

Central Building Design
Central Building Design
Woodland View
Stone Meadow
Butts Lane
Stone
DY10 4BH

Mr A Evans
Land At
Brown Westhead Park
Wolverley Road
Wolverley
Worcestershire
DY10 3PX

APPLICATION REF: 20/0217/FUL

IMPORTANT – This communication affects your property

PLANNING PERMISSION

Town and Country Planning Act 1990 (as amended)

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, Wyre Forest District Council, as Local Planning Authority, hereby **PERMITS** in full the:

**Demolition of existing building and erection of 4no. two-bed bungalows, including associated works
Land At Brown Westhead Park Wolverley Road**

In accordance with the application received by the Council on 11th March 2020 subject to the following condition(s):

Conditions

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

Reason

This condition is required to be imposed by Section 91 of the Town and Country Planning Act 1990 (as amended by the Planning and Compulsory Purchase Act 2004).

Continued

2) Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any order revoking and re-enacting that order with or without modification), no development as specified in Part 1 Classes A and E, and Part 2 Classes A and B shall be carried out without express planning permission first being obtained from the Local Planning Authority.

Reason

To enable the Local Planning Authority to control the development and to safeguard the character and visual amenities of the area, and to ensure that adequate private open space is retained within the curtilage of the building. To ensure that the development accords with Policies

3) Prior to the first occupation of the development hereby approved, details of the provision of appropriate facilities to enable the installation of an electric vehicle charging points within the development has been submitted to and approved in writing by the Local Planning Authority. The development shall proceed in accordance with the approved details and the facilities retained and maintained at all times.

Reason: To encourage the use of sustainable transport modes in the interests of sustainable development in accordance with Section 14 of the National Planning Policy Framework

4) Surface water from the development shall discharge to private soakaway drainage, designed to cope with a 1 in 100 year event plus 30% allowance for climate change, as per the details submitted with this application. If it emerges that infiltration drainage is not possible on this site, an alternative method of surface water disposal shall be submitted for approval. There shall be no increase in runoff from the site compared to the pre-development situation up to the 1 in 100 year event plus 30% allowance for climate change. The drainage shall be implemented prior to the first use of the development and thereafter maintained

Reason

To ensure the proper drainage of the site and to avoid exacerbating and flooding issues and to minimise the risk of pollution in accordance with Policy CP02 of the Adopted Core Strategy and Policy SAL.CC7 of the Adopted Site Allocations and Policies Local Plan.

Continued

5) 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 6 have been complied with:

Part 1. A preliminary risk assessment must be carried out. This study shall take the form of a Phase I desk study and site walkover and shall include the identification of previous site uses, potential contaminants that might reasonably be expected given those uses and any other relevant information. The preliminary risk assessment report shall contain a diagrammatical representation (conceptual model) based on the information above and shall include all potential contaminants, sources and receptors to determine whether a site investigation is required and this should be detailed in a report supplied to the Local Planning Authority. The risk assessment must be approved in writing before any development takes place.

Part 2. Where an unacceptable risk is identified a scheme for detailed site investigation must be submitted to and approved in writing by the Local Planning Authority prior to being undertaken. 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"

Part 3. Detailed site investigation and risk assessment must be undertaken and a written report of the findings produced. This report must be approved by the Local Planning Authority prior to any development taking place. The investigation and risk assessment must be undertaken by competent persons and must be conducted in accordance with DEFRA and the Environment Agency's "Model Procedures for the Management of Contaminated Land, CLR11".

Part 4. Where identified as necessary 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.

Part 5. 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.

Part 6. 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.

Continued

(6) 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.

7) The Development hereby approved shall not be occupied until the access and parking facilities shown on Drawing No. 3886 03 have been provided. The gradient of the access driveways shall not exceed 1:13. These areas shall thereafter be retained and kept available for their respective approved uses at all times.

Reason

In the interests of highway safety in accordance with Policy SAL.CC1 of the Adopted Site Allocations and Policies Local Plan.

8) The Development hereby approved shall not be occupied until the visibility splays shown on Drawing No. 3886-03E have been provided. The splays shall at all times be maintained free of level obstruction exceeding a height of 0.6m above adjacent carriageway.

Reason

In the interests of highway safety in accordance with Policy SAL.CC1 of the Adopted Site Allocations and Policies Local Plan.

9) The Development hereby approved shall not be occupied until the first 5 metres of the access into the development, measured from the edge of the carriageway, has been surfaced in a bound material.

Reason

In the interests of highway safety in accordance with Policy SAL.CC1 of the Adopted Site Allocations and Policies Local Plan.

Continued

10) The development hereby permitted shall be implemented in accordance with the Ecological Survey (by Chelmarsh RG) submitted with the application.

Reason: In the interest of the protection of the wildlife value of the site in accordance with Policy SAL.UP5 of the Adopted Site Allocations and Policies Local Plan.

11) The 1.8m high boundary fencing at the top of the embankment as shown on approved drawing number 3886-03D shall remain in situ and at no time shall this fence be replaced with gates to allow access into the rear woodland.

Reason

In order to protect the trees in the woodland to the rear of the site in accordance with Policy SAL.UP9 of the Adopted Site Allocations and Policies Local Plan

12) No development shall take place until a tree protection plan (TPP), in accordance with British Standard 5837 Trees in Relation to Design, Demolition and Construction - Recommendations' (2012 and any subsequent edition), has been submitted to and approved in writing by the Local Planning Authority. The development shall be undertaken and maintained in accordance with the approved details.

