

Open

Overview & Scrutiny Committee

Agenda

6.00pm
Thursday, 31st May 2012
The Earl Baldwin Suite
Duke House
Clensmore Street
Kidderminster



Overview & Scrutiny Committee

Members of Committee:

To be advised following the meeting of Annual Council to be held on 23rd May 2012.

Would Members please note that, to ensure continuity in scrutiny, substitutes should only be appointed for the Scrutiny Committee in exceptional circumstances.

Information for Members of the Public:

Part I of the Agenda includes items for discussion in public. You have the right to inspect copies of Minutes and reports on this Agenda as well as the background documents used in the preparation of these reports.

Part II of the Agenda (if applicable) deals with items of "Exempt Information" for which it is anticipated that the public may be excluded from the meeting and neither reports nor background papers are open to public inspection.

Declarations of Interest – Guidance Note

Code of Conduct

Members are reminded that under the Code of Conduct, it is the responsibility of individual Members to declare any personal or personal and prejudicial interest in any item on this agenda if appropriate. A Member who declares a personal interest may take part in the meeting and vote, unless the interest is also prejudicial. If the interest is prejudicial, as defined in the Code, the Member must leave the room. However, Members with a prejudicial interest can still participate if a prescribed exception applies or a dispensation has been granted.

Co-opted Members

Scrutiny Committees may wish to appoint Co-Opted Members to sit on their meetings in order to add value to the scrutiny process. To appoint a Co-Opted Member, a Committee must first agree to appoint either a specific person or to approach a relevant organisation to request that they put forward a suitable representative (e.g. the local Police Authority). Co-Optees are non voting by default but Committees can decide to appoint voting rights to a Co-Optee. The Co-Option of the Member will last no longer than the remainder of the municipal year.

Scrutiny Committees can at any meeting agree to terminate the Co-Option of a Co-Opted Member with immediate effect. Where an organisation is appointed to put forward a Co-Opted Member, they are able to send a substitute in exceptional circumstances, provided that they notify Democratic Services in advance. Co-Opted Members must sign up to the Members Code of Conduct before attending their first meeting, failure to sign will mean that they are unable to participate. This also applies to substitute Co-Opted Members, who will need to allow sufficient time before a meeting in order to sign the Code of Conduct.

The following will apply:

- i) The total number of voting co-opted members on any Scrutiny Committee will not exceed 25% at any one time.
- ii) The total number of voting Co-opted Members on any Review Panel will not be limited.
- iii) Those Co-opted Members with voting rights will exercise their rights in accordance with the principles of decision making set out in the constitution.

For Further information:

If you have any queries about this Agenda or require any details of background papers, further documents or information, you should contact , Louisa Bright Democratic Services Officer, Civic Centre, Stourport-on-Severn. Telephone: 01562 732763 or email louisa.bright@wyreforestdc.gov.uk

Wyre Forest District Council
Overview & Scrutiny Committee

Thursday, 31st May 2012

The Earl Baldwin Suite, Duke House, Kidderminster

Part 1

Open to the press and public

Agenda item	Subject	Page Number
1.	Apologies for Absence	
2.	Appointment of Substitute Members To receive the name of any Councillor who is to act as a substitute, notice of which has been given to the Director of Community Assets & Localism, together with the name of the Councillor for whom he/she is acting.	
3.	Declarations of Interest In accordance with the Code of Conduct, to invite Members to declare the existence and nature of any personal or personal and prejudicial interests in the following agenda items. Members should indicate the action they will be taking when the item is considered. Members are also invited to make any declaration in relation to Section 106 of the Local Government Finance Act 1992.	
4.	Minutes To confirm as a correct record the Minutes of the meeting held on the 12th April 2012.	5
5.	Introductions To receive an introduction to the Committee from the Chairman, and to welcome new Members.	
6.	South Kidderminster Enterprise Park, Local Development Order – Consultation Responses and Revised Order To consider a report from the Principal Planning Policy Officer on the results of the public consultation undertaken on the draft Local Development Order (LDO) for South Kidderminster Enterprise Park. The appendices to this report will be circulated electronically and a public inspection copy is available on request.	8
7.	Recommendation Tracking To track the recommendations that were made during the 2011/2012 municipal year.	16

8.	<p>Work Programme</p> <p>To review the work programme for the current municipal year with regard to the Sustainable Community Strategy Theme, Corporate Plan Priority, Annual Priorities and the Forward Plan. (Please note that this item is to follow).</p>	-
9.	<p>Press Involvement</p> <p>To consider any future items for scrutiny that might require publicity.</p>	
10.	<p>To consider any other business, details of which have been communicated to the Director of Community Assets & Localism before the commencement of the meeting, which the Chairman by reason of special circumstances considers to be of so urgent a nature that it cannot wait until the next meeting.</p>	
11.	<p>Exclusion of the Press and Public</p> <p>To consider passing the following resolution:</p> <p>“That under Section 100A(4) of the Local Government Act 1972 the press and public be excluded from the meeting during the consideration of the following item of business on the grounds that it involves the likely disclosure of “exempt information” as defined in paragraph 3 of Part 1 of Schedule 12A to the Act”.</p>	

WYRE FOREST DISTRICT COUNCIL

OVERVIEW & SCRUTINY COMMITTEE

**THE EARL BALDWIN SUITE, DUKE HOUSE, CLENSMORE STREET,
KIDDERMINSTER**

THURSDAY, 12TH APRIL 2012 (6 PM)

Present:

Councillors: H E Dyke (Chairman), T Ingham (Vice-Chairman), J Baker, G W Ballinger, N Gale, B T Glass, J Greener, J A Hart, J Holden, D J McCann, M A Salter, A M Sewell, J A Shaw and S J Williams.

Observers

Councillors: J-P Campion and F M Oborski.

OS.123 Apologies for Absence

Apologies for absence were received from Councillors: A J Buckley, I Hardiman, V Higgs and D R Sheppard.

OS.124 Appointment of Substitutes

Councillor B T Glass was appointed as a substitute for Councillor D R Sheppard.
Councillor M A Salter was appointed as a substitute for Councillor I Hardiman.
Councillor J A Shaw was appointed as a substitute for Councillor V Higgs.

OS.125 Declaration of Interests

Councillor J Greener declared a personal interest in agenda item 5 – Worcestershire Extra Care Housing Strategy, as she is a Board Member of The Community Housing Group.
Councillor N Gale declared a personal interest in agenda item 5 – Worcestershire Extra Care Housing Strategy, as she is a Board Member of The Community Housing Group.
Councillor H Dyke declared a personal interest in agenda item 5 – Worcestershire Extra Care Housing Strategy, as her husband works for The Community Housing Group.

OS.126 Minutes

Decision: The minutes of the meeting held on 8th March 2012 be confirmed as a correct record and signed by the Chairman.

Councillor J-P Campion entered the meeting at this point.

OS.127 Worcestershire Extra Care Housing Strategy

The Committee considered a report from the Strategic Housing Services Manager

on the proposed Worcestershire Extra Care Housing Strategy.

The Strategy reviewed the existing data from the previous study carried out into the Housing and Support needs of older people which identified a growing need for various types of accommodation, including extra care as well as improved information services and supporting people to remain in their own home. It also detailed the new population predictions to develop an estimate of need until 2026.

Members felt that new development of extra care accommodation should be located within or close to existing communities, not created as villages in isolated locations.

Agreed: Recommend to Cabinet

- **The Worcestershire Extra Care Housing Strategy, as attached at Appendix 1 to the report of the Overview and Scrutiny Committee on 12th April 2012 be approved.**

Recommend to the Local Development Review Panel:

- **In relation to the subsequent development of planning policy following approval of the Worcestershire Extra Care Housing Strategy as attached at Appendix 1 to the report of the Overview and Scrutiny Committee on 12th April 2012, the Committee wished the Council to resist new major developments of extra care accommodation outside of existing communities.**

OS.128 New Council Headquarters Update

The Committee received an update from the Leader of the Council on behalf of the Director of Community Assets and Localism. Members were led through the March interim summary report from Rider Levett Bucknall, and advised that correspondence had been sent out from the Media and Marketing Team to all Councillors regarding the time capsule. The Leader advised that verbal notification had been received from the Council's Partners regarding a six week delay in completion; however no formal notice had been received. The contract had been awarded on a fixed price, fixed time basis and any time delay penalty would be dealt with by the Legal Teams at the end of the contract.

Agreed: The report be noted.

OS.129 North Worcestershire Strategy

The Committee considered a report from the Head of Economic Development and Regeneration, North Worcestershire which provided an update on the North Worcestershire Economic Development and Regeneration Shared Services hosted by Wyre Forest District Council.

Members were led through the report by the Economic Development Manager, North Worcestershire and advised that to achieve an effective service the established three teams from across North Worcestershire had been bought together to build resilience, share knowledge and resources across the geography. A Member requested the names of the post holders to be included in the structure

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set out in appendix 1 of the report, the Economic Development Manager agreed to circulate the information to the Committee.

Agreed:

- **The North Worcestershire Economic Development & Regeneration team structure be updated to include the names of the post holders and circulated to Members by the Economic Development Manager.**

Recommend to Cabinet.

- **The North Worcestershire Economic Development & Regeneration Strategy for North Worcestershire as set out at Appendix 3 to the report of the Overview and Scrutiny Committee on 12th April 2012 be endorsed.**
- **The identified priorities for Wyre Forest District set out in Appendix 3 to the report of the Overview and Scrutiny Committee on 12th April 2012 and namely the focus on the delivery of the ReWyre Initiative and associated State of the Area Debate, be agreed.**

OS.130 Recommendation Tracking

The Chairman advised that the item would be deferred to the first meeting of the new municipal calendar. Tracking information was still being collated and as the March 2012 meeting of the Cabinet had been cancelled, there was no feedback to report.

OS.131 Work Programme

Agreed: The work programme for the past 12 months be noted.

The Chairman thanked the Committee Members for the participation over the past year and wished everybody well for the future.

There being no further business, the meeting ended at 6.43pm.



Overview and Scrutiny Committee

Briefing Paper

Report of: Jonathan Elmer, Principal Planning Policy Officer

Date: 31st May 2012

Open

South Kidderminster Enterprise Park, Local Development Order – Consultation Responses and Revised Order

1. Summary

- 1.1 This Paper informs Members of the results of the public consultation undertaken on the draft Local Development Order (LDO) for South Kidderminster Enterprise Park. The report also introduces an amended version of the LDO, which has been redrafted taking into account the responses received via the consultation process.
- 1.2 A Local Development Order (LDO) is an Order created by a Local Planning Authority, through which permitted development rights additional to those granted nationally by Government, are granted to certain types of development within a particular area. In this particular instance, a Local Development Order is proposed for the South Kidderminster Enterprise Park, which would help to provide a less restrictive planning regime for businesses within, and locating to, the corridor and to act as a stimulus for an area that has been recognised and prioritised for economic development.

2. Background

Draft Local Development Order

- 2.1 At its meeting in February 2012 the Overview and Scrutiny Committee recommended to the Council's Cabinet that the draft LDO be approved for consultation. The Cabinet agreed with this recommendation and the Council subsequently consulted on the draft Order for four weeks during March 2012. The results of this consultation and the amendments proposed to the Order as a result of the consultation form the main element of this report.

3. Key Issues

Local Development Order (Draft) – Consultation Responses

- 3.1 A total of 35 representations were received during the consultation period and a summary of the responses, along with officer comments,

are provided at Appendix 1 to this report. The responses were received from a number of sources including local residents, businesses and land owners within the South Kidderminster area, Worcestershire County Council, Natural England, Worcestershire Wildlife Trust, Environment Agency, Health and Safety Executive, Worcestershire LEP, Homes and Communities Agency and British Waterways.

3.2 Some of the main comments arising from the consultation responses were as follows:

- Support for the implementation of an LDO to promote business growth within the District
- A strong desire from local residents and businesses for the delivery of the Hoo Brook Link Road
- A concern that the LDO would not bring forward business development on its own
- The need to ensure that the Order is conditioned to provide for Health and Safety issues
- Concerns about the environmental features in close proximity to development and the need for these areas to be protected
- Requests for a design guide to be included to improve standards and ensure security
- Suggested changes to the boundary of the LDO
- Concerns about protecting visual amenity and ensuring noise pollution is kept to a minimum
- Requests to widen the Order to increase the type of development permitted
- Suggestions to include extra conditions to provide for Green Infrastructure links and developer contributions towards enhancement
- Objections to the Order in its current form from British Waterways who are concerned about the structural integrity of the Staffordshire and Worcestershire Canal
- Concerns were raised by Worcestershire County Council in a number of areas, mainly related to Highways, Waste, Historic and Natural Environment
- Suggested alterations provided by the Environment Agency to take account of flood risk, contamination and groundwater source protection zones

3.3 The following people/organisations were in support of the draft LDO:

- Gemini Property
- Local Residents
- Ashlane Developments
- Beakbane Ltd
- Thomas Vale Group
- Stourbridge College

- Worcestershire LEP
- Wyre Forest Community Housing
- Homes and Communities Agency
- Bewdley Town Council
- Rushock Parish Council

3.4 Other representations received during the consultation period provided alternative suggestions to consider and these have been used to revise and amend the Order, where appropriate. The main amendments proposed to the Order, which have arisen from the consultation, are provided in Table 3.1.

Table 1: Consultation responses and amendments included in the revised Order

Issue raised by consultation	Amendment to the Order
Health and Safety Executive Require consultation for development around the existing Roxel factory.	A further condition has been added in to the Order so that development proposed on either Hoo Farm or Easter Park is required to get prior approval from the Health and Safety Executive's explosives directorate.
West Mercia Police There are a number of premises in the South Kidderminster area that have been the victims of crime and the police are keen to ensure that new developments do not become targets – suggests providing a minimum level of security that development must comply with	A design guide has been prepared to accompany the Order
Worcestershire Regulatory Services Requested changes to the Order to ensure that contamination issues are fully considered. Also requested that a condition covering Air Quality for developments of a certain size be included	Suggested changes made to the Order and a new condition covering Air Quality added
Network Rail Asked for developer contributions to put towards rail infrastructure.	Suggested change not included as developed contributions can not be asked for through a LDO
English Heritage Requested that further reference should be made to the Green Street Conservation Area now that had been adopted.	Further reference was not made to the Green Street Conservation Area as the boundary has been amended following discussions with the Environment Agency. For more information please see response included in Table 2.
Worcestershire Wildlife Trust, Natural England and the Environment Agency These stakeholders all asked for greater recognition of the environmental features that exist within the South Kidderminster Area	The features have been recognised in the Order and a further condition on Environmental Protection included. The revised Order also includes another map of the area which highlights the environmental features that exist. Furthermore, an Environmental Position Statement has been drafted highlighting the work undertaken on Sustainability Appraisal for this area (Appendix 3 to this report)

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Issue raised by consultation	Amendment to the Order
<p>British Waterways Objected to the draft Order and sought to extend the exclusion zone around the Staffordshire and Worcestershire Canal in certain areas.</p>	<p>The Order has been amended to reflect this suggested change which has resulted in a slight widening of the exclusion zone in some areas.</p>
<p>Worcestershire County Council Suggested some slight alterations to the wording of the Order to take into account Highways considerations.</p> <p>There were also representations received from the Waste and Minerals team, which concerned existing waste management facilities.</p> <p>Other comments from the County Council centred on the impact of the LDO on the Environmental designations that exist adjacent to development sites.</p> <p>There were also suggestions from the County to include reference to the Historic Environment, Public Rights of Way and the inclusion of a Design Guide</p>	<p>Proposed suggestions from Highways have largely been taken into account and the Order re-drafted in conjunction with the County Council.</p> <p>It was considered that the waste policies were too onerous to consider including within the Order. This is because it was considered that the targeted land uses within the Order would generally be compatible with existing waste facilities located in the boundary.</p> <p>The features have been recognised in the Order and a further condition on Environmental Protection included. The revised Order also includes another map of the area which highlights the environmental features that exist. Furthermore, an Environmental Position Statement has been drafted highlighting the work undertaken on Sustainability Appraisal for this area (Appendix 3 to this report)</p> <p>These references have all been included and are contained within the amended Order</p>
<p>St Francis Group The owners of the British Sugar site requested the removal of the following paragraph from the Order:</p> <p><i>“changes to Permitted Development rights currently being proposed by Government, to allow the change of employment to residential uses without planning permission, will be removed within the boundary of the LDO - if these changes are made statute”</i></p>	<p>It was considered that this paragraph should remain within the LDO as the focus for the Order is on employment and economic development and the potential change in Permitted Development rights would run counter to this approach.</p>
<p>DCLG Suggested a number of more detailed amendments and suggestions regarding the format of the Order</p>	<p>The suggestions provided by DCLG were mainly taken on board, and the Order revised accordingly.</p>
<p>Environment Agency The Environment Agency provided detailed comments on a number of areas of the Order – these are as follows:</p> <p>Flood Risk – the document should make reference to flood risk and any</p>	<p>The Order has been amended to show the flood zones on the constraints map</p>

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Issue raised by consultation	Amendment to the Order
development proposed within flood risk areas should be accompanied by a Flood Risk Assessment (FRA)	as well as an additional condition requiring a FRA to be submitted for any development falling in a flood zone. Furthermore, restrictions have been put in place to ensure development does not occur close to the existing waterways
Water Quality and Biodiversity - Suggestions were made that a number of other conditions be included covering these areas	The suggested conditions have been added to the Order.
Contamination - Comments were made about the need to ensure conditions are included restricting the use of infiltration techniques associated with drainage measures and the need for careful consideration and design of foundations.	The suggested conditions and amendments have been added to the Order.
Groundwater Vulnerability - Comments were received detailing the existence of Source Protection Zones in the area.	The Order has been amended to alter the boundary to remove the Source Protection Area. Please see Table 2 of this report for more information.
Foul Drainage – a further condition should be included to ensure that development is connected to the mains foul sewer.	A further condition has been added to the Order.

- 3.5 In addition to the changes highlighted in Table 1, a number of respondents suggested changes to the boundary of the Order. The suggested changes and any subsequent amendment to the boundary are indicated in Table 2.

Table 2 – Proposed Boundary Changes

Proposed Boundary Change	Amendment to the Order
Stourbridge College Requested that the land to the south of Finepoint be included within the boundary of the Order.	No amendment included. The land proposed by Stourbridge College is in the Green Belt and was therefore considered to be unsuitable to be included within the Order. Any development on Green Belt land would require a planning application to be submitted to the Authority
Environment Agency Submitted comments as they were concerned about the existence of a Source Protection Zone (Inner Zone) located at Green Street and the implications development within this area could have, given the sensitive hydrological setting.	The boundary has been amended to remove the Source Protection Zone, and so the southern end of Green Street is no longer included within the Boundary.
Severn Waste Asked for land that previously formed part of the British Sugar site, to be included on the map as an area for potential new development.	Suggested change made to the Order – although it should be noted that the majority of this land is excluded from the Order due to the location close to the Staffordshire and Worcestershire Canal.

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Proposed Boundary Change	Amendment to the Order
The vacant parcel of land at the rear of Lisle Avenue falls within the exclusion zone and so reference to this area has been removed.	No longer highlighted on the map.

- 3.6 The revised boundary of the Local Development Order, taking into account the response in Table 2, is included in Appendix 2 of this report.
- 3.7 The final extra element of work that has been carried out since the draft Order was presented to the committee is an accompanying Environmental Position Statement. This paper provides information on the existing Sustainability Appraisal work that has been undertaken to inform the Site Allocations and Policies DPD. Due to the synergy between the Site Allocations and Policies DPD and the LDO, it was considered prudent to extract the relevant work from the DPD to underpin the production of the Order. The Environmental Position Statement collates the information from the Sustainability Appraisal which is relevant to the LDO and the Statement is attached at Appendix 3 to this report.

Conclusions

- 3.8 The public consultation on the draft Local Development Order has provided some important information and raised issues that have been considered by Officers and have enabled an amended Order to be developed. There was a great deal of support for the initiative and it is considered that the revised Order has managed to incorporate the majority of the suggestions received and, as drafted, provides a mechanism to enable businesses to develop in a sustainable fashion, whilst ensuring important safeguards are in place. The full Order is attached at Appendix 2 to this report.
- 3.9 The District Council and its partners are committed to delivering an ambitious programme of initiatives to secure the regeneration of the District including the preparation of planning and regeneration strategies as well as being the host authority for the newly formed North Worcestershire Economic Development and Regeneration Team. It is considered that the implementation of a Local Development Order will act as another mechanism that will help to meet the aims and ambitions for regeneration within the District, whilst providing a catalyst for growth within a strategic employment corridor.
- 3.10 Should the Order be approved by Full Council at its meeting in June, then the Order will be submitted to the Secretary of State for approval. The Order would be in place for 3 years from the date of adoption.

4. Options

4.1 The Committee may wish to:

- Recommend to Cabinet that the Local Development Order, as attached at Appendix 2, be recommended to Council for approval for submission to the Secretary of State.
- Propose further amendments to the Local Development Order for consideration by the Cabinet.
- Recommend to Cabinet that the Local Development Order is not progressed and that the District Council continue to manage development within the South Kidderminster area through planning applications.

5. Consultation

5.1 Head of Economic Development and Regeneration - North Worcestershire

5.2 Development Manager, Wyre Forest District Council

6. Related Decisions

6.1 Overview and Scrutiny Committee (09/02/2012) Agenda Item 10 South Kidderminster Enterprise Park, Local Development Order, Consultation Draft.

6.2 Cabinet (21/02/2012) Agenda Item 8.1 – South Kidderminster Enterprise Park, Local Development Order, Consultation Draft.

7. Relevant Council Policies/Strategies

7.1 Wyre Forest District Adopted Core Strategy, December 2010

7.2 Kidderminster Regeneration Prospectus (ReWyre Initiative)

7.3 Site Allocations and Policies Preferred Options Paper (May 2011)

8. Implications

8.1 Resources: The progression of the Local Development Order can be met from existing budgets. There is, however, a potential financial loss to the Council through reduced planning application fees and Section 106 contributions.

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- 8.2 Equalities: There are no negative impacts in terms of equality that would arise from this proposal.
- 8.3 Partnership working: Consultation has been carried out with all relevant stakeholders and partners.
- 8.4 Human Rights: N/A
- 8.5 E-Government: N/A
- 8.6 Transformation: N/A

9. Wards affected

- 9.1 Aggborough and Spennells; Lickhill; and Oldington and Foley Park.

10. Appendices

- 10.1 Appendix 1 – Consultation responses to the draft LDO and Officer comments.
- 10.2 Appendix 2 – Local Development Order for South Kidderminster Enterprise Park.
- 10.3 Appendix 3 – Local Development Order for South Kidderminster Environmental Position Statement

Officer Contact Details:

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LOCAL DEVELOPMENT ORDER – TABLE OF RESPONSES

Reporting Name	Summary	Officer Comments
Highways Agency	Given the distance of the site from the Strategic Road Network offers no comment to the proposal.	Comments noted.
Pipelines	Recommends the registration with and use of www.Linesearch.org . This will provide an instant response advising whether or not any of the 29 members have apparatus inside the zone of interest.	Comments are noted. Include a condition in the Order referring to the website
Environment Agency – Initial comments	<p>An LDO Condition might be a commitment to BREEAM/AECB standards for water and energy. This would be in parallel with the ambitions within the Water Cycle Strategy, Core Strategy and emerging Site Allocations and Policies DPD.</p> <p>Development of a criteria based sustainability checklist could perhaps be adopted.</p> <p>More site specific issues might arise such as contaminated land. A short guidance note to cover environmental matters might be developed.</p>	<p>Noted. The commitment to achieving higher quality standards in terms of BREEAM is recognised. However, the LDO seeks to provide a less restrictive regime within the South Kidderminster Area and therefore it is felt that if too many conditions are placed on the Order then this could stifle development from coming forward.</p> <p>Comments are noted, some design considerations have been included but a sustainability checklist has not been.</p> <p>Conditions regarding contaminated land are included within the Order.</p>
Dragoz J (Local Resident)	<p>Is confused by the document as it doesn't seem to be in line with the consultation plans set out for the Former British Sugar Site.</p> <p>Concerned about the inclusion of the land alongside Wilden Lane (British Sugar site settling ponds). This area has always been wild and suffered huge setbacks when the ponds were drained. Strongly objects to the use of this land for any kind of development.</p> <p>Why do we keep building more structures which are hard to find occupants for?</p>	<p>The Order is a separate planning mechanism that could bring forward development within the South Kidderminster Area. It does not replace any of the existing planning frameworks and this means that Planning Applications will still be submitted within this area.</p> <p>The Order just provides for further flexibility for companies to bring forward development associated with the uses outlined within the LDO to suit their needs and therefore it is likely this will be done to meet a specific requirement rather than being bespoke.</p> <p>The LDO is not proposing a new industrial estate off Wilden Lane. The Order would just allow for development to occur on cleared previously developed sites (former British Sugar site,</p>

LOCAL DEVELOPMENT ORDER – TABLE OF RESPONSES

Reporting Name	Summary	Officer Comments
		former Romwire, Lisle Avenue and Finepoint). The Order also allows for intensification and changes to existing industrial sites but not for new sites to be developed off Wilden Lane.
Bourne M (Local Resident)	No objections, but it is imperative that the Hoo Brook Link Road is built first as the Stourport Road is already congested with traffic most of the day. To put the road under further strain with construction traffic will make it impossible to live in this area.	Noted. The Hoo Brook link road is a strategic priority within the District and the Council are actively working with relevant partners to ensure the road is implemented. Its delivery is also incorporated within the District's overarching Core Strategy.
Coal Authority	The proposed LDO boundary does fall within the defined coalfield; however as there are no recorded surface coal resources, coal mining legacy risks or related hazards there is no specific advice which is necessary for The Coal Authority to provide in this respect	Comments noted.
Gemini Property	<p>Encourages schemes to revitalise the Stourport Road Corridor. Need to invigorate employment opportunities and create a sustainable platform for growth. Area is centrally placed for the 3 principle towns and has the potential to provide employers with an immediate supply of staff.</p> <p>It is vital that the Hoobrook link road is in place at the beginning of the development. In conjunction to this serious consideration to the Stourport Relief Road needs to be given due to the consequential congestion which may then occur.</p> <p>Skills available to potential employers need to be considered in appraising the split of accommodation on site and also to outwardly market the area. Whilst the relaxation of planning regulations can only be of assistance, I feel that it will not be the catalyst for regeneration in the immediate future.</p> <p>A relaxation of void rates where there has been positive expenditure in this regard should be given.</p> <p>We should not forget starter units of approx 600 sqft. After Churchfields closes there is no supply. Sandy Lane is of understated importance and is held back by a ghettoised image. Possibly the whole of Hodfar Road could be purchased and split down into starter units.</p>	<p>Noted. The Hoo Brook link road is a strategic priority within the District and the Council are actively working with relevant partners to ensure the road is implemented. Its delivery is also incorporated within the District's overarching Core Strategy.</p> <p>The availability of skilled workers to meet employer's needs is an important consideration. This falls outside of the remit of the LDO but it is something that is being looked at by the Council in conjunction with its Rewyre stakeholders, particularly the education providers. The new development of the Piano Building in Kidderminster is a tangible example of how this can be achieved.</p> <p>It is recognised that relaxation of planning regulations alone will not be the sole catalyst for regeneration within the District. However, it is considered that the LDO forms one element of a number of initiatives that the Council are pursuing in relation to economic growth.</p> <p>The recognition of the importance of starter units within the District is agreed. The LDO remains flexible to allow these uses to be brought forward. Furthermore, the Council have set aside money within the budget to target new economic growth</p>

LOCAL DEVELOPMENT ORDER – TABLE OF RESPONSES

Reporting Name	Summary	Officer Comments
	Do have my support in these proposals but I feel that given other factors the impact is likely to be minimal.	and one of the tasks arising from this (via the 'State of the Area' Debate) is to develop an action plan for the provision of 'Incubator'/Start Up Enterprise Units in the District. Support for the Order is noted and welcomed.
Jackson A (Local Resident)	Delighted to hear of any initiative likely to lead to business and employment regeneration. Hopes that the planned industry is not about to destroy peace of the neighbourhood either through noise or air pollution.	Support is noted and welcomed. The Order includes conditions to ensure that issues such as noise and pollution are mitigated against.
Gurney S (Local Resident)	An express route to the M5 motorway and a full Bewdley/Stourport/Kidderminster bypass is required before any major development takes place. Putting a link from Stourport Road to Hoo Brook will simply move any congestion problems to somewhere else. Can we not get some of the currently empty buildings i.e. Easter Park etc occupied first.	Noted. The Hoo Brook link road is a strategic priority within the District and the Council are actively working with relevant partners to ensure the road is implemented. Its delivery is also incorporated within the District's overarching Core Strategy. Furthermore, opportunities to improve links to the motorway network are also being explored but this is under a backdrop of financial austerity and therefore large road schemes appear unlikely to be developed during this time. It is hoped that the LDO might persuade new companies to invest within the area and potentially take advantage of existing stock as well as considering new development.
Health & Safety Executive	The Roxel (UK Rocket Motors) Ltd Factory is a COMAH Top Tier site and the company has provided the planning department and the HSE a Safeguarding Plan providing the relevant safety zones around their hazardous installations on the site. The HSE's Explosives Inspectorate have to check any proposed development within any safety zone to see if the building is vulnerable (by height and construction). HSE is averse to buildings having more than 3 storeys or being greater than 12 metres high. The Explosives Directorate is also concerned where buildings have a lot of glass in the construction. Also need to check the population density around an explosive site. HSE's Explosive Inspectors have the specialist expertise to calculate and decide if a proposed development will impinge on the safeguarding distance of an explosive site. For this reason HSE's Explosive's Inspectorate need to be consulted directly on any application for planning near an explosive site.	Comments are noted. Amend the draft LDO to reflect the need to consult the HSE's explosive directorate on any development proposed within Hoo Farm or Easter Park.

