

Planning and Regulatory Committee

Tuesday, 20 May 2014, 10.00 am, County Hall, Worcester

		Minutes
Present:		Mr R C Adams (Chairman), Mr A T Amos, Mr M H Broomfield, Mr S J M Clee, Mr P Denham, Mrs A T Hingley, Mr A P Miller, Mr D W Prodger and Mr A C Roberts
Available papers		The members had before them: A. The Agenda papers (previously circulated); and B. The Minutes of the meeting of the Cabinet held on 11 February 2014 (previously circulated).
869	Named substitutes (Agenda item 1)	None.
870	Apologies/ Declarations of Interest (Agenda item 2)	Apologies were received from Mrs S Askin, Mr J Baker and Mr R J Sutton.
871	Public Participation (Agenda item 3)	None.
872	Confirmation of Minutes (Agenda item 4)	RESOLVED that the Minutes of the meeting held on 11 February 2014 be confirmed as a correct record and signed by the Chairman.
873	Proposed erection of a kiosk to support existing sewage pumping station at Field House Farm Barns, Thicknall Lane, Clent, Stourbridge,	<p>The Committee considered a County Matter planning application for the erection of a kiosk to support the existing sewage pumping station at Field House Farm Barns, Thicknall Lane, Clent, Stourbridge, Worcestershire.</p> <p>The report set out the background of the proposal, the proposal itself, the relevant planning policy and details of the site, consultations and representations.</p> <p>The report set out the Head of Economic Development and Planning's comments in relation to the Green Belt,</p>

Worcestershire (Agenda item 5)

the location of the development, landscape character and the local area, residential amenity, water environment/flood risk, traffic and highway safety and ecology.

The Head of Economic Development and Planning concluded that the applicant had demonstrated very special circumstances to justify the ancillary development of a kiosk in the Green Belt in accordance with the NPPF and Policy WCS 13 of the Worcestershire Waste Core Strategy. The location of the proposal was in accordance with Policy WCS 3 of the Worcestershire Waste Core Strategy.

Given the size, siting and design of the proposed kiosk, the Head of Economic Development and Planning considered that the sympathetic nature of the scheme would have no adverse impact on the character or appearance of the local area including the nearby Listed Building's in accordance with Policy WCS 12 of the Worcestershire Waste Core Strategy.

There would be no adverse impact on the amenity of neighbouring residential properties or the surrounding area in accordance with Policy WCS 14 of the Worcestershire Waste Core Strategy.

On the basis that the proposal was 'water compatible' infrastructure development and subject to the imposition of a condition to protect the watercourse, the proposal accorded with Policy WCS 10 of the Worcestershire Waste Core Strategy and would not have any adverse effects on the water environment or increase the risk of flooding in the area.

The planning application would not have any detrimental impact on highway safety in accordance with Policy WCS 8 of the Worcestershire Waste Core Strategy.

Subject to the imposition of conditions to prevent ingress of wildlife and disturbance of the adjacent habitats, the proposed development would have no detrimental impact on any protected species or biodiversity in accordance with Policy WCS 9 of the Worcestershire Waste Core Strategy.

On balance, taking into account the comments received from statutory consultees; members of the public and the provisions of the development plan in particular Policy WCS 1; Policy WCS 3; Policy WCS 8; Policy WCS 9; Policy WCS 10; Policy WCS 11; Policy WCS 12; Policy

WCS 13; Policy WCS 14 of the Worcestershire Waste Core Strategy Development Plan Document and Policy DS2; Policy DS13; Policy ES1 and Policy ES3 of the Bromsgrove District Local Plan, it was considered that the proposal would not cause demonstrable harm to the interests intended to be protected by these policies or highway safety.

In the ensuing debate, the following principal points were raised:

- It was reported that no comments had been received from the local councillor
- The kiosk was small in scale, had a demonstrated need and should not impact upon the Green Belt. There were no objections to the application therefore permission should be granted
- In response to a query, the representative of the Head of Economic Development and Planning commented that there would not be any noise impact from the proposed operations.

