

WYRE FOREST DISTRICT COUNCIL

PLANNING COMMITTEE

20 September 2022 - Schedule 604 Development Management

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 Planning Manager, Wyre Forest House, Finepoint Way, Kidderminster. However, a brief description can be seen in brackets alongside each standard condition, note or reason mentioned.

Application Reference: 21/0031/FUL
Site Address: Land to the West of Pearl Lane, Stourport-on- Severn (Ernleye Meadows) Land at Os 379658 269871, Pearl Lane, Stourport On Severn Worcestershire
Delegated APPROVAL subject to:
<ul style="list-style-type: none"> a) The signing of a S.106 agreement as set out at paragraph 4.77; and b) The following conditions; <ul style="list-style-type: none"> 1. 3-year Time Limit 2. To require site and finished floor levels 3. To secure external materials and hard surfacing details 4. To require amended Boundary Treatment details to show gaps for hedgehogs to pass through 5. Notwithstanding the soft landscaping details submitted, no development above damp-course level shall commence until soft landscaping details have been submitted to and agreed in writing by the LPA, and implemented in accordance with the agreed details 6. Play Provision Implementation and Management/Maintenance Plan 7. Require details of Defibrillator 8. To require recreation footpaths and cycleways to be provided 9. Retention of all identified retained trees and hedgerows 10. Site Investigation for Potential Contaminated Land and Remediation Strategy 11. Unexpected Contamination 12. Construction Environmental Management Plan (Noise) 13. Electric Vehicle Charging Provision 14. Secure Cycle Storage 15. Low Emission Boilers 16. Implementation of provision of PV Panels (34 Plots) 17. Require 66 Plots to be designed to higher access standards of Part M Building Regulations (2010) Category 2 M4(2) and 4 Plots designed to meet wheelchair user dwellings standards of Part M Building Regulations (2010) Category 3 M4(3) 18. Require water efficient measures 19. Scheme of Minerals Recovery 20. Archaeology – Written Scheme of Investigation 21. Archaeology – Archive WSI 22. Archaeology Interpretation Board 23. Method Statement for translocation of Dormouse 24. Construction Environmental Management Plan (CEMP - Biodiversity) to

include:

- a. Implementation of Tree Protection Fencing and Pre-start meeting with Council's Arboricultural Officer
- b. Amphibians survey prior to vegetation and ground clearance and relocation by hand if any are found during construction
- c. Vegetation clearance to be undertaken outside of bird nesting season
25. A walkover badger survey and scheme of mitigation if required
26. Further bat survey of trees to be felled that have been identified as having potential roost features
27. To require an ecological enhancement scheme and a letter of compliance from a suitably qualified ecologist
28. To require external lighting scheme including letter from a suitably qualified ecologist to demonstrate that the proposed lighting scheme will create dark corridors
29. Landscape Environmental Management Plan (LEMP) including management/maintenance of soft landscaping and site habitats and enhancement measures and biodiversity monitoring strategy for dormouse
30. Off-site swale and associated attenuation basin to be constructed prior to first occupation
31. Existing culverted watercourse to be diverted appropriately, avoiding all residential plots including driveways
32. The SuDs to be constructed and maintained in accordance with the approved details
33. A Construction Surface Water Management Plan
34. To require highway lighting details
35. Construction Environmental Management Plan (Highways)
36. Access and Parking arrangements
37. Visibility Splays
38. To prevent side facing windows within the dwelling on the following Plots that face opposing rear gardens: Plots 3, 10, 15, 16, 19, 21, 24, 25, 30, 34, 36, 42, 46, 52, 56, 64, 66, 72, 74, 75, 80, 81, 87, 90, 94, 98, 103, 107, 108, 109, 112, 114, 115, 119, 120, 128, 129, 130, 135, 138, 143, 150, 181, 191, 193, 197, 199, 205, 206, 208, 213, 216, 217, 219, 226, 244, 252, 274, 275, 279, 283, 304, 306, 307, 313, 315, 319, 321, 327
39. To prevent rear facing clear glazed windows with cill height less than 1.7metres within the dwelling on the following Plots 227 and 303
40. Removal of Permitted Development Rights for future boundary treatment forward of the principle elevation of any dwelling house