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McDonald S (Local Resident)	Questions why we need another industrial estate off Wilden Lane as Easter Park, Hoo Farm and Hoobrook Industrial estates are brimming with business opportunities. Considers it a waste of taxpayers money.	Comments are noted. However, the LDO is not proposing a new industrial estate off Wilden Lane. The Order would just allow for development to occur on cleared previously developed sites (former British Sugar site, former Romwire, Lisle Avenue and Finepoint). The Order also allows for intensification and changes to existing industrial sites but not for new sites to be developed off Wilden Lane. Furthermore, it should be noted that any development would be undertaken by private companies/businesses and would not be at the taxpayer's expense.
Ashlane Developments	Fully support the proposals. Requests that they be kept fully informed, in particular of the proposed link road through Hoobrook as they are the freeholders of the Ashlane Centre and also part freeholder of Lupin Works	Support is noted and welcomed. The Hoo Brook link road is a strategic priority within the District and the Council are actively working with relevant partners to ensure the road is implemented. Its delivery is also incorporated within the District's overarching Core Strategy.
Beakbane Ltd	<p>In principle in favour of the LDO. No doubt that any assistance in reducing the administration impact while keeping a robust framework to control the activity would be of benefit to the area and local businesses.</p> <p>Beakbane has several facilities in the South Kidderminster area that are a significant age, their condition and layout hold back the efficiency of the business and its operations. Favour a route to remain in the area and redevelop current facilities to be more in line with future needs. Believe any regeneration of existing commercial premises will improve the standard and efficiency of commercial buildings and increase the activeness of commercial areas and help encourage further business into the area.</p> <p>One of the proposed limits of the LDO is to allow redevelopment to existing building footprints but not to go any closer to the highway. In some cases where there are existing building lines established and demonstrated by adjacent buildings would like the team to consider allowing redevelopment to happen up to those established norms, otherwise it could restrict the impact and attractiveness of any redevelopment potential or the benefit of</p>	<p>Support is noted and welcomed.</p> <p>Noted. The Order seeks to provide flexibility for development such as this.</p> <p>Comments are noted, however this element of the Order is included to ensure highway safety is maintained.</p>

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Core 11	<p>the LDO.</p> <p>Puts forward a series of questions:</p> <p>1) Does the LDO require the same constraints, and be in accordance with parameters laid down as a normal Planning application?</p> <p>(2)(a) Does this LDO adhere to Kidderminster LDF. (b) Is a LDO a derivative of sections of the LDF. With the omission of normal planning permission regulations? (c) Will the LDO be a legal document? (d) Will the following items from the Kidderminster LDF be observed: -- (e) CPO3: ; enhancing accessibility; (1) CPO3: Delivering Transport Infrastructure;* (g) CP 11: Quality Design and local distinctiveness (h) CPI3: Providing a Green infrastructure Network* (i) CP14: (j) CP13: Advises that Green Infrastructure is a important cross cutting issue with linkages to other CP,s Core11 note items 8.0 and 9.0 of the LDO draft and recognise that they would cover most of the required constraints and requirements.</p> <p>(3) Will developers still contribute to infrastructure, if circumstances arise due to the design fabric or site specific problems from developers occur.</p> <p>(4) Will the fact that Green Infrastructure, walking and cycling paths have no scheduling nor specific WFDC, site plans for this area: as per the LDO at the moment, still be a fundamental part of any development proposals , and not simply proposals and suggestions. The “Green Infrastructure Study 2010” area of the WYPE FOREST LDF appears to be repeatedly overlooked, and puts infrastructure after construction. This could result in developers encroaching</p>	<p>Comments are noted.</p> <p>Development would only be subject to the constraints identified within the Order, and would not require a planning application – subject to proposals meeting all criteria within the Order.</p> <p>The LDO is a separate mechanism and does not therefore have to conform to the policies contained within the LDF. However, it should be noted that the main land uses proposed as permitted development are in general conformity with the Core Strategy and the emerging Site Allocations and Policies DPD. Therefore, there is good synergy between the two documents in a number of areas.</p> <p>The LDO would allow certain proposals to become permitted development, therefore the contribution to infrastructure is likely to be more limited than any development considered through a planning application.</p> <p>The Order is providing more opportunities for business growth within the area. Any planning applications, such as the one for the British Sugar site, would need to provide Green infrastructure in accordance with the plan.</p>

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	<p>on future infrastructure development locations such as, walking, cycling, and disabled mobility vehicles, paths.</p> <p>At appendix 4 of the LDO Draft The Staffordshire to Worcester Canal is identified in the Kidderminster LDF as a “POSSIBLE” site for such a development, as is the proposed Hoobrook link road, both these areas are within with this LDO Boundary, again this highlights the need for a WFDC infrastructure plan, for consultation by developers at planning stage.</p>	<p>The LDO seeks to retain the structural integrity of the Canal as a sustainable transport route (boats, walking and cycling). Furthermore, the LDO seeks to protect the line of the Hoo Brook link road and it is therefore considered that these are appropriately highlighted and safeguarded within the Order, ensuring their importance as key transport corridors are retained.</p>
	<p>(5) Item 16.0 of the LDO -Consultation Draft Policies that the Order will help to implement: At :- Local (Adopted Policy) The prime statutory document. Is this reference to the LDF Core Strategy At :- Local (Emerging Policy) This policy does not at present identify specific site locations regarding green infrastructure These Policies appear to be being “helped” for implementation, by the LDO, but this could imply that the LDF and other DPD s may not be consulted by developers</p>	<p>If implemented the LDO would allow development to occur, subject to the provisions of the Order being satisfied, without the need for developers to consult the LDF (Core Strategy and Site Allocations and Policies DPD)</p>
	<p>Core 11 has concerns over item 7.1 of the LDO Draft that says in part that the LDF covers development within the “Development Park” but goes on to say the LDO does not have to implement local planning policies If this is as it appears then the LDO IS IN DEFAULT and must not proceed Clarification of this is required as a priority</p>	<p>As identified above, an LDO is a mechanism by which the Council can grant extra Permitted Development rights, subject to conditions. In this case it is likely that any development forthcoming under the provisions of the LDO would implement some of the principles included in the LDF. However, it is the case that development that occurs through the provisions of the LDO would not be required to have regard to the policies in the LDF</p>
	<p>(6) The LDO removes the need to submit normal planning applications, The parameters and constraints in the Policies at 16.0 of the LDO - Consultation</p>	<p>The Order clearly states that proposals will need to be in line with the restrictions and conditions included in sections 11 and</p>

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	<p>Draft, Will need to be clearly identified, as a fundamental part of the LDO, Thus confirming that any developments under the LDO will conform to “statutory” documents , and all other relevant statutory instruments as laid down</p> <p>The question then arises :- who monitors and checks for compliance , plans submitted under a LDO?If WYRE FOREST DC agree with the points raised in this consultation, could the LDO include the observations in some way, in the amended final Order or Prior to the final order being drawn up and submitted to the Secretary Of State .</p> <p>(7) Will the amended final LDO be published for public examination before submission to the inspectorate, and could a second consultation follow on from this draft for any reason, should the need arise</p>	<p>12 and also at Appendix 1. If a development fails to satisfy these requirements then it is not in accordance with the provisions of the Order and would be subject to enforcement action.</p> <p>The monitoring and compliance of the LDO would be undertaken by the Council. The Order has been amended to take into account comments received through the consultation.</p> <p>The LDO does not undergo any public examination; the Council will submit the revised Order to the Secretary of State and await a decision on whether or not the Order can be implemented.</p>
Thomas Vale Group	Fully supports the LDO.	Support is noted and welcomed.
West Mercia Police	<p>There are several existing industrial premises within the South Kidderminster Enterprise Park Area that have become victims of crime. The police are keen to ensure that any new developments do not become the target for criminality.</p> <p>Therefore the LDO should stipulate a minimum level of security that any new development must comply with. The security should follow the principles of ‘Secured by Design’ and include:</p> <ul style="list-style-type: none"> • Site layout. Buildings that are hidden out of view are more likely to fall victim to crime, therefore buildings should be positioned so that natural surveillance is maintained. The design of roads and pathways should be such that they do not generate crime along them. • Perimeter Security. Good fencing is an important part of maintaining security. This can either be fencing around individual buildings or around entire industrial estates. Where fencing is appropriate it should meet a minimum standard. 	Comments are noted. A design guide has been produced to accompany the Order.

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	<ul style="list-style-type: none"> • Building Design. Buildings should be designed so that windows and doors are not hidden and access to roof areas is restricted. • Physical Security. Buildings should have windows and doors that are resistant to attack and are fitted with good quality locks and bolts etc. • Electronic Security. Provision should be made for the installation of intruder alarms and CCTV. <p>On behalf of the police I would be happy to work with the local authority to formulate a set of security guidelines.</p>	
Stourbridge College	<p>Welcomes the LDO proposals but would like to see the plan of the area extended to cover the old Chain Wire Social Club site which currently falls just outside this area. The College have just acquired this site and are planning to invest a significant amount of funds to develop the site into a Centre for Sporting Excellence and provision for students with learning difficulties which will help regenerate the area and create additional jobs. Any flexibilities allowed as part of a LDO would therefore be very welcome.</p>	<p>Comments are noted. The proposal for Stourbridge College to invest within the District is welcomed and whilst the Council is supportive of new schemes to help regenerate the area the land in question is within the Green Belt. Development of Green Belt land would not be supported through this particular mechanism and any proposals would require a planning application so that the development could be closely assessed.</p> <p>Therefore, it is considered that the boundary of the LDO should not be amended to include this particular area. This approach is also fully in line with the recently published National Planning Policy Framework which reaffirms the importance of retaining the integrity of Green Belts.</p>
Henry C (Local Resident)	<p>No doubt that the LDO would be advantageous in attracting increasing employment opportunities to the area. There are issues which cause concern:</p> <ul style="list-style-type: none"> - Visual impact. The SVR line overlooks this area and for the quarter of a million passengers riding the line, it is a poor impression of Kidderminster - Noise pollution – excessive intrusive noise from Jones and Sons. Should be remembered that this is a River Valley and effectively a bowl bordered on three side by high ground, excessive noise is concentrated in the bowl. Will similar companies be permitted to create more nuisance for residents in the immediate vicinity? 	<p>Comments and issues of concern are noted.</p> <p>Conditions are included within the draft Order to minimise the impact in terms of visual amenity and noise pollution. The Order does not remove the need to comply with existing environmental legislative protection – therefore concerns regarding the current noise issues would need to be directed to colleagues within the Worcestershire Regulatory Services team.</p>

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	<ul style="list-style-type: none"> - Would be helpful if you could clarify what is meant by light and general industry and storage and distribution and indicate whether the erection of effective sound barriers will be compulsory. - I note that your pamphlet states - "The LDO wouldn't remove the need to comply with other legislative controls such as building regulations and environmental protection requirements..... The amenity of residential properties immediately adjacent to or within the SKEP area is also safeguarded through appropriate conditions....." <p>From the residents of Kestrel Close's point of view - our amenities aren't safeguarded at the moment!</p>	<p>The terminology used within the Order refers to the Use Classes Order of 1987 (as amended), an example of the different types of classification are as follows:</p> <p>Most of the existing industrial estates within the District are used by businesses that could be classed as B2 – General Industrial. For example – the carpet factories that exist within the District.</p> <p>An example of Storage and Distribution businesses within the District is City Link. The business is centred on distribution of goods and often need large warehouses to store these items.</p> <p>See above comment regarding noise complaints.</p>
Severn Waste Services / Mercia Waste Management	<p>Significant landowner within the proposed SKEP – welcomes and supports the proposed LDO. However puts forward the following suggested changes:</p> <ul style="list-style-type: none"> - MWM owns part of the former British Sugar Factory site, specifically land in the south east corner. This land is vacant and indistinguishable from the wider British Sugar site. However, the plan in Appendix 3 of the draft DCO fails to include MWM's land as part of the former British Sugar holding. Accordingly the plan in Appendix 3 should be modified - Considers the order should permit sui generis uses that are similar in nature and character to general industrial uses. The first part of the LDO could be amended as follows: <i>"Within the South Kidderminster Enterprise Park area planning permission is granted on cleared brownfield sites, as identified in Appendix 3, for the following uses:</i> <ul style="list-style-type: none"> • B1a (offices) • B1b (Research and Development) • B1c (Light Industry) • B2 (General Industrial) and sui generis uses similar in nature and character to general industrial uses • B8 (Storage and Distribution) 	<p>Comments are noted and support is welcomed.</p> <p>Comments noted. Include area of land as identified by MWM in revised Order, although it should be noted that development potential, through the provisions of the Order is limited, due to the exclusion zone around the Staffordshire and Worcestershire Canal.</p> <p>It is considered that the LDO should remain as drafted so it is clear in what type of development would be permitted; especially as sui-generis uses could lead to development not targeted by the Order and create ambiguity in terms of what is permitted.</p>

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	<ul style="list-style-type: none"> • <i>Car/Vehicle Hire Business and the selling and displaying of motor vehicles</i> • <i>Vehicular access to development”</i> - MWM finds the approach to ‘protecting’ the Conservation Area within the draft LDO arbitrary, illogical in places, and not founded in planning policy. It is self-evident from the draft LDO that this policy guidance has not been followed. Instead a fixed, arbitrary buffer has been placed around the Staffordshire and Worcestershire Canal Conservation Area with no regard as to what areas of land within the DCO area actually contribute towards protecting the setting of this feature. By way of example, land lying immediately to the west of the Conservation Area in the vicinity of the former British Sugar site makes no contribution to the setting of the feature due to the radical change in topography within this area. Thus, in this location, the arbitrary buffer zone / stand-off is meaningless and not required. It is actually sterilising brownfield land readily capable of re-development without any material harm to the heritage asset. Accordingly, MWM suggests that the development constraint presented by the Conservation Area is properly evaluated (using suitable expertise) and any buffer zone, if required, is founded upon a more detailed evaluation. 	<p>Comments regarding the protection of the Conservation Area are noted. However, support for this approach is provided by the Council’s Conservation Officer, Worcestershire County Council, British Waterways and English Heritage. This approach has since been refined following consultation with British Waterways, in order to protect the structural integrity of the canal.</p> <p>The LDO does not, however, prevent a planning application being submitted for sites that fall within this ‘buffer zone’ where more detailed considerations on any potential effect on the Canal could be more fully considered.</p>
Worcestershire LEP	<p>Fully endorses the proposal to simplify planning requirements as set out in the Draft LDO. It will provide an important catalyst in attracting developers and businesses into this strategically important area of Worcestershire to generate local wealth and future job opportunities. The LDO will be an important and tangible signal in demonstrating that Worcestershire delivers its objectives and is very much “Open for Business”.</p> <p>The WLEP Board recently approved Growing Places funding of 1.2m for the Hoo Brook Link Project. This was in recognition of the significance of the South Kidderminster Enterprise Park as a key business, employment and regeneration focus in meeting the needs of existing local businesses as well as attracting new companies in the future.</p>	<p>Comments are noted and support is welcomed. The ongoing support of the LEP for the regeneration initiatives and development potential of the District is also warmly welcomed and appreciated.</p>

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	<p>Would like to meet up and explore additional opportunities linking to the LDO where the WLEP could help Wyre Forest achieve and deliver its ambitions.</p>	
<p>Worcestershire Regulatory Services</p>	<p>It is welcomed that the order is subject to conditions such as condition 9 regarding land contamination. However the statement “The responsibility for interpreting the requirements of the LDO and ensuring that development is compliant with the above conditions falls on the developer” and the similar statement of item 9.2 may create a loop hole that has potential for exploitation. It is preferable pre development to ensure compliance with any conditions as post development rectification of any breaches of conditions can be costly both in monetary terms and health implications.</p> <p>It is noted that item 17 requires notification by the developer to the Council of any development under this order, it is requested that notification should also be forwarded to Worcestershire Regulatory Services in order to ensure all issues related to land contamination are attended to. This is important not just for new developments on cleared brownfield sites but for any development such as extensions, sub divisions or car parking as shown in item 10.7 that may involve any form of ground disturbance as potential pathways may be developed for contamination that could impact human health.</p> <p>Item 10.7 also states that car parking should be subject to permeable paving, the decision on permeable paving should be dependant on any potential contamination and follow discussion with the Environment Agency as it is known that virtually the whole of the area has high potential for contamination from past and present industrial uses and infiltration of rainwater may mobilise some contaminants into the underlying primary aquifer.</p> <p>It is requested that any development that needs a traffic assessment or includes a biomass boiler is also notified to Worcestershire Regulatory Services as an air quality assessment may be required to ensure there is no</p>	<p>Comments are noted. The onus on complying with the LDO falls on the developer. They need to be in conformity with the conditions imposed and this includes the condition relating to contaminated land. It is not considered that there is a loop hole as development needs to be in conformity with the Order. One way this could be ensured is through the notification being sent to Worcestershire Regulatory Services, as identified.</p> <p>The conditions included in the Order relate to any development proposed, including extensions, sub-divisions or car parking.</p> <p>Noted – amend the Order and take out reference to permeable paving due to the hydrological conditions within this corridor, and the potential to mobilise contaminants.</p> <p>Comments are noted. Amend the Order to include a condition referring to Air Quality.</p>

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	deterioration of the local air quality. Such assessments need to encompass the wider area not just the individual development itself as there is concern allowing for variation in analysis of the diffusion tubes that part of the Stourport Road corridor may be in breach of government guideline levels for Nitrogen Dioxide and may become the subject of an Air Quality Management Area in the near future. It is vital that no deterioration of the local air quality takes place and that any development considers the impact of the development itself and the wider implications.	
Wyre Forest Community Housing	We look forward to the establishment of the LDO and the identification of opportunities for meeting housing needs in the District that such economic regeneration activity creates, particularly for affordable housing, in the emerging Site Allocations and Policies Development Plan.	Comments are noted and support is welcomed.
Network Rail	<ul style="list-style-type: none"> - Any future development work within the area must not introduce additional bridge strike risk to the Network Rail under bridges. Where HGVs present bridge strike risks, the applicant will be liable for all costs incurred in installing bridge strike mitigation measures. All works to be undertaken with the approval of Network Rail. · All developments in the area of the LDO should be flagged up to Network Rail for consultation. Consultations should be emailed to: TownPlanning.LNW@networkrail.co.uk · Any developments that may impact upon Network Rail land and the operational railway will need internal consultations by Network Rail and as such as reduction of the 21 days notice period may restrict Network Rail's ability to deliver a thorough response. Therefore we request that the notifications process remains at 21 days. <p><u>Level Crossings</u> Development proposals' affecting the safety of level crossings in the Wyre Forest council area is an extremely important consideration for Network Rail and emerging planning policy to address. The impact from development can result in increases, often significant, in the vehicular and/or pedestrian traffic</p>	<p>Comments are noted. It is not considered that any development within this area could introduce additional bridge strike risk.</p> <p>Comments are noted, amend Order to ensure that developers contact NWR if the proposed development site is within 100m of the commercial railway.</p>

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	<p>utilising a crossing which in turn can have impacts upon safety and service provision.</p> <p>In this regard, we request that the potential impacts from development effecting Network Rail's level crossings are specifically addressed through the Wyre Forest South Kidderminster Enterprise Park - Draft Local Development Order Consultation. As such, we strongly believe that the importance of Level Crossing safety warrants a specific Policy included in the Wyre Forest South Kidderminster Enterprise Park - Draft Local Development Order Consultation which will help to elevate the importance of Level Crossings within the development management and planning process. We request that the policy confirms that:</p> <p>1. The Wyre Forest Council have a statutory responsibility under planning legislation (Schedule 5 (f)(ii) of the Town & Country Planning (Development Management Procedure) Order, 2010) to consult the statutory rail undertaker where a proposal for development is likely to result in a material increase in the volume or a material change in the character of traffic using a level crossing over a railway;</p> <p>2. As a first principle, Network Rail would seek to close Level Crossings where possible.</p> <p>3. Any planning application which may increase the level of pedestrian and/or vehicular usage at a level crossing should be supported by a full Transport Assessment assessing impact and mitigation measures including assessment of closure; and</p> <p>4. The developer is required to fund any qualitative improvements required to the level crossing identified as a direct result of the development proposed.</p> <p><u>Developer Contributions</u> Where growth areas or significant housing allocations are identified close to</p>	<p>Comments are noted. However, there is only one level crossing within the District, located in the rural village of Blakedown, approximately 4 miles away from the closest boundary of the proposed LDO. It is not considered, therefore, that any development in the South Kidderminster area would impact on this particular crossing, especially as the crossing is not on a main route through the District. Therefore it is not anticipated that Network Rail would require consultation as it is considered that no development is <i>"likely to result in a material increase in the volume or a material change in the character of traffic using a level crossing over a railway"</i>.</p> <p>See above comments.</p> <p>See above comments.</p> <p>See above comments.</p> <p>No developer contributions can be required through a Local</p>

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	<p>existing rail infrastructure it is essential that the potential impacts of this are assessed. Many stations and routes are already operating close to capacity and a significant increase in patronage may create the need for upgrades to the existing infrastructure including improved signalling, passing loops, car parking, improved access arrangements or platform extensions. As Network Rail is a publicly funded organisation with a regulated remit it would not be reasonable to require Network Rail to fund rail improvements necessitated by commercial development. It is therefore appropriate to require developer contributions to fund such railway improvements; it would be appropriate to require contributions towards rail infrastructure where they are directly required as a result of the proposed development and where the acceptability of the development depends on access to the rail network.</p> <p>The likely impact and level of improvements required will be specific to each station and each development meaning standard charges and formulae may not be appropriate. Therefore in order to fully assess the potential impacts, and the level of developer contribution required, it is essential that where a Transport Assessment is submitted in support of a planning application that this quantifies in detail the likely impacts on the rail network.</p> <p>To ensure that developer contributions can deliver appropriate improvements to the rail network we would recommend that the Wyre Forest South Kidderminster Enterprise Park - Draft Local Development Order Consultation include provisions for rail. The policy should include the following:</p> <ul style="list-style-type: none"> - A requirement for developer contributions to deliver improvements to the rail network, including any development that occurs as a consequence of the Wyre Forest South Kidderminster Enterprise Park - Draft Local Development Order Consultation. - A requirement for Transport Assessments to take cognisance of impacts to existing rail infrastructure to allow any necessary developer contributions towards rail to be calculated. 	<p>Development Order. Therefore, contributions towards Network Rail operations will not be included within the final draft of the Order.</p>

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	<ul style="list-style-type: none"> - A commitment to consult Network Rail where development may impact on the rail network and may require rail infrastructure improvements. In order to be reasonable these improvements would be restricted to a local level and would be necessary to make the development acceptable. We would not seek contributions towards major enhancement projects which are already programmed as part of Network Rail's remit. 	On this particular point, it is considered that development that would be permitted through the provisions of the Order would not require rail infrastructure improvements to make it acceptable. Therefore, it is not proposed to alter the Order to reflect this aspiration of Network Rail.
Braggington S	<p>Fully supports the LDO Consultation Draft:</p> <ol style="list-style-type: none"> 1) Town needs new employment 2) Need to replace employment lost when traditional employers have ceased 3) Use of existing brownfield sites is a greener option. 	Comments are noted and support is welcomed.
HCA	<p>Supports the intention of the Development Order as a means to encourage private investment and boost economic growth in the area.</p> <p>The HCA already works closely with the council to support housing growth and regeneration, and we are a partner in the ReWyre Initiative to help regenerate Kidderminster and the local area. As such we welcome any initiative to help create local jobs and growth that matches the council's aspirations for its local communities.</p>	<p>Comments are noted and support is welcomed.</p> <p>The Council will continue to work closely with the HCA to help to deliver new development within the District.</p>
Bewdley Town Council	Town Council's Planning Committee were entirely supportive of the proposal as a means of generating business in the area and hope it will proceed through all the various formalities. It will be of benefit to people who live in Bewdley but who will gain employment in that area as a result.	Comments are noted and support is welcomed.
English Heritage	<p>Our comments our made in the context of national planning policy as now set out in the National Planning Policy Framework, and especially paragraphs 126 to 141. With regard to the heritage interest of the area we wish to highlight, the following:</p> <ol style="list-style-type: none"> i) The Staffordshire and Worcestershire Canal, which is a designated conservation area and additionally of wider amenity value and a valuable part of the area's green infrastructure. ii) The proposed Green Street Conservation Area. 	<p>Comments are noted.</p> <p>Following consultation, it is proposed to realign the LDO</p>

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	<p>iii) The flood plain of the River Stour and the potential for undesignated heritage assets of archaeological interest. This area is largely covered by the area of Green Belt within the LDO.</p> <p>We welcome the recognition that safeguards need to be in place to conserve these heritage assets. This should take into account any potential affects on their setting. The Green Street conservation area has yet to be adopted, and we suggest that this matter is confirmed as a matter of priority to ensure that all appropriate conditions are included in the LDO and respond positively to the conservation area appraisal and management plan.</p> <p>We suggest a minor amendment to the text in the first bullet point at page 3 as follows: '...lifetime of the Order then relevant permissions for any proposed changes would be required.....'</p> <p>We note that the Sustainability Appraisal for the emerging Site Allocations and Policies Development Plan Document has included the appraisal of the cleared sites within the proposed LDO boundary. We welcome this integrated approach, and suggest that this is continued together with the possibility of expanding the appraisal to include the entirety of the LDO area.</p> <p>The approach of dividing the LDO into two parts (cleared sites and existing premises) is considered appropriate. We note that the draft Order permits demolition, in conjunction with any redevelopment of existing premises within the identified use classes. Subject to the adoption of the proposed Green Street conservation area it would be helpful to clarify whether this might have implications for existing buildings in any area included in the LDO as well as the setting of the conservation area.</p> <p>We note the identified restrictions (Table 1) include the area of Green Belt that falls within the LDO boundary this area includes the flood plain of the River Stour which may have the potential to include heritage assets of archaeological interest.</p>	<p>Boundary to remove areas around Green Street. Therefore the Green Street Conservation Area will no longer be effected.</p> <p>Please see above comments relating to Green Street Conservation Area.</p> <p>Comments are noted and suggested change to be included.</p> <p>Comments are noted and support is welcomed. A Environmental Position Statement has been produced to accompany the Order and this provides further detail on the Sustainability Appraisal process.</p> <p>Support for the approach is welcomed. Please see above response in relation to the Green Street Conservation Area.</p> <p>The Order does not allow development to be permitted on Green Belt land.</p>

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	<p>We welcome the inclusion of the condition relating to a 50m buffer zone for the Staffordshire and Worcestershire Canal.</p> <p>As an area of priority regeneration and one of the principal gateways to the town centre, we consider that there may be the opportunity to encourage a wider range of enhancement measures, such as via landscaping proposals. This might be via appropriate conditions and or the preparation of an overarching masterplan for the area. The latter could also have the benefit of realising the opportunities offered by the area's green infrastructure resource, in particular the River Stour and canal corridor.</p>	<p>The support for the buffer site surrounding the Staffordshire and Worcestershire Canal is noted.</p> <p>Comments are noted. A design guide has been produced to accompany the Order</p>
Worcestershire Wildlife Trust	<p>In principle that appears to be a helpful move and we pleased to note that some critical features of biodiversity importance already receive protection under the 'constraints' laid out in the LDO document. However we are concerned that the draft LDO takes a rather narrow view of the features mentioned</p> <p>The canal conservation area includes the Staffordshire and Worcestershire Canal Local Wildlife Site (formerly known as Special Wildlife Site). The River Stour is also a Local Wildlife Site and both are valuable environmental assets that should be mentioned as features of importance in the LDO. It is imperative that both are safeguarded from the adverse effects of development, including directly in terms of the footprint of new buildings and indirectly in terms of the increased risks of pollution from light, noise and runoff. These features are part of the wider Green Infrastructure network and currently benefit from policy protection under the NPPF (paragraphs 8, 9, 109 for example) and the Wyre Forest Core Strategy. However their protection and enhancement relies to a great extent on the planning system and they are not well protected by the other regimes mentioned in the draft LDO. Accordingly we would suggest that LDO echoes policy provision elsewhere so that its benefit is not lost in this area</p> <p>We would recommend that the LDO makes clear the need for all new developments to contribute to environmental enhancement. This is clearly</p>	<p>Comments are noted. The LDO seeks to provide a balanced approach to incentivising development to occur within this area without detrimental affects to the existing environment.</p> <p>Comments are noted. The Order seeks to protect these existing sites by virtue of a buffer zone. It is acknowledged that some of the planning gain that comes through the current planning regime would be lost through any development that occurs through this Order.</p> <p>Comments are noted. A design guide and extra conditions have been included in the revised Order.</p>

