

**MINUTES OF A MEETING OF THE PLANNING AND DEVELOPMENT COMMITTEE OF KINVER PARISH COUNCIL HELD ON 26<sup>TH</sup> OCTOBER 2016 AT 95 HIGH STREET, KINVER.**

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Present: Councillors: Mrs C Allen (Chairman), Mrs D Geoghegan, JK Hall, H Williams (Ex-Officio) and J Irving Bell

1. APOLOGIES FOR ABSENCE

Cllrs Mrs L Hingley (Vice Chairman) and D Hadlington sent his apologies for the meeting due to other commitments.

2. DECLARATIONS OF PECUNIARY INTEREST

None were declared.

3. MINUTES OF THE PREVIOUS MEETING

The minutes of the meeting held on 14<sup>th</sup> September 2016 were approved and signed as a true record of the proceedings of that meeting.

4. MATTERS ARISING FROM PREVIOUS MINUTES

None were reported.

5. PLANNING APPLICATIONS

The following planning applications were considered and it was agreed to **Recommend** to the South Staffordshire District Council as stated below for each application: -

16/00877/FUL      Sherwood Cottage, Astles Rock Walk  
Timber Frame carport

**Recommend Approval**

16/000863/FUL      Kinver High School  
New 2 storey teaching block and refurbishment of existing school

**No Objection**

16/00900/OFFRES      English Mutual, 85 High Street, Kinver  
Change of use of office to dwelling

**Recommend Approval**

16/000924/FUL      Sunnyside, Heronsgate Road, Kinver  
Portal Steel framed building for agricultural machinery and storage and livestock winter housing

**Recommend Approval**

16/00094/FUL

12 Hampton Grove, Kinver  
3 new dwellings

**Recommend Refusal on the grounds that:-**

To erect dwellings on the site, a lot of the trees in the wood land would have to be cleared, and this would not be acceptable. Steve Does should be informed and look at the site before the application progresses any further.

The legality of the access to the site is unclear as it is being accessed of a private driveway, of which the applicant (it is believed) does not own.

There are only 2 parking spaces allocated for the properties, this is unacceptable for larger 4 bedroom houses, as there will undoubtedly be more than 2 family cars accessing the properties then of course all the visitor parking too. Where are they to park?

For the larger house accessed of the public bridleway (which also has restricted access) there is a 5 carport / garage proposed again set in the woodland for more trees to be removed. Unacceptable.

The sewage system in this area was designed for a much smaller quantity of houses than there is now, the area smells of sewage due to the system working ineffectively, therefore adding 3 more properties will make the problem much worse.

The Private roadway to the properties will be damaged by the construction vehicles, if the build was to be allowed the making good of the road surface should be taken into account.. Damage has already occurred from the property that has recently been built in this area and not put right by the developer.

The access safety needs to be reviewed by the County Council.

16/00918/FUL

32 Hyde Lane, Kinver  
Ground floor extension

**Recommend Approval**

16/00910/TREE

The Old Coach House, Church Hill, Kinver  
Tree works

**Refer to S Does**

16/00879/FUL

Innisfree, 42 Stone Lane, Kinver  
Detached garage and access. Convert exiting garage to day room

**Recommend Approval**

16/00895/LUE Wood Yard, Trench Covert, Prestwood  
The use of the yard for storing and processing of timber products arising from tree surgery operations

**No Objection**

6 PLANNING DECISIONS REACHED BY SOUTH STAFFORDSHIRE DISTRICT COUNCIL

The Planning decisions are set out as appendix 1 to these minutes.

7. ENFORCEMENT MATTERS

Matters received:-

16/00424/UNDEV 21/09/2016 Ridgehill Wood, Lodge Lane, Kingswinford  
Felling of trees - concerns that this may be a precursor to a potential housing development

“We do have the felling licence application – it was registered on 1<sup>st</sup> September. It was originally allocated to me but because of pressure of other work, it was transferred last week to WO Adrian Beaumont. I’m sure Adie will be in touch to arrange a site visit in the near future.

John Winterbourne”

16/00452/BOC Forresters Lodge Stables, Bridgnorth Road, Stourton  
Breach planning permission relating to residential occupancy of caravan - Forresters Lodge etc as per Inspectorate decision

This was noted.

