



# Wyre Forest District Council

## ECONOMIC PROSPERITY AND PLACE DIRECTORATE

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MILLER HOMES LTD  
(MRS HELEN DAWKINS)  
2 CENTRO PLACE  
PRIDE PARK  
DERBY  
DE248RF

**APPLICATION NO. 18/0163/FULL**

*IMPORTANT - This communication affects your property*

## PLANNING PERMISSION

Town and Country Planning Act 1990

Town and Country Planning (Development Management Procedure) (England) Order 2015

In pursuance of its powers under the above mentioned Act and Order, and having regard to the Development Plan, the WYRE FOREST DISTRICT COUNCIL, as Local Planning Authority, hereby **PERMITS** in **Full** the:-

**Full planning application for a residential development of 91 dwellings, public open space, vehicular and pedestrian access and associated infrastructure. LAND OFF STOURBRIDGE ROAD, (adj HURCOTT LANE), KIDDERMINSTER.**

in accordance with the application received by the Council on 27 February 2018 subject to the following condition(s):-

- (1) The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

### Reason

To comply with Section 91 of the Town and Country Planning Act 1990 (as amended by the Planning Compulsory Purchase Act 2004), and to ensure the Local Planning Authority is informed of the commencement of the first works on the site.

**DATED 09 AUG 2018**

(Signed) .....

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(2) The development hereby approved shall be carried out strictly in accordance with the following plans/drawings:

- Site Location Plan KID-PL01
- Planning Layout KID-PL01, Rev. D
- Materials Layout KID-MAT01, Rev. C
- Boundary Treatment Plan KID-BTP01, Rev. C
- Street Scenes KID/SS01, Rev. A
- House Type Pack, May 2018, KID/HTP
- Topographical Survey, 21597\_OGL Rev 0
- Detailed Landscape Proposals Sheet 1 of 2 c-1573-01 Rev. C
- Detailed Landscape Proposals Sheet 2 of 2 c-1573-02 Rev. C

stamped "Approved".

Reason

In the interests of clarity and in order to define the permission.

(3) The materials to be used externally on the development hereby authorised shall comply with the details shown on the approved plan, unless otherwise agreed in writing. Any properties that contain external render, the render shall be completed prior to the first occupation of these properties.

Reason

The Local Planning Authority considers these materials to be acceptable.

(4) The walls, fences and other means of enclosure shown on the approved plan shall be completed prior to the occupation each partiucular dwelling.

Reason

The Local Planning Authority considers these details to be acceptable.

(5) No development shall take place until details of the existing and proposed levels across the site and relative to adjoining land, together with the finished floor levels of the proposed building(s), have been submitted and approved in writing by the Local Planning Authority. There shall be no variation in these levels without the written approval of the Local Planning Authority

Reason

In order to ensure the satisfactory appearance of the development and its relationship to adjoining properties and the surrounding landscape, and that it accords with Policy CP12 of the Adopted Wyre Forest Core Strategy and Policy SAL.UP7 of the Adopted Wyre Forest Site Allocations and Policies Local Plan.

DATED 09 AUG 2018

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(6) 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]. 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 the 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.

Reason

To ensure the provision, establishment and maintenance of a reasonable standard of landscape in accordance with the approved designs, and in accordance with Policies CP11 and CP12 of the Adopted Wyre Forest District Core Strategy and Policies SAL.UP7 and SAL.UP9 of the Adopted Wyre Forest District Site Allocations and Policies Local Plan.

(7) Prior to the first occupation of any dwelling on site full details of a complete management plan for the establishment and maintenance of all landscape areas and the ecological zone shall be submitted to and approved in writing by the Local Planning Authority. The management plan shall be implemented in full and all maintenance carried out in accordance with the approved time scales.

Reason

To ensure the provision, establishment and maintenance of a reasonable standard of landscape in accordance with the approved designs, and in accordance with Policies CP11 and CP12 of the Adopted Wyre Forest District Core Strategy and Policies SAL.UP7 and SAL.UP9 of the Adopted Wyre Forest District Site Allocations and Policies Local Plan.

