

WYRE FOREST DISTRICT COUNCIL**PLANNING COMMITTEE****10th July 2012 Schedule 499 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 Economic Prosperity and Place, Duke House, Clensmore Street, Kidderminster. However, a brief description can be seen in brackets alongside each standard condition, note or reason mentioned.

Application Reference: 12/0245/TREE
Site Address: THE SPINNEY, WAGGON LANE, KIDDERMINSTER, DY10 3PN
APPLICATION DEFERRED.

Application Reference: 12/0247/FULL
Site Address: UPPER MOOR SMALLHOLDING, TIMBER LANE, STOURPORT-ON-SEVERN, DY13 9LU
<p>REFUSED for the following reasons:</p> <ol style="list-style-type: none"> 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, Policy SAL.UP1 of the emerging Site Allocations and Policies DPD and government guidance within National Planning Policy Framework and Planning Policy for Traveller Sites. 2. Due to the topography of the area the site is readily visible particularly from Public Rights of Way and the Leapgate railway viaduct. The proposed development would detract from and harm the character of landscape and the visual amenity of the Green Belt in this rural location contrary to Policy GB.6 of the Adopted Wyre Forest District Local Plan, Policies CP06 and CP12 of the Adopted Wyre Forest Core Strategy, the aims of Policies QE1 and QE6 of the West Midlands Regional Spatial Strategy and Government guidance in National Planning Policy Framework. 3. The location of the residential accommodation fails to accord with: <ol style="list-style-type: none"> a. Housing Policies H.2 or H.9 of the Adopted Wyre Forest District Local Plan, or Policies DS01 or DS04 of the Adopted Wyre Forest Core Strategy, or policies SAL.DPL1 and SAL.DPL2 of the emerging Site Allocations and Policies DPD; b. Gypsy Site Provision Policies contained within policy CP06 of the Adopted Wyre Forest Core Strategy and SAL.DPL10 of the emerging Site Allocations and Policies DPD, in that it is not sequentially preferable being within the Green Belt and there being no immediate need for Gypsy provision; or

- c. Residential Caravans and Mobile Homes Policy H.16 of the Adopted Wyre Forest District Local Plan, Policy D.17 of the Worcestershire County Structure Plan and Policy SAL.DPL7 of the emerging Site Allocations and Policies DPD.

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.

4. Access to the application site is from the Hartlebury Road via a modern housing estate which is designed to maintain slow speeds by using bends and tight junction radii. The application proposes 15 pitches for caravans up to 32ft long and these would need to be delivered on a long vehicle. In order for a large vehicle to successfully negotiate the bends and junctions it is considered that this will not be possible without overriding the pavements and that the angle of the bridge relative to the Timberland Way will prevent access for larger vehicles. This will have a detrimental impact on pedestrian safety and result in structural damage to the pavements and kerbing. The proposal would therefore be unacceptable causing harm to highway safety contrary to policies CP03 and CP06 of the Adopted Wyre Forest Core Strategy, SAL.DPL10 and SAL.CC1 of the emerging Site Allocations and Policies DPD and national guidance in the National Planning Policy Framework.
5. Timber Lane is a narrow road and does not allow 2 vehicles to pass side by side, the addition of 15 pitches will see a greater level of traffic flow which will conflict with the opposing traffic flow. The road is therefore considered to be unsuitable for the day to day traffic movements that will be associated with this development. The development will result in a deterioration in and harm to highway safety contrary to policies CP03 and CP06 of the Adopted Wyre Forest Core Strategy, SAL.DPL10 and SAL.CC1 of the emerging Site Allocations and Policies DPD and national guidance in the National Planning Policy Framework.
6. The site has been demonstrated that it lies within an area of Flood Risk (Flood Zone 2), however it is considered that due to the lack of need of Gypsy pitch provision that the site is not sequentially preferable and it cannot be classed as an exception site. As such the proposal would result in an unacceptable provision of a site in a area of know flood risk contrary to policies CP02 and CP06 of the Adopted Wyre Forest Core Strategy, SAL.DPL10 of the emerging Site Allocations and Policies DPD and national guidance in the National Planning Policy Framework.

Councillor G W Ballinger left the meeting at this point, (6.32pm).

Application Reference: 12/0146/EIA

Site Address: FORMER BRITISH SUGAR SITE, STOURPORT ROAD, KIDDERMINSTER

DELEGATED AUTHORITY TO APPROVE subject to:

- i. The signing of a satisfactory Section 106 Agreement should secure the following:
 - (i) a minimum of 12% affordable housing;
 - (ii) £100k towards a MOVA to be installed to increase the capacity at the junction of Stourport Road/Walter Nash Road West;
 - (iii) a minimum of £90k towards maintaining three areas of informal open space (i. the knoll, ii. the informal space to the south of the site, iii. the wooded embankment adjacent to the canal)
 - (iv) up to £35k towards public realm
- ii. Conditions as listed below (and which may be altered and expanded).
 1. Approval of plans
 2. Submission of reserved matters
 3. Submission of Construction Environmental Management Plan
 4. Details of Landscape Infrastructure Plan and Implementation
 5. Habitat Management Plan and Implementation
 6. Phasing of construction of link road
 7. Phasing of footpath / cycleway
 8. Drainage strategy
 9. Maximum floorspace – A1, A3, A4, A5
 10. Hotel Maximum 100 bedrooms
 11. Care home maximum size
 12. Submission of site levels
 13. Demolition outside bird breeding season
 14. Pre – construction badger survey
 15. No dwellings sited closer than 22m to Stourport Road
 16. Tree retention
 17. Tree protection
 18. Programme of building recording
 19. Provision of Neighbourhood Equipped Play Area
 20. Maximum number of people within buildings on southern boundary
 21. Provision of TA for railway halt if no. of spaces exceeds 60
 22. Provision of site waste management plan
 23. Provision of Construction management plan
 24. Reserved matters to provide details of sustainable principles
 25. Highways
 26. Worcestershire Regulatory Services
 27. Environment Agency

Notes

- A. Protected species
- B. Highways
- C. Pedestrian and GI link expected through residential area to provide link west to east through site.