8. TO DISCUSS PROCEDURES FOR RECOMMENDATIONS TO THE PARISH COUNCIL FROM THE PLANNING COMMITTEE

The advice given by the Solicitor relating on this matter is below:-

“any decision taken by the Parish Council is potentially open to challenge by way of Judicial Review and one of the current ‘favourite’ grounds of review is that the Members made the decision whilst not in possession of all the relevant information. Therefore, having full Council determine a matter based solely on the Minutes from for example the Finance Committee (and with no further information or debate) could give grounds for challenge. Your proposed amendment would address this as full Council would consider all information and make a determination on merit with the Finance Committee ensuring appropriate financial control was maintained.”

The above advice applies to all Committees, all can comply with the above apart from the Planning Committee as they make their recommendations directly to the County or District, and by the time these minutes are received at the Council no discussion can take place as it is too late.

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Therefore, all Committees minutes and recommendations need to be able to be discussed at the Parish Council meeting they are being taken too.

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The current procedure for the Planning and Development committee is below:-:-

- The Committee make their decisions on Planning applications and consultations from other authorities, their recommendations are sent directly to the County or District or relevant authority.
- When the minutes are presented to the Parish Council meeting, their recommendations have already been sent, so are just noted.

However, following advice received from the Solicitors above we must ensure that any decision made cannot be challenged under Judicial review, therefore I have drafted the following procedures to apply for the remaining Committees (Planning, Burial Ground and Leisure and Amenities) the planning element is below:-

- The Planning and Development Committee must make their recommendations directly to the Parish Council
- The recommendations are presented to the next available Council meeting where members may ask for clarification, further information and be able to discuss the recommendation, so they fully understand what they are voting upon.
- Any Recommendations requiring Financial support is referred directly to the next Finance meeting.

The major change for this is the frequency of the meetings for the Planning Committee, they need now only meet once per month.

A proposed revised schedule for the remainder of this year till May 2017 is below changes proposed are highlighted in **bold**:-

2016/2017	PARISH COUNCIL	LEISURE AND AMENITIES	FINANCE & GENERAL PURPOSES	PERSONNEL	BURIAL GROUND	PLANNING AND DEVELOP.
NOV 2016	2	9	23			16
DEC 2016	7					14
JAN 2017	4	18			11	25
FEB 2017	1		8			<b>22</b>
MARCH 2017	1 ##	22			15	29
APRIL 2017	5		<b>18</b>			<b>26</b>
MAY 2017	3#	24			10	<b>31</b>

Members had no objection to the procedure above, and this will be discussed and voted upon at the Parish Council meeting on the 2<sup>nd</sup> November.

#### 9. PLANNING APPEAL FOR 105 HYPERION ROAD, STOURTON

Appeal allowed for attached garage at the side of the property.

10. ROAD NAMING AND NUMBERING FOR LAND OFF WILLOW ROAD, KINVER

Following approval for 3 dwellings at the above site, I have received a request for an official naming and numbering scheme.

The developer suggests 'The Saplings' as streets in the locality have a 'tree' theme. Members agreed with the suggested name and Resolved to Recommend to the Parish Council that the former garage site is named "The Saplings".

11. ITEMS FOR FUTURE AGENDA

Closing date for items for the next agenda is 7<sup>th</sup> November 2016

12. DATE OF NEXT MEETING

The date of the next meeting was noted as **Wednesday 16<sup>th</sup> November 2016** at 6.00pm.

13. RECOMMENDATIONS TO THE PARISH COUNCIL

All recommendations re Planning Applications are made direct to South Staffordshire District Council, or in the case of Highways matters direct to County Council. However it was resolved to Recommend to the Parish Council that the former garage site on Willow Road is named "The Saplings".

Appendix 1 to the minutes of the Planning and Development Committee held on the 26<sup>th</sup> October 2016

Application No.	Details	SSDC	KPC
16/00593/FUL	29 Castle Street, Kinver 2 storey side extension	App.	Rec App.
16/00182/FUL	Land Adjacent to Otters Reach, High Street, Kinver New dwelling	Ref.	Rec Ref.
16/00798/COM	Severn Trent Water, Extension of plant	Referred to SCC for a decision	
16/00769/OFFRES	6 High Street, Kinver Change of use from office to residential	App.	Rec App.
16/00705/FUL	Four Oaks, Norton Road, Iverley Ground and first floor extensions to existing dwelling, alterations to detached garage	App.	Comments.
16/00513/FUL	162 Enville Road, Kinver 2 storey dwelling	App,	Rec Ref.
16/00374/ADV	Auraveda, High Street, Kinver Advertisement	Ref.	Rec Ref.
16/00680/FUL	Heath Barn, Kidderminster Road, Whittington Conversion of existing garage to additional living space and link to main building	App.	Rec Ref.

w/c 10/10