Reason

To ensure the retention of identified trees in accordance with Policies CP11 and CP12 of the Adopted Wyre Forest District Core Strategy, Policies SAL.UP7 and SAL.UP9 of the Adopted Wyre Forest District Site Allocations and Policies Local Plan and the National Planning Policy Framework.

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

Plans - Existing	Ref 3886-01	Received 11th March 2020
Plans - Proposed	Ref 3886-05	Received 11th March 2020
Location Plan	Ref	Received 11th March 2020
Revised Plans	Ref 3886-04A	Received 10th June 2020
Elevations - Proposed	Ref 3886-03E	Received 22nd July 2020

Continued

Informatives

A Severn Trent Water advise that there may be a public sewer located within the application site. Although our statutory sewer records do not show any public sewers within the area you have specified, there may be sewers that have been recently adopted under the Transfer Of Sewer Regulations 2011. Public sewers have statutory protection and may not be built close to, directly over or be diverted without consent and contact must be made with Severn Trent Water to discuss the proposals. Severn Trent will seek to assist in obtaining a solution which protects both the public sewer and the building.

B This permission does not authorise the applicant to carry out works within the publicly maintained highway since such works can only be carried out by the County Council's Approved Contractor, Ringway Infrastructure Service who can be contacted by email worcestershirevehicle.crossing@ringway.co.uk . Tel: 01905 751651. The applicant is solely responsible for all costs associated with construction of the access.

C Wyre Forest District Council carry out waste and recycling collection for residents of the district. Should new Waste and/or Recycling Bins be required to serve the development approved by this permission, the Applicant should make contact with the Council's Operational Services Team. The applicant is advised that the developer or occupier will be required to cover the cost of any new bins provided. The Operational Services team can be contacted as follows:

Operational Services Team
Wyre Forest District Council
Green Street
Kidderminster (01562 732928)
wyreforest.OperationalServices@wyreforestdc.gov.uk

<https://www.wyreforestdc.gov.uk/rubbish-and-recycling/waste-collections-for-new-housing-developments.aspx>

D All works to remove vegetation including ivy on the workshop building shall take place outside of bird nesting season (1st March to 30th August) or if this is not possible, an ecologist shall be employed to ensure that there is no harm to nesting birds

Continued

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

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.

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

DS01 Adopted Wyre Forest Core Strategy
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CP11 Adopted Wyre Forest Core Strategy
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CP12 Adopted Wyre Forest Core Strategy
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CP14 Adopted Wyre Forest Core Strategy
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PFSD Adopted Wyre Forest Site Allocations and Policies Local Plan 1
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DPL2 Adopted Wyre Forest Site Allocations and Policies Local Plan

CC1 Adopted Wyre Forest Site Allocations and Policies Local Plan
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CC2 Adopted Wyre Forest Site Allocations and Policies Local Plan
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UP1 Adopted Wyre Forest Site Allocations and Policies Local Plan
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UP5 Adopted Wyre Forest Site Allocations and Policies Local Plan
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UP7 Adopted Wyre Forest Site Allocations and Policies Local Plan
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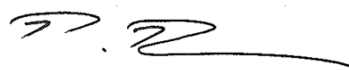
UP9 Adopted Wyre Forest Site Allocations and Policies Local Plan
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PDS1 Adopted Wyre Forest Site Allocations and Policies Local Plan

Date Notice issued:

23rd July 2020

Signed



Development Manager

NOTES

PLEASE NOTE ONLY THE APPLICANT POSSESSES THE RIGHT OF APPEAL

Appeals to the Secretary of State

- If you are aggrieved by the decision of your local planning authority to refuse permission for the proposed development or to grant it subject to conditions, then you can appeal to the Secretary of State under section 78 of the Town and Country Planning Act 1990.
- If you want to appeal against your local planning authority's decision then you must do so within 6 months of the date of this notice.
- Appeals can be made online at: <https://www.gov.uk/planning-inspectorate>.
If you are unable to access the online appeal form, please contact the Planning Inspectorate to obtain a paper copy of the appeal form on tel. 0303 444 5000.
- The Secretary of State can allow a longer period for giving notice of an appeal, but will not normally be prepared to use this power unless there are special circumstances which excuse the delay in giving notice of appeal.
- The Secretary of State need not consider an appeal if it seems to the Secretary of State that the local planning authority could not have granted planning permission for the proposed development or could not have granted it without the conditions they imposed having regard to the statutory requirements, to the provisions of any development order and to any directions given under a development order.
- In practice, the Secretary of State does not refuse to consider appeals solely because the local planning authority based their decision on a direction given by the Secretary of State.

Purchase Notices

- If either the local planning authority or the Secretary of State refuses permission to develop land or grants it subject to conditions, the owner may claim that the owner can neither put the land to a reasonably beneficial use in its existing state nor render the land capable of a reasonably beneficial use by the carrying out of any development which has been or would be permitted.
- In these circumstances, the owner may serve a purchase notice on the Council (that is, where the land is situated in a National Park, the National Park authority for that Park, or in any other case the district council (or county council which is exercising the functions of a district council in relation to an area for which there is no district council), London borough council or Common Council of the City of London in whose area the land is situated). This notice will require the Council to purchase the owner's interest in the land in accordance with the provisions.

PLEASE ASSIST THE COUNCIL IN PROTECTING THE ENVIRONMENT BY REMOVING ANY SITE NOTICES DISPLAYED ON OR NEAR THE APPLICATION SITE

20/0217/FUL

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