NOTES

- Section 106 Agreement
- Inform developer that battery storage is necessary for dwellings with PV solar panels
- Severn Trent Water – Aqueduct
- Public Right of Way obligations
- The revised Energy Report pursuant to condition 19 shall consider the inclusion of solar/photovoltaic panels, air source and ground source heat pumps including battery storage for PV panels
- No construction work outside the hours of 0800 and 1800 Mondays to Fridays and 0800 and 1300 hours on Saturdays
- No burning of any material during construction and site preparation works
- WFDC Waste and recycling collection
- Alteration of highway

- Section 278 Agreement
- Section 38 Agreement
- Drainage Details for Section 38
- Protection of Visibility Splays
- Works adjoining highway
- Temporary Direction Signs to housing developments
- Construction Environment Management Plan

Application Reference: 21/1071/FUL

Site Address: Land at Os 385175 277187, Husum Way, Kidderminster
Worcestershire

The Committee received representation from Councillor S Miah (ward member for Offmore & Comberton) prior to a decision being made.

Delegated APPROVAL subject to:

- a) The signing of a S.106 agreement;
- b) The following conditions;

1. 3-year Time Limit
2. Require development to be implemented in accordance with submitted plans
3. Installation of a defibrillator prior to first occupation
4. Secure agreed external materials
5. Secure agreed boundary treatment and enclosure details
6. Require hard surfacing materials
7. Removal of PD rights for front boundary treatment
8. Removal of PD rights for side facing windows for properties within 10 metres of a neighbouring rear garden
9. Require recreational footpaths to be constructed prior to first occupation
10. Require noise mitigation strategy
11. Require details of the disposal of foul and surface water (STW)
12. Surface Water Drainage Strategy (NWWM)
13. SuDS assets management plan (NWWM)
14. Construction surface water management plan (NWWM)
15. Minerals Recovery plan
16. Implementation of Tree Protection Fencing
17. Network Rail method statement and risk assessment
18. Details of fencing adjacent to network rail
19. Details of scaffolding works within 10m of the railway boundary
20. Prior to any vibro-impact works on site, a risk assessment and method statement
21. Prior to the commencement of the development details of the disposal of both surface water and foul water drainage directed away from the railway
22. Prior to the commencement of the development full details of ground levels, earthworks and excavations to be carried out near to the railway boundary
23. Details of appropriate vehicle safety protection measures along the boundary with the railway
24. Require External lighting details
25. Require Landscape Scheme and Implementation showing: hedgerows to be retained together with measures for their protection: hedgerow enhancement

- planting; street trees; SuDS planting; and landscaping details to screen pumping station
26. Landscape and Environmental Management Plan
 27. A walk over survey for protected species and mitigation strategy
 28. Ecological Enhancement Plan
 29. Action plan to displace active fox den
 30. All site clearance works to be undertaken outside of the bird nesting season or for a qualified ecologist to be on site at all times
 31. Require details of soil or soil forming materials brought on to the site for use in garden areas, soft landscaping, filling and level raising
 32. Unexpected Contamination
 33. Require Implementation of PV Panels
 34. Require details of Part M4(2) dwellings
 35. Require compliance of water efficiency measures
 36. Electric vehicle charging points
 37. Low emission boilers
 38. Require Written Scheme of Investigations (WSI) for Archaeology
 39. Require Implementation, Recording and Publication of WSI
 40. Require Highway Access Works to be implemented
 41. Require Visibility Splays to be provided
 42. Require Residential Welcome Pack
 43. Require Layout, Parking and Turning Facilities to be provided
 44. Require Sheltered and Secure Cycle Parking
 45. Construction Management Plan
 46. Safeguarding of an area of land on the northern boundary adjacent to the A456 Birmingham Road for highway improvement works