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	laid out as an aspiration in the NPPF (e.g. paras. 8, 9, 109 and elsewhere) and is particularly pertinent in this area where the complex of SSSIs and the river and canal corridors form a basic ecological network that is in need of improvement. We therefore recommend that biodiversity enhancement should be an expectation in the final version of the document. This would link well to the Council's Green Infrastructure policy and work carried out by the Worcestershire Green Infrastructure Partnership.	
Natural England	<p>The Local Development Order area includes part of Wilden Marsh and Meadows Site of Special Scientific Interest (SSSI) and is also adjacent to the River Stour Floodplain SSSI. However, these SSSI are not currently mentioned in the LDO. We advise that the LDO gives clear reference to the presence of Wilden Marsh and Meadows SSSI and the River Stour Floodplain SSSI, and defines their boundaries on the map in Appendix 3. The LDO should clearly express the need to conserve and enhance these SSSI.</p> <p>The Wildlife and Countryside Act 1981 (as amended) imposes a general and overarching duty under Section 28G that requires an authority to take reasonable steps, consistent with the proper exercise of its functions, to further the conservation and enhancement of the features for which sites are of special interest.</p> <p>Development in the LDO area has the potential to contribute towards the enhancement of Wilden Marsh and Meadows SSSI. The marshland SSSI suffers from drying-out and development could contribute towards the re-wetting of the site. Potential opportunities including directing clean water onto the SSSI using gravity-fed systems or pumps, or directing clean water into the River Stour through Sustainable Drainage Systems. The LDO removes the mechanism for agreeing such enhancement measures on a case by case basis. We therefore advise that the LDO includes a condition around enhancement of the SSSI. We would be pleased to work with the Council and other agencies to better define the opportunities and the mechanisms for delivery.</p> <p>Sites of Special Scientific Interest can constitute a "sensitive area" under the</p>	<p>Comments are noted. Amend the LDO to reference the existence of the SSSI that falls within the boundary.</p> <p>Comments are noted. It is acknowledged that some of the planning gain that comes through the current planning regime would be lost through any development that occurs through this Order.</p> <p>Comments are noted. The LDO specifically excludes EIA</p>

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	<p>Town and Country Planning (Environmental Impact Assessment Regulations 2011. We note that „Appendix 1 – Conditions“ excludes EIA Schedule 2 development from the LDO unless it is determined by the Council that it is unlikely to have significant effects on the environment, in accordance with the criteria in Schedule 3. The presence of the SSSI should inform the EIA Screening decision. This should be explained in the LDO.</p> <p>An LDO cannot remove the need for other forms of consent (Paragraph 17: DCLG Circular 01/2006), therefore any application involving works within the SSSI would still require assent/consent from Natural England. This should be explained in the LDO.</p> <p>The Staffordshire and Worcestershire Canal and the River Stour are both designated as Local Wildlife Sites. We advise that their status is recognised in the LDO. The opportunities described in relation to the SSSI also apply to these Local Sites. We note that the River Stour is currently classed as being in a „poor“ status under the Water Framework Directive, due to issues around water quality. Directing clear water into the river could improve this situation through increasing dilution.</p> <p>We note that Core Strategy policy „CP14: Providing opportunities for local biodiversity and geodiversity“ specifically mentions the River Stour and the Staffordshire and Worcestershire Canal, and requires new development alongside them to maintain and enhance their biodiversity value.</p> <p>The GI Partnership had previously offered to produce a “statement of common ground”, as a precursor to a full Green Infrastructure Concept Plan. We would be pleased to discuss this further with the Council and explore its fit with the LDO.</p> <p>We welcome the Council’s consideration of this matter and agree that the Habitat Regulations Assessment Screening Report for the Site Allocations and Policies Preferred Options DPD is sufficient to underpin the LDO. Therefore,</p>	<p>development. Any screening opinion for development within this area would have regard to the presence of the SSSI. As the LDO does not cover this, it is not considered a change is required to the Order.</p> <p>Comments are noted and agreed. The LDO does not allow for development on Greenfield sites and no development within the SSSI would be permitted through this Order and would require a planning application.</p> <p>Reference to the wildlife sites to be included in the amended Order.</p> <p>Comments are noted. The LDO does not have to be in conformity with the Core Strategy but the LDO does provide a buffer from the River Stour and Canal to minimise any adverse affects and maintain their current status.</p> <p>Comments are noted. However it is unlikely that this could fit within the LDO given the timeframes being considered for adoption.</p> <p>Comments are noted and the confirmation that the Council’s approach with regard to the Habitat Regulations Assessment as being suitable is welcomed.</p>

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	<p>taking into account Regulation 78 of the Conservation of Habitats and Species Regulations 2010, Natural England does not consider that the developments included in the LDO will have a likely significant effect on a European site.</p>	
British Waterways	<p>BW objects to the LDO in its current form as it fails to protect the structural integrity of the Staffordshire and Worcester Canal running through its area.</p> <p><u>Permitted Development Rights</u></p> <p>These permitted development rights within the LDO may have implications for BW due to the nature of the canal infrastructure in this location and the presence of the River Stour, and these are further explained below.</p> <p>To accompany the introduction of BW Statutory Consultee status in 1997, the Department of Environment in a letter to Chief Planning Officers advised that “development likely to affect the particular waterway” covered:</p> <ul style="list-style-type: none"> - development which involves any digging of foundations; - the building of anything large which could impose a loading on the side of the waterway; - any development which could create a breach in the waterway for example by increasing surface water discharges; and - any major change of land use, for example from fields to housing. <p>Specific notified areas now exist for Household and Minor scale development and Major and EIA scale development.</p> <p>The notified area for minor and household development has remained at 150m from the waterway in a number of areas. This reflects the fact that we have several large cuttings and embankments in this area and the impact of development on these structures needs to be assessed by BW.</p> <p><u>Safety and Structural Integrity of Waterway Infrastructure</u></p> <p>BW has statutory duties to maintain the safety and structural integrity of waterway infrastructure, water supply, discharges and drainage, waterway management and maintenance operations, including maintaining water levels for navigation purposes. Our waterways also form part of the land</p>	<p>Objection is noted. The Order has been amended to take into account the British Waterways consultations zone. By using this zone as the buffer surrounding the canal it is considered that this would not only protect its structural integrity but would also protect the canal and its many designations (i.e. Conservation Area and Wildlife Site).</p>

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	<p>drainage and water supply systems and can assist in mitigating flood risk.</p> <p>The National Planning Policy Framework advises at paragraph 109 that land stability is a material consideration.</p> <p>BW needs to be consulted upon all types of developments which could affect the structural integrity of a waterway and could affect the safety of users and neighbours, such as proposals that could:</p> <ul style="list-style-type: none"> (1)undermine the waterway bank through excavation; (2)place undue loading on the waterway bank; (3)interfere with vulnerable slip planes on embankments or cuttings; (4)remove part of the infrastructure, or change its character, the effects of which could affect the wider infrastructure, e.g. culverting a feeder channel; (5)remove contaminated corrosive substances that could leach into the canal or river downstream and affect structures over the long term; (6)increase the surface water discharges through potentially inadequate culverts beneath or into the waterways; and (7)any of the above which could potentially cause a breach of the canal bank or downstream flooding and inundation. <p>We consider that this severely limits the nature of any development which could be permitted through an LDO adjacent to or in close proximity to a waterway, as there is a potential risk that the development could have an impact beyond the host property.</p> <p>The Statement of Reasons for the LDO identifies constraints at paragraph 8.0. Whilst the conservation area status of the canal is recognised as a constraint and a condition imposed to mitigate the potential impact of LDO development, there is no recognition of the canal in relation to protecting its structural integrity. British Waterways require that this is addressed. The simplest way to achieve this is for the British Waterways Statutory Consultee notified areas to be excluded from the provisions of the LDO. This would also give BW and the waterway corridor the most protection. We would however be happy to discuss other options with the Council.</p>	

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Rushock Parish Council	We have no objections to this and it seems a good way to help the local industry there develop.	Comments noted and support is welcomed.
Worcestershire County Council	<p>The County Council is keen to play an active role in working with and supporting partners including the Worcestershire LEP, the ReWyre Board and the North Worcestershire Economic Development and Regeneration team, in shaping the future prosperity of Kidderminster and Wyre Forest District. Notwithstanding this, the County Council is however required to balance its statutory responsibilities with its role as a partner in the regeneration of Kidderminster. The County Council has highlighted areas which it considers require further consideration in order to safeguard and future proof the performance of Kidderminster's environment, economy and infrastructure and these include:</p> <p><u>Open for Business</u></p> <ul style="list-style-type: none"> •That the wider impacts on the transport network of travel demand, generated by new development in the LDO area should be tested in terms of the likely impact on flows across Kidderminster's transport network. To ensure that the network will perform efficiently and in support of the Wyre Forest economy and that measures needed to mitigate traffic congestion are identified, as set out in the county council's LTP3 policies. •Consideration should be given to the issue of displacement of current business or so called 'boundary hopping' and the detrimental impact this may have on Kidderminster and Wyre Forest District Councils infrastructure and urban make-up. Including exploring the potential opportunity to expand the LDO (subject to caveats) beyond the South Enterprise Park Area. 	<p>Comments are noted</p> <p>Comments are noted. However, the proposed land uses are in conformity with what is being proposed through the Council's Development Plan and therefore the potential land uses will remain consistent with what has been provided to the County Council to input into their traffic modelling work.</p> <p>Comments are noted. Unfortunately, the District Council (through its involvement in the Worcestershire LEP) were unsuccessful in gaining Enterprise Zone status for the South Kidderminster area. Therefore, some of the benefits associated with this (i.e. tax relief) will not be accorded to the South Kidderminster Area. It is therefore considered that the potential for displacement or 'boundary hopping' is significantly reduced. The Council will continue to monitor this though and could consider opportunities to expand the LDO to other areas should the need arise.</p>

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	<p><u>Transport & Highways</u></p> <p>Would be grateful if consideration is given to the following points:</p> <ul style="list-style-type: none"> •The draft LDO allows for large new buildings to be constructed and as redevelopment occurs for 3 years and potentially longer, this semi controlled development does not provide for any new infrastructure to be identified and provided by the developer. •Whilst there is a requirement to provide and agree a Transport Assessment (TA) with the Highway Authority on larger developments, should the applicant and HA not reach agreement, however, there is no mechanism to ensure that mitigation measures are introduced other than through an enforcement action. •The TA thresholds are introduced to represent when a development has a significant impact on the highway network. To ensure that development is not permitted which has an adverse impact or a threshold of scale of development permitted by the order, it is suggested to only permit development below the TA thresholds so that there is greater control on those sites which create more trips. •Condition 4 permits for accesses to be constructed under section 184 and 278 of the Highway Act 1980. It is not appropriate for the construction of industrial access points under Section 184 as this provides for vehicle accesses normally for residential properties. Reference should therefore be removed. 	<p>Comments are noted. The LDO seeks to provide a more flexible approach to development and there may be areas where ‘planning gain’ is no longer forthcoming. The LDO does make provision for the safeguarding of strategic infrastructure.</p> <p>Comments are noted. The LDO is clear in that proposals must be in line with the conditions included. Therefore, if development begins, which requires a TA but has not had agreement from WCC, then it would be in breach of the LDO. Although there is some agreement with the concern that the mechanism to prevent development would be via enforcement action – the LDO is predicated on considering development differently and this approach has been taken in other authorities, where the LDO has been approved by the Secretary Of State.</p> <p>Comments are noted. However, the LDO allows for TA’s to be produced should a development meet a threshold that is considered to have a significant impact on the highway. Therefore, it is considered that these developments should be allowed through the LDO, subject to them meeting the conditions of the Order – i.e. having a TA approved by the County Council. Consider rewording the Order to make this explicit and include the potential for S.106 contributions to be forthcoming to deal with any mitigation required.</p> <p>Comments are noted. Revise Order accordingly.</p>

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	<ul style="list-style-type: none"> •A section 278 agreement allows for the construction of new accesses which are of a larger scale, but this does not necessarily allow the HA the ability to prevent access and could cover any highway improvement including new roundabouts or signal controlled junctions. The HA has a duty under the Traffic Management Act to ensure that the network runs without delay and safely and this order could conflict with this requirement. It is suggested that an alteration be made to the Order to allow the construction of new bellmouth accesses on unclassified roads under section 278 of The Highways Act, and also effectively exclude new accesses on to classified roads or when more significant access proposals are required. 	Comments are noted. Revise Order accordingly.
	<ul style="list-style-type: none"> •The Order allows for car parking numbers to be increased to WCC's maximum thresholds. Whilst this does limit the parking capacity of a site it will be difficult to enforce and, most importantly, discourages access to sites by sustainable means. 	Comments are noted but it is considered that this is allowing development within already established parameters and it is considered that this should be retained in the final Order.
	<ul style="list-style-type: none"> •The majority of the sites covered are on good bus corridors and have established cycle and walking routes. By allowing parking numbers to be increased this directly conflicts with the promotion of sustainable access options. It is accepted on new sites that a degree of parking is necessary, but there are legitimate concerns that this will generate more movements into an already congested area and discourage non car based access. 	Comments are noted. However, the ability to increase parking numbers still requires this to be in line with the County Council's parking thresholds which will have been set with these sustainability considerations in mind. Therefore, it is not considered that this would cause further problems as the amount of parking would still be in conformity with existing permitted thresholds.
	<ul style="list-style-type: none"> •It is also noted that it will be important to understand the wider impacts on the transport network of travel demand generated by new development. In light of this it is strongly recommended that the indicative (planned) land uses envisaged in the LDO area be tested in terms of the likely change in flows across Kidderminster's transport network. The aim being to ensure that the network will perform efficiently and in support of the Wyre Forest economy and that measures needed to mitigate traffic congestion are identified as set out in the County Council's LTP3 policies. 	Comments are noted. However, the proposed land uses are in conformity with what is being proposed through the Council's Development Plan and therefore the potential land uses will remain consistent with what has been provided to the County Council to input into their traffic modelling work. The LDO retains the County thresholds for Traffic Assessments to be submitted for certain developments and it is considered that this is the most practical way to deal with the potential traffic impact that may arise through the implementation of the

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	<p><u>Minerals & Waste</u></p> <p>The County Council as the Waste Planning Authority strongly supports the proposed exclusion of county matter waste development from the proposed LDO. However it is recommended that the following paragraph should replace the existing text in the second row under the header 'Restrictions' within Table 1 (Paragraph 11.0):</p> <p><i>The District Council can only consider allowing development through the LDO in an area where it has responsibility. This would exclude development relating to waste management such as all planning applications relating to the use of land (and buildings) or the erection of buildings, plant or machinery for the purposes of waste management, which are to be determined by the County Council, as prescribed in The Town and Country Planning (Prescription of County Matters) (England) Regulations 2003 and outlined in Planning Policy Statement (PPS) 10 Planning for Sustainable Waste Management, Annex A Waste Planning Authority Responsibilities, which prescribe the following classes of operations and uses of land as 'county matters':</i></p> <p><i>i. The use of land, the carrying out of building, engineering or other operations, or the erection of plant or machinery used or proposed to be used, wholly or mainly for the purposes of recovering, treating, storing, processing, sorting, transferring or depositing of waste;</i></p> <p><i>ii. Operations and uses ancillary to the purposes in (i) above, including development relating to access to highways.</i></p> <p>Furthermore the District Council may wish to monitor the success in economic development terms of the LDO, and may wish to consider how to do this in their Draft Monitoring Framework – such as whether the LDO</p>	<p>Order.</p> <p>Comments are noted. Amend the Order to include further reference to restrictions on waste development matters, as indicated. However, the reference to PPS10 is considered to be no longer valid.</p> <p>Comments are noted – monitoring will form an important part of the LDO. Unfortunately, the District Council (through its involvement in the Worcestershire LEP) were unsuccessful in</p>

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	<p>generates genuinely new economic development in the district, or whether businesses simply relocate within it from outside the LDO without significant net economic gain.</p> <p><u>Waste Core Strategy</u></p> <p>The "former British Sugar Site" is listed in Annex A of the submitted Waste Core Strategy for Worcestershire as an "Area of Search" identified as being potentially suitable for most waste management facilities subject to consideration of site details and specific proposals". The proposed LDO would not conflict with this – but equally would not assist it. It should be noted by officers that in due course the Waste Core Strategy will become part of the development plan.</p> <p>Policy WCS 13 (New development proposed on or near to existing waste management facilities) of the submitted Waste Core Strategy considers the impact of new development on existing waste infrastructure and states that:</p> <p>Existing waste management facilities will be safeguarded from non-waste related uses.</p> <p>a) Development on or adjacent to a site with planning permission or existing use rights for waste management development will be permitted:</p> <p>i. where the proposed development does not prevent, hinder or unreasonably restrict the operation of the waste development; or</p> <p>ii. in cases where the proposed development could prevent, hinder or unreasonably restrict the operation of the waste development, where:</p> <ul style="list-style-type: none"> ● It can be satisfactorily demonstrated that there is no longer a need for the permitted waste management operation; or ● Suitable alternative provision is made for the waste operation at the same or higher level of the geographic hierarchy ● The impacts can be satisfactorily mitigated. 	<p>gaining Enterprise Zone status for the South Kidderminster area. Therefore, some of the benefits associated with this (i.e. tax relief) will not be accorded to the South Kidderminster Area. It is therefore considered that the potential for displacement or boundary hopping is significantly reduced.</p> <p>Comments are noted. The ability for planning applications to come forward for these types of uses within the area is still available for developers. Earlier comments from the County Council supported the approach taken by the District to explicitly exclude waste operations from being permitted development within the Order.</p> <p>Comments are noted. The Waste Core Strategy has not yet been adopted but the emerging policy position is understood.</p> <p>However, the LDO seeks to provide a more flexible policy framework for certain types of development to come forward without the need for planning permission. In some cases this may mean allowing development that normally would have been judged against Development Plan policies that do not feature within the Order.</p> <p>It is also considered that to restrict development in a sustainable location due to the presence of a waste facility would seem to run counter to the approach identified in the NPPF. The South Kidderminster Area is heavily industrial in nature and therefore it is not considered that any B use classes would be inappropriate development, regardless of proximity to waste facilities that exist within the Area.</p>

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	<p>b)Development within 250 metres of a site with planning permission or existing use rights for waste management that would introduce a new sensitive receptor to the area will be permitted where it is demonstrated that the proposed development would not be unacceptably adversely affected by bio-aerosols or other emissions from the waste management operation.</p> <p>Where this is not the case the County Council will oppose proposals and will expect District Councils to refuse permission on the grounds that it would compromise the achievement of the Waste Core Strategy.</p> <p>Any mitigation required will be the responsibility of the developer of the new proposal.</p> <p>As it currently stands the LDO would be in conflict with this policy. A map of the existing waste sites with the 250m buffer applied is included in appendix 1.</p> <p><u>The Environment</u></p> <ul style="list-style-type: none"> •We welcome the recognition afforded to the Staffordshire and Worcestershire Canal Conservation Area, however we feel that greater consideration should be given to the potential impact on the natural assets within and immediately adjacent to the proposed LDO area (including Sites of Special Scientific Interest). This could include working with the Worcestershire Green Infrastructure Partnership to develop a vision for the proposed LDO area, which protects, enhances and capitalises on the significant economic, social and environmental opportunities presented by these assets. •We also welcome the protection afforded to the character of the Canal Conservation Area as is the consideration of the Green Street Conservation Area. This is however, a large area which contains known archaeological sites and has a high potential for the identification of previously unknown 	<p>It is considered that the LDO needs to provide a balanced view on competing priorities and in this instance it is not considered that the presence of waste facilities is a concern for development of an industrial nature.</p> <p>Conditions are included in terms of noise and this could help to alleviate issues.</p> <p>Comments are noted and support for the recognition of the Staffordshire and Worcestershire Canal Conservation Area is welcomed.</p> <p>Some further conditions have been included within the amended Order.</p> <p>The Order is proposed to be amended to remove the area of land around Green Street. With regard to archaeological sites, a condition is proposed for the Order, as identified further below.</p>

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	<p>remains. It is therefore considered that the local planning authority should commission a detailed desk based assessment of the area, with the aim of clearly defining areas of greatest risk and potential, as well as establishing areas of minimal risk.</p> <p>As a plan/programme that will be subject to preparation and/or adoption by a local planning authority, this LDO appears to satisfy the criteria of being a plan or programme PP according to the Strategic Environmental Assessment (SEA) Directive (2001/42/EC) / SEA Regulations 2004. As such the LDO will require an assessment to determine whether an SEA is required.</p> <p>Several of the development sites either share a common boundary or have the potential to influence statutory sites of nature conservation importance and Sites of Special Scientific Interest (SSSI).</p> <p>The LDO boundary overlaps or is adjacent to:</p> <ul style="list-style-type: none"> •River Stour Flood Plain SSSI <p>Within 600 metres of:</p> <ul style="list-style-type: none"> •Devil's Spittleful SSSI <p>Overlaps or is adjacent to the following non-statutory designated sites:</p> <ul style="list-style-type: none"> •Burlish Top LNR and SWS •River Stour SWS •Spennels Valley LNR •Staffordshire to Worcester Canal SWS •Vicarage Farm Heath LNR and SWS •Wilden Meadows SWS <p>Where development sites have the potential to impact a SSSI, the planning authority has a duty to consult Natural England, who will require provision of evidence that all potential impacts have been considered and addressed.</p>	<p>Comments are noted – an Environmental Statement has been produced to accompany the LDO, which provides further information on the Sustainability Appraisal process undertaken by the Council to accompany the Site Allocations and Policies DPD.</p> <p>Comments are noted. Further reference to these areas has been provided within the amended LDO.</p> <p>Comments are noted – Natural England have responded to this consultation and the Council have taken on board their comments</p>

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	<p><u>Flood risk</u></p> <ul style="list-style-type: none"> •The planning authority should take account of the emerging SUDS regulations, guidance, national standards and approval process and potential implications for the LDO. <p><u>Historic Environment</u></p> <p>This is a large area which contains known archaeological sites and has a high potential for the identification of previously unknown remains. The county Historic Environment Record lists a range of heritage assets with the LDO area, ranging from medieval settlements to sites of WW2 anti aircraft batteries.</p> <p>In order to clearly identify which areas have the greatest potential for impacting on the historic environment the local planning authority should commission a detailed desk based assessment of the area, with the aim of clearly defining areas of greatest risk and potential, as well as establishing areas of minimal risk.</p> <p>Based upon this information, certain areas covered by the LDO, (as defined by a formal desk based assessment), permitted development should be made conditional on the implementation of a programme of archaeological work. Any archaeological works should be undertaken in line with an agreed written scheme of investigation.</p> <p><u>Countryside Services</u></p> <p>The Enterprise Park Area appears to affect and/or be adjacent to two public rights of way as recorded on the Definitive Map and Statement for Worcestershire [Footpath KD-536 Running from the A449 Kidderminster Road and generally south and west to the U.12804 Arthur Drive and KD-541 running from the southern end of the U.12804 Arthur Drive and generally south west to exit the Enterprise Park Area] which can be viewed on the County Council website</p> <p>If it is necessary to divert/extinguish/create public rights of way in order for</p>	<p>A policy relating to SUDS is included in the Order, and referenced in the design guide</p> <p>Comments are noted. Include a condition within the Order along the following lines:</p> <p><i>“Where archaeological remains are discovered as a result of development commencing, the developer should notify the County Council’s Historic Environment Team before proceeding with development”</i></p> <p>Comments are noted. The LDO will not permit development affecting a Public Right of Way.</p>

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	<p>the permitted development to take place, this should be completed to confirmation stage before any development affecting the public rights of way is started. Application should be made to the Planning Authority.</p> <p><u>Built Design</u> The planning authority may therefore wish to give greater consideration to the impact of deregulation of development within the LDO on the quality of the built environment. This may be in the form of a high level approach similar to that produced by Hertsmere Borough Council to accompany their LDO.</p>	<p>Comments noted. A design guide has been produced to accompany the Order.</p>
St Francis Group Ltd	<p>The proposed LDO boundary includes land at the former British Sugar Factory, Kidderminster, where an outline planning application for a mixed use development has been submitted.</p> <p>The introduction of an LDO to allow development to be undertaken without the need for planning permission to be obtained is welcomed. There is concern in respect of one aspect of the proposed LDO, which seeks to remove the potential for Permitted Development rights, which could be proposed to allow the change of employment to residential uses without planning permission.</p> <p>The Government published a consultation document in April 2011, which sought to review the scope for extending freedoms available through the use class route, whilst ensuring that the planning land use impacts are taken into account. To this end the Government proposed actions on three points, one of which relates to provide for the change from commercial (B use classes) to residential (C3 use class) without the need to apply for planning permission. It is acknowledged that the Government has not yet concluded in respect of whether these proposals should be taken forward, however, should this provision to allow the change of commercial land to residential without the need for planning permission to be granted be introduced, it should apply to land within the LDO boundary. It is considered that there are no special circumstances within the LDO</p>	<p>Comments are noted and support is welcomed.</p> <p>The focus for the LDO is on employment and economic development, therefore it is considered appropriate to retain this approach within the final Order.</p> <p>The NPPF appears to clarify the position that the Government are likely to take on this issue through Paragraph 51 :</p> <p><i>“They (LPA’s) should normally approve planning applications for change to residential use and any associated development from commercial buildings (currently in the B use classes) where there is an identified need for additional housing in that area, provided that there are not strong economic reasons why such development would be inappropriate.”</i></p> <p>Given that the Council has a plentiful land supply for residential development and that the South Kidderminster area is specifically identified as being the key economic development focus of the District it is considered appropriate to retain this approach in the final LDO. The LDO has a 3 year life-span and</p>

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	<p>boundary that warrant a different change of use procedures. Indeed, as set out within the consultation document, the Government considers there is a strong case for this broad change to be made throughout England at the national level. It is therefore suggested that paragraph 10.2 of the LDO be deleted.</p>	<p>at the end of the 3 years the position in relation to this particular element may warrant a re-examination of this approach.</p>
<p>Department for Communities and Local Government</p>	<p>CLG has made the following informal comments with regard to the Draft LDO:</p> <ol style="list-style-type: none"> 1) Consider putting the background in an annex and start instead with the rationale for the LDO specific to SKEP 2) Consider displacement in terms of how the LDO is seeking to minimise boundary hopping 3) Have you considered setting maximum (cumulative) floorspace thresholds for the total amount of development per use class? Could be expressed as a proportion of the EP- we are aware that some areas are considering this in respect to B8 to avoid low-value distribution parks and addressing DfT/ HA concerns over trip generation, site access. 	<p>Comments are noted.</p> <p>Amend Order to incorporate suggested changes.</p> <p>Comments are noted. Unfortunately, the District Council (through its involvement in the Worcestershire LEP) were unsuccessful in gaining Enterprise Zone status for the South Kidderminster area. Therefore, some of the benefits associated with this (i.e. tax relief) will not be accorded to the South Kidderminster Area. It is therefore considered that the potential for displacement or ‘boundary hopping’ is significantly reduced. The Council will continue to monitor this though and could consider opportunities to expand the LDO to other areas should the need arise.</p> <p>This is something that has not been considered in detail. The view is that there is unlikely to be an over-concentration of B8 distribution parks being developed due to concerns over the road infrastructure and relative distance from the motorway network. Overall, Officers feel that the Order should remain as flexible as possible so as to not rule out any development. The Order is conditioned to ensure that development over a certain size requires a Traffic Assessment, which should therefore deal with any specific highways concerns related to large development.</p>

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Reporting Name	Summary	Officer Comments
	4) Move reference to proposal to grant permitted development rights (to change between commercial and residential uses) to the annex.	Amend Order to incorporate suggested changes.
	5) Not clear what the purpose is of including Green Belt land within the LDO boundary,	The boundary includes other areas of land so that it is consistent with other initiatives and policy documents that refer to the South Kidderminster area. Development on Green Belt land is specifically restricted in the Order.
	6) In terms of the Hoo Brook Link Road, it would be helpful to unpack further in terms of what the priority is (and why its imp) and what kinds of development would potentially prejudice delivery. Alternatively, you could set out criteria in terms of factors that are likely to prejudice delivery, or set a buffer zone instead	An indicative line of the road is included on the plans and therefore no development within the line of the road would be permitted through the Order.
	7) Is it worth adding a condition to the effect that no development can reduce the amount of space available for vehicle turning and manoeuvring?	Amend Order to incorporate suggested changes.
	8) Definitely worth proposing a lifetime for the LDO rather than revise/ revoke later down the line in order to avoid claims compensation under Sections 107 & 108 of the TCPA 1990 (as revising/ withdrawing an LDO is analogous with withdrawing planning permission).	Amend Order to incorporate suggested changes.
	9) In Appendix 1, could be worthwhile adding in 'cumulatively greater than the following thresholds' to prevent development(s) just below the threshold but which cumulatively will a significant impact.	Amend Order to incorporate suggested changes.
	10) What about design considerations, especially in respect to development abutting the S+W canal ?	A design guide has been produced to accompany the Order
	11) Need to unpack further that the impacts of this LDO have been fully considered through the screening report supporting the site	An Environmental Position Statement has been produced to