DATED 09 AUG 2018

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(8) No development shall take place until a programme of archaeological work including a Written Scheme of Investigation, has been submitted to and approved by the local planning authority in writing. The scheme shall include an assessment of significance and research questions; and:

- a) The programme and methodology of site investigation and recording.
- b) The programme for post investigation assessment.
- c) Provision to be made for analysis of the site investigation and
- d) recording.
- e) Provision to be made for publication and dissemination of the analysis
- f) and records of the site investigation
- g) Provision to be made for archive deposition of the analysis and records
- h) of the site investigation
- i) Nomination of a competent person or persons/organisation to undertaken the works set out within the Written Scheme of Investigation.

Reason

The site is known to be in an area of archaeological importance and to ensure that the development accords with Policy SAL.UP6 of the Adopted Wyre Forest Site Allocations and Policies Local Plan.

(9) The development shall not be occupied until the site investigation and post investigation assessment has been completed in accordance with the programme set out in the Written Scheme of Investigation approved under condition (8) and the provision made for analysis, publication and dissemination of results and archive deposition has been secured.

Reason

The site is known to be in an area of archaeological importance and to ensure that the development accords with Policy SAL.UP6 of the Adopted Wyre Forest Site Allocations and Policies Local Plan.

DATED 09 AUG 2018

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(10) No works or development shall take place until a site drainage strategy for the proposed development has been submitted to, and approved in writing by the Local Planning Authority. The strategy shall include details of surface water drainage measures, including for hardstanding areas, and shall confirm with the non-statutory technical standards for SuDS (Defra 2015) and the principles set out in the flood risk assessment submitted with the application (R-FRA-9481M-01-0, Feb 2018). The surface water drainage measures shall provide an appropriate level of runoff treatment. The development shall be implemented in accordance with the approved strategy prior to the first use of the development and thereafter maintained.

Reason

To ensure satisfactory drainage of the site and to avoid flooding in accordance with Policies CP02 of the Adopted Wyre Forest Core Strategy.

(11) Prior to the first occupation a SuDS management plan which will include details on future management responsibilities, along with maintenance schedules for all SuDS features and associated pipework has been submitted to and approved in writing by the Local Planning Authority. This plan shall detail the strategy that will be followed to facilitate the optimal functionality and performance of the SuDS scheme throughout its lifetime. The approved SuDS management plan shall be implemented in full in accordance with the agreed terms and conditions.

Reason

To ensure satisfactory drainage of the site and to avoid flooding in accordance with Policies CP02 of the Adopted Wyre Forest Site Allocations and Policies Local Plan,

(12) The development hereby permitted should not commence until drainage plans for the disposal of foul water flows have been submitted to and approved by the Local Planning Authority. The scheme shall be implemented in accordance with the approved details before the first occupation of dwellings hereby approved.

Reason

To ensure satisfactory drainage of the site and to avoid flooding in accordance with Policies CP02 of the Adopted Wyre Forest Site Allocations and Policies Local Plan.

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(13) The dwellings hereby approved shall not be occupied until the highway site access works comprising:

- Access and Footway works as shown on drawing KID-PL01 A

have been constructed and completed.

Reason

To ensure the safe and free flow of traffic onto the highway in accordance with Policy SAL.CC1 of the Adopted Wyre Forest Site Allocations and Policies Local Plan.

(14) The development hereby approved shall not commence until a Construction Environmental Management Plan has been submitted to and approved in writing by the Local Planning Authority. This shall include but not be limited to the following:

- Measures to ensure that vehicles leaving the site do not deposit mud or other debris on the public highway;
- Details of site operative parking areas, material storage areas and the location of site operatives facilities (offices, toilets etc);
- The hours that delivery vehicles will be permitted to arrive and depart, and arrangements for unloading and manoeuvring.
- Details of any temporary construction accesses and their reinstatement, if required.
- A highway condition survey, timescale for re-inspections, and details of any reinstatement.

The measures set out in the approved Plan shall be carried out and complied with in full during the construction of the development hereby approved. Site operatives' parking, material storage and the positioning of operatives' facilities shall only take place on the site in locations approved by in writing by the local planning authority.

Reason

To ensure the provision of adequate on-site facilities and in the interests of highway safety.

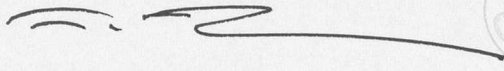
(15) Prior to the first occupation of the dwellings hereby approved full details of methods of energy efficiency (fabric first approach) to be incorporated into the dwellings along with provision of sustainable waste shall be submitted to and approved in writing by the Local Planning Authority. The agreed details shall be implemented and provided before occupation of each dwelling.