NOTES

- Section 106 Agreement
- WRS Best Practice Guidance for Construction
- Waste and Recycling Collection for Wyre Forest residents
- Alteration of Highway
- Section 278 Agreement details
- Section 38 Agreement details
- Drainage details for Section 38
- Protection of Visibility Splays
- Works adjoining highway
- Temporary direction signs to housing developments
- Removal of trees and hedgerows to be undertaken outside of bird nesting season
- Public Rights of Way obligations
- Severn Trent Water (public 150mm foul sewer located within site)
- Severn Trent Water (SPZ3 of several active groundwater sources)

Councillor S Miah left the meeting at 7.07pm

Councillor P Dyke entered the meeting at 7.19pm

<p>Application Reference: 22/0532/RG3</p>
<p>Site Address: Castle Road Car Park, Castle Road, Kidderminster, Worcestershire DY10 1AQ</p>
<p>Councillor F Oborski MBE declared her interest during the debate.</p>
<p>APPROVED subject to;</p> <p>The following conditions;</p> <ol style="list-style-type: none"> 1. 3-year time limit 2. Development to be carried out in accordance with submitted plans 3. Require external materials and hard surfacing details 4. Require finished site and ground floor levels 5. Require boundary treatment to be installed including 2.0m acoustic wall 6. Require refuse storage, cycle storage and smoking shelter to be provided 7. The use hereby approved shall be limited to 20 short term accommodation units for people and/or households who meet the eligibility tests set out under Section 188 Housing Act 1988 (as amended by the Homelessness Reduction Act 2017)(or any Act amending, revoking or re-enacting that Act with or without modification) 8. Require details of glazing and ventilation products and the second-floor roof construction to ensure adequate noise mitigation 9. Require development to adhere to the noise limits for all external plant and equipment 10. Require Environmental Health Construction Environmental Management Plan to limit dust, noise and vibration 11. Require details of size and position of PV arrays to ensure no glare is caused to the adjacent Grade II listed Paddington House building. Details of associated battery storage to be agreed by the LPA. 12. Require development to adhere to external lighting strategy and prevent any new external lighting being installed without the prior approval of the local planning authority (in the interest of light pollution and impact on biodiversity) 13. Require tree protection plan to protect Yew tree during construction 14. Require implementation of recommended Ecological Mitigation and Enhancement Measures 15. Require details of Landscaping Scheme and Implementation 16. Landscape and Environmental Management Plan, which includes the provision of a 1.5-metre-high hedgerow along the boundary adjacent to the River Stour and long-term maintenance 17. Require Reasonable Avoidance Methodology Statement for Otters 18. Prevent site clearance during bird nesting season unless undertaken with the supervision of a qualified and competent ecologist. 19. Require Written Scheme of Investigations (WSI) for Archaeology 20. Require implementation and publication of Written Scheme of Investigation for Archaeology 21. Require risk assessment, mitigation measures/remediation strategy for potential contaminated land 22. Require details for Foul and Surface Water Drainage (STW) 23. Require implementation of Surface Water Drainage Scheme (NWWM) 24. Require permeable paving areas to be maintained to facilitate the optimal functionality and performance of the surface water drainage scheme 25. Require method statement for the protection of the adjacent river from pollution during the construction phase

26. Require access, turning area and parking facilities to be provided as proposed
27. Require existing vehicular access to be permanently closed
28. Require electric vehicle charging facilities to be provided
29. Travel Information Pack to promote sustainable modes of travel
30. Require Construction Environmental Management Plan to protect Highways
31. Defibrillator to be provided prior to first occupation that is located in a publicly accessible location.

NOTES

- WRS Best Practice Guidance for Construction
- Waste and Recycling Collection for Wyre Forest residents
- Severn Trent Water (public sewer located within site)
- Mineral recovery - applicant to consider whether any opportunities exist for "incidental recovery" of the mineral resource, i.e., recovering a portion of the mineral as an integral part of the non-mineral development, such as recovering material removed in landscaping or footings, which could be reused within the development to minimise the need for materials to be brought on to site.
- Environmental Permit may be required due to proximity to the River Stour
- Section 278 Agreement

Application Reference: 22/0315/OUT

Site Address: Land Off, Areley Common, Stourport On Severn, Worcestershire

Delegated REFUSAL for the following reasons;