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Reporting Name	Summary	Officer Comments
	allocations DPD. In particular, helpful to show that the physical, social and economic consequences of the proposed permitted development have been fully considered, and where necessary, mitigated through the conditions proposed. In fact, why not attach the report (or exec summary) as an annex?	accompany the Order – highlighting the work undertaken to date on the Sustainability Appraisal and Habitats Regulation Screening.
Environment Agency Further Comments	<p><u>Flood Risk</u></p> <p>The River Stour and the Hoo Brook run through the South Kidderminster Enterprise Park area. We would recommend that flood risk is included in the identified constraints (section 8.0) and the Flood Zones are included on 'Appendix 4 – Constraints Mapping'. I have enclosed a copy of our Flood Zone Map for your information. The River Stour and Hoo Brook are both designated 'Main River' in this location.</p> <p>All of the cleared brownfield sites identified in Appendix 3 appear to be located within Flood Zone 1. Therefore, the main flood risk issue regarding development in these areas would be the surface water run-off from any new development.</p> <p>With regards to surface water drainage, we welcome the recommended condition provided in Appendix 1, which requires new developments to incorporate sustainable urban drainage methods (SuDS). There should be no increase in surface water run-off rates as a result of the proposed development. For brownfield sites, we would normally seek betterment in run-off rates post-development and would encourage this approach in this instance. We would advocate an integrated drainage approach, especially on the larger sites such as the former British sugar site.</p> <p>Notwithstanding the above, parts of the South Kidderminster Enterprise Park, to the north and the east, are located within Flood Zone 3 and 2 based on our Flood Zone Map. Any development within these zones should be accompanied by a Flood Risk Assessment (FRA), in line with the technical guidance to the National Planning Policy Framework (NPPF) (Table 1). This would include any development that involves an extension, new build or car</p>	<p>Comments are noted – flood zones to be added to the Constraints Map</p> <p>Comments are noted. The requirement for SUDS is included as a condition in the Order.</p> <p>Comments are noted and support is welcomed.</p> <p>Comments are noted. Order to be revised to recognise flood risk issues.</p>

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Reporting Name	Summary	Officer Comments
	<p>parking/ storage within Flood Zone 3/2.</p> <p>Given the nature of the LDO we would recommend that a strategic FRA (Drainage and Flood Management Strategy) is undertaken for the LDO area at this stage to inform the LDO and assist developers in meeting flood risk requirements. The FRA could build upon the information within your level 2 Strategic Flood Risk Assessment (SFRA), which includes a model of the Hoo Brook. In addition, more recent modelling has been undertaken for the River Stour. The Flood Zone 3 extents may be quite similar, but the model also now represents the 100 year plus climate change flood extent for the defended scenario. Information from the River Stour model can be requested from us.</p> <p>The FRA should inform development layout and/or any strategic flood mitigation required to enable development. This may be a particular issue on the Hoo Brook if there is a proposal to replace/alter the factory on the downstream side of the rail viaduct /embankment. The level 2 SFRA shows this site as being vulnerable to flooding. Any redevelopment at this location should particularly look to improve flood risk. You may wish to consider the LDO area in phases.</p> <p>A FRA would further inform measures to protect any new development from flooding i.e. finished flood levels and/or flood proofing and evacuation plan requirements. A template Flood Evacuation Management Plan could be produced as part of the strategic FRA. These requirements could then be secured by conditions attached to the LDO. We would be happy to discuss the FRA requirements and wording of conditions further with you.</p> <p>Overall (in addition) we would not wish to see:</p> <ul style="list-style-type: none"> any development encroaching closer (within 8m) to the River Stour and Hoo Brook, in protecting the watercourses and their associated floodplain (see also river corridor comments below). any development within Flood Zone 3b undeveloped areas (functional floodplain). These areas on the River Stour can be 	<p>Comments are noted. However, it is not considered practical to undertake a Strategic FRA for the LDO area. It is considered that the approach should be in line with existing guidelines currently used to help determine planning applications – which don't refer to any strategic FRA's, such as the one outlined here.</p> <p>Please see above response.</p> <p>Please see above response.</p> <p>Comments are noted. It is proposed that further liaison will be required with the Environment Agency to determine the final wording of the conditions.</p>

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Reporting Name	Summary	Officer Comments
	<p>informed by our model.</p> <p><u>River Corridor</u></p> <p>Under the Water Framework Directive (WFD) the River Stour is currently classified as poor ecological status. The ecological status includes chemical and biological data to give this overall classification. The Stour is currently failing on a number of parameters, including phosphates and invertebrates which has lead to the overall poor classification. The WFD objective is to improve the status of the water body to achieve overall good status by 2027. It should be noted that failure to comply with WFD requirements may lead to the European Commission bringing legal proceedings against the UK. Local Authorities have a general responsibility not to compromise the achievement of UK compliance with EU Directives.</p> <p>Re-development within the south Kidderminster area has the potential to impact on the River Stour and its tributaries. Measures should be incorporated to protect the water environment. In addition, developers should be encouraged to contribute to the WFD objectives by improving overall water quality and reducing the impacts of any surface water. The adoption of SuDS as a condition of the LDO would assist with this. We would recommend that the following pollution prevention condition is also attached to the LDO in protecting the water environment:</p> <p>CONDITION:</p> <p>Any facilities for the storage of oils, fuels or chemicals shall be sited on impervious bases and surrounded by impervious bund walls. The volume of the bunded compound shall be at least equivalent to the capacity of the tank plus 10%. If there is multiple tankage, the compound shall be at least equivalent to the capacity of the largest tank, vessel or the combined capacity of interconnected tanks or vessels plus 10%. All filling points, associated pipework, vents, gauges and sight glasses must be located within</p>	<p>Comments are noted. The suggested pollution prevention condition to be included in the revised Order.</p>

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Reporting Name	Summary	Officer Comments
	<p>the bund or have separate secondary containment. The drainage system of the bund shall be sealed with no discharge to any watercourse, land or underground strata. Associated pipework shall be located above ground and protected from accidental damage. All filling points and tank/vessels overflow pipe outlets shall be detailed to discharge downwards into the bund.</p> <p>REASON:</p> <p>To prevent pollution of the water environment.</p> <p>Watercourse buffer / easement: As noted above, we would not wish to see any built development adjacent to the River Stour and Hoo Brook encroaching closer to the watercourse. We would normally recommend at least an 8m easement is maintained from top of bank of watercourses designated 'Main River'. Where there are existing buildings within 8m of the top of bank of the watercourses we would look for betterment over the existing situation to improve flood risk in addition to opportunities for biodiversity enhancements and in meeting the objectives of the WFD. In particular, significant work has been undertaken to open up and improve the River Stour corridor through Kidderminster. We would support proposals to continue this; in line with Policy CP02 'Water Management' and CP13 'Providing a Green Infrastructure Network' of your Core Strategy (adopted December 2010).</p> <p><u>Biodiversity</u></p> <p>The proposed enterprise area is adjacent to Wilden Marsh & Meadows Site of Special Scientific Interest (SSSI) and River Stour Floodplain SSSI, which form part of the Stourvale SSSIs along with Puxton & Stourvale and Hurcott & Podmore. These sites are also local wildlife sites. We have worked closely with Natural England, Worcestershire Wildlife Trust and your Council over a number of years to improve these sites via Water Level Management Plans.</p>	<p>Comments are noted. Conditions to be included as identified previously.</p> <p>Comments are noted. Suggested conditions relating to protection of the environment to be included in the revised Order.</p>

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Reporting Name	Summary	Officer Comments
	<p>As part of this work ecological surveys have been undertaken and may be available in considering protected species and habitats. Natural England and/or the Wildlife Trust may provide further information. During the past 20 years there has been a return of salmon and otter along this stretch of the Stour.</p> <p>From a biodiversity perspective there is currently limited reference to the adjoining statutory and non-statutory nature conservation sites, protected species and habitats. We would advise that this is included as an identified constraint within section 8.0 of the LDO and on Appendix 4 – Constraints Mapping.</p> <p>We would advise that conditions may need to be added to Appendix 1 to accommodate the above interests/legal requirements. In protecting the environment:</p> <ul style="list-style-type: none"> • all development should have regard to statutory conservation sites (principally Wilden Marsh & Meadows SSSI and River Stour Floodplain SSSI) in mitigating any impacts development adjacent to these sites may have to their ecological function/integrity. • development should have regard to non-statutory nature conservation sites (principally Vicarage Farm Heath Wildlife Site and Spennells Valley Local Nature Reserve) in mitigating any impacts development adjacent to these sites may have to their ecological function/integrity. • development should have regard to all protected species and habitats and BAP species and habitats where identified. <p>In addition, we would encourage opportunities to enhance biodiversity along the Stour corridor, linked to the WFD objectives and flood risk improvements. This would be in line with Policy CP02 and CP13 of you Core Strategy and the NPPF. We note that you have also consulted with Natural England, who will comment further on the statutory conservation sites and green infrastructure (GI) requirements.</p>	<p>Comments are noted – include a map identifying these areas within the revised LDO.</p> <p>Comments are noted. Amend Order to include conditions as identified.</p> <p>Comments are noted – the Council has received comments from Natural England and has responded accordingly.</p>

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Reporting Name	Summary	Officer Comments
	<p>We note that a GI Concept Plan is currently being discussed for the South Kidderminster area, which could further inform the LDO.</p> <p><u>Contaminated Land / Groundwater Vulnerability</u></p> <p>Contaminated Land: Given the industrial history of this area, we welcome the inclusion of contamination in the identified constraints (section 8.0). We note that a condition is attached to the draft order to ensure that contamination is investigated prior to any development starting. We would recommend that some desk study report/preliminary risk assessment work is undertaken at this stage for targeted areas (informed by current known previous site uses) to establish the scale and nature of any contamination (i.e. known, potential and/or previous contaminative uses), to inform the LDO and site investigation required by the condition. We have recently commented on the draft LDO for the Hereford Enterprise Zone and have advised a similar approach. We understand that Herefordshire Council is looking to undertake a 'strategic area wide contaminated land investigation' to inform their LDO, building on some existing strategic site investigation work.</p> <p>Once a desk top study/preliminary risk assessment has been produced, site investigation and remediation works may need to be undertaken. This requirement could form part of the planning conditions as currently proposed. However, it should be noted that there could be complications if the site investigation and any remediation needs to be implemented strategically i.e. across large sites for previous contaminative uses. We recognise the purpose of the LDO in bringing forward new development and employment. However, contaminated land issues can be costly and time consuming matters. On this basis it would also be advantageous to address these issues upfront and in a strategic/holistic way rather than a piecemeal manner. Piecemeal investigation/remediation may prove to be ineffective if</p>	<p>Comments are noted. It is not considered that the timeframe of the Concept Plan would fit with the timeframe for implementing the LDO</p> <p>Comments are noted. Although there is some agreement with the concept highlighted it is not considered that this is suitable to be progressed as part of the LDO. The approach outlined in the LDO is considered to be rigorous enough to deal with contaminated land issues, and is akin to the approach taken when considering planning applications. Therefore, it is considered that that this condition should remain as currently identified.</p>

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Reporting Name	Summary	Officer Comments
	<p>significant or larger scale contamination issues are identified, particularly if the development is phased through time.</p> <p>To assist with the above, we have provided some background information on cleared brownfield sites, taken from our involvement with sites to date. This is provided within Appendix A attached to this letter.</p> <p>We would recommend that you also consult with your Environmental Health/Public Protection Team on this aspect of the draft LDO.</p> <p>Notwithstanding the above, we would recommend the following conditions are attached to the order to avoid mobilisation of any contamination:</p> <p>Use of SuDS infiltration methods including soakaways</p> <p>CONDITION: No infiltration of surface water drainage into the ground is permitted other than with the express written consent of the Local Planning Authority, which may be given for those parts of the site where it has been demonstrated that there is no resultant unacceptable risk to controlled waters. The development shall be carried out in accordance with the approval details.</p> <p>REASON: In order to protect ground and surface waters (controlled waters).</p> <p>Piling or Foundation Design (penetrative methods)</p> <p>CONDITION: Piling or any other foundation designs using penetrative methods shall not be permitted other than with the express written consent of the Local Planning Authority, which may be given for those parts of the site where it has been demonstrated that there is no resultant unacceptable risk to</p>	<p>Worcestershire Regulatory Services colleagues have responded to the draft Order and their comments will be taken on board in re-drafting of the Order. Therefore, although the wording of the condition may alter slightly the approach will remain the same.</p> <p>Proposed condition to be included in amended Order</p> <p>Proposed condition to be included in amended Order</p>

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Reporting Name	Summary	Officer Comments
	<p>groundwater. The development shall be carried out in accordance with the approved details.</p> <p>REASON: In order to protect ground and surface waters (controlled waters).</p> <p>Groundwater Vulnerability: The plan area overlies a principal (formally major) aquifer of regional strategic importance. The entire area falls within the combined total source protection zone (SPZ) of a number of public water supply boreholes. In addition, the northern extent of the South Kidderminster Enterprise Park area lies within the inner and outer protection zone of a public water supply borehole. The depth to water table across the area is variable; however within the valley of the Stour the water table is shallow. The area is therefore located in a sensitive hydrogeological setting and this should be acknowledged within the identified constraints section of the LDO. In addition, we would recommend that the SPZs are added to Appendix 4 – Constraints Mapping. I have enclosed a plan showing the SPZs for your information.</p> <p>Particular (careful) consideration needs to be given to any re-development within SPZ1. SPZ1 is the inner zone and is <u>highly sensitive</u> to land use / contamination. Therefore the type of development and activities that can take place within this zone are restricted, in accordance with our Groundwater Protection: Policy and Practice (GP3) document. In addition to control of land use, tight control of the investigation and remediation of any land contamination issues would also be required. Our GP3 (part 4) is available via the following link: http://www.environment-agency.gov.uk/research/library/publications/40741.aspx</p> <p>Should you decide to include the area located within SPZ1 within the LDO boundary, then further work will need to be undertaken at this stage. We would advise that a GP3 assessment is undertaken to inform the LDO. This could be presented in a similar format to the Health and Safety Executive</p>	<p>Comments are noted. Given the location of the Source Protection Zone (around the Green Street Area) it is considered that the best way to ensure that development does not have an adverse effect is to realign the boundary to remove this particular area of land. This would not have a large effect on the land included within the LDO and would help to ensure this particular environmental constraint was left undisturbed.</p> <p>As identified above, it is proposed to remove the area of land identified as SPZ1, so that the highly sensitive area remains unaffected.</p>

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Reporting Name	Summary	Officer Comments
	<p>(HSE) advice provided in Appendix 2. We would be happy to assist with this assessment.</p> <p><u>Foul Drainage</u></p> <p>All new development should be connected to the mains foul sewer, as the preferred most sustainable option for the disposal of foul water, in line with Circular 3/99 'Planning Requirement in respect of the Use of Non-Mains Sewerage incorporating Septic Tanks in New Development'. The developer should contact Severn Trent Water Ltd early on in the process regarding a possible connection to the Wastewater Treatment Works (Oldington, Kidderminster) and any infrastructure requirements, linked to the information within your Council's Water Cycle Strategy by Royal Haskoning.</p> <p><u>COMAH/ Permitted Sites</u></p> <p>The LDO area covers a site (Ashland's Ltd) that operates two processes permitted by us under the Environmental Permitting Regulations (2010). The site is also regulated jointly by ourselves and the HSE under the Control of Major-Accident Hazard Regulations (COMAH) 1999, as a lower tier site due to the nature and quantities of the chemical substances stored and used on site. We note that you have picked up the HSE Zones and advice within the constraints and conditions of the LDO.</p>	<p>Comments are noted. Reference to this to be included in the revised Order.</p> <p>Support for the approach is welcomed.</p>

South Kidderminster Enterprise Park



Local Development Order

June 2012

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Appendices

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Appendix 4 – Background to implementing the LDO

Statement of Reasons

1.1 Introduction to the South Kidderminster Enterprise Park

- 1.2 The South Kidderminster Enterprise Park area is a key employment and regeneration focus for Wyre Forest District. The area, which is formed of two key corridors of primarily business premises is identified, in part, within the Council's Adopted Core Strategy as being a key business and regeneration area. This is further supported by the work on the Council's Site Allocations and Policies Development Plan Document as well as forming a key part of the Council's regeneration work in terms of the ReWyre initiative. The Local Development Order (LDO) for this area will provide a further incentive that will enable the ambitions for economic growth to be realised. A map of the LDO area is attached at Appendix 1.

2.0 Potential Benefits from the Implementation of a Local Development Order (LDO)

- 2.1 A LDO would enable a simplified planning regime to be introduced, allowing the implementation of new development to come forward quicker, whilst providing added benefits to existing businesses through providing greater flexibility for the development of their existing assets.
- 2.2 The provision of a LDO within this location could provide an important stimulus for economic development in an area that has seen rapid decline and restructuring over the past 30 years. It is envisaged that the LDO will assist in helping to achieve the following positive outcomes for the area:
- Tackle unemployment in the second most deprived ward in Worcestershire and in the top 10% of the most deprived wards nationally. The Oldington & Foley Park ward has high levels of worklessness with 12% of the population seeking work (December 2011);
 - Bring cleared/redundant employment sites back in to economic use; and
 - Enable greater flexibility for existing businesses to expand and alter their premises to meet changing market requirements.

3.0 Existing Planning Provisions

- 3.1 Support for the retention and enhancement of existing businesses as well as the development of new businesses within the Enterprise Park area is already provided for within the Adopted Core Strategy (December 2010). Although the LDO does not have to implement local planning policies, in this instance there is a clear synergy between the aims, ambitions and policies of the adopted statutory development plan and the proposals that are included within the draft LDO.
- 3.2 It should be noted that the LDO would not prevent development taking place that is not specifically covered by the Order. A planning application for such development would need to be made in the normal way and nationally existing permitted development rights within the area would remain unchanged.

4.0 Identified Constraints

- **HSE Zones** – There are a number of zones that surround potentially hazardous installations located within the LDO area. These include land surrounding Ashland Chemicals on the Stourport Road and land surrounding Flogas on the Hoo Brook Industrial estates. These zones have been identified by the Health and Safety Executive as areas where new

development would need to be closely managed. Given the potential restrictions placed on development within these areas, developers and landowners must satisfy themselves that any potential development falls within the LDO restrictions. A guide to the limitations is included within the LDO at Annex C and the boundaries of the zones are also included in Appendix 2. Notably, there is also a HSE zone located around the existing Roxel factory and a condition has been attached to the LDO to ensure that development in close proximity to this area (at either Hoo Farm or Easter Park) requires consent from the HSE before development commences.

- **Contamination** – Given the ex-industrial nature of most of the area contamination issues could arise. Conditions are attached to the LDO to ensure that contamination is investigated prior to the commencement of any development.
- **Pollution Prevention** - The plan area overlies a principal (formally major) aquifer of regional strategic importance. The entire area falls within the combined total source protection zone (SPZ) of a number of public water supply boreholes. In addition, the northern extent of the area lies within the outer protection zone of a public water supply borehole. The depth to water table across the area is variable; however within the valley of the Stour the water table is shallow. The area is therefore located in a sensitive hydrogeological setting. The River Stour runs through the area. Under the Water Framework Directive (WFD) the River Stour is currently classified as poor ecological status. The ecological status includes chemical and biological data to give this overall classification. The Stour is currently failing on a number of parameters, including phosphates and invertebrates which has lead to the overall poor classification. The WFD objective is to improve the status of the water body to achieve overall good status by 2027. It is therefore particularly important that any contamination is appropriately addressed and that measures are undertaken to protect the water environment. Conditions are attached to this order to protect the water environment.
- **Conservation Areas** – Part of the Staffordshire and Worcestershire Canal Conservation Area is located within the proposed LDO boundary. Therefore, safeguards have been put in place to ensure that development does not have a detrimental impact on the character of the conservation area, or the structural integrity of the Canal. There are currently no listed buildings or structures within the area. However, should any be identified and listed through the lifetime of the Order then the relevant permissions for any proposed changes would be required before any development occurred.
- **Flood Risk** – The area includes both the River Stour and the Hoo Brook and as such parts of the land within the LDO boundary are affected by Flood Risk (as identified at Appendix 2). These areas have been conditioned in accordance with the *‘Technical Guidance to the National Planning Policy Framework*, which accompanies the NPPF. The conditions have been included and amended in conjunction with the Environment Agency.
- **Environmental Conservation**– The District Council have already undertaken a Habitats Regulations Assessment Screening Report for the Site Allocations and Policies Preferred Options Development Plan Document (DPD). The results of this Screening Report, which were agreed by Natural England, were that the DPD would not result in likely significant effects upon a Natura 2000 site (this is a site of European significance). Given that the LDO follows the aims of the Site Allocations and Policies DPD for this area of the District it is considered that the same conclusions could be drawn from the implementation of the LDO, and this approach has also been supported by Natural England.

- **Sustainability Appraisal** - The Council have produced an Environmental Statement to accompany the LDO, which sets out further detail on the Sustainability Appraisal process. This includes an extract of the relevant Sustainability Appraisal for land within the LDO boundary, which has been undertaken to inform the Site Allocations and Policies DPD. Also included within the Statement is a copy of the Appropriate Assessment Screening report and conformation of its suitability from Natural England.

More information on the Sustainability Appraisal and the Appropriate Assessment can be viewed by looking at the accompanying Environmental Statement. Alternatively, the full Sustainability Appraisal reports can be viewed by visiting the Council's website (www.wyreforestdc.gov.uk)

5.0 Pre-Development Requirements

- 5.1 The LDO would not remove the need to comply with other legislative controls such as building regulations approval or environmental protection legislation. Appropriate safeguards are also provided to protect the character and structural integrity of the adjacent Canal together with the amenity enjoyed by the occupiers of those residential properties immediately adjacent to, or proposed to be built within, the South Kidderminster Enterprise Park Area. These conditions are provided later on in the Order (Annex 1).
- 5.2 It is the responsibility of landowners and developers to ensure that all other statutory requirements beyond the scope of the planning system are adhered to. Failure to comply with any statutory requirements may result in appropriate enforcement action being taken by the Council and/or other agencies.

6.0 The Order

Local Development Order for South Kidderminster Enterprise Park

Within the South Kidderminster Enterprise Park area planning permission is granted for new buildings on **cleared sites**, as identified in Appendix 1, for the following uses:

- B1a (offices);
- B1b (Research and Development);
- B1c (Light Industry);
- B2 (General Industrial);
- B8 (Storage and Distribution);
- Car/Vehicle Hire Business and the selling and displaying of motor vehicles; and
- Vehicular access to development

Furthermore, **for existing premises** that fall under use classes B1, B2, B8 and car vehicle hire businesses/displaying and selling of motor vehicles, within the area (as identified in Appendix 1) planning permission for the following development is granted:

- recladding of building exteriors;
- installation of solar panels and other renewable energy systems such as biomass and combined heat and power boilers;
- sub-division of existing units (for B1a, b and c, B2 and B8 use);
- Extensions no more than 10 linear metres from the existing building, subject to extensions not being closer to any highway than the existing building;
- The construction of ancillary buildings within the existing curtilage, not exceeding 100sqm Gross Floor Space; and
- Car parking - subject to adherence to the thresholds identified in the Worcestershire County Council Highways Design Guide.

Change of use is also permitted as follows:

- B1 – to B2 or B8, where no more than 1,000sqm;
- B2 – to B1 or B8 where no more than 1,000sqm; and
- B8 – to B1 or B2 where no more than 1,000sqm.

Demolition, in conjunction with any redevelopment of existing premises within the identified use classes, is also permitted.

All proposed development shall be in line with the restrictions and conditions identified within this Order.

6.1 The Local Development Order is therefore split into two main component parts:

- Provisions relating to cleared sites within the boundary (as identified at Appendix 1)
- Provisions for existing business premises within the boundary (including change of use)

6.2 All development proposed through the Order must be in conformity with the uses identified as well as being in conformity with the conditions attached at Annex 1.

6.3 In addition, changes to permitted development rights currently being proposed by Government, to allow the change of employment to residential uses without planning permission, will be removed within the boundary of the LDO - if these changes are made statute. This is to ensure that the business and employment focus for development within this area is retained.

7.0 Restrictions

7.1 A number of restrictions to development are identified in the following table. No development is permitted if it falls under the following categories.

Restriction	Reason
Any development that is considered to require an Environmental Impact Assessment as set out by the Regulations (or any subsequent Regulations which replace the above with or without modification)	<p>Development that requires an Environmental Impact Assessment (EIA) would need to be assessed through a planning application.</p> <p>The scope of development proposed through the LDO is based on a broad spectrum of speculative industrial development. It is very difficult for the Council to screen and assess the scope/quantum of development coming forward without receiving definite proposals and plans in advance.</p> <p>Therefore if an EIA development is proposed it would not be suitable to be brought through the LDO route. A planning application would need to be submitted. For more information see Condition 1 in Appendix 1</p>
Any development where the planning application would normally be determined by the Secretary of State or a body other than the District Council	<p>The District Council can only consider allowing development through the LDO in an area where it has responsibility. This would exclude development relating to waste management such as all planning applications relating to the use of land (and buildings) or the erection of buildings, plant or machinery for the purposes of waste management, which are determined by the County Council. The following classes of operations and uses of land are considered to be 'county matters':</p> <ol style="list-style-type: none"> i. The use of land, the carrying out of building, engineering or other operations, or the erection of plant or machinery used or proposed to be used, wholly or mainly for the purposes of recovering, treating, storing, processing, sorting, transferring or depositing of waste; ii. Operations and uses ancillary to the purposes in (i) above, including development relating to access to highways.
Proposals for development that fall within other use classes of the 1987 Use Classes Order as amended.	<p>The LDO identifies the use classes that are considered to be appropriate within this area. No other use classes are considered as being suitable without planning permission. Furthermore, development falling into any of the following categories is not permitted through this Order:</p> <ul style="list-style-type: none"> • Storage of hazardous substances; • Retail linked trade operations; and • Rail freight proposals.
No development is permitted within the Green Belt that falls within the LDO Boundary	To ensure that the Order is in line with the national and local policy in relation to development within the Green Belt
Flood Risk	Development is not permitted within 8m of the River Stour and Hoo Brook, in order to protect the watercourses and their associated floodplain.
Development that would prejudice the delivery of the Hoo Brook Link Road	The delivery of the Hoo Brook Link Road is a key strategic transport priority for the District, as identified in the Adopted Core Strategy and therefore development that would affect the delivery of the link road is

Restriction	Reason
	not permitted through this Order. Developers and landowners are advised to contact the District Council to ensure that their development would not prejudice the delivery of the road. (Please see indicative line at Appendix 2)
Development that would effect a Public Right of Way	If it is necessary to divert/extinguish existing public rights of way, in order for development to proceed, then planning permission will be required.
Development that would effect the Staffordshire and Worcestershire Canal	A buffer zone has been included around the Staffordshire and Worcestershire Canal in order to protect the Conservation Area designation and the structural integrity of the Canal. No development is permitted within this zone (as identified in Appendix 2). This exclusion zone has been derived in conjunction with British Waterways, English Heritage and the District Council's Conservation Officer.
Listed Buildings	Should any buildings or structures become listed during the lifetime of the Order then the buildings and associated curtilage would be exempt from the provisions of the Order and would require consent through the existing framework of listed building consent and/or a planning application.

8.0 Conditions

- 8.1 There are also a number of other conditions that are attached as part of the LDO to ensure that development is appropriate, which are included in Annex 1 as well as a constraints map that is attached at Appendix 2.

9.0 Justification for the Order

- 9.1 The Government is committed to boosting local growth and creating jobs to support the economic recovery of the country. It has embarked on a radical reform programme to support this, and has established enterprise zones to support and encourage private sector growth. Although the South Kidderminster Enterprise Park was unsuccessful in its bid for Enterprise Zone status it is considered that the implementation of an LDO could bring about some of the benefits that EZ status would have brought to the District.

10.0 Lifetime of the Order

- 10.1 The LDO will be active for a period of 3 years after the date of its adoption.
- 10.2 Development which has started under the provision of the LDO prior to its expiry will be allowed to complete in the event that the LDO is revoked or revised¹. The Council does have the ability to revoke the LDO at any time, should it lead to undesirable and unforeseen consequences.
- 10.3 Developments that have taken place under the LDO will be allowed to continue to operate in the event that the LDO is revoked or revised. However, no new development will be allowed under the terms of the LDO following its expiry without planning permission.
- 10.4 The conditions attached to this LDO will continue to apply to any development permitted during its lifetime.

¹ Commencement of development is defined as an undertaking of a material operation as defined in Section 56 (4) (a) – (d) of the Town and Country Planning Act 1990. A lawful commencement of development shall only be adjudged to have been carried out if the full notification process as set out in the Order has been completed to the satisfaction of the Local Planning Authority prior to any development commencing.

