MINUTES OF THE PLANNING AND DEVELOPMENT COMMITTEE MEETING HELD ON THE 13TH MARCH 2024 AT 7.00 PM AT 95 HIGH STREET, KINVER

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Present: Councillors K Hosell (Chairman), Mrs C Allen, G Sisley, K Slade, D McGirr, S Anderson, Ms E Lord, P Wooddisse, J K Hall (ex officio).

Also, in attendance Clerk Mrs J Cree and Cllr K Davies.

1. APOLOGIES FOR ABSENCE

An apology Apologies of absence were received from Councillors E Simons (Vice Chairman).

2. TO RECORD MEMBERS DECLARATIONS OF PECUNIARY INTEREST

Cllr S Anderson declared an interest in applications 24/00047/COU and 24/00216/TREE.

Cllr K Davies declared an interest in relation to the planning application 24/00047/COU.

3. TO APPROVE THE MINUTES OF THE PREVIOUS MEETING HELD ON THE 14th February 2024

The minutes of the meetings held on the above dates were approved and signed as a true record of the proceedings of that meeting.

4. TO NOTE ANY ENFORCEMENT / CORRESPONDANCE MATTERS RECEIVED

None were received.

5. PLANNING APPLICATIONS

24/00030/FULHH 85 White Hill Kinver

 Single storey rear and side extension to an existing semidetached property

**Recommend Approval subject to it complying with Kinver Neighbourhood Plans policies.**

24/00004/FUL 7 High Street Kinver

 Alterations to previously approved balcony (Retrospective)

**Recommend Refusal on the grounds of the balcony being intrusive on the neighbours garden and directly overlooking their kitchen window.**

**If the application is approved the glass balcony should be a minimum of 6ft obscure glass on the neighbours property side and should remain in situe for the life of the area being used as a balcony.**

24/00110/FULHH High Grove Cottage Cookley Lane Kinver

 Two story side extension

**Recommend Approval subject to it complying with Kinver Neighbourhood Plans policies.**

24/00134/FULHH Beam Ends Prestwood Drive Stourton

 Single storey side garage extension with en-suite in roof space (amendments to previous application 21/00738/FUL). Application partly retrospective.

**Recommend Approval subject to complying with Greenbelt policies and a S106 being in place so that the garage remains as part of the existing property and it complying with Kinver Neighbourhood Plans policies.**

24/00116/FULHH 41 The Compa Kinver

 Proposed two storey front extension over existing garage

**Recommend Approval subject to it complying with Kinver Neighbourhood Plans policies.**

24/00149/VAR Land Adjacent Mile Flat House Mile Flat Greensforge

 Remove condition 5 on application 21/00058/FUL - to reinstate permitted development rights.

**Recommend Refusal on the grounds that the permitted development rights should remain withdrawn and to protect the sensitivity of this area, as it is in close proximity to the Ancient monument, canal conservation area, if this is allowed further development will take over this area, which was open fields, this is contry to SSDC local Plan policies as it is outside the settlement boundary and would not complying with Kinver Neighbourhood Plans policies.**

24/00047/COU Browns Farm Kingsford Lane Kinver

 Barn conversion to dwelling and the change of use of the adjoining paddock for use as a garden

**We are aware of a similar recent application (23/00740/FUL) where the decision to refuse the application was on the basis that ’The proposed location of the dwelling would be contrary to Core Strategy Core policy 1 being an unsustainable location. The proposals would also create an isolated home in the countryside contrary to NPPF paragraph 84 where none of the exceptions apply here.’**

**Despite this, we do however recommend approval of this application on the following grounds:**

1. **This type of development is supported in the Neighbourhood Plan of repurposing old redundant buildings, KN02 / KN01 (redevelopment of a brown field site)**
2. **The site is a working farm, and this application supports succession planning of the rural economy to enable the next generation of farmers to live on site.**
3. **The farm location is to the west of the Kinver Edge escarpment and is a prominent location in one of the few remaining pastoral views from the Edge. We feel that re-purposing this building will prevent an otherwise redundant building falling into disrepair.**

24/00183/TTREE Dreycott Hunters Ride Lawnswood

 TPO: 38/1979. T1, T2 and T3 - Spruces dismantle and remove. T4 - Cherry tree, crown reduce to previous pruning points

**Refer to the Arboricultural Officer and any replacement trees should be mature in nature.**

24/00216/TREE At: 2 White Harte Caravan Site High Street Kinver

 Kinver Conservation Area. European Beech - crown reduction by up to 30%

**Refer to the Arboricultural Officer.**

24/00201/Var Whittington Green Lodge, Whittington

 Proposed conversion of former garage building to bungalow.