- 1) The application site is an unallocated greenfield site, that falls outside of the settlement boundary of Stourport-on-Severn and within the open countryside where housing development is strictly controlled and limited to specific housing developments such as rural exception sites. The development by virtue of its scale, location and housing tenure would not be an appropriate rural exception scheme. As such, the principle of development in terms of location, land use and amount of development is unacceptable and in conflict with Policies SP.1, SP.2, SP.6 and SP.11 of the Wyre Forest District Local Plan.
- 2) The proposal would have an unacceptable impact on the open and tranquil rural character of this part of the countryside and would lead to a permanent urbanising effect of this landscape. The proposed location and quantum of development is inappropriate for this rural location and would result in an intrusive and dominant form of development and visual erosion of this landscape character and countryside location, giving rise to substantial harm to the landscape character and public rights of way. The development would diminish the intrinsic character and beauty of the open countryside and would be contrary to Policy SP.22 of the Wyre Forest District Local Plan and Paragraphs 100 and 174(b) of the National Planning Policy Framework.
- 3) The demand for solid sand resources remains high following the adoption of the Local Plan and the planned growth for the district. The submitted Minerals Resource Assessment is unacceptable on the grounds that it fails to show how much minerals (solid sand, silica sand, and terrace and glacial sand and gravel) would be potentially sterilised by the proposed development and no sequential approach has been undertaken to determine whether sterilisation of mineral resources could be avoided or minimised through full, partial or incidental extraction of the resource, contrary to Policy SP.34 of the Wyre

- Forest District Local Plan, the Worcestershire Minerals Local Plan and Paragraphs 209 and 212 of the National Planning Policy Framework.
- 4) Insufficient information has been submitted to ascertain the development impacts on protected species, including badgers, bats, breeding birds and reptiles. Further survey work is required and in the absence of this information the local planning authority is unable to determine whether the mitigation proposed would be acceptable in order to minimise impacts on biodiversity and provide measurable net gains for biodiversity, in accordance with Policy SP.23 of the Wyre Forest District Local Plan and Paragraphs 174 and 180 of the National Planning Policy Framework.
 - 5) Insufficient information has been submitted to demonstrate that the proposed development would achieve appropriate long-term sustainable management of surface water drainage. As currently proposed, the applicant cannot guarantee that a connection to off-site drainage can be achieved or that the proposed discharge can cross an aqueduct, to the south of the site, and that the applicant has permission for the surface water discharge routing to cross land in control of third parties. The proposal therefore fails to demonstrate that an acceptable long-term sustainable management of surface water drainage can be provided as part of the development, contrary to Policy SP.32 of the Wyre Forest District Local Plan and Paragraphs 167 and 169 of the National Planning Policy Framework.
 - 6) The application site is unallocated and would result in the loss of Grade 2 and Grade 3 agricultural land that is considered worthy of protection given that it is of higher quality grades of agricultural land and is of a sufficient size and topography. The development is therefore contrary to Policy DM.32 of the Wyre Forest District Local Plan and Paragraph 174 of the National Planning Policy Framework.

Application Reference: 22/0506/HOU
Site Address: 32 Bowpatch Road, Stourport On Severn, Worcestershire DY13 0ND
APPROVED subject to the following conditions:
<ol style="list-style-type: none"> 1. A6 (Full with no reserved matters) 2. B3 (Finishing materials to match) 3. A11 (Approved Plans)

Councillor D Ross left the meeting at 7.28pm

Application Reference: 22/0543/S73
Site Address: Part Ground Floor, 1 High Street, Kidderminster, Worcestershire DY10 2DJ
APPROVED subject to the following conditions:
<ol style="list-style-type: none"> 1. Premises shall operate in accordance with the Operational Management Plan at all times 2. CCTV system to remain in full operation at all times when the premises is open and be maintained

Councillor D Ross re-joined the meeting at 7.29pm.

Application Reference: 22/0641/HOU

Site Address: 3 Hawkstone Close, Kidderminster, Worcestershire DY11 5EG

APPROVED subject to the following conditions.

1. A6 (Full with no reserved matters)
2. B3 (Finishing materials to match)
3. A11 (Approved Plans)