

WYRE FOREST DISTRICT COUNCIL

PLANNING COMMITTEE

9th December 2014 Schedule 527 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 Development Manager, Wyre Forest House, Fine Point Way, Kidderminster. However, a brief description can be seen in brackets alongside each standard condition, note or reason mentioned.

Application Reference: 14/0390/FULL

Site Address: BRINTONS BUILDING, EXCHANGE STREET, KIDDERMINSTER, DY10 1BU

APPROVED subject to the following conditions:

1. A6 (Time limit for implementation of permission).
2. A11 (In accordance with approved plans).
3. Samples of materials including decking and glazed boundary treatment to walkway.
4. Notwithstanding details submitted, submission of details regarding lighting which would ensure no increase of illumination of the river corridor.
5. Details of drainage including details to ensure no internal flooding.
6. Flood Evacuation Management Plan.
7. Programme of historic building recording.
8. Provision for the analysis, publication and dissemination of the results of the historic building recording.
9. Large scale details of windows and doors.
10. Structural Engineer's report explaining how the north side of Unit 5 is to be opened up
11. Details of fixed plant and ventilation prior to first use of any part of Units 1, 2, 3, 3a, 4, 5 and 6 (and agreed details to be retained unless otherwise agreed).
12. Details of noise insulation to protect upper floors which has approval for hotel use prior to first use of Units 1, 2, 3, 3a, 4, 5 and 6.
13. Submission of details of landscaping, plant to accord with submitted and landscaping plan including indication of existing proposed large rocks to be submitted.
14. Further bat survey of existing culvert prior to commencement with details of any necessary mitigation.
15. Notwithstanding details submitted the bat boxes shall be implemented in a position to be agreed in writing by the Local Planning Authority before first use of the development and details of any necessary mitigation.
16. Additional otter survey(s) up and down stream of the application site prior to commencement in accordance with a methodology agreed in writing by the Local Planning Authority.
17. Notwithstanding details submitted the details of an otter shelf shall be submitted to and agreed in writing by the Local Planning Authority and implemented in an agreed position before first use of the development.
18. Methodology for removal of Himalayan balsam.
19. Provision/submission of landscape maintenance plan.
20. Removal of shrubs, trees and other vegetation outside of bird breeding

- season.
21. Submission of a Construction Environmental Management Plan.
 22. Submission of Habitat Management Plan.
 23. Finished floor levels of building and decking area / walkway in accordance with agreed details.

NOTES

- A. Environment Agency regarding Flood Warning System.
- B. Flood Defence consent required.

Application Reference: 14/0391/LIST

Site Address: BRINTONS BUILDING, EXCHANGE STREET, KIDDERMINSTER, DY10 1BU

APPROVED subject to the following conditions:

1. A7 (Time limit for implementation of permission).
2. A11 (In accordance with approved plans).
3. Programme of historic building recording.
4. Provision for the analysis, publication and dissemination of the results of the historic building recording.
5. Large scale details of windows and doors.
6. Structural Engineer's report explaining how the north side of Unit 5 is to be opened up.
7. Details of fixed plant and ventilation prior to first use of any part of Units 1, 2, 3, 3a, 4, 5 and 6 (and agreed details to be retained unless otherwise agreed).
8. Details of noise insulation to protect upper floors which has approval for hotel use prior to first use of Units 1, 2, 3, 3a, 4, 5 and 6.

Application Reference: 14/0541/OUTL

Site Address: SITE OF FORMER SION HILL MIDDLE SCHOOL, SION HILL, KIDDERMINSTER, DY10 2XT

DELEGATED AUTHORITY TO APPROVE subject to the following:

a) The signing of a Section 106 Agreement to secure:

- i) Affordable Housing Provision;
- ii) Education Contributions;
- iii) Public Open Space Contributions; and
- iv) Highway Contributions

as detailed above; and

b) The following conditions:

1. A1 (Standard outline).
2. A2 (Standard outline – Reserved Matters).
3. A3 (Submission of Reserved Matters).
4. A5 (Scope of Outline Permission).

5. A11 (Approved plans).
6. B1 (Samples/details of materials).
7. B11 (Details of enclosure).
8. B13 (Levels details).
9. C2 (Retention of existing trees).
10. C3 (Tree protection during construction).
11. C5 (Hand digging near trees).
12. C8 (Landscape implementation).
13. C13 (Landscape Management Plan).
14. E2 (Foul and Surface Water).
15. Ecology Surveys prior to demolition.
16. G11 (Details of Works to Listed Buildings).
17. Archaeology.
18. Contaminated land.
19. Visibility Splays.
20. Access closure – occupation – vehicular.
21. Access, turning and parking.
22. Parking for site operatives.

NOTES

- A. SN2 (Section 106 Agreement).
- B. Footpaths.
- C. Section 278 Agreement.
- D. Design of Street Lighting for Section 278.
- E. SN6 (No Felling – TPO).
- F. Demolition in accordance with Worcestershire Regulatory Service Code of Practice.