Reason for Approval

Whilst, according to the Adopted Local Plan the application site should only be used for industrial uses it is considered that sufficient weight can be attached to emerging LDF Policy and to the NPPF to allow the mix of uses proposed. It is considered that the proposed retail uses would not have a significant harm upon the town or nearby local centre. Whilst it is acknowledged that the development would result in the loss of former playing fields, the provision of a significant area of informal open space which is available for public use is considered to provide adequate compensatory provision. It is considered that the proposals pay due regard to sustainability, land contamination the impact upon heritage assets, air quality, drainage, biodiversity and the amenity of existing and proposed residential occupiers, and that due to the vegetation which is to be retained and the proposed layout the scheme is acceptable. Furthermore it would enable the provision of appropriate green infrastructure. The application is considered to be in accordance with policies E3, D4, D10, D11, D12, NR2, NR11, NR12, CA1, CA6, AR2, AR3, NC7, LR1, LR9, RT5, RT6, RT8, RT13 of the Adopted Wyre Forest District Local Plan, DS01, DS02, DS05, CP01, CP02, CP03, CP04, CP08, CP09, CP10, CP11, CP13, CP14 of the Adopted Wyre Forest Core Strategy, CTC9, CTC17, CTC19, CTC20 of the Worcestershire County Structure Plan, UR2, CF3, CF4, CF5, PA1, QE1, QE2, QE3, QE4, QE5, QE,7, T1 – T5 of the West Midlands Regional Spatial Strategy, 1, 3, 5, 9, 10, 13, 14, 16, 17, 19, 22, 24, 25, 26, 31, 32 of the Draft SA & P, Re-Wyre Prospectus and Planning Obligations SPD (2004).

Application Reference: 12/0236/FULL

Site Address: KIDDERMINSTER TENNIS CLUB, BAXTER GARDENS, BIRMINGHAM ROAD, KIDDERMINSTER, DY102HD

DELEGATED AUTHORITY TO APPROVE subject to no new issues being raised during the further notification period.

Reason for Approval

The proposed development would be considered appropriate in terms of both scale and design. The extended club house is of an acceptable scale and design. The development as a whole would be considered to have no adverse impact on the amenity enjoyed by the occupants of surrounding residential properties and would not result in the loss or reduction of the Public Open Space. The development would accord with the provisions of Policies D.18, NR.12 and LR.1 of the Adopted Wyre Forest District Local Plan (2004), Policy CP11 of the Adopted Wyre Forest Core Strategy (2010) and Section 8 of the National Planning Policy Framework.

Application Reference: 12/0306/FULL

Site Address: PLOT A RUSHOCK TRADING ESTATE, RUSHOCK, DROITWICH, WR9 0NR

APPROVED subject to the following conditions:

1. A6 (Full with no reserved matters)
2. A11 (Approved plans)

3. B6 (Materials as approved plans)
4. Any facilities for the storage of oils, fuels or chemicals shall be sited on impervious bases and surrounded by impervious bund walls. The volume of the bunded compound should be at least equivalent to the capacity of the tank, plus 10%. If there is multiple tankage, the compound should be at least equivalent to the capacity of the largest tank, or the combined capacity of interconnected tanks, plus 10%. All filling points, vents, gauges and sight glasses must be located within the bund. The drainage system of the bund shall be sealed with no discharge to any watercourse, land or underground strata. Associated pipe work should be located above ground and protected from accidental damage. All filling points and tank overflow pipe outlets should be detailed to discharge downwards into the bund.

Reason: To prevent pollution of the water environment.

5. Prior to being discharged into any watercourse, surface water sewer or soakaway system, all surface water drainage from parking areas and hardstandings shall be passed through an oil interceptor designed and constructed to have a capacity and details compatible with the site being drained. Roof water shall not pass through the interceptor.

Reason: To prevent pollution of the water environment.

NOTES

- A. Permission has not been granted for the provision of external lighting. Any floodlights or external lighting should form the subject of a separate planning application.
- B. Pollution Prevention: Developers should incorporate pollution prevention measures to protect ground and surface water. We have produced a range of guidance notes giving advice on statutory responsibilities and good environmental practice, which includes Pollution Prevention Guidance Notes (PPG's) targeted at specific activities. Pollution prevention guidance can be viewed at:
<http://www.environment-agency.gov.uk/business/444251/444731/ppg/>

Reason for Approval

The proposed development would be considered appropriate in terms of both scale and design. The use would be considered appropriate given that the site is a previously developed site within the Green Belt, the industrial context of the site and that the buildings proposed would have no substantial impact on the character, appearance and openness of the Green Belt. The development would be considered to accord with the requirements of Policies GB.1, GB.2 and GB.4 of the Adopted Wyre Forest District Local Plan and Policy CP11 of the Adopted Wyre Forest Core Strategy (2010), Section 18 (Policy SAL.PDS1) of the Emerging Site Allocations and Policies Publication (2012) and Section 9 of the National Planning Policy Framework.