**Recommend Approval subject to it complying with Kinver Neighbourhood Plans policies.**

*Licensing application for the EMC*

We have received this afternoon following application from Alive Entertainment Ltd  for the grant of a new premises licence for Edward Marsh Centre playing fields DY7 6ET

The application is for the following licensable activities and times

 Sale of alcohol (On Sales) Saturday 12 noon to 10pm Sunday 12 noon to 9pm

 Live Music Saturday and Sunday 12 noon to 10pm  indoors only

 Recorded Music Saturday and Sunday 12 noon to 10pm  outdoors

 Performance of Dance Saturday and Sunday 12 noon to 10pm  outdoors

 Premises Opening & Closing times Saturday and Sunday 12 noon to 10pm

 Attached is the application form, site plan, and DPS consent

 Last date to object to the application is **FRIDAY 29th MARCH 2024**

**Recommend Refusal for this application on the grounds detailed below:-**

**Prevention of crime and disorder**

The licence, if approved, allows for events to be held every Saturday and Sunday going forwards.

Events of the scale advertised will result in a large number of people attending an event in a parish with very limited police resources and parking.

Concerns over the financial viability of the company that is organising the event and adequate insurance liability.

Lack of enough public transport provision on Saturdays and no busses at all run to or from Kinver on a Sunday so it would be reasonable to assume there would be issues of potential drink driving which again would put increased pressure on Kinver’s very stretched Police service.

**Public safety**

There is no parking for significant numbers of visitors to use for events of this nature. The Edward Marsh Centre has a relatively small public car park, accessed up a single-track driveway, and which shares it’s use with visitors to the Bowling Club, Children’s play area, Model Engineers Club, and general visitors to the village. We expect events of this scale will cause those attending these events to park in the narrow side streets around the Parish, this would cause serious issues for emergency vehicles getting around the Parish and to people that need them.

The driveway to the event is a single track in places (Legion Drive) with a footpath and unfenced body of water at the side (The Sterrymere). The driveway is also the only access to the residential dwellings in Sterrymere Gardens.

Although the car park is not part of the licence application, people attending the venue and those accessing the other facilities would have still want to drive down the driveway to gain access.  This could have serious implications for public safety for those walking down to the facilities with vehicles driving past.

Emergency vehicle access would be very restricted to this area impacting on the safety not just of attendees of the event, but also the play area, skate park, and other nearby facilities.

The access to the site is along an unadopted driveway with an unfenced body of water to one side (The Sterrymere) and the unfenced, often fast flowing, River Stour to the other. Inebriated people leaving the site along an unadopted track, with no street lighting could pose a significant danger to themselves.

**Prevention of public nuisance**

This licence application is for every weekend in perpetuity consequently, the noise nuisance would be unbearable for surrounding residential areas.

**Protection of children from harm.**

The close proximity to the children’s facilities in this area, skate park, bike track, PROW, children’s park which have to use the driveway of Legion to access the facilities.  There is also the Bowling Club and Model Engineers that need access along this road.

The parish council owns the children’s play area, and this is the only play area in the parish. The parish council will face the dilemma of either closing the play area every weekend and denying local children of their only recreation area or trying to manage the safeguarding consequences of significant numbers of event goers being in direct proximity to the young children.

In addition there appears to be little support for this event from the community who have had this thrust upon them at very short notice, the site is positioned in such a way that any noise would resonate around the village from Dunsley to Enville, acting as it does as an Roman amphitheatre putting an unacceptable burden on the people who live here.

6. PLANNING DECISIONS REACHED BY SOUTH STAFFORDSHIRE DISTRICT COUNCIL AND REVIEW CONFIRMATION OF REFERNCE TO THE NEIGHBOURHOOD PLAN IN DECISIONS

The Planning decisions are set out as appendix 1 to these minutes were noted. In the future The Clerk to add a column stating if the Officers have referenced the Neighbourhood Plan in their current decisions.

7. APPEALS AND NOTIFICATIONS

21/01290/FUL - Former Royal British Legion site, off Sterrymere Gardens, Kinver, appeal dismissed.

8. TO DISCUSS TPO TREES AND HOW TO UPDATE RECORDS

Defer until there is more information.

9. NEIGHBOURHOOD PLAN SITE BRIEF

It was noted that there is a checklist of the relevant policies that might be relevant on planning applications , the Clerk circulated to all members after that meeting, the Clerk to have a briefing document of the policies and terms they cover (supplied by Cllr Ms E Lord) and the checklist will be copied and laminated for reference also. The Clerk will also write and thank the officers for taking the time in referencing the plan.

10. ITEMS FOR FUTURE AGENDA

To be with Clerk 4th April 2024 - Local Plan; Licence EMC Event; Crest Homes update; TPO’s later in the year.

11. DATE OF NEXT MEETING

The date of the next meeting is the 10th April 2024 at 7.00pm.

12. RECOMMENDATIONS TO THE PARISH COUNCIL

There were no recommendations to the Council, planning recommendations were sent directly to South Staffordshire District Council.

Appendix 1 to the minutes of the Planning and Development Committee held on the 13th March 2024

App Number Description Nplan ref. SSDC KPC

23/00608/FUL Land Adjacent 26 Dark Lane Kinver Y App. Rec Ref.

 Proposed 3 bedroom detached bungalow

23/01019/FULHH 1 Orchard Grove Kinver Y App. Rec App.

 Re-grade and landscape rear garden