RESOLVED that planning permission be granted for the erection of a kiosk to support the existing sewage pumping station at Field House Farm Barns, Thicknall Lane, Clent, Stourbridge, Worcestershire subject to the following conditions:

- a) The development must be begun not later than the expiration of three years beginning with the date of this permission;
- b) The development hereby permitted shall be carried out in accordance with the details shown on submitted Drawing Numbers: A5S11399-PA00106, Rev A, except where otherwise stipulated by conditions attached to this permission;
- c) The colour of the Kiosk shall be constructed in Holly Green to British Standard BS5252 14-C39;
- d) The development hereby approved shall be carried out in accordance with the Risk Assessment/Method Statement prepared by J N Bentley Management Systems, dated 17/04/2014 and referenced MS/RA Ref No.014;

874 Proposed construction of a reed bed treatment system at Hartlebury Landfill Site, Whitlence Lane, Hartlebury, Worcestershire (Agenda item 6)

- e) All trenches/excavations/pipes shall be closed-off overnight, or if unavoidable, they must be fitted with wood or earth escape ramps to allow any trapped wildlife to escape;
- f) In the unlikely event that any protected species are found on the site during the works then all works must cease immediately and the advice of a suitably qualified ecologist must be sought and followed prior to works recommencing on the site; and
- g) All construction and maintenance traffic shall be restricted to the existing hard standing and well maintained amenity lawns.

The Committee considered a County Matter application for the construction of a Reed bed Treatment System at Hartlebury Landfill Site, Whitlence Lane, Worcestershire.

The report set out the background of the proposal, the proposal itself, the relevant planning policy and details of the site, consultations and representations.

The report set out the Head of Economic Development and Planning's comments in relation to the Green Belt, the location of the development, landscape character, residential amenity, water environment/flood risk, traffic and highway safety, and ecology.

The Head of Economic Development and Planning concluded that the applicant had demonstrated very special circumstances for this ancillary development to justify its location in the Green Belt. Furthermore, it was considered that the locational need together with the wider environmental and economic benefits of the proposed reed bed treatment system was in accordance with PPS 10 in terms of locating Waste Management Facilities in the Green Belt.

The proposed development was considered to be essential infrastructure associated with the landfill site and, therefore, in accordance with the Policy WCS 3 of the Worcestershire Waste Core Strategy, the proposed location for the development was considered to be acceptable.

There would be no unacceptable adverse impact on the landscape character in accordance with Policy WCS 12 of the Worcestershire Waste Core Strategy, subject to a condition requiring details of the design, colour and

materials of the proposal.

There would be no adverse impact on health grounds given that Public Health England had no objections to the proposal on health grounds.

There would be no adverse impact on the amenity of neighbouring residential properties or the surrounding area subject to the imposition of a condition to control the noise levels arising from the development, in accordance with Policy WCS 14 of the Worcestershire Waste Core Strategy and Policy GD2 of the Wychavon District Local Plan.

The proposal would not have any adverse effects on the water environment and the planning application accorded with Policy WCS 10 of the Worcestershire Waste Core Strategy and Policy ENV19 of the Wychavon District Local Plan.

The proposal accorded with Policy GD2 of the Wychavon District Local Plan which required the efficient operation of the transport network, in accordance with Policy WCS 8 of the Worcestershire Waste Core Strategy and Policy GD2 of the Wychavon District Local Plan and would not have a detrimental impact on highway safety.

The proposed development would not have a detrimental impact on any protected species or biodiversity, in accordance with Policy WCS 9 of the Worcestershire Waste Core Strategy and Policy ENV6 of the Wychavon District Local Plan.

On balance, taking into account the comments received from statutory consultees, members of the public and the provisions of the development plan in particular Policy WCS 1; Policy WCS 3; Policy WCS 8; Policy WCS 9; Policy WCS 10; Policy WCS 11; Policy WCS 12; Policy WCS 13; Policy WCS 14 of the Worcestershire Waste Core Strategy Development Plan Document and Policy GD2; Policy SR7; Policy ENV1; Policy ENV6; Policy ENV19; Policy SUR1 of the Wychavon District Local Plan, it was considered that the proposal would not cause demonstrable harm to the interests intended to be protected by these policies or highway safety.

It was noted that the objector and applicant had been invited to address the Committee but had declined.

In the ensuing debate, the following principal points were raised:

- In response to a query regarding the noise associated with the proposal, the representative of the Head of Economic Development and Planning advised that Worcester Regulatory Services were satisfied that if the applicant could demonstrate that the noise levels at the boundary of the site were no louder than the existing background noise levels then there would be no impact on neighbouring properties
- The local councillor stated that he had no objection to the proposal. He was satisfied that the proposal would improve the existing contaminated water treatment arrangements at the site
- The representative of the Head of Economic Development and Planning explained that the contaminated water was collected in a pond and then pumped via a pipeline to a reed bed where it was treated. This method was considered to be satisfactory
- The proposal would lead to a reduction in the number of tankers travelling on the local road network and therefore be a more sustainable way of dealing with contaminated water.