11.0 Policies that the Order will help to implement

11.1 National

- National Planning Policy Framework

11.2 Local (Adopted Policy)

- Wyre Forest Core Strategy (Adopted December 2010)
- DS01: Development Locations
- DS02: Kidderminster Regeneration Area
- CP08: A Diverse Local Economy
- CP09: Retail and Commercial Development

11.3 Local (Emerging Policy)

- Site Allocations and Policies Preferred Options Document (May 2011)
- Policy SAL.GPB1: Employment Land / Economic Development
- Policy SAL.CC5: Renewable Energy
- Policy SAL.SK1 – South Kidderminster Enterprise Park
- Policy SAL.SK2 – Former British Sugar Site
- Policy SAL.SK4 – Former Romwire Site

12.0 Monitoring the LDO

12.1 LDO monitoring needs to be appropriate to the ambition and circumstances of the development.

12.2 Conditions on the LDO will require that the developer notifies the local planning authority when undertaking development permitted by the LDO to ensure that an accurate record of development is maintained.

12.3 Notification of development will also be circulated to District Councillors so that members are aware of development being delivered through the LDO.

12.4 The LDO will be monitored regularly by the District Council to ensure that it is fit for purpose and that any suggested modifications are recorded to inform review, if required, before the end of the initial 3 year period.

12.5 The LDO monitoring framework is identified below:

Indicator	Review Trigger	Further Action if required
Annual number of businesses locating to South Kidderminster Enterprise Park	Less than 5	Possible review of the LDO after the initial 3 years to allow more/different economic generating uses other than those already identified.
Annual number of extensions to existing premises within South Kidderminster Enterprise Park	Less than 5	Possible review of the LDO after the initial 3 years to allow greater flexibility/scale for extensions to existing businesses

Annual number of submissions that are considered to be Environmental Impact Assessment type development	More than 5	Prepare an Environmental Impact Assessment Screening Report for the LDO area, following the initial 3 years.
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Contacts:

Wyre Forest District Council

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Email: ldo.consultation@wyreforestdc.gov.uk

Telephone: 01562 732928

Worcestershire Regulatory Services

Worcestershire Regulatory Services, Wyatt House, Farrier Street, Worcester, WR1 3BH

Email: wrsenquiries@worcsregservices.gov.uk

Telephone: (01905) 822799

Worcestershire County Council

Worcestershire County Council, County Hall, Spetchley Road, Worcester, WR5 2NP

Email: worcestershirehub@worcestershire.gov.uk

Telephone: (01905) 765765

Annex 1 - Conditions

No	Condition	Reason
1	<p>EIA Development</p> <p>The permissions granted by this Order shall not apply if:</p> <ul style="list-style-type: none"> • An application for planning permission for the proposed development would be a Schedule 1 application within the meaning of the Town and Country Planning (Environmental Impact Assessment) Regulations 2011. • An application for the development would fall within the descriptions of Schedule 2 of the Town and Country Planning (Environmental Impact Assessment) Regulations 2011, <u>unless</u> the Local Planning Authority has, following the submission of a request for screening opinion, determined in accordance with the criteria within Schedule 3 of the same Regulations, that the development is unlikely to have significant effects on the environment by virtue of factors such as its nature, size or location and is therefore not EIA development. <p>Developers should therefore satisfy themselves that development would not fall within any of the above categories prior to work commencing. This condition will also be applied any subsequent EIA regulations which replace the above with, or without, modifications.</p>	<p>To ensure any new development is not an EIA development.</p>
2	<p>Development Location</p> <ul style="list-style-type: none"> • Development must be located a minimum of 50 metres away from any residential boundary (for B2 development, including change of use, it must be located a minimum of 200 metres away from any residential boundary) • Development must not exceed 15 metres in height, inclusive of all development such as flue gas stacks and micro wind turbines 	<p>To protect the amenity of current and potential new occupiers/residents of the area.</p>
3	<p>Environmental Protection</p> <p>All development should have regard to:</p> <ul style="list-style-type: none"> • Statutory conservation sites (principally Wilden Marsh and Meadows SSSI and River Stour Floodplain SSSI) in mitigating any impacts development adjacent to these sites might have on their ecological function/integrity • Non-statutory nature conservation sites in mitigating any impacts development adjacent to these sites might have on their ecological function/integrity • Development should have regard to all protected species and habitats and BAP species and habitats where identified <p>The sites are identified at Appendix 3 of this Order.</p>	<p>To protect important Environmental habitats within the area.</p>
4	<p>Health and Safety Executive</p> <p>Development will need to be in line with the Health and Safety Executives advice on planning for developments near hazardous installations (PADHI). Please refer to Table 2 for further information. Any development above these thresholds would require planning permission.</p>	<p>To ensure development meet Health and Safety criteria.</p>
5	<p>Health and Safety Executive – Explosives</p> <p>Any development proposed on Easter Park or Hoo Farm (sites identified on Appendix 1) will need prior written approval from the HSE Explosives directorate. Developers must send their proposed plans to the HSE, who can be contacted at the following address:</p>	<p>To ensure development meet Health and Safety criteria.</p>

No	Condition	Reason
	<p>Specialised Industries, 55.2 Redgrave Court, Merton Road, Bootle Merseyside, L20 7HS Tel: 0151 951 4000 Explosives.licensing@hse.gsi.gov.uk</p> <p>If planning permission is required then early consultation with the District Council is recommended.</p>	
6	<p>Traffic Generation Any development proposed that is greater than the following thresholds would require a Transport Assessment (TA):</p> <p>B1 – Gross Floor Area greater than 2,500sqm B2 – Gross Floor Area greater than 4,000sqm B8 – Gross Floor Area greater than 5,000sqm</p> <p>Should development be higher than these thresholds identified then a TA will need to be submitted and agreed in writing with Worcestershire County Council before any development commences. Where appropriate, mitigation measures may be required, which will need to be provided by the developer, within an agreed timescale.</p> <p>No development may commence until agreement has been reached with Worcestershire County Council.</p>	<p>To ensure that development does not have a detrimental impact on the adjoining Highway network.</p>
7	<p>Highways / Access Access to the highway network will require the issue of a licence under Section 278 of the Highways Act, 1980. New accesses on to classified roads will require planning permission.</p> <p>Development must not reduce the amount of space available for vehicle turning or manoeuvring.</p>	<p>To ensure development meets highways standards.</p> <p>To ensure development does not adversely affect existing vehicular space.</p>
8	<p>Parking Car and cycle parking must be provided to meet the parking standards of the Worcestershire County Council Highways Design Guide (Appendix A)</p>	<p>To ensure development meets current parking standards.</p>
9	<p>Flood Risk Development within Area A or B, as identified by Appendix 2, must comply with the following conditions to mitigate flood risk:</p> <p>Protection to buildings</p> <p>Area A (River Stour): Finished floor levels shall be set no lower than < To be confirmed by the EA m AOD> (1% plus climate change flood level) or flood proofing measures shall be incorporated into the building to this level.</p> <p>Area B (Hoo Brook): Finished floor levels shall be set no lower than existing ground levels and flood proofing measures shall be incorporated into the building to a level set at least 1 metre above the finished floor level of the building.</p> <p>Protection to Occupiers Prior to the first occupation of the development, a Flood Evacuation Management Plan shall be submitted to and approved in writing by</p>	<p>To ensure adequate flood risk protection is provided.</p> <p>To protect the proposed development from flood risk for the lifetime of the development.</p> <p>To minimise the flood related danger to people in the flood</p>

No	Condition	Reason
	<p>the LPA in consultation with the LA Emergency Planning Officer and Emergency Services. In preparing the plan, regard should be had to the guidance on the Environment Agency's website as follows: http://www.environment-agency.gov.uk/business/topics/flooding/32362.aspx</p> <p>Development in Area A - The Applicant /future occupiers should contact 03708 506506 to be set up on the Environment Agency flood warning system for the River Stour.</p> <p>Development in Area B - The Applicant /future occupiers should contact 03708 506506 to be set up on the Environment Agency flood warning system for a Flood Alert for the Hoo Brook. Given that there is only a Flood Alert available for the Hoo Brook, any evacuation management plan will also need to consider other available data to inform timing for implementation of evacuation procedures. For example, a combination of met office data and local weather announcements.</p>	risk area.
10	<p>Surface Water and Drainage New developments should incorporate Sustainable Urban Drainage methods to ensure that run-off is no greater than existing discharge rates. No infiltration methods are permitted to be used, unless it can be demonstrated that there is no unacceptable risk to controlled waters and this has been agreed in writing by the Environment Agency or Local Planning Authority prior to the commencement of development.</p> <p>All foul drainage from new development must be connected to the mains foul sewer. If not, then planning permission will be required.</p>	<p>To ensure adequate drainage is provided and to ensure that the ground and surface waters are protected.</p> <p>In order to protect ground and surface waters.</p>
11	<p>Water Quality Any facilities for the storage of oils, fuels or chemicals shall be sited on impervious bases and surrounded by impervious bund walls. The volume of the bunded compound shall be at least equivalent to the capacity of the tank plus 10%. If there are multiple tanks, the compound shall be at least equivalent to the capacity of the largest tank, vessel or the combined capacity of interconnected tanks or vessels plus 10%. All filling points, associated pipework, vents, gauges and sight glasses must be located within the bund or have separate secondary containment. The drainage system of the bund shall be sealed with no discharge to any watercourse, land or underground strata. Associated pipework shall be located above ground and protected from accidental damage. All filling points and tank/vessels overflow pipe outlets shall be detailed to discharge downwards into the bund.</p>	To prevent pollution of the water environment.
12	<p>Outside Storage Outside storage space is restricted to 10% of the total area of the curtilage and the overall height of any items stored shall not exceed 4 metres. Any development above these thresholds would require planning permission.</p>	To protect the visual amenity of the area.
13	<p>Infrastructure Developers should register with and use www.Linesearch.org. This will provide an instant response advising whether or not any of the 29 infrastructure providers have apparatus that may be affected through development. The development shall be carried out strictly in accordance with the advice and guidance given, and development</p>	To protect infrastructure within the area.

No	Condition	Reason
	shall not be commenced until written approval has been received from the relevant Authority.	
14	Noise All buildings developed under the provisions of the Order shall be designed and constructed to ensure that the level of noise emitted does not exceed <55db(A) measured at the boundary of the development. The development will be required to be completed and maintained in the approved manner. Any development above this threshold would require planning permission.	To protect the amenity of current and potential new occupiers/residents of the area.
15	Air Quality Any development that requires a Traffic Assessment, (in line with condition 5 of this Order) or that includes a Biomass Boiler will need to notify Worcestershire Regulatory Services (WRS) to ascertain whether or not an Air Quality Assessment is also required. If an assessment is required then the scope and detail of the assessment and any necessary mitigation measures, including a timescale for their implementation, will need to be agreed in writing with WRS, prior to the commencement of development and carried out in accordance with the agreed scheme.	To ensure that no deterioration of the local air quality occurs.
16	Archaeology Where archaeological remains are discovered as a result of development commencing, the developer should notify the County Council's Historic Environment Team before proceeding any further.	To record and or protect historic features that may be discovered through development.
17	Contamination Unless otherwise agreed in writing, no development which requires the construction of foundations (or is for a ground source heat pump) shall take place until a desk study and, if required, site investigation to confirm the extent and nature of any ground contamination has been carried out*. Commencement of development shall not begin until the results of the site investigation have been submitted to the Local Planning Authority with details of any mitigation measures to ensure any contamination is dealt with appropriately, and this is agreed in writing by the relevant authorities, before development commences. Any work shall be carried out in accordance with the approved details *Extensions that would increase the existing building by 25% or 1,000sqm, whichever is the lesser, are excluded from this condition. Piling or any other foundation designs using penetrative methods shall not be permitted other than with express written consent of the planning authority, which may be given for those parts of the site where it has been demonstrated that there is no resultant unacceptable risk to controlled waters. The development shall not be commenced until written approval is received and the development shall be carried out in accordance with the approved details.	To ensure that risks from land contamination to the environment and human health are minimised.
18	Development Notification 14 days before development starts the Local Planning Authority must be notified of the proposal so that a record of development provided through the LDO can be kept.	To ensure that an accurate record of development is maintained.

The responsibility for interpreting the requirements of the LDO and ensuring that development is compliant with the above conditions falls on the developer/landowner.

Annex 2 - Design Guide

The Adopted Wyre Forest District Design Quality SPG (2004) provides design guidance for new development and sets out broad guidelines for creating well designed buildings and spaces that is equally applicable to industrial and employment uses.

Although not a conditional requirement of the LDO, it is desirable that new developments follow good urban design principles to contribute to a quality environment. Therefore, the following table provides a summary of the key design principles to take into consideration.

Provide innovative architecture	<ul style="list-style-type: none"> • Development should be based on function but should also be visually pleasing. • Materials, colour, massing, projections, set backs and variety in the sky line can all add more interest.
Provide a coordinated design	<ul style="list-style-type: none"> • Larger areas of colour on buildings should be sympathetic to the landscape • A limited palette of colours is generally preferred for buildings.
Provide a positive public frontage	<ul style="list-style-type: none"> • Greatest attention to design quality and investment should be focused onto public faces of main frontages • Entrance foyers and reception areas should be located on the primary public face of buildings, preferably onto surrounding streets. • Outdoor storage areas should be designed and located to be unobtrusive from the street, using screening and/or landscaping as appropriate.
Provide a sense of enclosure on to streets and spaces	<ul style="list-style-type: none"> • Buildings should be positioned close to highways to provide a positive relationship with the street. • Buildings set to the back of large plots of car parking or storage areas should be avoided.
Provide green infrastructure and landscaping	<ul style="list-style-type: none"> • New developments should incorporate green landscaping, encouraging biodiversity habitats and incorporating SUDS. • Landscaping can form part of open spaces and recreation areas for employees. • Landscaping areas are ideally located onto public areas close to front entrances of main frontages. • Development should take into account, where relevant, of the area's context being adjacent to the Canal Conservation Area.
Provide development that is Secured by Design	<ul style="list-style-type: none"> • Secured by Design principles should be followed where possible. • Particular focus should be on site layout, perimeter security, building design, physical security, and electronic security.
Provide sustainable developments	<ul style="list-style-type: none"> • New development should aim to score 'Good' or better on the BREEAM rating system. • Sustainable building design elements such as natural ventilation, passive solar gain, low energy lighting, water collection and storage, and on-site recycling facilities should be considered.

Informative - Flood proofing: Flood proofing measures can include, but are not limited to, removable barriers on building apertures such as doors and air bricks; flood resilient materials within the building; and providing electrical services into the building at a high level so that plugs are located above possible flood levels. Additional guidance, including information on kite marked flood protection products, can be found on the Environment Agency website at <http://www.environment-agency.gov.uk/homeandleisure/floods/31644.aspx>

Annex 3 - Health and Safety Executive Advice

There are a number of areas within the Local Development Order boundary where there are buffer zones around potentially hazardous workplaces. Development near to these installations is controlled in order to minimise any potential risk. The Health and Safety Executive provide 'Planning Advice for Developments near Hazardous Installations' (PADHI). This advice is split into the inner, middle and outer zones that exist, and gives advice for development that may fall within the different zone areas. Developers should therefore satisfy themselves that their proposals are in line with the recommendations of the HSE. For workplaces, which are the focus of this Order, the following guidance is given.

Development Type	Examples	Development detail and size	Justification	Sensitivity Level	Development in Inner Zone	Development in Middle Zone	Development in Outer Zone
Workplaces	Offices, factories, warehouses, haulage depots, builders yards	Workplaces at the major hazard site itself	Risks to workers, and others, at the workplace of the major hazard company are under control of that company	1	Don't Advise Against development	Don't Advise Against development	Don't Advise Against development
		Workplaces (predominantly non-retail) providing for less than 100 occupants in each building and less than 3 occupied storeys	Places where the occupants will be fit and healthy, and could be organised easily for emergency action. Members of the public will not be present or will be present in very small numbers and for a short time	1	Don't Advise Against development	Don't Advise Against development	Don't Advise Against development
		Workplaces (predominantly non-retail) providing for 100 or more occupants in any building or 3 or more occupied storeys in height	Substantial increase in numbers at risk with no direct benefit from exposure to risk	2	Advise Against Development	Don't Advise Against development	Don't Advise Against development
	Sheltered workshops. Remploy	Workplaces specifically for people with disabilities	Those at risk may be especially vulnerable to injury from hazardous events and/or they may not be able to be organised easily for emergency action.	3	Advise Against Development	Advise Against Development	Don't Advise Against development

Therefore, developers will need to be aware of which zone their site is located in and ensure that the thresholds meet the criteria set out by the Health and Safety Executive (The areas designated by the HSE are included on the constraints map attached at Appendix 4). Any development that would fall in the 'Advise Against Development' category is not be permitted by the Order.

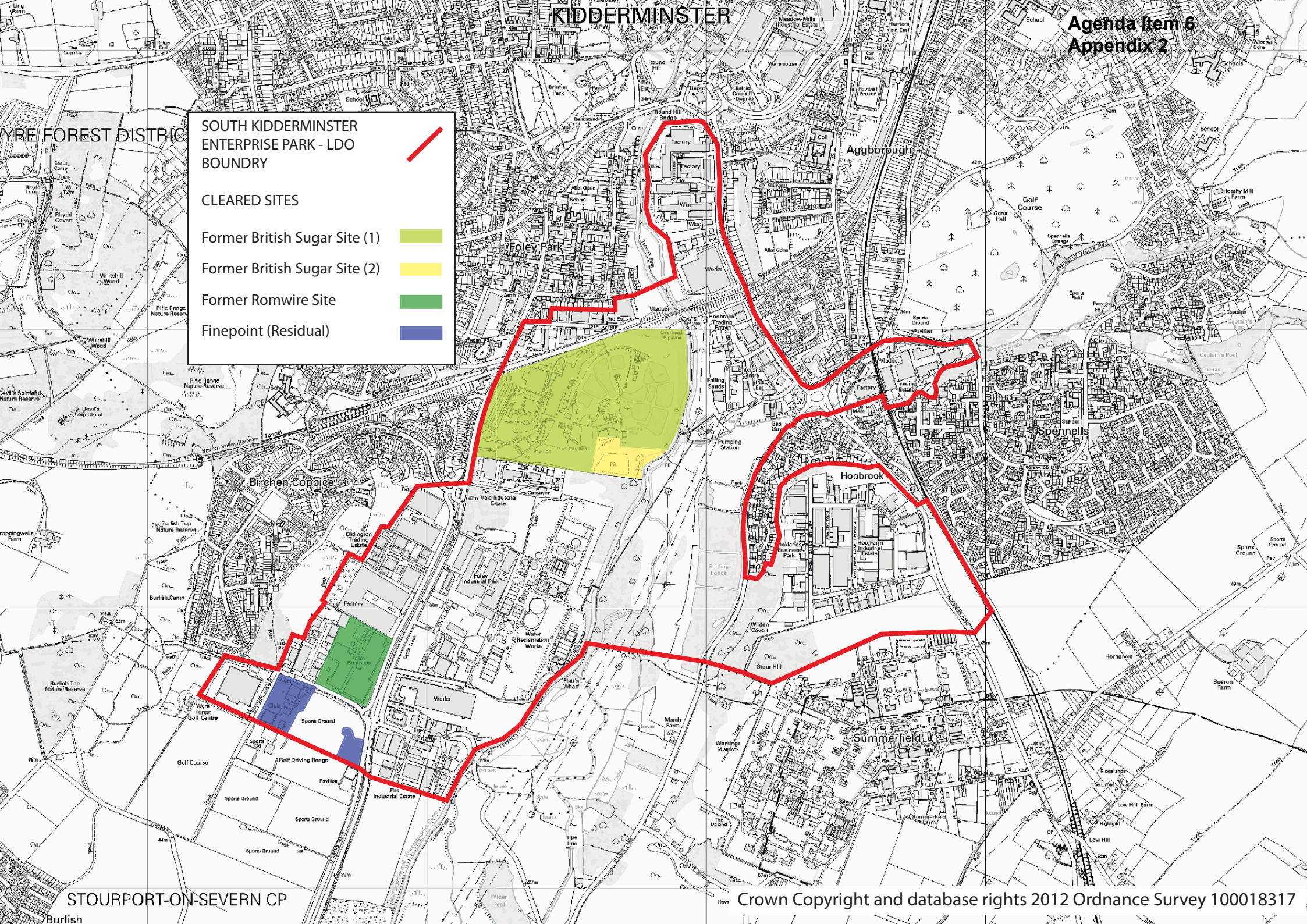
Appendix 1 - Map of LDO Area and Cleared Sites

WYRE FOREST DISTRICT

**SOUTH KIDDERMINSTER
ENTERPRISE PARK - LDO
BOUNDARY**

CLEARED SITES

- Former British Sugar Site (1)
- Former British Sugar Site (2)
- Former Romwire Site
- Finepoint (Residual)



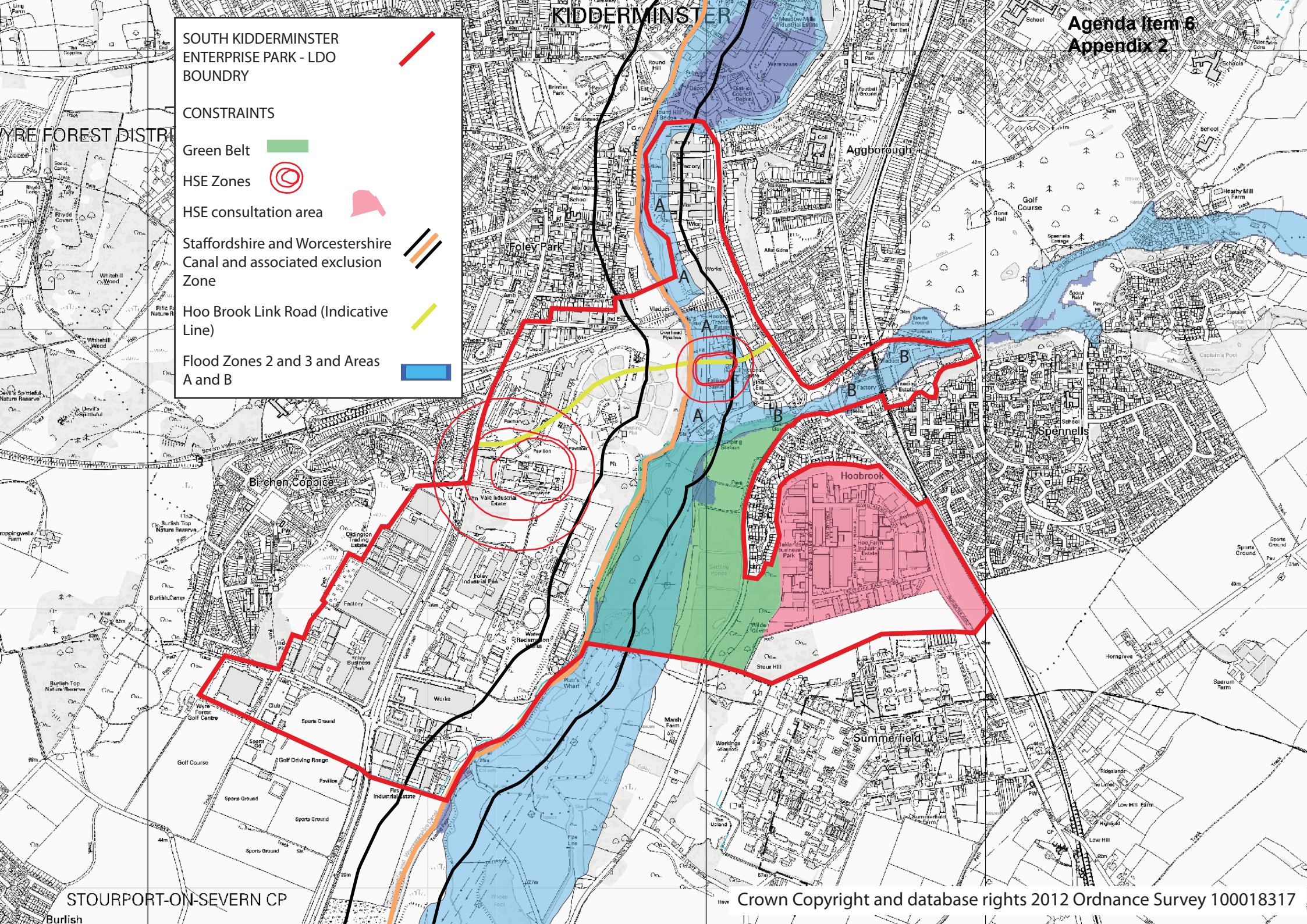
STOURPORT-ON-SEVERN CP

Appendix 2 - Constraints Map

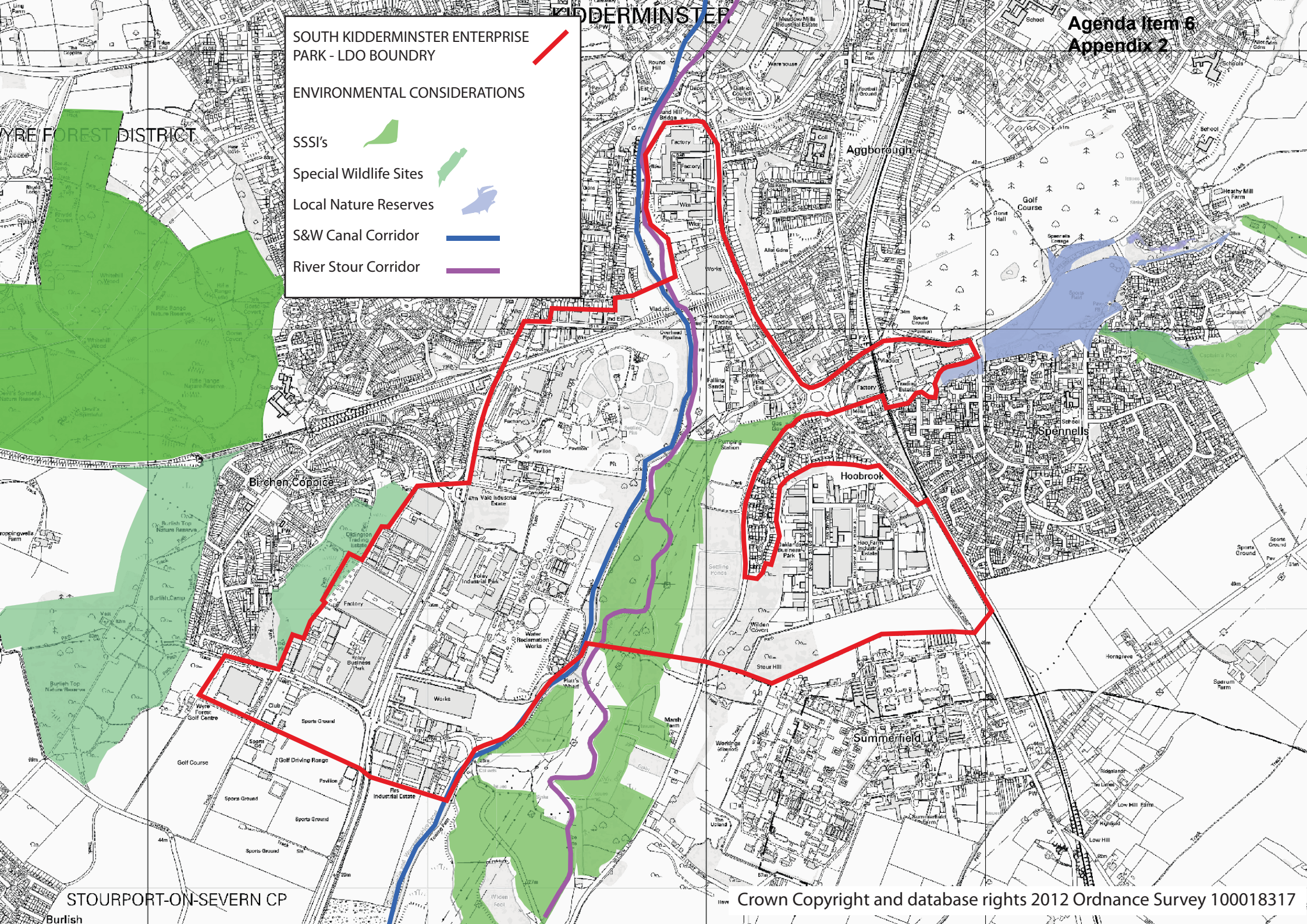
**SOUTH KIDDERMINSTER
ENTERPRISE PARK - LDO
BOUNDRY**

CONSTRAINTS

- Green Belt
- HSE Zones
- HSE consultation area
- Staffordshire and Worcestershire
Canal and associated exclusion
Zone
- Hoo Brook Link Road (Indicative
Line)
- Flood Zones 2 and 3 and Areas
A and B



Appendix 3 – Environmental Considerations Map



Appendix 4 - Background to Implementing the LDO

1.0 Introduction

- 1.1 The Government's policy towards economic growth, for example through Enterprise Zones, supports a genuinely simplified approach to planning. One of the mechanisms that can help to bring about this approach is through the introduction of Local Development Orders.
- 1.2 Local Development Orders (LDO) allow development to be undertaken without the need for planning permission to be obtained, providing that the development is in accordance with established criteria and conditions
- 1.3 As part of the drive to encourage and stimulate business growth within the District it is proposed to adopt a Local Development Order for the South Kidderminster Enterprise Park. This Order is therefore designed to simplify the planning process to provide an incentive to businesses to locate within the District and thus provide a boost to the local economy.
- 1.4 The introduction of a LDO within this location is to help to provide the conditions to stimulate economic development within the area through reducing costs and providing certainty for potential developers and businesses.

