Application Reference: 11/0706/FULL
Site Address: ROBIN HOOD PH, DRAYTON ROAD, DRAYTON, BELBROUGHTON, DY9 0BW
APPLICATION DEFERRED PENDING A SITE VIIST. APPLICATION TO BE RECONSIDERED AS A PART A REPORT WITH A FICHE AT THE NEXT MEETING OF THE COMMITTEE.

<p>Application Reference: 11/0747/FULL</p>
<p>Site Address: PLOT 4, WOODROW LANE, BLUNTINGTON, CHADDESLEY CORBETT, KIDDERMINSTER, DY10 4NP</p>
<p>APPROVED subject to the following conditions:</p> <ol style="list-style-type: none"> 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. C6 (Landscaping – small scheme) 6. C8 (Landscape implementation) 7. Provision of driveway and parking area prior to occupation. 8. Details of fencing to be submitted and agreed 9. Drainage <p>Note SN12 (Neighbours' rights)</p> <p><u>Reason for Approval</u> The application has been carefully considered with regards to the principle of allowing a dwelling, the appropriateness of the design, size and layout of the dwelling, the impact on neighbouring amenity, highway safety and other issues and the proposal is judged to be acceptable and compatible with the above mentioned policies in the Development Plan. The application is considered to be in accordance with GB.1, GB.2, D.10, D.11, TR.17 of the Adopted Wyre Forest District Local Plan.</p>

<p>Application Reference: 11/0703/RESE</p>
<p>Site Address: FORMER MORGAN CERAMICS SITE, BEWDLEY ROAD, STOURPORT-ON-SEVERN, DY13 8QR</p>
<p>Delegated APPROVAL be granted subject to a 'no objection' response from the Highway Authority following the receipt of amended plans, and subject to the following conditions:</p> <ol style="list-style-type: none"> 1. A4 (Reserved matters only) 2. A11 (Approved plans) <p><u>Reason for Approval</u> It is considered that the reserved matters of layout, scale, external appearance and landscaping have been addressed in a comprehensive way and will provide a high quality and attractive residential development. The dwellings are provided in a way that gives adequate garden areas whilst safeguarding the amenity of future occupiers. Adequate parking provision is made within the development and protected trees are retained. The application is considered to be in accordance with D.4, D.10, D.11 of the Adopted Wyre Forest District Local Plan, CP01, CP02, CP11 of the Adopted Wyre Forest Core Strategy, Policy 25 (emerging SA&P DPD), Design Quality Supplementary Planning Guidance and Planning Policy Statement 1.</p>

Application Reference: 11/0681/FULL

Site Address: 37 & 38 OLDNALL ROAD, KIDDERMINSTER, DY10 3HN

APPROVED subject to the following conditions:

1. A6 (Full with no reserved matters)
2. A11 (Approved plans)
3. Use as a Residential Care Home only and to no other use within Use Class C3 of the Town and Country Planning Use Classes Order
4. Samples of all external materials to be submitted to and approved in writing by the Local Planning Authority.
5. B2 (Sample brick panel)
6. B9 (Details of windows and doors)
7. Building levels to be strictly as per submitted plans
8. A condition for which delegated authority is given to the Director of Planning & Regulatory Services to negotiate to limit the impact of staff changeovers on neighbouring properties between the hours of 10 pm and 8 am
9. F5 neighbouring property
10. Obscure glass to certain side facing windows
11. Details of any external lighting to be submitted and agreed in writing
12. C2 (Retention of existing trees)
13. C3 (Tree protection during construction)
14. Planting specification and maintenance
15. Method statement to ensure that works under the route protection zone will not be damaged during construction of car park.
16. C8 (Landscape implementation)
17. Implementation of bat mitigation strategy/bat roost /bird boxes
18. Implementation of boundary treatment
19. Highway conditions
20. Drainage condition
21. Excavation of material to be removed from site rather than spread on the site

Notes

- A SN12 (Neighbours' rights)
- B Highway
- C SN3 (Protection of species)

Reason for Approval

The application has been carefully considered with regards to the principle of allowing this proposal on non-previously developed land but on balance, after weighing all the material circumstances of the situation both against and for the development including the fact that there is an extant planning permission for an existing Care Home, the need for a Care Home and the jobs that will be created, it is judged that a case has been made to accept the principle of allowing the development. In detail, the proposal has also been considered with regards to impact on the visual amenity of the area, the effect on neighbouring property, the impact on existing trees, landscaping, wildlife, drainage, car parking and highway safety issues and, on balance, the development is acceptable and compliant with the above mentioned policies in the Development Plan. The application is considered to be in accordance with H.2, H.13, D.4, D.10, D.11, D.15, NR.11, TR.17 of the Adopted Wyre Forest District Local Plan, CP02 CP03 CP11 CP14 DS01 DS03 of the Adopted Wyre Forest Core Strategy, T.4 of the Worcestershire County Structure Plan, QE.1, QE.2, QE.3 of the West Midlands Regional Spatial Strategy, Design

Quality Supplementary Planning Guidance, Planning Obligations SPD and Planning Policy Statement 1, Planning Policy Statement 3 and Planning Policy Statement 9.