RESOLVED that planning permission be granted for the Construction of a Reed Bed Treatment System at Hartlebury Landfill Site, Whitlence Lane, Hartlebury, Worcestershire, subject to the following conditions:

- a) The development must be begun not later than the expiration of three years beginning with the date of this permission;
- b) The development hereby approved shall be carried out in accordance with the details shown on the submitted drawings numbered: 1840/1/001, Rev A, and 1840/1/002 Rev A except where otherwise stipulated by conditions attached to this permission;
- c) Notwithstanding any indication of the materials, which may have been given in this application, prior to the construction of the reed bed treatment system hereby approved, a schedule and/or samples of the materials and finishes for the proposed tanks shall be submitted to and agreed in writing by the County Planning Authority. Thereafter the

875 Application for planning permission for the carrying-out of development pursuant to planning permission reference number 603451 dated 28 February 2007 without complying with condition 2 of that permission so as to allow

development shall not be carried out other than in accordance with the approved details;

- d) The applicant shall ensure that noise from the proposed treatment system when measured on the southern boundary of the landfill site closest to the reed bed development will be no greater than the lowest background noise level (L90) at any time;
- e) The development hereby approved shall be carried out in accordance with the recommendations outlined within the submitted Ecological Site Summary – short format report, dated 24 April 2012;
- f) The development hereby approved shall be carried out in accordance with the reasonable avoidance measures for great crested newts as outlined in the submitted updated Ecology Report by Countryside Consultants Ltd, dated 20 August 2013; and
- g) On the decommissioning of the facility all the equipment shall be removed from the site and the land restored in accordance with a scheme to be submitted to and approved in writing by the County Planning Authority.

The Committee considered an application under Regulation 3 of the Town and County Planning General Regulations 1992 for planning permission for the carrying out of development pursuant to planning permission reference number 603451 dated 28 February 2007 without complying with condition 2 of that permission so as to allow the retention of 14 temporary classrooms for two years at Wolverley C of E Secondary School, Blakeshall Lane, Wolverley, Kidderminster, Worcestershire.

The report set out the background of the proposal, the proposal itself, the relevant planning policy and details of the site, consultations and representations.

The report set out the Head of Economic Development and Planning's comments in relation to the Green Belt, listing building and conservation area, landscape character, residential amenity and other matters.

The Head of Economic Development and Planning

**the retention of
14 temporary
classrooms for
2 years at
Wolverley C of
E Secondary
School,
Blakeshall
Lane,
Wolverley,
Kidderminster
(Agenda item 7)**

concluded that in principle retaining the temporary classrooms for a further two years was acceptable to allow the refurbishment of the main school buildings to take place which would provide permanent accommodation for the pupils at the school.

A planning condition should be attached to the planning permission limiting the retention of the 14 temporary classrooms for two years and requiring a scheme to be submitted for the reinstatement of the land.

Very special circumstances existed to justify this development in the Green Belt in accordance with the NPPF, Policies GB.1, GB.2 of the Wyre Forest Local Plan and Policy SAL.UP1 of the Wyre Forest Site Allocations and Policies Local Plan. In view of this, the proposal would have no detrimental impact on the character and appearance of the locally listed buildings within the site in accordance with CP11 of the Wyre Forest District Core Strategy.

The Head of Economic Development and Planning did not consider that the proposal would have a detrimental impact on the character and appearance of the landscape in accordance with CP12 of the Wyre Forest District Core Strategy.

There would be no adverse impact on the amenity of neighbouring residential properties or the surrounding area in accordance with Policy CP07 of the Wyre Forest District Core Strategy.

On balance, taking into account the comments received from statutory consultees; members of the public and the provisions of the development plan in particular Policy GB.1; Policy GB.2 and Policy CA.1 of the Wyre Forest Local Plan; Policy CP02; Policy CP03; Policy CP07; Policy CP11; Policy CP12 and Policy CP14 of the Wyre Forest District Core Strategy and Policy SAL.PFSD1; Policy SAL.DPL11; Policy SAL.DPL12; Policy SAL.UP6 and Policy SAL.UP7 of the Wyre Forest District Council Site Allocations and Policies Development Plan Document (DPD) it was considered that the proposal would not cause demonstrable harm to the interests intended to be protected by these policies or highway safety.