Councillor R Lloyd left the meeting at this point, (6.45pm)

Application Reference: 14/0560/S73

Site Address: TESCO, SEVERN ROAD, STOURPORT-ON-SEVERN, DY13 9AH

APPROVED subject to the following conditions:

1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.
2. The development hereby approved shall be carried out strictly in accordance with the approved drawings.
3. The foodstore hereby approved shall not exceed the following floor space allocations (maxima):
Gross external- up to 4546 sq. metres measured externally
Net retail sales- up to 3146 sq. metres
Notwithstanding the floor space figures above no more than 2,401 sq.m shall be used as Net Sales Floor Area as defined in the 2009 Unilateral Undertaking as that part of the foodstore within the development that is used for the sale and display of goods including the checkouts and the customer counters but excluding lobbies, customer services, circulation areas and customer toilets in accordance with the retail study submitted and considered as part of the Council's determination of Application reference 07/1105/EIA.
4. The areas indicated as 'Mitton Street entrance lobby' and 'Main entrance lobby' on Drg. 11217-728 Rev F shall not be used for retail sales or the display of any goods or services, including concessions kiosks, whether or not

- related to those available in-store.
5. The development hereby approved shall not be commence until a large scale detail of the approved bi-parting doors together with details of the proposed glazing of the bi-parting doors at the Mitton Street junction lobby entrance have been submitted to and agreed in writing by the Local Planning Authority. No external lighting is allowed to the exterior of the lobby unless otherwise agreed in writing by the Local Planning Authority.
 6. The restoration and mitigation for the restoration and enhancement of the River Stour corridor (west bank) within the application site shall be implemented in accordance with details agreed.
 7. The Landscape and Biodiversity plan to improve and enhance the biodiversity of the site shall be implemented and retained in accordance with details agreed.
 8. The lighting within the site shall be retained and adhered to as agreed.
 9. The entrance to the foodstore from the Mitton Street/Severn Road junction shall be made available for public use at all times when the store is open to the public.
 10. The external materials shall be retained in accordance with details agreed.
 11. The means of enclosure as agreed shall be retained at all times unless otherwise agreed in writing by the Local Planning Authority.
 12. The storage of refuse, crates, packing cases and other waste materials shall be retained within the service yard only prior to disposal. Thereafter they shall be disposed of in accordance with the Refuse Policy Statement agreed.
 13. The finished floor levels across the site and the finished floor level of the store shall be retained in accordance with details agreed.
 14. The hard and soft landscaping details shall be retained in accordance with the details agreed.
 15. Those trees agreed to be retained shall accord with the details agreed.
 16. All hard and soft landscape works shall be carried out in accordance with the approved details and to a standard in accordance with the relevant recommendations of British Standard [4428:1989]. The works shall be carried out in accordance with a timetable agreed with the Local Planning Authority. Any trees or plants that, within a period of five years after planting, are removed, die or become seriously damaged or defective, shall be replaced with others of species, size and number as originally approved, by the end of the first available planting season thereafter.
 17. Within one month of the date of approval a Verification Report demonstrating completion of the works set out in the Remediation Strategy agreed and the effectiveness of the remediation shall be submitted to and approved by the Local Planning Authority in writing.
 18. Reports on monitoring, maintenance and any contingency action carried out in accordance with the long term monitoring and maintenance plan referred to in the condition above shall be submitted to the Local Planning Authority in accordance with a timetable to be incorporated within that Plan, unless otherwise agreed in writing with the Local Planning Authority. On completion of the monitoring programme a final report demonstrating that all long-term site remediation criteria have been met and documenting the decision to cease monitoring shall be submitted to and approved by the Local Planning Authority in writing.
 19. If, during development, contamination not previously identified, is found to be present at the site then (unless otherwise agreed in writing with the Local Planning Authority) no further development shall be carried out until an amendment to the approved Remediation Strategy, which shall detail how this

- contamination shall be dealt with, has been submitted to and approved by the Local Planning Authority in writing.
20. No infiltration of surface water drainage into the ground shall be permitted other than with the written consent of the Local Planning Authority.
 21. The surface water and foul water drainage scheme as agreed.
 22. All fixed plant and noise emitting machinery shall be sited and mitigated in accordance with the details agreed.
 23. Retention of visibility splays at the junction of the new site access road with Severn Road.
 24. There shall be no deliveries to or despatched from the site outside the hours of 06:00 and 23:00.
 25. No baking, cooking or food preparation shall be carried out on the site unless in accordance with the details submitted.
 26. Neither the foodstore nor the petrol filling station hereby permitted shall be open to customers or any other persons not employed within the business operating from the site outside the following times:
07:00 – 22:00 hours on Mondays to Saturdays
10:00 – 16:00 hours on Sundays
 27. No part of the petrol filling station shall be used for the sale, display, repair, servicing or washing of vehicles.
 28. No part of the petrol filling station shall be used for the sale, display, repair, servicing or washing of vehicles.
 29. The Floodplain Compensation Scheme as agreed shall be retained in accordance with the agreed details.

NOTES

- A. This approval shall be read in conjunction with
 - i. the obligation entered into under Section 106 of the Town and Country Planning Act (as amended) dated 19th May 2008;
 - ii. the unilateral undertaking dated 12th February 2009; and
 - iii. the obligation entered into under Section 106 of the Town and Country Planning Act (as amended) dated 14th November 2014.
- B. The Reserved Matters approval (Ref. 10/0706/RESE) was approved on 19 January 2011. There has since this date been agreement to the two following Non-Material Amendments:
 - i. 12/9008/NMA - Non-material Amendments to Planning Permission 10/0706/RESE (Variation to approved landscaping scheme to allow removal of No. 1 tree (T6 Sycamore) and replacement with No. 3 extra heavy standard trees (2 x Common Alder and 1 x Ash) :Approved 18/03/13
 - ii. 12/9014/NMA - Non-material amendment to Planning Permission 07/1105/EIA (Alteration to highways layout to accommodate an existing gas mains pipe) : Approved 06/03/13
- C. This permission does not authorise the laying of private apparatus within the confines of the public highway.
- D. The Applicant's attention is drawn to the need to ensure that the provision of the visibility splay(s) required by this consent is safeguarded in any sale of the application site or part(s) thereof.

Councillor R Lloyd came back to the meeting at this point, (6.46pm).

Application Reference: 14/0637/FULL
Site Address: 327 HURCOTT ROAD, KIDDERMINSTER, DY10 2QX
APPROVED subject to the following condition: 1. A11 (Approved plans).