Application Reference: 11/0609/TREE

Site Address: ELFIN GLEN, GORST HILL, ROCK, KIDDERMINSTER, DY14 9YH

APPROVED subject to the following conditions:

1. TPO1 (Non-standard Condition '2 year restriction of Consent Notice')
2. C17 (TPO Schedule of Works)
3. C16 (Replacement Planting)

SCHEDULE OF WORKS

Only the following works shall take place:
Common Oak (*Quercus robur*) – Fell

The application is considered to be in accordance with D.4 of the Adopted Wyre Forest District Local Plan.

Application Reference: 11/0675/FULL

Site Address: 10 ADAM STREET KIDDERMINSTER, DY11 6PS

APPROVED subject to the following conditions:

1. A6 (Full with No Reserved Matters)
2. A11 (Approved Plans)
3. Materials
4. Severn Trent Water drainage condition
5. Contamination condition as recommended by Worcestershire Regulatory Services
6. Highway conditions

Reason for Approval

The proposal has been considered in terms of the principle of allowing the development and the scheme is judged to be acceptable in this regard and with respect to the design of the proposed flats and the relationship with adjacent properties and the street scene. In addition the application has been assessed in terms of the lack of off street car parking but in view of the potential traffic generation from the established use of the property as a builder's yard the demand for off street car parking will be lower in the proposed scheme. The Highway Authority has taken the view that there on no grounds to refuse the application on the basis of lack of off street car parking. The application is considered to be in accordance with H2, D10, NC7, TR17 of the Adopted Wyre Forest District Local Plan, DS01, DS02, DS03, DS04, CP09, CP03, CP11, CP02 of the Adopted Wyre Forest Core Strategy, CF2, CF4, QE3, QE7 of the West Midlands Regional Spatial Strategy, Design Quality Supplementary Planning Guidance and Planning Policy Statement 1, Planning Policy Guidance 3 and Planning Policy Statement 9.

Application Reference: 11/0711/FULL
Site Address: 28-29 SANDY LANE INDUSTRIAL ESTATE, STOURPORT-ON-SEVERN, DY13 9QB
APPROVAL subject to the following conditions: <ol style="list-style-type: none"> 1. A6 (Full with no reserved matters) 2. A11 (Approved plans) 3. All plots shall be not be occupied other than by gypsies and travellers 4. B1 (Samples/Details of materials) <for utility blocks> 5. Noise mitigation strategy to be provided 6. Details of Boundary Treatment 7. E2 (Foul and surface water) 8. The pedestrian evacuation route shall remain clear at all times for access by the occupiers of all the other plots on site <p><u>Reason for Approval</u></p> <p>Although strictly contrary to development policy it is considered that the unmet need for Gypsy pitches within the District; the lack of alternative provision; and, supply of Industrial land at present, provide sufficient justification to look favourably on this site as a permanent Gypsy site. The site is considered acceptable in this and can be assimilated into the Industrial area without significant negative impact. Whilst being in Flood Zone 2 it is considered that the risk of flooding is acceptable and that a dry access route can be maintained. The access and the traffic generation associated with the development is considered acceptable. The application is considered to be in accordance with H.14, NR.11, NR.12, TR.17 of the Adopted Wyre Forest District Local Plan, DS01, DS03, CP02, CP06, CP08, CP11 of the Adopted Wyre Forest Core Strategy, CF2, CF3, CF4, CF5 of the West Midlands Regional Spatial Strategy, Policies 1, 7, 15, 25, 26 (emerging WFSA&P DPD), Planning Policy Statement 1, Planning Policy Statement 3, Planning Policy Statement 4, Planning Policy Guidance 24, Planning Policy Statement 25, Circular 01/06, Draft National Planning Framework and Draft Planning Policy Statement 'Planning for Traveller Sites'.</p>