In the ensuing debate, the following principal points were raised:

- It was reported that the local councillor had no

objection to the application

- Should permission be granted, what would happen to the site at the end of the temporary two year permission period? The representative of the applicant explained that all the temporary buildings would be removed from the site and the site would be left empty. The school were refurbishing/remodelling the existing classrooms and it was anticipated that no further classrooms would be required in the future and the temporary classrooms would be removed
- It was unfortunate that the staff and pupils at the school would need to remain in temporary classrooms for a further 2 years because they were unsatisfactory for teaching. Despite this concern , planning permission should be granted
- Was it anticipated that pupil numbers would increase at the school as a result of emerging housing developments in the local area? The representative of the applicant stated that it was anticipated that pupil numbers would remain stable or fall in the future.

RESOLVED that the Committee are minded to grant planning permission for the carrying out of development pursuant to planning permission reference number 603451 dated 28 February 2007 without complying with condition 2 of that permission so as to allow the retention of 14 temporary classrooms for two years at Wolverley C of E Secondary School, Blakeshall Lane, Wolverley, Kidderminster, Worcestershire and that the application be referred to the National Planning Casework Unit in accordance with the Town and Country Planning (Consultation)(England) Direction 2009, as the proposal is a departure from Green Belt Policy, and that if the Secretary of State does not wish to intervene planning permission be granted, subject to the following conditions:

- a) The permission enures for the benefit of Worcestershire County Council only;
- b) The development hereby permitted shall be carried out in accordance with the details shown on submitted Drawing Numbers: 30101930 P01, 30101930 P02, 30101930 P03, and 30101930 P04 except where otherwise stipulated by conditions attached to this permission; and

**876 Safety of Sports
Grounds
Annual Review
2013/14
(Agenda item 8)**

- c) **Two years from the date of this permission the 14 mobile classrooms and all associated infrastructure hereby approved shall be uplifted and removed from the site. Prior to the removal of the mobile classrooms and associated infrastructure, a scheme for the reinstatement of the land on which the mobile classrooms are situated shall be submitted to and approved in writing by the County Planning Authority. Thereafter the land shall be reinstated in accordance with the approved scheme.**

The Committee considered the annual review of activities carried out by the County Council to discharge its duties under the Safety at Sports Grounds (SatSGs) and related legislation during 2013/2014.

The report set out the background of the safety at sports grounds legislation and the "Designated" stadiums and "Regulated Stands" in Worcestershire as designated by the Department of Culture, Media and Sport. It set out details of the issuing of safety certificates and the Safety Advisory Groups and details of the annual review for Sixways Stadium, Worcester Warriors RFC, Aggborough Stadium, Kidderminster Harriers FC and Worcester FC, The Grandstand, Worcester Racecourse, and Victoria Ground, Bromsgrove Sporting FC.

The Planning and Regulatory Committee might wish to visit a sports ground on a match day. Worcester Racecourse was the only option during the summer, however from August until November all of the sport ground options were available. The Emergency Planning team would arrange a site visit to a sports ground venue for Committee members to see first-hand safety management practices in operation. This would necessitate giving the chosen ground(s) notice to arrange access for members.

In the ensuing debate, the following principal points were raised:

- It was agreed that a site visit be arranged for members of the Committee to a sports ground to observe the safety management practices in operation during a match. The Emergency Planning Manager would arrange the itinerary for the visit
- The local councillor for the division in which the Sixways Stadium was located expressed concerns

about the ongoing parking issues outside the ground and the associated road safety implications. Together with the local parish council, he had tried to resolve the matter with the rugby club without any successful conclusion. The rugby club should be more pro-active in finding a solution, perhaps using the land opposite the venue as temporary parking arrangements on match days. These safety concerns needed to be addressed as a matter of urgency

- In response to a query, the Emergency Planning Manager explained that Worcestershire County Cricket Ground and Worcester Arena fell outside the safety of sports grounds legislation. The exclusion of cricket grounds from the legislation was an anomaly that had been recognised by the government. The Council could not insist that either venue established a Safety Advisory Group however discussions were held with the cricket club and the University of Worcester encouraging the establishment of informal arrangements.

RESOLVED that the 2013/14 Annual Review of activities carried out by the Council to manage and implement the Safety at Sports Grounds legislation be noted.

The meeting ended at 10.50am

Chairman