Reason

To ensure sustainability measures are adopted within the development in accordance with Policy CP01 of the Adopted Wyre Forest Site Allocations and Policies Local Plan.

DATED 09 AUG 2018

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(16) Unless otherwise agreed by the Local Planning Authority development, other than that required to be carried out as part of an approved scheme of remediation, must not commence until conditions 1 to 5 have been complied with:

1. A preliminary risk assessment (a Phase I desk study) submitted to the Local Authority in support of the application has identified unacceptable risk(s) exist on the site as represented in the Conceptual Site Model. A scheme for detailed site investigation must be submitted to and approved in writing by the Local Planning Authority prior to being undertaken to address those unacceptable risks identified. The scheme must be designed to assess the nature and extent of any contamination and must be led by the findings of the preliminary risk assessment. The investigation and risk assessment scheme must be compiled by competent persons and must be designed in accordance with DEFRA and the Environment Agency's "Model Procedures for the Management of Contaminated Land, CLR11".
2. The detailed site investigation and risk assessment must be undertaken in accordance with the approved Scheme and a written report of the findings produced. This report must be approved by the Local Planning Authority prior to any development taking place.
3. Where the site investigation identified remediation is required, a detailed remediation scheme to bring the site to a condition suitable for the intended use by removing unacceptable risks to identified receptors must be prepared and is subject to the approval of the Local Planning Authority in advance of undertaking. The remediation scheme must ensure that the site will not qualify as Contaminated Land under Part 2A Environmental Protection Act 1990 in relation to the intended use of the land after remediation.
4. The approved remediation scheme must be carried out in accordance with its terms prior to the commencement of development, other than that required to carry out remediation, unless otherwise agreed in writing by the Local Planning Authority.
5. Following the completion of the measures identified in the approved remediation scheme a validation report that demonstrates the effectiveness of the remediation carried out must be produced, and is subject to the approval of the Local Planning Authority prior to the occupation of any buildings.

Reason

To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors. In accordance with Policy CP02 of the Adopted Wyre Forest Core Strategy.

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(17) In the event that contamination is found at any time when carrying out the approved development that was not previously identified it must be reported in writing immediately to the Local Planning Authority. An investigation and risk assessment must be undertaken and where necessary a remediation scheme must be prepared, these will be subject to the approval of the Local Planning Authority. Following the completion of any measures identified in the approved remediation scheme a validation report must be prepared, which is subject to the approval in writing of the Local Planning Authority prior to the occupation of any buildings.

Reason

To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors. In accordance with Policy CP02 of the Adopted Wyre Forest Core Strategy.

(18) The noise mitigation strategy and recommendations in respect of glazing, ventilation and boundary treatment as set out within the Noise Assessment Report (LE14356 001) dated March 2018 shall be fully implemented prior to occupation of the plots identified (plots 1, 39, 60, 63, 76, 79, 85 and 91).

Reason

To ensure properties are not adversely impact by the surrounding noise enviroment through adequate mitigation. In accordance with paragraph 123 of the National Planning Policy Framework.

(19) Appropriate cabling and an outside electrical socket must be supplied for each property to enable ease of installation of an electric vehicle charging point (houses with dedicated parking). For developments with unallocated parking i.e. flats/apartments 1 EV charging point per 10 spaces (as a minimum) should be provided by the developer to be operational at commencement of development. The charging point must comply with BS7671. The socket should comply with BS1363, and must be provided with a locking weatherproof cover if located externally to the building.

Reason

To ensure implementation of sustainable transport measures in accordance with paragraph 35 of the National Planning Policy Framework.



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(20) Details shall be submitted to and approved by the local planning authority prior to the first occupation of the development for the installation of Ultra-Low NOx boilers with maximum NOx Emissions less than 40 mg/kWh. The details as approved shall be implemented prior to the first occupation of the development and shall thereafter be permanently retained.

**Reason**

In the interests of the living conditions of occupiers of nearby properties and future occupiers of the site in accordance with the National Planning Policy Framework.



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NOTES

(A) This approval should be read in conjunction with the obligation entered into under Section 106 of the Town and Country Planning Act 1990 (as amended) which accompanies it.

(B) The granting of this planning permission does not remove any obligations on the applicant to undertake a technical design check of the proposed highway works with the Highway Authority, nor does it confirm acceptance of the proposal by the Highway Authority until that design check process has been concluded. Upon the satisfactory completion of the technical check the design would be suitable to allow conditions imposed under this permission to be discharged, but works to the public highway cannot take place until a legal agreement under Section 278 of the Highways Act 1980 has been entered into and the applicant has complied with the requirements of the Traffic Management Act 2004.