Application Reference: 11/0717/FULL
Site Address: 37 CHESTNUT GROVE, KIDDERMINSTER, DY11 5QA
APPROVED subject to the following conditions: <ol style="list-style-type: none"> 1. A6 (Full with no reserved matters) 2. A11 (Approved plans) 3. External brickwork to match existing 4. The extensions hereby permitted shall not be occupied at any time other than for the purposes incidental to the enjoyment of the dwelling know as 37 Chestnut Grove, Kidderminster. <p><u>Reason for Approval</u></p> <p>The erection of a ground floor extension to enable accommodation to be provided for the disabled applicant is considered to be acceptable in principle. The proposed extension is of an appropriate scale and design in relation to the original dwelling and is capable of being assimilated into the local street scene. The proposal would accord with all aspects of Policy H.18 with the exception of the provision of a wheelchair accessible front door, which has been justified in a statement of the</p>

circumstances on the site and the access limitations as existing. Accordingly, the proposal is considered to be in compliance with the policies listed above, with the exception of Policy H.18 of the Adopted Wyre Forest District Local Plan. However, in this particular case it is considered that this partial non-compliance is justified and acceptable. The application is considered to be in accordance with H.18, D.17, TR.17 of the Adopted Wyre Forest District Local Plan and CP03, CP11 of the Adopted Wyre Forest Core Strategy.

Application Reference: 11/0749/FULL

Site Address: WOODHOUSE FARM, POUND GREEN, ARLEY, BEWDLEY, DY12 3LD

APPROVED subject to the following conditions:

1. A11 (Approved plans).
2. C9 (Hedge protection).
3. Maximum overall number of caravans on the site not to exceed 52 and sited in accordance with approved layout.
4. 11 month occupancy.
5. Holiday site only. Occupation by persons with residences elsewhere.
6. Register of owners of units and the residences to be kept at all times.

Reason for Approval

The change from 17 Touring Caravans to 17 Static Caravans is considered to be appropriate in this self contained site, and will not have an adverse impact on the Landscape or the open countryside. The application is considered to be in accordance with TR.17, LR8, LB5 of the Adopted Wyre Forest District Local Plan, DS04, CP03, CP10, CP11, CP13 of the Adopted Wyre Forest Core Strategy, CTC 1, CTC4, RST3, RST14, RST18 of the Worcestershire County Structure Plan, QE1, QE6 of the West Midlands Regional Spatial Strategy, Policies 13, 14, 15, 24, 25 (emerging SA&P DPD), Good Practice Guide Planning for Tourism, Landscape Character Assessment and Planning Policy Statement 1, Planning Policy Statement 5 and Planning Policy Statement 7.

Councillor J W Parish left the meeting at this point.

Application Reference: 12/0002/FULL

Site Address: 157 SION AVENUE, KIDDERMINSTER, DY10 2YL

APPROVED subject to the following conditions:

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

Note

SN12 (Neighbours' rights)

Reason for Approval

The proposed extension is considered to be of an appropriate scale and design to the main dwelling and will have an acceptable appearance in the street scene. The impact of the extension upon neighbouring properties has been carefully assessed

and it is considered that there will be no undue impact upon their amenity. The application is considered to be in accordance with D.17 of the Adopted Wyre Forest District Local Plan, CP.11 of the Adopted Wyre Forest Core Strategy, QE1, QE3 of the West Midlands Regional Spatial Strategy, Design Quality Supplementary Planning Guidance and Planning Policy Statement 1.

Councillor Parish came back to the meeting at this point.

Application Reference: 12/0006/FULL

Site Address: WEST MIDLAND SAFARI PARK, SPRING GROVE, BEWDLEY, DY12 1LF

APPROVED subject to the following conditions:

1. A6 (Full with No Reserved Matters)
2. A11 (Approved Plans)
3. B6 (External Details – Approved Plan)
4. Details of Waterfall operation

Reason for Approval

The proposed building and associated works are appropriate development in the Green Belt. The siting and design is acceptable and will not adversely impact on the surrounding area. Neighbouring properties have been fully taken into account and it is further considered that no undue harm to residential amenity will occur. The application is considered to be in accordance with GB.1, GB.2, GB.3, GB.6 of the Adopted Wyre Forest District Local Plan, DS04, CP10, CP11, CP12 of the Adopted Wyre Forest Core Strategy, PA10, QE3, QE6 of the West Midlands Regional Spatial Strategy, Policies 13, 20, 25 (emerging SA&P DPD), Good Practice Guide on Planning for Tourism, Landscape Character Assessment and Planning Policy Statement 1, Planning Policy Guidance 2, Planning Policy Statement 4 and Planning Policy Statement 7.