2.0 Simplifying Planning - What is a Local Development Order (LDO)?

- 2.1 A Local Development Order grants planning permission for the type of development specified in the Order and, by doing so, removes the need for a planning application to be made by the developer.
- 2.2 Local Development Orders are very flexible in that they can:
 - a. Apply to a specific site, sites, or wider geographical area;
 - b. Grant planning permission for a certain type or types of development, and;
 - c. Grant planning permission outright or subject to conditions.
- 2.3 Local Development Orders can offer significant benefits:
 - a. In exempting certain development from the need to apply for specific planning permission, those wishing to pursue such developments can proceed without the time and cost implications of having to submit a planning application;
 - b. They provide certainty to developers by defining clearly what development is acceptable and can be undertaken without the need for specific planning permission;
 - c. They allow local authorities to shape their local areas by encouraging certain types of development in appropriate areas.

3.0 Relevant Legislation

Primary legislation

- 3.1 LDO provisions are contained in sections 61A-D of and Schedule 4A to the *Town and Country Planning Act 1990*, as amended (<http://www.legislation.gov.uk/ukpga/1990/8/contents>). The

primary legislative provisions related to LDOs were introduced by the *Planning and Compulsory Purchase Act 2004* (<http://www.legislation.gov.uk/ukpga/2004/5/contents>), and commenced in 2006.

- 3.2 These primary powers were amended by the commencement of section 188 of the *Planning Act 2008* (<http://www.legislation.gov.uk/ukpga/2008/29/section/188>) in June 2009. The effect of this amendment was to remove the requirement that LDOs must implement local plan policies.

Secondary legislation

- 3.3 More detailed legal provisions on LDOs are contained in Article 34 of and Schedule 7 to the *Town and Country Planning (Development Management Procedure) (England) Order 2010* (the 'DMPO', <http://www.legislation.gov.uk/uksi/2010/2184/contents/made>). The DMPO came into force in October 2010 as a consolidation of the *Town and Country Planning (General Development Procedure) Order 1995* and instruments which have amended that Order.

South Kidderminster Enterprise Park



Local Development Order Environmental Position Statement

June 2012

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Introduction and context

The Local Development Order

Local Development Orders and Environmental Assessment

Conclusions

Appendix 1 – Extracts from Sustainability Appraisal report accompanying the Core Strategy

Appendix 2 – Extracts from Sustainability Appraisal report accompanying the Site Allocations and Policies DPD

Appendix 3 – Habitats Regulations Assessment Screening report for the Site Allocations and Policies DPD and the Kidderminster Central Area Action Plan DPD and Natural England's response.

South Kidderminster Enterprise Park Local Development Order - Environmental Position Statement

Context

Wyre Forest District Council is in the process of implementing a Local Development Order (LDO) for the South Kidderminster Enterprise Park Area. The Order would allow for greater permitted development rights for employment generating uses (B1, B2 and B8). The LDO is a mechanism that will help to implement the plans and policies set out in the Council's Local Development Framework (Local Plan).

Given the clear synergy between the content of the Council's development plan and the proposals that are being outlined in the LDO, it was considered that there was merit in highlighting the Sustainability Appraisal work that has been undertaken to inform the production of the development plan. This is because the proposed flexibility for development within the Enterprise Park area would essentially allow for the development proposed in the development plan to come forward without the need for a planning application.

The Development Management Procedure Order does not require a SEA Scoping report to be undertaken when implementing a LDO. Furthermore, as the LDO is looking to implement the policies of the Council's Development Plan it was considered that the Sustainability Appraisal (including SEA considerations) that has already been undertaken to inform these plans would provide the necessary detailed work to underpin the LDO. It should also be noted that any development requiring an Environmental Impact Assessment is not permitted through the Order.

This document, therefore, outlines the work undertaken to inform the production of the Council's Development Plan and helps to signpost to the relevant information included within the existing work on Sustainability Appraisal (including SEA considerations) that is considered relevant to the implementation of the Local Development Order.

Existing Sustainability Appraisal work

The preparation of the Council's Development Plan has been informed at all stages by a robust Sustainability Appraisal. The Council has an Adopted Core Strategy and is at Publication stage for the Site Allocations and Policies DPD. All documents have been informed by SA and this document provides the relevant extracts from the work that are considered to be relevant to the Local Development Order.

Local Development Orders - Introduction

A Local Development Order grants planning permission for the type of development specified in the Order and, by doing so, removes the need for a planning application to be made by the developer.

Local Development Orders are very flexible in that they can:

- a. Apply to a specific site, sites, or wider geographical area;
- b. Grant planning permission for a certain type or types of development, and;
- c. Grant planning permission outright or subject to conditions.

Local Development Orders can offer significant benefits:

- a. In exempting certain development from the need to apply for specific planning permission, those wishing to pursue such developments can proceed without the time and cost implications of having to submit a planning application;
- b. They provide certainty to developers by defining clearly what development is acceptable and can be undertaken without the need for specific planning permission;
- c. They allow local authorities to shape their local areas by encouraging certain types of development in appropriate areas.

Relevant Legislation

Primary legislation

LDO provisions are contained in sections 61A-D of and Schedule 4A to the *Town and Country Planning Act 1990*, as amended (<http://www.legislation.gov.uk/ukpga/1990/8/contents>). The primary legislative provisions related to LDOs were introduced by the *Planning and Compulsory Purchase Act 2004* (<http://www.legislation.gov.uk/ukpga/2004/5/contents>), and commenced in 2006.

These primary powers were amended by the commencement of section 188 of the *Planning Act 2008* (<http://www.legislation.gov.uk/ukpga/2008/29/section/188>) in June 2009. The effect of this amendment was to remove the requirement that LDOs must implement local plan policies.

Secondary legislation

More detailed legal provisions on LDOs are contained in Article 34 of and Schedule 7 to the *Town and Country Planning (Development Management Procedure) (England) Order 2010* (the 'DMPO', <http://www.legislation.gov.uk/uksi/2010/2184/contents/made>). The DMPO came into force in October 2010 as a consolidation of the *Town and Country Planning (General Development Procedure) Order 1995* and instruments which have amended that Order.

Proposed LDO – South Kidderminster Enterprise Park

The South Kidderminster Enterprise Park area is a key employment and regeneration focus for Wyre Forest District. The area is formed of two key corridors of primarily business premises. The area to the South of Kidderminster is identified, in part, within the Council's Adopted Core Strategy as being a key business and regeneration area, and this is further supported by the work on the Council's Site Allocations and Policies Development Plan Document as well as forming a key part of the Council's regeneration work in terms of the ReWyre initiative. The proposed LDO for this area will provide a further incentive that will enable the ambitions for economic growth to be realised.

Potential Benefits from the Implementation of an LDO

The implementation of a Local Development Order would enable a simplified planning regime to be introduced, allowing new development to come forward quicker, whilst providing added benefits to existing businesses through providing greater flexibility for development of their existing assets.

The provision of a LDO within this location could provide an important stimulus for economic development in an area that has seen rapid decline and restructuring over the past 30 years. It is envisaged that the LDO will assist in helping to achieve the following positive outcomes for the area:

- Tackle unemployment in the second most deprived ward in Worcestershire and in the top 10% most deprived nationally. The Oldington & Foley Park ward has high levels of worklessness with 12% of the population seeking work (December 2011)
- Bring cleared/redundant employment sites back in to economic use
- Enable greater flexibility for existing businesses to expand and alter their premises to meet changing market requirements

Existing Planning Provisions

Support for the retention and enhancement of existing businesses as well as the development of new businesses within the Enterprise Park area is already provided for within the Adopted Core Strategy 2010. Although the LDO does not have to implement local planning policies, in this instance there is a clear synergy between the aims, ambitions and policies of the adopted statutory development plan and the proposals that are included within the draft LDO.

It should be noted that the Local Development Order would not prevent development taking place that is not specifically covered by the Order. A planning application for such development would need to be made in the normal way and nationally existing permitted development rights within the area would remain unchanged.

The proposed Local Development Order for South Kidderminster Enterprise Park

Local Development Order for South Kidderminster Enterprise Park

Within the South Kidderminster Enterprise Park area planning permission is granted for new buildings on **cleared sites**, as identified in Appendix 1, for the following uses:

- B1a (offices);
- B1b (Research and Development);
- B1c (Light Industry);
- B2 (General Industrial);
- B8 (Storage and Distribution);
- Car/Vehicle Hire Business and the selling and displaying of motor vehicles; and
- Vehicular access to development

Furthermore, **for existing premises** that fall under use classes B1, B2, B8 and car vehicle hire businesses/displaying and selling of motor vehicles, within the area (as identified in Appendix 1) planning permission for the following development is granted:

- recladding of building exteriors;
- installation of solar panels and other renewable energy systems such as biomass and combined heat and power boilers;
- sub-division of existing units (for B1a, b and c, B2 and B8 use);
- Extensions no more than 10 linear metres from the existing building, subject to extensions not being closer to any highway than the existing building;
- The construction of ancillary buildings within the existing curtilage, not exceeding 100sqm Gross Floor Space; and
- Car parking - subject to adherence to the thresholds identified in the Worcestershire County Council Highways Design Guide.

Change of use is also permitted as follows:

- B1 – to B2 or B8, where no more than 1,000sqm;
- B2 – to B1 or B8 where no more than 1,000sqm; and
- B8 – to B1 or B2 where no more than 1,000sqm.

Demolition, in conjunction with any redevelopment of existing premises within the identified use classes, is also permitted.

All proposed development shall be in line with the restrictions and conditions identified within this Order.

Local Development Orders and Environmental Assessment

As previously mentioned, it is considered that the Council's Sustainability Appraisal work has clear links with what is being proposed through the LDO and for clarity, the relevant parts of the SA framework have been extracted and collated to form this accompanying Environmental Statement.

Government guidance promotes the integration of the SA and SEA processes into one report, and this has been undertaken for the Site Allocations and Policies DPD, which covers the areas outlined within the LDO area. The synergy between what is being proposed in the Site Allocations and what has been identified in the LDO means that the SA process, including SEA considerations, is considered to be relevant to understanding and implementing the LDO.

The Site Allocations and Policies Development Plan Document has already been subject to Sustainability Appraisal (including SEA). It is envisaged that the type, nature and scale of development that takes place on the sites through the LDO will be very similar to that envisaged in the Documents.

Development Strategy

The development strategy and associated policies within the Core Strategy places an emphasis on the redevelopment of the District's existing Brownfield land and focussing new economic development on these areas with the focus being sites within Kidderminster.

There are three main sites highlighted within the LDO area, and these are as follows:

1. Former British Sugar Site
2. Former Romwire Site
3. Finepoint

Two out of the three sites have been subject to Sustainability Appraisal (Former British Sugar site and former Romwire site). The third site has not been subject to Sustainability Appraisal as the site already benefits from outline planning permission. The site has outline planning permission for employment uses and the inclusion of this area within the Order would allow the later phases of development to come forward without the need for detailed planning permission.

The extracts of the Sustainability Appraisal for the other sites is included at Appendix 2.

The Sustainability Appraisal identifies some mitigation measures that should be included to deal with any negative issues that have arisen as part of the assessment. The table below is an extract from the Site Allocations and Policies Sustainability Appraisal Report

Negative effect identified	Proposed Mitigation Measures
Flooding	<ul style="list-style-type: none"> • Implement a suitable SUDS scheme to reduce surface water runoff • Locate vulnerable uses at higher levels • Open up existing culverts • Introduce soft landscaping to reduce runoff
Noise/light pollution	<ul style="list-style-type: none"> • Use of low-impact lighting to minimise adverse affects • Sensitive screening, acoustic barriers and siting • Implement improvements to wildlife habitats

Wherever possible, the Order has been drafted taking into account mitigation measure to compensate for any potential negative effects that may occur through development.

Conditions have been included within the Order to ensure that these issues are appropriately managed. For example all developments are required to incorporate SUDS and no development is permitted in the Flood Zone Areas unless a number of criteria are met. The full conditions can be seen in the accompanying Local Development Order for South Kidderminster.

The Sustainability Appraisal makes clear that there are positive effects to be gained from following the development strategy – most notably in job creation and regeneration. The LDO will help to implement this Development Strategy and be in line with the objectives of the existing Development Plan.

Conclusion

In conclusion, for the following reasons it is not considered that any further Sustainability Appraisal or Strategic Environmental Assessment work is required for the Local Development Order:

1. Development requiring an Environmental Statement under the Environmental Impact Assessment Regulations 2011 is excluded from the LDO.
2. Considerable Sustainability Appraisal (including SEA) work has already been undertaken for most of the sites (extracts set out below for information), which highlights that, in the main, there are no negative impacts associated with the development. Where there are considered to be potential negative impacts the Order has been conditioned to ensure development is appropriate.

Appendix 1 - Extracts from the Sustainability Appraisal Report for the Core Strategy

The following pages detail the policies from the Core Strategy that are considered to be relevant to the LDO. The LDO will help to implement the policies identified in the Council's Core Strategy, most notably around employment generation and the location of new development on Brownfield sites within the urban area of Kidderminster. The following tables provide an assessment against the Sustainability Appraisal Objectives, of which there are 21. For more information on the Council's Sustainability Process please visit the Council's website and follow the links to planning policy.

Core Strategy Policy DS01 – Development Strategy

Development Strategy Policy DS01		
SA Objective	Assessment	Commentary
1	++	This will help increase access to health services which will help to improve the health of the population. The 2007 IMD has placed a larger number of the District's SOAs within the most deprived 20% nationally than the 2004 IMD did, however, life expectancy is increasing.
2	++	This will help to improve access to services and facilities as they are centred around the settlements with the larger settlements having a greater level of provision.
3	++	Will increase housing provision in accordance with the settlement hierarchy and will enable affordable housing to be provided in Bewdley and the rural areas where house prices are highest.
4	+	This will contribute to enhanced quality of life by ensuring that new development provides access to services and facilities.
5	0	N/A
6	0	N/A
7	0	N/A
8	++	Ensuring that new development is located in accordance with the settlement hierarchy will mean that residential development offers the opportunity to access services and facilities without relying on the private car.
9	0	N/A
10	X?	This will need to be assessed on a site-by site basis and will be a particular issue in Kidderminster town centre which is to be the focus of new retail and office development for the District and has historically suffered with flooding.
11	++	Ensuring that existing settlements grow in a sustainable way will strengthen their character and distinctiveness and help them to retain local services.
12	0	N/A
13	0	N/A
14	++	Locating development in existing settlements will reduce pressure on greenfield land.
15	++	Locating new development in accordance with the settlement hierarchy will reduce pressure on greenfield land.
16	0	N/A
17	+	Locating development in existing settlements will reduce the spread of noise and light pollution however, it may be exacerbated within existing settlements.
18	0	N/A
19	0	N/A
20	+	The policy will support development appropriate to the scale of rural settlements.
21	0	N/A

SA Conclusion on Policy DS01

This policy raised a potential negative impact in relation to flooding. The policy looks to locate development within Kidderminster town centre which has historically experienced problems with flooding. The exact location of development will need to be considered in more detail through the Site Allocations and Policies and KCAAP DPDs. The Core Strategy also sets out a strategic policy on flooding and any site allocations will need to be in accordance with this. The policy has a number of potential positive impacts which include; improving access to facilities and housing; reducing the need to travel; reducing pressure on greenfield land and supporting rural economies.

Core Strategy Policy DS02 – Kidderminster Regeneration Area

Development Strategy Policy DS02		
SA Objective	Assessment	Commentary
1	0	N/A
2	++	Regenerating Kidderminster town centre will improve its range of services and facilities. This will have a positive impact on the whole of the District as Kidderminster acts as the main service centre.
3	++	Kidderminster will accommodate the largest proportion of the District's housing growth, including a % of affordable housing. During 2008/09 66% of new homes built within the District were in Kidderminster, this was an increase on the previous year.
4	++	Regeneration within Kidderminster will provide new jobs and services for all within the District, thus improving quality of life.
5	++	Enhancing Kidderminster through regeneration will improve community pride and help to reduce crime.
6	0	N/A
7	+	New development will be required to incorporate renewable technologies, thus reducing its impact on climate change.
8	+	Concentrating development in Kidderminster will reduce the need to travel. Residents from outlying settlements will be able to access services and facilities within Kidderminster, however, sustainable transport options will need to be provided.
9	+?	Kidderminster currently has a large AQMA, mainly as a result of traffic congestion. Air quality could be improved in this area if adequate changes were made to the road layout as part of any new development around the Horsefair area.
10	-?	The River Stour flows through Kidderminster and there is a history of flooding within the town centre. This has been alleviated by flood defences but it is still necessary to carefully consider the impact of new development on flood risk within the town.
11	+	New development within Kidderminster has the potential to reuse existing buildings and further details on this will be set out within the KCAAP DPD.
12	+?	The regeneration of Kidderminster will include providing green space and encouraging the use of green roofs. Further details will be set out within the KCAAP DPD
13	+?	New development within Kidderminster has the potential to reuse existing buildings and further details on this will be set out within the KCAAP DPD.
14	++	Focussing development within Kidderminster maximises the

		potential to reuse brownfield land and reduces pressure to release greenfield sites.
15	++	
16	+	New development should incorporate measures to mitigate against climate change.
17	?	Noise and light pollution may increase as a result of further development in Kidderminster, however, focussing development here will prevent noise and light pollution spreading.
18	0	
19	++	All proposals and planning applications will be subject to public consultation. The KCAAP DPD which will set out the detailed plans for the future of Kidderminster will undergo public consultation.
20	++	The regeneration of Kidderminster will help to enhance the District's economy.
21	+	All major new developments will be required to incorporate renewable energy and this could help to diversify the economy as supply chains will need to be developed.

SA Conclusion on Policy DS02

This policy has also raised a potential negative impact in relation to flooding and the information set out under DS01 applies equally here. The policy has raised a number of positive impacts including; improving access to housing and services; improving quality of life; reducing the need to travel; reducing pressure to release greenfield land; and enhancing the District's economy.

Core Strategy Policy CP08 – A Diverse Local Economy

Core Policy 8		
SA Objectives	Assessment	Commentary
1	0	
2	0	
3	0	
4	++	Providing a range of jobs will help to improve quality of life.
5	+	Providing jobs may lead to reduced crime and improved social responsibility.
6	0	
7	+	New development will need to meet higher environmental standards than previously.

8	+	New employment development will be focussed on sustainable locations, particularly the SREC which is a high frequency bus corridor.
9	+	Locating employment in sustainable locations will reduce the need to travel by car, thus improving air quality as both of the District's AQMAs are result from traffic related pollution.
10	?	This will need to be addresses on a site-be-site basis.
11	?	This will need to be assessed on a site-by-site basis, however, all new developments should be of high quality design which is appropriate to its location.
12	0	
13	?	This will need to be assessed on a site-by-site basis, however, all new developments should be of high quality design which is appropriate to its location.
14	++	Employment development will be based on brownfield land which will reduce pressure for greenfield release.
15	++	Locating new employment development in Kidderminster, Stourport-on-Severn and along the SREC will contribute to the regeneration of these areas.
16	+	New development will have to demonstrate that it is suitable for the forecast changes in climate.
17	?	New development could increase noise and light pollution within the direct area.
18	++	Expanding employment options within the District will enable people to improve skills and qualifications.
19	++	All new development will be subject to community consultation in accordance with the SCI.
20	++	The policy provides for a range of types of employment and ensures sufficient flexibility to develop suitable employment options within the rural areas.
21	++	Providing a portfolio of employment land within the District will support the development of new technologies.

SA Conclusion on Policy CP08

This policy has raised two issues which will require further consideration at site allocations and planning application stage. The impact of new development on flooding will need to be considered through the site allocations process and the impact of new development on the landscape and townscape will need to be given detailed consideration at planning application stage. A number of positive impacts have been identified in relation to this policy, including; improving quality of life by

enhancing employment opportunities; reducing the need to travel by focussing employment in accessible locations, this will also have a positive impact on air quality within the District; The policy will also prioritise brownfield sites for employment development, thus reducing pressure on Greenfield land and will enhance the District's economy.

Core Strategy Policy CP09 – Commercial Development

Core Policy 9		
SA Objectives	Assessment	Commentary
1	0	
2	++	Locating retail and commercial uses in accordance with the settlement hierarchy will enhance accessibility to services. Improving the District's retail offer will increase reduce the need for people to shop outside of the District.
3	0	
4	++	Providing office accommodation and retail space will increase the number of jobs available within the District and this will improve quality of life.
5	+	Providing office accommodation and retail space will increase the number of jobs available within the District and this will lead to greater social responsibility and reduced crime.
6	0	
7	+	New developments will be required to achieve higher environmental standards than existing buildings.
8	++	Providing new retail space within Kidderminster will reduce the need to shop outside the District. Providing office space will increase the number of jobs available within the District and therefore reduce the need to travel outside of the District for employment.
9	+	Reducing the need to travel will improve air quality across the District.
10	-?	Kidderminster town centre is on the banks of the River Stour and has suffered with flooding in the past. All development will need to consider flooding issues on a site-by-site basis.
11	?	The design of individual developments will be an important factor in achieving this objective.
12	0	
13	?	The design of individual developments will be a key factor in achieving this.
14	++	The policy prioritises brownfield sites reducing pressure to release greenfield land.
15	++	Focussing retail and office development in Kidderminster will help promote its regeneration.
16	+	New development will need to ensure that it is appropriate for the forecast changes in climate.
17	-?	New development may increase noise and light pollution within its specific location.
18	++	Providing new employment opportunities will help to improve the skills levels and qualifications of the workforce.
19	++	Consultation will be undertaken on all new development proposals in accordance with the SCI.
20	++	Increasing office provision within the town centre will help to create a diverse, knowledge-driven economy.
21	++	Increasing office provision will provide the opportunity for growth in the new technology sector.

SA Conclusion on Policy CP09

The potential negative impacts that have been identified in relation to this policy are the impact of new development in Kidderminster town centre on flooding and the potential for new development in the town centre to generate noise and light pollution. These will need to be considered at the site allocations and design stages. The policy has also identified a number of positive impacts including; enhancing the economy; providing employment and training opportunities; reducing the need to travel to access retail facilities and employment opportunities; and improving air quality as a result of reduced need to travel.

Appendix 2 - Extracts from the Sustainability Appraisal Report accompanying the Site Allocations and Policies DPD

This section of the statement identifies the sites and areas that are allocated within the Site Allocations and Policies DPD, that also fall within the LDO boundary. This provides an indication of the likely effects of development within this area. The conclusions are that there are no negative impacts identified for the allocation of these sites for employment use over the plan period and that there would be positive impacts in terms of job creation and regeneration.

SA Objective	Former British Sugar Site	Former Romwire Site
1	N/A	N/A
2	N/A	N/A
3	N/A	N/A
4	++ Will increase access to employment opportunities within the District. Long-term positive effect.	++ Will increase access to employment opportunities within the District. Long-term positive effect.
5	N/A	N/A
6	N/A	N/A
7	+ New commercial developments over 10,000 m ² will be required to incorporate on-site renewable energy generation. Long-term positive effect.	+ New commercial developments over 10,000 m ² will be required to incorporate on-site renewable energy generation. Long-term positive effect.
8	++ Providing jobs within this highly accessible areas of the District will reduce the need to travel. Long-term positive effect.	++ Providing jobs within this highly accessible areas of the District will reduce the need to travel. Long-term positive effect.
9	N/A	N/A
10	++ Site is not affected by flood risk. Long-term positive effect.	++ Site is not affected by flood risk. Long-term positive effect.
11	+ Opportunity for this site to enhance the townscape of the District. Mitigation will be required to secure this benefit. Long-term positive effect.	+ Opportunity for this site to enhance the townscape of the District. Mitigation will be required to secure this benefit. Long-term positive effect.
12	X/+ Could have a detrimental impact on the Wilden Marsh and Meadows SSSI. Opportunity for the site to contribute to the green infrastructure network. Long-term positive effect.	N/A
13	+? Opportunity to enhance the site's relationship with the Staffordshire and Worcestershire Canal Conservation Area. Mitigation will be required to secure this benefit. Long-term positive effect.	N/A
14	++ Re-developing this large brownfield site will reduce the need to release greenfield land for employment development. Long-term positive effect.	++ Re-developing this large brownfield site will reduce the need to release greenfield land for employment development. Long-term positive effect.
15	++ The redevelopment of this site will help to	++ The redevelopment of this site will help to

	regenerate both Kidderminster and Stourport-on-Severn. Long-term positive effect.	regenerate both Kidderminster and Stourport-on-Severn. Long-term positive effect.
16	+? Development would be required to meet the standards set out within the Core Strategy as a minimum. The Water Cycle Strategy has identified some significant issues with implementing SUDS at this site which would need to be overcome. Long-term positive effect if issues can be overcome.	+ Development would be required to meet the standards set out within the Core Strategy as a minimum. Long-term positive effect.
17	0 No effect likely.	0 No effect likely.
18	N/A	N/A
19	N/A	N/A
20	++ Securing employment development on this site will diversify the economy. Will provide access to employment in a sustainable location. Long-term positive effect.	++ Securing employment development on this site will diversify the economy. Will provide access to employment in a sustainable location. Long-term positive effect.
21	N/A	N/A

Conclusion Table:

Site	Positive Impacts	Negative Impacts	Rank	Reason Dismissed if applicable
Former British Sugar Site	Well located to provide access to jobs. Site is not affected by flood risk and provides the opportunity to enhance the townscape of the District. Will help to diversify the District's economy and support the regeneration of Kidderminster and Stourport-on-Severn.	No negative impacts identified	1	Allocated
Former Romwire Site	Well located to provide access to jobs. Site is not affected by flood risk and provides the opportunity to enhance the townscape of the District. Will help to diversify the District's economy and support the regeneration of Kidderminster and Stourport-on-Severn.	No negative impacts identified	1	Allocated

Strategic policy covering development in the South Kidderminster Area

SA Objective	Provisional boundary of SREC as set out in Issues and Options Paper	Slightly revised boundary of SREC as set out in Preferred Options Paper
1	N/A	N/A
2	N/A	N/A
3	N/A	N/A
4	<p>+</p> <p>Promoting economic development should increase access to employment. Long-term positive effect.</p>	<p>+</p> <p>Promoting economic development should increase access to employment. Long-term positive effect.</p>
5	N/A	N/A
6	N/A	N/A
7	N/A	N/A
8	<p>++</p> <p>The SREC is located on a high frequency bus route. Short-term positive effect.</p>	<p>++</p> <p>The SREC is located on a high frequency bus route. Short-term positive effect.</p>
9	<p>++</p> <p>Area is previously developed land. Long-term positive effect.</p>	<p>++</p> <p>Area is previously developed land. Long-term positive effect.</p>
10	<p>++</p> <p>Area is not at risk of flooding. Long-term positive effect.</p>	<p>++</p> <p>Area is not at risk of flooding. Long-term positive effect.</p>
11	<p>+</p> <p>New development could provide an opportunity to enhance the townscape. Long-term positive effect.</p>	<p>+</p> <p>New development could provide an opportunity to enhance the townscape. Long-term positive effect.</p>
12	N/A	N/A
13	N/A	N/A
14	<p>++</p> <p>Concentrating economic development on previously developed land will reduce demand on greenfield sites. Short-term positive effect.</p>	<p>++</p> <p>Concentrating economic development on previously developed land will reduce demand on greenfield sites. Short-term positive effect.</p>
15	<p>++</p> <p>Will provide employment and and help to contribute to the regeneration of Kidderminster and Stourport-on-Severn. Long-term positive effect.</p>	<p>++</p> <p>Will provide employment and and help to contribute to the regeneration of Kidderminster and Stourport-on-Severn. Long-term positive effect.</p>
16	<p>+</p> <p>New development will be required to meet the standards set out within the Adopted Core Strategy. Long-term positive effect.</p>	<p>+</p> <p>New development will be required to meet the standards set out within the Adopted Core Strategy. Long-term positive</p>
17	<p>+</p> <p>Any resulting noise and light pollution will be contained within an existing employment area. Short-term positive effect.</p>	<p>+</p> <p>Any resulting noise and light pollution will be contained within an existing employment area. Short-term positive effect.</p>
18	N/A	N/A
19	N/A	N/A
20	<p>++</p> <p>Promoting an employment area will help to attract businesses to the District. Will provide jobs in Oldington and Foley Park, an area of high unemployment. Long-term positive effect.</p>	<p>++</p> <p>Promoting an employment area will help to attract businesses to the District. Will provide jobs in Oldington and Foley Park, an area of high unemployment. Long-term positive effect.</p>
21	<p>++</p> <p>Promoting an employment area will help to attract businesses to the District. Long-term positive effect.</p>	<p>++</p> <p>Promoting an employment area will help to attract businesses to the District. Long-term positive effect.</p>

General Policies identified in the Site Allocations

SA Objective	Policy 9: Employment Land Allocations
1	N/A
2	N/A
3	N/A
4	++ Will increase access to employment opportunities. Long-term positive effect.
5	N/A
6	N/A
7	+ New commercial units over 10,000 m ² will need to provide renewable energy. Long-term positive effect.
8	++ Will focus employment in accessible locations and therefore reduce the need to travel. Long-term positive effect.
9	+ Identified sites are brownfield and located outside of AQMAs. Long-term positive effect.
10	++ No identified sites are within flood zones 2 or 3. Long-term positive effect.
11	+/X? Will depend on design, design policy will be applied to all new development to seek high quality design. Possible long-term positive or negative effect.
12	N/A
13	+/X? Will depend on design, design policy will be applied to all new development to seek high quality design. Possible long-term positive or negative effect.
14	+? Sites are previously developed however, Lea Castle is Green Belt therefore policy should restrict redevelopment to existing footprint. Long-term positive effect if development at Lea Castle is restricted to existing footprint.
15	++ Will promote the regeneration of both Kidderminster and Stourport-on-Severn. Long-term positive effect.
16	N/A
17	X? Industrial development may increase noise and light pollution. Possible long-term negative effect which is irreversible.
18	+ Will provide employment and training opportunities. Long-term positive effect.
19	N/A
20	++ Will enable economic diversification. Long-term positive effect.
21	N/A

Appendix 3 – HRA Screening report and Natural England letter

Wyre Forest District Local Development Framework

Habitat Regulations Assessment Screening Report for:

- Kidderminster Central Area Action Plan Development Plan Document
- Site Allocations and Policies Development Plan Document
- Draft Churchfields Masterplan Supplementary Planning Document



Wyre Forest District Council

May 2011

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SUMMARY

This screening report is intended to identify Natura 2000 sites which could possibly be affected by the Wyre Forest District Site Allocations and Policies and Kidderminster Central Area Action Plan Development Plan Documents and Draft Churchfields Masterplan. These DPDs have already been through the initial issues and options stage of consultation in January 2009. A Preferred Options consultation on the DPDs and a regulation 17 consultation on the SPD is currently taking place.