(C) The applicant is urged to engage with the Highway Authority as early as possible to ensure that the approval process is started in a timely manner to achieve delivery of the highway works in accordance with the above mentioned conditions. The applicant should be aware of the term "highway works" being inclusive of, but not limited to, the proposed junction arrangement, street lighting, structures and any necessary traffic regulation orders.

(D) If it is the applicant's intention to request the County Council, as Highway Authority, to adopt the proposed roadworks as maintainable at the public expense, then details of the layout and alignment, widths and levels of the proposed roadworks, which shall comply with any plans approved under this planning consent unless otherwise agreed in writing, together with all necessary drainage arrangements and run off calculations shall be submitted to the County Council's Network Control Manager, Worcestershire County Council, County Hall, Spetchley Road, Worcester, WR5 2NP. No works on the site of the development shall be commenced until these details have been approved by the County Council as Highway Authority and an Agreement under Section 38 of the Highways Act, 1980, entered into.

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(E) It is not known if the proposed roadworks can be satisfactorily drained to an adequate outfall. Unless adequate storm water disposal arrangements can be provided, the County Council, as Highway Authority, will be unable to adopt the proposed roadworks as public highways. The applicant is, therefore, advised to submit the engineering details referred to in this conditional approval to the County Council's County Network Control Manager, Worcestershire County Council, County Hall, Spetchley Road, Worcester, WR5 2NP at an early date to enable surface water disposal arrangements to be assessed.

(F) Drainage arrangements shall be provided to ensure that surface water from the driveway and/or vehicular turning area does not discharge onto the public highway. No drainage or effluent from the proposed development shall be allowed to discharge into any highway drain or over any part of the public highway.

(G) 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.

#### **POSITIVE AND PROACTIVE STATEMENT**

In dealing with this application, the Council has sought to work with the applicant in the following ways:-

- providing pre-application advice;
  - seeking further information following receipt of the application;
  - seeking amendments to the proposed development following receipt of the application;
  - considering the imposition of conditions and the completion of a s.106 legal agreement
- In such ways the Council has demonstrated a positive and proactive manner to seeking solutions to problems which may have arisen in relation to this planning application.

**DATED** 09 AUG 2018

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IN CONSIDERING THIS APPLICATION, THE LOCAL PLANNING AUTHORITY HAD PARTICULAR REGARD TO THE FOLLOWING POLICIES:

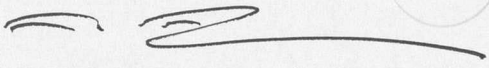
**ADOPTED WYRE FOREST DISTRICT CORE STRATEGY**

- CP01 - Delivering Sustainable Development Standards
- CP02 - Water Management
- CP03 - Promoting Transport Choice and Improving Accessibility
- CP04 - Providing Affordable Housing
- CP05 - Delivering Mixed Communities
- CP07 - Delivering Community Wellbeing
- CP12 - Landscape Character
- CP13 - Providing a Green Infrastructure Network
- CP14 - Providing Opportunities for Local Biodiversity and Geodiversity
- DS01 - Development Locations
- DS02 - Kidderminster Regeneration Area
- DS04 - Rural Regeneration
- DS05 - Phasing and Implementation

**ADOPTED WYRE FOREST DISTRICT SITE ALLOCATIONS AND POLICIES LOCAL PLAN**

- SAL.DPL1 - Sites for Residential Development
- SAL.DPL2 - Rural Housing
- SAL.CC1 - Sustainable Transport Infrastructure
- SAL.CC2 - Parking
- SAL.CC7 - Water Management
- SAL.UP1 - Green Belt
- SAL.UP2 - Areas of Development Restraint
- SAL.UP3 - Providing a Green Infrastructure Network
- SAL.UP4 - Open Space and Play Provision
- SAL.UP5 - Providing Opportunities for Safeguarding Local Biodiversity and Geodiversity
- SAL.UP7 - Quality Design and Local Distinctiveness
- SAL.UP9 - Landscaping and Boundary Treatment
- SAL.UP14 - Agricultural Land Quality
- SAL.PFSD1 - Presumption in Favour of Sustainable Development

DATED 09 AUG 2018

(Signed)  .....  
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