These DPDs and SPD follow on from the Core Strategy DPD which was adopted in December 2010. An Appropriate Assessment Screening Report was prepared for the Core Strategy DPD and underwent consultation with Natural England, Worcestershire Wildlife Trust and the Environment Agency in January 2008. A further consultation was carried out in September 2009 prior to the Core Strategy Publication in early 2010. This Appropriate Assessment Screening Report considers whether or not any further Appropriate Assessment work needs to be undertaken to look at the impact of the more detailed policies with the Site Allocations and Policies DPD and the Kidderminster Central Area Action Plan DPD on the Natura 2000 sites. The report concludes that no further work is necessary.

1.0 INTRODUCTION

- 1.1 In October 2005, the European Court of Justice ruled that Appropriate Assessments (AA) must be carried out on all land use plans in the UK. The purpose of AA of land use plans is to ensure that protection of the integrity of European sites is a part of the planning process. The requirement for AA of plans or projects is outlined in Article 6(3) and (4) of the European Communities (1992) Council Directive 92/43/EEC on the conservation of natural habitats and of wild fauna and flora (Habitats Directive). The European sites consist of Special Areas of Conservation (SACs), Special Protection Areas (SPAs) and Offshore Marine Sites (OMS) which are collectively known as Natura 2000 sites.
- 1.2 Planning Policy Statement (PPS) 9: Biodiversity and Geological Conservation (2005) requires that potential Special Protection Areas (pSPAs) and candidate Special Areas of Conservation (cSACs) are considered in the same way as if they had already been classified or designated for the purpose of considering development proposals. PPS 9 also requires that listed Ramsar sites receive the same protection as designated SPAs and SACs in terms of policy.

2.0 METHODOLOGY

2.1 Guidance from the Department for Communities and Local Government (DCLG), 'Planning for the Protection of European Sites: Appropriate Assessment' (2006) identifies three stages involved in the completion of Appropriate Assessments. These are as follows:

1. Evidence Gathering and Screening (the test to identify whether a plan option is 'likely to have a significant effect' using the precautionary principle).
2. Appropriate Assessment and ascertaining the effect on site integrity **(only necessary if there are found to be likely significant effects)**.
3. Mitigation measures and alternative solutions (required where an option has been found to have adverse effects on the integrity of the European Site, these effects should be mitigated).

2.2 This report covers Stage 1 (evidence gathering and screening) of the above process. It has been informed by data produced by Natural England and the Joint Nature Conservation Committee. The screening process determines whether the subsequent stages 2 and 3 of the AA are required. Natural England will be consulted on this screening report. It will then be amended as appropriate to incorporate any responses received and will be made available with the Sustainability Appraisal Report for public consultation alongside the three consultation documents.

2.3 Department of Communities and Local Government guidance 'Planning for the Protection of European Sites: Appropriate Assessment' produced in 2006 states that Appropriate Assessment (AA) should be made available to the community and may be consulted on as appropriate on the preferred options at regulation 26 stage (pre-submission public participation).

3.0 EVIDENCE GATHERING AND SCREENING

3.1 The screening assessment examines the likely effects of the Site Allocations and Policies DPD, Kidderminster Central Area Action Plan DPD and Draft Churchfields Masterplan SPD upon Natura 2000 sites. The screening reports for the Core Strategy DPD concluded that no further work was necessary; it may be possible after this stage to conclude that no further work is necessary for these documents also.

- 3.2 Government guidance states that significant effects may be incurred even in cases where the area of the plan is some distance away. As a precautionary measure any Natura 2000 sites within 15km (straight line) of the District boundary were included in the initial screening process. Information was gathered from the Joint Nature Conservation Committee (JNCC) record as to the location of the sites, their status and their reason for designation. It was considered that due to the quantum of development envisaged, there would be no significant effect on Natura 2000 sites beyond this 15 km buffer.
- 3.3 There are no Natura 2000 sites within the District boundary. However, there are two sites within 15 km of the District boundary. The first of these is Fens Pool which is approximately 8.7km north of the District boundary and the second is Lyppard Grange Ponds which is approximately 12.9km south of the District boundary. A map showing the location of the sites and their proximity to the District boundary can be found on the final page of this screening Report.

Table One :European Sites which could be affected by the Wyre Forest District Site Allocations and Policies DPD, Kidderminster Central Area Action Plan DPD and Draft Churchfields Masterplan SPD

Name of site	Grid Reference	Approximate Distance from District Boundary	Reason for designation and conservation objectives	Vulnerability
Fens Pool SAC	SO920888	8.7km	Great Crested Newt has been identified at the site. The site shows evidence of past industrial activity and includes a range of habitats from open water, swamp, and inundation communities to unimproved natural and acidic grassland and scrub.	The Great Crested Newt population at this site is dependant on the control of fish, maintenance of adequate water quality given an urban catchment and the protection of surrounding terrestrial habitats from major ground disturbance, fish introductions and pollution by expanding the number of ponds in the current cluster. Land contamination could be a possible future issue.
Lyppard Grange Ponds	SO879556	12.9km	Great Crested Newt has been identified at the site. The ponds are associated with good quality terrestrial habitats.	The site is composed of two ponds in an area of public open space surrounded by residential development. The site is vulnerable to the effects of recreational pressure and the introduction of fish which affect the suitability of the ponds as a breeding area for the Great Crested Newt.

Source: Joint Nature Conservation Committee (JNCC) www.jncc.gov.uk

4.0 POSSIBLE FUTURE DEVELOPMENT

4.1 The Core Strategy sets out the District Council's intention to provide 4,000 dwellings on urban brownfield land principally within Kidderminster and Stourport-on-Severn. The allocation of sites through the Site Allocations and Policies DPD and the Kidderminster Central Area Action Plan DPD will follow a sequential approach as set out in policy DS01 as follows:

1. key regeneration sites within the Kidderminster Central Action Area Plan boundary
2. other major (>1 Ha) brownfield sites within Kidderminster and Stourport-on-Severn urban areas
3. smaller infill brownfield sites within Kidderminster, Stourport-on-Severn and Bewdley
4. brownfield sites within the rural settlements

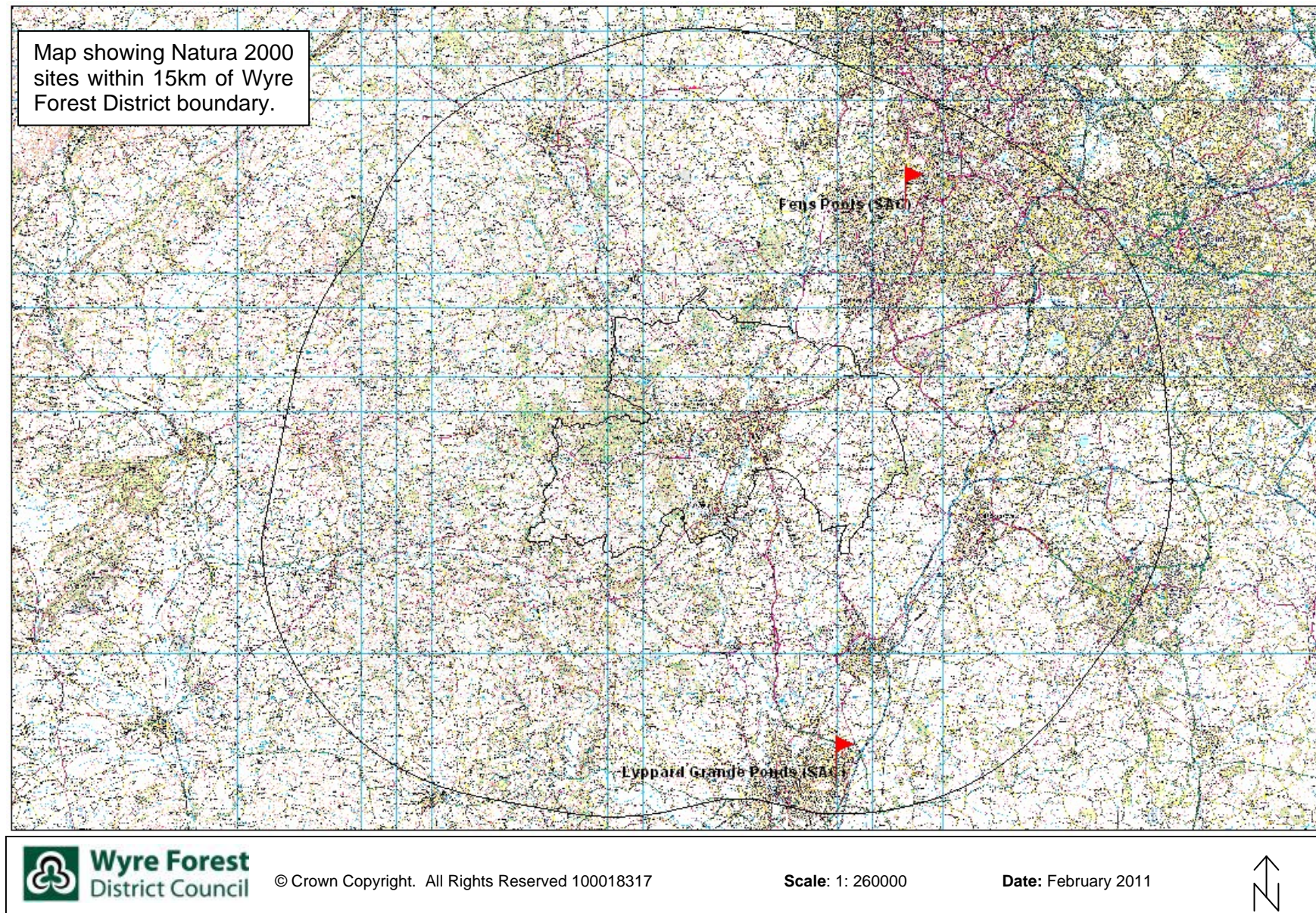
Table Two: Assessment of Likely Significant Effects

Site	Key environmental conditions to support site integrity	Possible impacts arising from Site Allocations or KCAAP	Is there a risk of a significant effect?	Possible impacts from other trends plans etc.	Is there a risk of significant 'in combination'
Fens Pools SAC	Great Crested newt has been identified at the site.	None	No	None	No
	The site shows evidence of past industrial activity and includes a range of habitats from open water, swamp, and inundation communities to unimproved natural and acidic grassland and scrub.	None	No	None	No
Lyppard Grange Ponds SAC	Great Crested Newt has been identified at the site. The ponds are associated with good quality terrestrial habitats	None	No	None	No
	The ponds are associated with good quality terrestrial habitats	None	No	None	No

- 4.2 The District Council has prepared preferred options for the Site Allocations and Policies DPD and Kidderminster Central Area Action Plan DPD and a Draft Churchfields Masterplan SPD. These are currently out for consultation for a period of six weeks.
- 4.3 A matrix setting out the preferred policies and proposed development sites from the DPDs can be found at Appendix 1. This shows the reasons why it is considered that the proposals will have no significant effects on Natura 2000 sites and that therefore there is no requirement to proceed to the next stage. The Draft Churchfields Masterplan sets out design principles for the Churchfields area, it does not change land use, therefore, it is not considered that this will have any impact on the SACs. The land use decisions will be made through the Kidderminster Central Area Action Plan Development Plan Document and the preferred options for this document have been screened through this Habitat Regulations Assessment Screening Report.

5.0 NEXT STAGES

- 5.1 It is considered that due to the scale of growth envisaged within the District and the fact that the sites identified are located some distance away, that no further appropriate assessment work will be required for these two DPDs.



Appendix 1

Site Allocations and Policies Preferred Options DPD

Section	Policy	Likely impact on SAC
A Desirable Place to Live	1 - 8	The housing requirement of 4,000 dwellings up to 2026 will almost all be met from brownfield redevelopment sites in the 2 main towns. This will not have significant impact on SACs.
A Good Place to do Business	9 - 13	Concentration of development in urban areas will not affect SACs and will help to steer development away from sensitive areas.
Adapting to and Mitigating Against Climate Change	14 - 19	Concentration of development in urban areas will not affect SACs and will help to steer development away from sensitive areas.
A Unique Place	20 – 30	Policies are intended to conserve or enhance the natural, built or historic environment and enhancement measures will not be likely to have any effect on SACs.
South Kidderminster Nature & Business Park	31 - 35	Concentration of development in urban areas will not affect SACs and will help to steer development away from sensitive areas.
West Kidderminster	36 - 37	Concentration of development in urban areas will not affect SACs and will help to steer development away from sensitive areas.
Kidderminster Smaller Sites	38	Concentration of development in urban areas will not affect SACs and will help to steer development away from sensitive areas.
Stourport-on-Severn Town Centre	39 - 43	Concentration of development in urban areas will not affect SACs and will help to steer development away from sensitive areas.
Stourport-on-Severn – Eastern Approaches	44 - 48	Concentration of development in urban areas will not affect SACs and will help to steer development away from sensitive areas. Although some sites are immediately adjacent to the River Severn / Stour, it is considered that their

		redevelopment will have minimal effect on SACs further downstream in the Severn Estuary.
Stourport-on-Severn – West	49 - 50	Concentration of development in urban areas will not affect SACs and will help to steer development away from sensitive areas.
Stourport-on-Severn – Smaller sites	51	Concentration of development in urban areas will not affect SACs and will help to steer development away from sensitive areas.
Bewdley	52 - 53	Concentration of development in urban areas will not affect SACs and will help to steer development away from sensitive areas.
Rural	54 - 55	Sites are within or immediately adjacent village envelopes and should have minimal effect on sensitive areas.
Major Developed Sites in the Green Belt	56	Policy will help to steer development away from sensitive areas.

Kidderminster Central Area Action Plan Preferred Options DPD

Section	Policy	Likely impact on SAC
A Desirable Place to Live	1 - 2	Concentration of development in urban areas will not affect SACs and will help to steer development away from sensitive areas.
A Good Place to do Business	3 - 9	Concentration of development in urban areas will not affect SACs and will help to steer development away from sensitive areas.
Adapting to and Mitigating Against Climate Change	10 - 11	Concentration of development in urban areas will not affect SACs and will help to steer development away from sensitive areas.
A Unique Place	12 - 18	Concentration of development in urban areas will not affect SACs and will help to steer development away from sensitive areas.

Churchfields	19 - 26	Concentration of development in urban areas will not affect SACs and will help to steer development away from sensitive areas.
Eastern Gateway	27 - 34	Concentration of development in urban areas will not affect SACs and will help to steer development away from sensitive areas.
Western Gateway	35 - 37	Concentration of development in urban areas will not affect SACs and will help to steer development away from sensitive areas.
Castle Wharf	38	Concentration of development in urban areas will not affect SACs and will help to steer development away from sensitive areas. Although this site is immediately adjacent to the River Stour, it is considered that its redevelopment will have minimal effect on SACs further downstream in the Severn Estuary.
Crossley Park & Mill Street	39	Concentration of development in urban areas will not affect SACs and will help to steer development away from sensitive areas. Although this site is immediately adjacent to the River Stour, it is considered that its redevelopment will have minimal effect on SACs further downstream in the Severn Estuary.
Traditional Town Centre	40 - 41	Concentration of development in urban areas will not affect SACs and will help to steer development away from sensitive areas.
Heritage Processions	42 - 45	Concentration of development in urban areas will not affect SACs and will help to steer development away from sensitive areas.

Date: 21 July 2011
Our ref: 24429-HRA Screening for SAP DPD,
Kidderminster Central AAP, Churchfields
Masterplan SPD May 2011



Maria Dunn
Senior Forward Planning Officer
Wyre Forest District Council

Block B
Government Buildings
Whittington Road
WORCESTER
WR5 2LQ

By Email

Dear Ms Dunn,

Conservation of Habitats and Species Regulations 2010

Habitat Regulations Assessment Screening Report for: Kidderminster Central Area Action Plan Development Plan Document; Site Allocations and Policies Development Plan Document; Draft Churchfields Masterplan Supplementary Planning Document, May 2011

Thank you for your consultation on the above. This response provides our advice under Regulation 102 of the Conservation of Habitats and Species Regulations 2010.

Natural England supports the council's conclusion that this suite of documents will not result in Likely Significant Effects upon a Natura 2000 site.

We note that the council has implemented the majority of our previous recommendations, which were primarily around ensuring the HRA process was adequately evidenced. One outstanding recommendation is that the Natura 2000 site's vulnerabilities should be drawn upon in justifying the conclusion of no LSE. If you wish to discuss this further then please don't hesitate to contact me.

As an additional point which relates to identifying the relevant European Sites, there is a direct hydrological connection to the Severn Estuary SAC/SPA/Ramsar site via the River Severn and its tributaries. Although we do not consider there to be a strong risk of LSE, given the theoretical potential for direct and/or in combination impacts it may be worth giving the Severn Estuary a specific mention in the body of the report. We note that it is mentioned in Appendix 1.

I hope this response is of assistance. If you wish to discuss this matter further please do not hesitate to contact me.

Yours sincerely,

A handwritten signature in black ink, appearing to read "Hayley Pankhurst".

Hayley Pankhurst
Environmental Planner (Herefordshire and Worcestershire)
Planning and Partnerships Team
West Midlands Regional Advocacy and Partnerships Team
Tel: 0300 060 1594
Email: hayley.pankhurst@naturalengland.org.uk

Recommendation Tracking - 2011/2012 Overview & Scrutiny Committee

Scrutiny Date	Recommendation	Cabinet Date	Decision	Action Taken
02/06/11	<p>Sports and Leisure Centre Review Panel</p> <ol style="list-style-type: none"> 1. No leisure provision within the District is not considered to be an option. 2. Refurbishment of the Glades is not considered to be an option. 3. A new build leisure facility within Kidderminster is the preferred option, but at this stage it is not possible to comment on a preferred site or the facilities to be provided within the Leisure Centre. 4. A Community Asset Transfer for the wet and dry facilities at Stourport Sports Centre should be progressed. 5. A Community Asset Transfer for Bewdley Leisure Centre should be progressed with any willing partners. 6. That extension to existing management contracts, as previously approved by Cabinet, with DC leisure take place, if necessary whilst recommendations 1 to 5 are being progressed. 7. That the communications/consultation plan be endorsed. 	21/06/11 Agenda Item 9.2	<ol style="list-style-type: none"> 1. The recommendations from the Overview and Scrutiny Committee on the high level principles for the future arrangements for leisure facilities in the District be noted. 2. A public consultation exercise be carried out between July and September 2 011 on the recommendations of the Overview and Scrutiny Committee. 3. A report on the feedback from the public consultation exercise and further in depth financial appraisal of future options be prepared by the Director of Community and Partnership Services in consultation with the Cabinet Member for Community Well Being, the Director of Resources, the Director of Legal and Corporate Services and the Director of PARS Service for consideration by Cabinet in autumn 2011. 	<p>Report to Cabinet and Council.</p> <p>Consultation exercise was carried out and reported to Cabinet.</p> <p>Report was completed and considered by Cabinet.</p>

Scrutiny Date	Recommendation	Cabinet Date	Decision	Action Taken
07/07/11	Revenues and Benefits Shared Service – Options Appraisal <ol style="list-style-type: none"> 1. To transform the in-house service to increase effectiveness and efficiency. 2. A full review of the opportunity to join a Revenues Shared Service when the position is clear on Universal Credit. 3. Any costs of implementation are met from the provision of £700k for severance costs approved as part of the Financial Strategy 2011-14. 	19/07/11 Agenda Item 8.1	Approval be given to the Revenues and Benefits Service to remain in-house, whilst transforming the service through “System Thinking” and homeworking to become more effective and efficient.	<ul style="list-style-type: none"> • Restructuring effective from 1.4.2012 achieving annual ongoing savings of £174K. • Homeworking successfully rolled out. 28.1 FTE out of a team of 40.8 FTE’s, which equates to 68.87% of staff working from home. Achieved target for New HQ. • System Thinking Intervention progressing well – July completion date.
08/09/11	Recommendations of the Recording Equipment, Blogging and Social Media Review Panel <ol style="list-style-type: none"> a. The Council should record and broadcast its public meetings online following the move to the new Council Headquarters. b. Video / Audio Recording of meetings by the press and public should not be allowed. c. The use of Social Media by the press and public during meetings should be permitted. d. The use of Social Media by Councillors and Officers whilst in a meeting should be prohibited. e. The use of Social Media by the Council should be encouraged. 	20/09/11 Agenda Item 11.1	<p>The recommendations as set out below be noted:</p> <ol style="list-style-type: none"> a. The Council should record and broadcast its public meetings online following the move to the new Council Headquarters. b. Video / Audio Recording of meetings by the press and public should not be allowed. c. The use of Social Media by the press and public during meetings should be permitted. d. The use of Social Media by Councillors and Officers whilst in a meeting should be prohibited. e. The use of Social Media by the Council should be encouraged. 	<p>Awaiting response from Democratic Services Manager / Media & Marketing Officer.</p> <p>e. The Council now use social media and has accounts with Facebook and</p>

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	<ul style="list-style-type: none"> f. The use of Social Media by Councillors outside of meetings should be encouraged and guidelines and training be provided. g. Worcestershire Leadership Group be encouraged to develop a county wide media protocol for Members. 		<ul style="list-style-type: none"> f. The use of Social Media by Councillors outside of meetings should be encouraged and guidelines and training be provided. g. Worcestershire Leadership Group be encouraged to develop a county wide media protocol for Members. 	Twitter. These were created in May 2011.
08/09/11	<p>Land Drainage Shared Service</p> <ul style="list-style-type: none"> 1. Wyre Forest District Council develops a shared Land Drainage Service subject to agreement from Redditch Borough Council and Bromsgrove District Council and the responsible Cabinet Member for Wyre Forest District Council is appointed onto the Client Management Group. 2. The Strategic Housing Services Manager to obtain clarification regarding the changes coming into effect in October 2011 and circulate to Members of the Committee. 	20/09/11 Agenda Item 10.1	<ul style="list-style-type: none"> 1. Wyre Forest District Council enters into arrangements to establish a new North Worcestershire Land Drainage service, along with Bromsgrove District and Redditch Borough Councils. 2. Wyre Forest District Council enters into arrangements with Worcestershire County Council on an agency basis to deliver the County Council's Flooding & Water Management Act 2010 responsibilities for the North Worcestershire area and that such arrangements are embodied into the arrangements described at 1 above. 3. The Director of Planning & Regulatory Services, in consultation with the Director of Resources and the Director of Legal & Corporate Services 	<p>Agreement commenced from 1st November as anticipated.</p> <p>Agreement commenced from September current discussions underway regarding extending range of functions delegated to the service to deliver.</p> <p>Terms agree and agreement signed.</p>

			<p>and the Cabinet Member for Place Shaping, be given delegated authority to agree the terms of any necessary agreements for the implementation of the shared service/agency proposals and to conclude such agreements.</p> <p>4. The Director of Legal & Corporate Services be given delegated authority to undertake any necessary action relating to employee and union matters regarding the transfer of relevant employees from Redditch and Bromsgrove Councils, including any temporary arrangements under S113 of the Local Government Act 1972 in accordance with the principles of TUPE; and, in conjunction with the Director of Planning & Regulatory Services, to make any necessary staffing arrangements in relation to the provision of the new service with the Council.</p> <p>5. The Chief Executive, in conjunction with the Director of Planning & Regulatory Services, be given delegated</p>	<p>One member of team temporarily seconded from Redditch and one member of team TUPEd from Bromsgrove. Final team structure nearing completion.</p> <p>CMG now established and includes both officers from district and County Council and three Councillors.</p>
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			authority to appoint the Council's other representatives to the proposed Client Management Group.	
08/09/11	<p>Wyre Forest District Local Development Framework: Churchfields Masterplan Supplementary Planning Document</p> <p>Recommended to Cabinet to recommend to Council:</p> <ol style="list-style-type: none"> 1. The representations received and officer comments set out at Appendix 2 of the report to Overview and Scrutiny Committee be approved by Cabinet and Council for publication. 2. The Churchfields Masterplan Supplementary Planning Document as amended by the recommended changes set out in Appendix 3 to the Overview and Scrutiny Report be adopted as the "Churchfields Masterplan" Supplementary Planning Document, in accordance with Section 23 of the Planning and Compulsory Purchase Act 2004. 3. The Director of Planning and Regulatory Services be given delegated authority to determine the final format and presentation of the papers. 	<p>20/09/11 Agenda Item 10.3</p> <p>Council 28/09/11</p>	<p>Officer responses to the representations received on the Churchfields masterplan as set out in Appendix 2 to the Cabinet report be agreed.</p> <p>Recommended to Council:</p> <ol style="list-style-type: none"> 1. The Churchfields Masterplan (Draft) Supplementary Planning Document as amended by the recommended changes set out in Appendix 2 to the Cabinet Report as the "Churchfields Masterplan" Supplementary Planning Document, in accordance with Section 23 of the Planning and Compulsory Purchase Act 2004 be adopted. 2. The Director of Planning & Regulatory Services be authorised to prepare and publish the necessary documents in accordance with Regulation 19 of the Town and Country Planning (Local Development) (England) Regulations 2004. 3. Delegated authority to the 	<p>Churchfields Masterplan Supplementary Planning Document Adopted by Council on 28th September 2011.</p> <p>The SPD is an important part of the evidence base in developing the Kidderminster Central Area Action Plan DPD.</p> <p>The SPD has had a significant role in</p>

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			Director of Planning & Regulatory Services to make any necessary presentational amendments be granted.	providing information in the consideration of planning applications within the Churchfields area.
08/09/11	Wyre Forest District Local Development Framework (LDF): Site Allocations and Policies and Kidderminster Central Area Action Plan DPDs – Preferred Options Papers Consultation Responses The representations received and officer comments set out in Appendices 1-3 of the report to the Overview and Scrutiny Committee be approved by Cabinet for publication.	20/09/11 Agenda Item 10.2	Officer responses to the representations received on the Site Allocations and Policies DPD and Kidderminster Central Area Action Plan DPD Preferred Options Papers as set out at Appendices 1-3 to the Cabinet report be agreed.	Responses reported to Cabinet and published on the Council's website. Representations used to inform draft publication stage of the Site Allocations and Policies and Kidderminster Central Area Action Plan DPDs.
08/09/11	Recommendations from the Treasury Management Review Panel 1. The actual 2010/11 prudential and treasury indicators in the report be approved. 2. The annual treasury management report for 2010/11 be noted.	20/09/11 Agenda Item 9.1	1. The actual 2010/11 prudential and treasury indicators be approved. 2. The annual treasury management report for 2010/11 be noted.	Noted for compliance with Strategy requirements. No further action needed.
19/09/11	Wyre Forest District Local Development Framework (LDF) Potential Sites for Gypsies, Travellers and Travelling Showpeople The report be noted and the Cabinet decide on which site or sites go out to public consultation.	20/09/11 Agenda Item 7.1	The following sites be included in the public consultation for potential new sites for Gypsies, Travellers and Travelling Showpeople: a. Site at Stourport Road, Bewdley b. Former Sion Hill school site, Kidderminster c. Lea Castle Hospital site, Cookley, Nr. Kidderminster	Consultation undertaken for 6 weeks, between October 7 th and November 18 th 2011. Four Public Meetings were held as follows: Thursday 20 th October Bewdley High School Wednesday 26 th October

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			<p>d. Land adjacent Nunn's Corner, Stourport-on-Severn</p> <p>e. Saiwen, Stourport-on-Severn</p> <p>f. The Gables Yard, Stourport-on-Severn</p> <p>g. Farm, St. John's Road, Stourport-on-Severn</p> <p>The consultation should proceed in October 2011 for a period of six weeks and public meetings be held covering the proposed sites, in conjunction with the local Parish or Town Councils were appropriate.</p>	<p>Cookley Village Hall</p> <p>Monday 31st October Wolverley Memorial Hall</p> <p>Wednesday 2nd November Stourport Civic Hall</p>
06/10/11	<p>Wyre Forest District Council Empty Property Strategy 2011-2014</p> <p>The 2011-2014 Empty Property Strategy be adopted.</p>	22/11/11 Agenda Item 10.2	The Wyre Forest District Council Empty Property Strategy be adopted.	Action Plan being implemented.
06/10/11	<p>Green Street Conservation Area Designation and Draft Character Appraisal and Management Plan</p> <p>a. Consultation be undertaken on the proposal to designate a Green Street Conservation Area.</p> <p>b. Consultation be undertaken on the:</p> <ul style="list-style-type: none"> Proposed Conservation Area Designation: Green Street Area of Kidderminster: Volume 1: Draft Conservation Appraisal and Management Plan: October 2011. Proposed Conservation Area Designation: Green Street Area of Kidderminster: Volume 2: Maps 	18/10/11 Agenda Item 9.1	<p>1. Consultation be undertaken on the proposal to designate a Green Street Conservation Area.</p> <p>2. Consultation be undertaken on the:</p> <ul style="list-style-type: none"> Proposed Conservation Area Designation: Green Street Area of Kidderminster: Volume 1: Draft Conservation Appraisal and Management Plan: October 2011. Proposed Conservation Area Designation: Green Street Area of Kidderminster: Volume 	<p>Consultation undertaken for 6 weeks between 3rd November and the 15th December 2012.</p> <p>Copies of the documents were made available on-line and at Kidderminster Library, Kidderminster Hub and Stourport-on-Severn Hub.</p> <p>Council agreed final adoption in February 2012.</p>

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	and Photographs: October 2011. c. That the Director of Planning and Regulatory Services be given delegated authority to determine the final format and presentation of the papers.		2: Maps and Photographs: October 2011. 3. The Director of Planning and Regulatory Services be given delegated authority to determine the final format and presentation of the papers.	
06/10/11	Draft National Planning Policy Framework The proposed response set out at Appendix 1 to the report to Overview and Scrutiny Committee be submitted to the Department for Communities and Local Government.	18/10/11 Agenda Item 11.1	That the recommendations are noted.	Responses submitted to the Department for Communities and Local Government.
03/11/11	Recommendations from the Waste Review Panel 1. To support the amendment of the terms and conditions of the staff within the Waste and Recycling service in respect of the introduction of a 4 day working week. 2. On the grounds of improvements to the environment and the cost savings it would generate, the frequency of the collection of medical waste be amended to fortnightly, with additional capacity provided if required.	22/11/11 Agenda Item 9.2	1. The principle of a Four Day Waste Collection Service (Tuesday–Friday) be introduced utilizing the Route Optimisation Software. 2. The Director of Resources be given delegated responsibility to undertake the review objectives in consultation with the Cabinet Member for Environmental Services. Recommended to Council: 1. To support the amendment to the terms and conditions of the staff within the Waste and Recycling Service in respect of the introduction of a 4 day working week. 2. On the grounds of	<ul style="list-style-type: none"> • All front line operational staff within the Waste Management Section have been fully engaged and consulted regarding a 4-day week working principal. • This principal has been accepted and crews will commence 4-day waste collections (Tuesday to Friday) effective from Tuesday 15th May 2012. • External grant funding (£70,000) received from Improvement & Efficiency West Midlands, (I&EWM) as part of a WFDC led collaborative project involving Herefordshire & Worcestershire partners for the procurement of Vehicle Route Optimisation Software.

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			improvements to the environment and the cost savings it would generate, the frequency of the collection of medical waste be amended to fortnightly, with additional capacity provided if required.	<ul style="list-style-type: none"> • WFDC first County-wide partner to receive and utilise Vehicle Routing Software for the review and revision of all waste collection rounds during February 2012. • March 2012 revised 4 day collections launched for 2,200 Garden Waste Customers. • April 2012 revised waste collection literature hand delivered to all 45,000 District-wide properties by team of waste collection employees. • May 15th 2012 revised waste collections across the District convert to a 4-day schedule based upon the following principal: <ul style="list-style-type: none"> ▪ Tuesday – Friday collections ▪ All existing medical collections converted to normal fortnightly service with additional bin capacity provided if required ▪ All refuse week 1, all recycling week 2 ▪ Crews operating zoned working for greater efficiency
03/11/11	South Worcestershire Development Plan Preferred Options Response The representations set out at Appendix 1 of the report to the Overview and Scrutiny Committee be approved by Cabinet for submission to the South Worcestershire Authorities.	22/11/11 Agenda Item 10.1	The representations set out at Appendix 1 of the report to Cabinet for submission to the South Worcestershire Authorities be approved.	Representations submitted to the South Worcestershire Authorities.

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03/11/11	<p>Community Safety Partnership Future Arrangements</p> <ol style="list-style-type: none"> 1. That Wyre Forest Community Safety Partnership (CSP) and Wyre Forest District Council Cabinet (as the responsible authority) agrees to the restructuring of the current CSP arrangements into two CSPs (North and South Worcestershire) and one county strategic Community Safety Board. 2. The three North Worcestershire CSPs immediately progress the merger into a single North Worcestershire CSP. The responsible Authorities to progress to merger and obtain appropriate local approvals and Home Office agreement to the merger by 1 April 2012 or earlier. 3. Agree to discussions commencing at the earliest opportunity with the Chairmen of Redditch and Bromsgrove CSPs, relevant portfolio holders and Community Safety co-ordinators to progress the merger. 4. Support the continuation of locality based operational and responsive partnership working through the operational management group and appropriate local Wyre Forest representation on the merged North Worcestershire CSP. 	22/11/11 Agenda Item 11.1	Wyre Forest Community Safety Partnership (CSP) and Wyre Forest District Council (as the responsible authority) agrees to the restructuring of the current CSP arrangements into one CSP for North Worcestershire, by merging with Redditch and Bromsgrove CSP's.	<p>The merger of the 3 district CSPs into one North Worcestershire CSP has been agreed by all the responsible authorities.</p> <p>A series of meetings have been held to progress the merger with draft terms of reference developed and agreed by the Community Safety Partnerships.</p> <p>First meeting of the North Worcestershire CSP to be held on 3 July. Home Office approval yet to be sought but this does not affect the Board being set up and working together across North Worcestershire. July meeting is in shadow form until Home Office approval is given, however no problems are anticipated and the Home Office has been approached and made aware of the intention to apply for the agreement to merge.</p>
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03/11/11	Eastern Gateway: Concept Feasibility Report 1. The Eastern Gateway: Concept Feasibility Report be approved. 2. The Head of Economic Development and Regeneration to seek clarification on the issues raised and notify Members of the Committee accordingly.	22/11/11 Agenda Item 7.2	The Eastern Gateway Concept Feasibility Report be adopted as informal planning guidance in support of the Kidderminster Central Area Action Plan and the Kidderminster Regeneration Prospectus / ReWyre Initiative. Cabinet also agreed that Officers develop a land assembly and disposal strategy.	Eastern Gateway Concept Feasibility Report adopted as informal planning guidance. The report has had a significant role in the consideration of a major planning role in the Churchfields area of Kidderminster. The report is being used for on-going discussions regarding the potential future development of the Eastern Gateway area. The report has provided important part of the evidence base for the Kidderminster Central Area Action Plan DPD. Officers are now in the process of taking the project to the next stage which includes the land strategy.
03/11/11	Worcestershire Regulatory Services - Enforcement Policy The proposed revised Enforcement Policy in respect of Worcestershire Regulatory Services be adopted	22/11/11 Agenda Item 9.1	The Worcestershire Regulatory Services Enforcement Policy be adopted.	The Enforcement Policy was adopted by the Joint Committee on 29th September 2011.

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03/11/11	Review of the Homelessness Contract Option Three “Extend the current contract by two years” as set out in the report to the Overview and Scrutiny Committee be progressed.	22/11/11 Agenda Item 14.1	<ol style="list-style-type: none"> 1. The existing Homelessness contract with the Community Housing Group (CHG) be extended for the further two year period (in accordance with the provisions of the existing contract) and that CHG assist the Council to deliver the contract savings set out in the Council’s Financial Strategy. 2. The Director of Planning and Regulatory Services in consultation with the Director of Resources and the Director of Legal and Corporate Services undertake the necessary procurement exercise to commission a new contract to take effect from April 2014. 	<p>Contract extended and savings negotiated with CHG. Work on re-commissioning service has commenced.</p> <p>New specification is being prepared; procurement planned 2013.</p>
01/12/11	Recommendations from the Treasury Management Review Panel - Kidderminster Carpet Museum Trust Request for Cashflow Support (2011) The Council support the request of Cashflow support up to £100,000 in line with the scheme approved by Council for the Carpet Museum Trust, contingent upon a third party being identified to resource the remaining £45,000 of cash flow support.	20/12/11 Agenda Item 8.3	The request of Cashflow support up to £100,000 in line with the scheme approved by Council for the Carpet Museum Trust, contingent upon a third party being identified to resource the remaining £45,000 of cash flow support be supported.	Meeting in late February with Carpet Museum Trust to consider legal agreement. In the final event the HLF have agreed to provide this support so the Council’s cashflow offer is not necessary.

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01/12/11	Recommendations from the Treasury Management Review Panel - Treasury Management Strategy Statement and Annual Investment Strategy Mid-year Review Report 2011/12 The Treasury Management Mid-year Review Report be approved.	20/12/11 Agenda Item 8.2	Recommended to Council: The Treasury Management Mid-year Review Report be approved.	Noted for compliance with Statutory requirements; no further action needed.
01/12/11	Recommendations from the Treasury Management Review Panel – Local Authority Mortgage Scheme (LAMS) The Council should formally consider the Local Authority Mortgage Scheme	20/12/11 Agenda Item 9.1	Cabinet noted the Local Authority Mortgage Scheme and would hold their own debate on how to take the Scheme forward.	Approved by Council on 29.2.12 as part of Budget package. Legal information pack purchased from Sector – with Monitoring Officer to consider. Outline implementation timetable approved by CMT; late Autumn target subject to capacity.
30/01/12	Wyre Forest District Local Development Framework (LDF): Potential Sites for Gypsies, Travellers and Travelling Showpeople Consultation Responses 1. The sites at Stourport Rd (Bewdley), Sion Hill (Kidderminster), Lea Castle (Cookley) and Manor Farm (Stourport-on-Severn) be disregarded from any further considerations. 2. The sites at Nunn's Corner Stourport-on-Severn and The Gables Yard, Stourport-on-Severn be carried forward for allocation in the Site Allocations and Policies Development Plan Document. 3. The Statement of Consultation set out in Appendix 1 of the report to the Overview and Scrutiny Committee be	31/01/12 Agenda Item 8.1	1. The sites at Stourport Rd (Bewdley), Sion Hill (Kidderminster), Lea Castle (Cookley) and Manor Farm (Stourport-on-Severn) be disregarded from any further considerations. 2. The sites at Nunn's Corner Stourport-on-Severn and The Gables Yard, Stourport-on-Severn be carried forward for allocation in the Site Allocations and Policies Development Plan Document. 3. The Statement of Consultation set out in Appendix 1 of the report to the Overview and Scrutiny Committee be noted and agreed for publication.	The sites at Stourport Rd (Bewdley), Sion Hill (Kidderminster), Lea Castle (Cookley) and Manor Farm (Stourport-on-Severn) were removed from further consideration in the LDF. The sites at Nunn's Corner Stourport-on-Severn and The Gables Yard, Stourport-on-Severn have been specifically allocated within the Council's draft publication Site Allocations and Policies DPD. Consultation was carried out on the following alternative sites for six

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	<p>noted and agreed for publication.</p> <p>4. In line with the recommendations from the Local Development Framework Review Panel, the following alternative sites be taken forward to the next phase of consultation: ALT 1, ALT 2 & ALT 3</p> <p>5. The following sites be disregarded from any further considerations: ALT 25, ALT 4, ALT 20, ALT 24</p> <p>6. The Local Development Framework Panel to consider draft wording in relation to a criteria based site provision policy for Travelling Showpeople and for the future determination of planning applications for gypsy and traveller sites within the Site Allocations and Policies Development Plan Document, recognising the desire of the Overview and Scrutiny Committee to see no further pitches being developed in the Sandy Lane area of Stourport-on-Severn.</p>		<p>4. In line with the recommendations from the Local Development Framework Review Panel, the following alternative sites be taken forward to the next phase of consultation:</p> <table><thead><tr><th><u>Site Number</u></th><th><u>Location</u></th></tr></thead><tbody><tr><td>ALT.1</td><td>Land opposite the Gatehouse, Sandy Lane Industrial Estate</td></tr><tr><td>ALT.2</td><td>1A Broach Road, Sandy Lane, Stourport-on-Severn</td></tr><tr><td>ALT.3</td><td>28-29 Sandy Lane, Stourport-on-Severn</td></tr></tbody></table> <p>5. The following sites be disregarded from any further considerations:</p> <table><thead><tr><th><u>Site Number</u></th><th><u>Location</u></th></tr></thead><tbody><tr><td>ALT.25</td><td>Hoobrook Trading Estate, Kidderminster</td></tr><tr><td>ALT.4</td><td>Land off Wilden Lane, Stourport-on-Severn</td></tr><tr><td>ALT.20</td><td>Ex Yieldingtree Packing Site nr Churchill</td></tr><tr><td>ALT.24</td><td>Clows Top Garage Site</td></tr></tbody></table> <p>6. The Local Development Framework Panel to consider draft wording in relation to a criteria based site provision</p>	<u>Site Number</u>	<u>Location</u>	ALT.1	Land opposite the Gatehouse, Sandy Lane Industrial Estate	ALT.2	1A Broach Road, Sandy Lane, Stourport-on-Severn	ALT.3	28-29 Sandy Lane, Stourport-on-Severn	<u>Site Number</u>	<u>Location</u>	ALT.25	Hoobrook Trading Estate, Kidderminster	ALT.4	Land off Wilden Lane, Stourport-on-Severn	ALT.20	Ex Yieldingtree Packing Site nr Churchill	ALT.24	Clows Top Garage Site	<p>weeks between 7th February and 20th March 2012.</p> <p>ALT.1 Land opposite the Gatehouse, Sandy Lane Industrial Estate</p> <p>ALT.2 1A Broach Road, Sandy Lane, Stourport-on-Severn</p> <p>ALT.3 28-29 Sandy Lane, Stourport-on-Severn</p> <p>The following proposed alternative sites were removed from further consideration in the LDF:</p> <p>ALT.25 Hoobrook Trading Estate, Kidderminster</p> <p>ALT.4 Land off Wilden Lane, Stourport-on-Severn</p> <p>ALT.20 Ex Yieldingtree Packing Site nr Churchill</p> <p>ALT.24 Clows Top Garage Site</p> <p>The following draft policies were prepared and presented to the LDF Panel on 20th February 2012 and Overview and Scrutiny on 8th March 2012:</p> <ul style="list-style-type: none">• Criteria based policy in relation to new sites for Travelling Showpeople;• A policy to help determine new applications for Gypsy and
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			<p>policy for Travelling Showpeople and for the future determination of planning applications for gypsy and traveller sites within the Site Allocations and Policies Development Plan Document, recognising the desire of the Overview and Scrutiny Committee to see no further pitches being developed in the Sandy Lane area of Stourport-on-Severn.</p>	<p>Traveller sites in the District; and</p> <ul style="list-style-type: none"> • A recognition in policy terms to resist further pitch provision at Sandy Lane, Stourport-on-Severn. <p>Responses to the consultation on the three further potential sites were reported to LDF Panel on 20th April 2012.</p>
08/02/12	<p>Future Arrangements for the Management of Sports and Leisure Centres</p> <ol style="list-style-type: none"> 1. In order to meet the future needs of the District as this is the most affordable and sustainable option a new leisure centre based on Option 3, including a swimming pool, should be progressed, 2. That to enable the provision of at least one swimming pool in the District by the Council until such time as a new leisure centre is built, that the current contract with DC Leisure be extended for 3 years, with an option to terminate at 6 months notice. 3. Wyre Forest Glades Leisure Centre closure will be the earliest of: <ol style="list-style-type: none"> (a) when a new leisure centre 	31/01/12 Agenda Item 9.1	<p>In line with the recommendation from the Overview and Scrutiny Committee of 2nd June 2011 on the broad principles for future arrangements for sport and leisure centre provision including “refurbishment of the Glades is not considered to be an option”; and consistent with the Council's emerging planning policy for the Eastern Gateway as set out in the Kidderminster Central Area Action Plan Development Plan Document which was approved by full Council for consultation on 18th May 2011:</p> <ol style="list-style-type: none"> 1. The Cabinet DECIDED that the site of The Glades Leisure Centre would not form an appropriate location for future 	<p>Decision taken at Council to proceed with and procure a new sports and leisure centre for the District, to be completed by April 2015.</p> <p>Negotiations are underway and being led by the Council's Property team.</p>

	<p>is complete; or</p> <p>(b) if the site needs to be vacated in order to allow its development by any purchaser of the site; or</p> <p>(c) the end of the 3 year extension to the current contract in March 2016; but not before 30th September 2013 in any case.</p> <p>4. Stourport Sports Centre will cease to be operated by Wyre Forest District Council when the new leisure centre is complete or at the end of the 3 year extension to the current contract in March 2016 if an asset transfer has not been possible and that further consideration should be given for the continued use of the site for community sport (not to exclude use by any commercial sports providers);</p> <p>5. The transfer of Bewdley Leisure Centre and playing fields should be secured and a negotiated withdrawal from the dual use agreement;</p> <p>6. The Director of Planning and Regulatory Services and the Director of Legal and Corporate Services in consultation with the Cabinet Member</p>		<p>leisure provision for the district. This decision includes, if necessary, vacating the site in order to allow its development by any purchaser prior to the building of a new leisure centre.</p> <p>2. Except as decided above, the Cabinet NOTES the recommendations set out in paragraphs 2.1 to 2.7 of the report to Cabinet, pending the advice of the Overview and Scrutiny Committee, and will take final decisions on these matters at its meeting on 21st February 2012.</p>	
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	<p>for Community Well-being be authorised to enter into negotiations for the acquisition of the preferred site for the new leisure centre identified in Exempt Appendix 1.</p> <p>7. Following acquisition of the site the appropriate Directors in consultation with the Cabinet Member for Community Well Being, commence the procurement exercise using the restricted procedure for a Design Build Operate Maintain (DBOM) contract for the build and operation of the new leisure centre.</p> <p>8. That the Capital and Revenue Budgets associated with Option 3 as set out in Section 5.3 of this report and Exempt Appendix 2 be approved and included in Cabinet's final budget strategy proposals in February (exact phasing to be confirmed together with final costs following site acquisition and competitive procurement).</p>			
09/02/12	<p>Public Sector Equality Duty Objectives</p> <p>Recommend to Cabinet: To recommend to Council that it adopts and publishes the following equality objective to meet its duty under the Equality Act 2010: Reduce inequality in access to employment within the District and build links between organisations to enable</p>	21/02/12 Agenda Item 11.1 (c)	<p>Recommend to Council: The Council adopts and publishes the following equality objective to meet its duty under the Equality Act 2010:</p> <ul style="list-style-type: none"> • Reduce inequality in access to employment within the District and build links between organisations to enable this, and by promoting good 	<p>Equality objective was published on the council's website in advance of the statutory deadline of 1 April. Work in delivering the objective is be co-ordinated through the Wyre Forest Matters Partnership to feed into existing programmes of work for these particular areas.</p>

	this, and by promoting good parenting skills and providing support and advice to families from relevant partner agencies and schools.		parenting skills and providing support and advice to families from relevant partner agencies and schools.	
09/02/12	<p>Recommendations from the Grants to Voluntary Bodies Review Panel</p> <ol style="list-style-type: none"> 1. The general grant funding allocation from 1st April 2012 to 31st March 2015 should be targeted at meeting the needs of as many individuals across the District as possible. The grant funding should reflect the Council priorities of improving Community Well Being and Securing the Economic Prosperity of the District. In order to give stability to those organisations receiving grant funding, it should be given for a 3 year period. 2. The allocation of grant funding should also reflect the ageing population in the District. 3. It is recommended that the following grant allocations cease with effect from: <ul style="list-style-type: none"> 1st April 2012: <ul style="list-style-type: none"> • £1,000 pump priming grant • £1,000 emergency grant 1st June 2012: <ul style="list-style-type: none"> • £1,000 Community Action Wyre Forest • £2,960 Relate Worcestershire 4. The grant funding should be 	21/02/12 Agenda Item 11.1 (b)	<ol style="list-style-type: none"> 1. The general grant funding allocation from 1st April 2012 to 31st March 2015 should be targeted at meeting the needs of as many individuals across the District as possible. The grant funding should reflect the Council priorities of improving Community Well Being and Securing the Economic Prosperity of the District. In order to give stability to those organisations receiving grant funding, it should be given for a 3 year period. 2. The allocation of grant funding should also reflect the ageing population in the District. 3. The following grant allocations cease with effect from: <ul style="list-style-type: none"> 1st April 2012: <ul style="list-style-type: none"> • £1,000 pump priming grant • £1,000 emergency grant 1st June 2012: <ul style="list-style-type: none"> • £1,000 Community Action Wyre Forest • £2,960 Relate 	

	<p>allocated for a three year period, on a reducing basis, on an equal percentage reduction of 16.5% in 2012/13, 8.3% in 2013/14 and 9.0% in 2014/15 with effect from 1st June 2012.</p> <p>5. The following organisations will continue to receive funding in line with recommendations 1, 2 and 3 above:-</p> <ul style="list-style-type: none"> • Citizens Advice Bureau • Stourport Day Centre • Castle Road Day Centre <p>6. It is recommended that rent support to organisations remains unchanged.</p> <p>7. The inflationary uplift to Citizens Advice Bureau should cease with effect from 2012/13.</p> <p>8. At the end of the three year grant giving period and subject to the funds still being available, the Council will widely advertise the available grant and the criteria for organisations to apply for funding.</p> <p>9. It is recommended that the Council publicise the Worcestershire County Council scheme when it is finalised which is aimed at supporting the development of community and voluntary organisations. The Council should help to promote the scheme which will make £750,000 available over the next three years.</p>		<p>Worcestershire</p> <p>4. The grant funding be allocated for a three year period, on a reducing basis, on an equal percentage reduction of 16.5% in 2012/13, 8.3% in 2013/14 and 9.0% in 2014/15 with effect from 1st June 2012.</p> <p>5. The following organisations will continue to receive funding in line with recommendations 1, 2 and 3 above:-</p> <ul style="list-style-type: none"> • Citizens Advice Bureau • Stourport Day Centre • Castle Road Day Centre <p>6. Rent support to organisations remains unchanged.</p> <p>7. The inflationary uplift to Citizens Advice Bureau should cease with effect from 2012/13.</p> <p>8. At the end of the three year grant giving period and subject to the funds still being available, the Council will widely advertise the available grant and the criteria for organisations to apply for funding.</p> <p>9. The Council publicise the Worcestershire County Council scheme when it is finalised which is aimed at</p>	
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			supporting the development of community and voluntary organisations. The Council should help to promote the scheme which will make £750,000 available over the next three years.	
09/02/12	Recommendations from the Budget Review Panel – Consideration of Financial Strategy 2012 / 2015, Cabinet Proposals and Alternative Budget Proposals Having considered the Cabinet proposals, and amendments from the Independent Community and Health Concern, Labour and Liberal and Independent Groups, the Overview and Scrutiny Committee is satisfied that the proposals are all clear, achievable and financially sound.	Cabinet 21/02/12 Council 29/02/12	Financial Strategy approved as per Council minute C.82	Council on 29/2/12 approved the Financial Strategy for 2012/15. Officers from across the Council are now working to deliver Cabinet Proposals.
09/02/12	Recommendations from the Treasury Management Review Panel Recommend to Cabinet, to recommend to Council: 1. To approve the restated Prudential Indicators and Limits for the financial years 2012/13 to 2014/15. 2. To approve the updated Treasury Management and Investment Policy and Strategy Statements for the period 1 st April 2012 to 31 st March 2013 (the associated Prudential Indicators are included in Appendix 3 and the detailed	21/02/12 Agenda Item 10.3	Recommend to Council: 1. The restated Prudential Indicators and Limits for the financial years 2012/13 to 2014/15 be approved. 2. The updated Treasury Management and Investment Policy and Strategy Statements for the period 1 st April 2012 to 31 st March 2013 (the associated Prudential Indicators are included in Appendix 3 and the detailed	Final Treasury Management Service Strategy (TMSS) approved at Council on 29.2.12 as part of our Financial Strategy. Revised TMSS effective from 1.4.12 and now being complied with by Accountancy team.

	<p>criteria is included in Section 11 and Appendix 5 of the report to the Treasury Management Review Panel).</p> <p>3. To approve the Minimum Revenue Provision (MRP) Statement that sets out the Council's policy on MRP included in Appendix 1 of the report to the Treasury Management Review Panel.</p> <p>4. To approve the Authorised Limit Prudential Indicator included in Appendix 3 of the report to the Treasury Management Review Panel.</p> <p>5. That the Treasury Management Review Panel notes that the prudential indicators in the report will be revised in February 2012 as part of the Council's approval of the Financial Strategy 2012 to 2015, as the indicators included within this report are based on current recommendations.</p>		<p>criteria is included in Section 11 and Appendix 5 of the report to Cabinet) be approved.</p> <p>3. The Minimum Revenue Provision (MRP) Statement that sets out the Council's policy on MRP included in Appendix 1 of the report to Cabinet be approved.</p> <p>4. The Authorised Limit Prudential Indicator included in Appendix 3 of the report to Cabinet be approved.</p>	
09/02/12	<p>South Kidderminster Enterprise Park, Local Development Order (LDO) – Consultation Document</p> <p>1. That the Local Development Order Consultation document, as attached at Appendix 1 to the report to the Overview and Scrutiny Committee on 9th February 2012 is approved for consultation purposes.</p> <p>2. If adopted, Members are kept informed of developments carried out under the order by way of the weekly</p>	21/02/12 Agenda Item 8.1	<p>1. The draft Local Development Order, attached at Appendix 1 of the report to Cabinet, be used as the basis for public consultation</p> <p>2. Delegated authority be granted to the Director of Planning and Regulatory Services to approve the final format of the consultation papers.</p> <p>3. If adopted, Members be kept</p>	<p>Consultation undertaken between 1st March and 30th March 2012.</p> <p>An amendment was made to the draft Order to add a condition that members were informed of development being undertaken through the Order via the weekly planning list.</p> <p>Consultation responses and a revised</p>

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	planning list.		informed of developments carried out under the order by way of the weekly planning list.	Draft LDO are due to be reported to Overview and Scrutiny Committee on 31 st May and to Cabinet in June.
09/02/12	<p>Wyre Forest District Local Development Framework (LDF): Revised Project Plan (Local Development Scheme)</p> <p>Endorse the proposed Revised Local Development Framework Project Plan 2012-15 (LDS) as set out in Appendix 1 of the report to the Overview and Scrutiny Committee of 9th February 2012.</p>	21/02/12 Agenda Item 11.1 (d)	The proposed Revised Local Development Framework Project Plan 2012-15 (LDS) as set out in Appendix 1 of the report to the Overview and Scrutiny Committee of 9 th February 2012 be endorsed.	The Revised Local Development Framework Project Plan is now in place and provides the timetable that the Planning Policy section is currently working to for the production of the Local Development Framework documents.
09/02/12	<p>Green Street Conservation Area Designation, Character Appraisal and Management Plan</p> <ol style="list-style-type: none"> 1. The designation of a new Conservation Area at Green Street as shown on the plan attached to the report to the Overview and Scrutiny Committee on 9th February 2012. 2. The owners/occupiers of the buildings and structures it is proposed to include on the Kidderminster Local List be notified of the Council's intention. 3. The Character Appraisal and Management Plan be adopted. 4. The background and history of the buildings and points of interest within the area collated as part of the report be made available for display in the 	21/02/12 Agenda Item 9.1	<p>Recommended to Council:</p> <ol style="list-style-type: none"> 1. The designation under Section 69 of the Planning (Listed Buildings and Conservation Areas) Act 1990, of a new Conservation Area at Green Street in Kidderminster as shown on Appendix 1 of the report to Cabinet. 2. Delegated powers be granted to the Director of Planning and Regulatory Services to determine the final format and presentation of the Character Appraisal and Management Plan. 3. The owners/occupiers of the buildings and structures it is proposed to include on the 	<p>The Green Street Conservation Area and associated Character Appraisal and Management Plan has now been designated and Adopted by the District Council.</p> <p>This consultation is due to take place in June 2012. It is anticipated the results will be reported to the</p>

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	Carpet Museum and local library.		<p>Kidderminster Local List be notified of the Council's intention.</p> <p>4. The Character Appraisal and Management Plan be adopted.</p> <p>5. The background and history of the buildings and points of interest within the area collated as part of the report be made available for display in the Carpet Museum and local library.</p>	<p>September Planning Committee.</p> <p>This work is ongoing and will involve some more research/input from Kidderminster Civic Society, prior to the production of information panels to be displayed in the new Carpet Museum, and public library.</p>
08/03/12	<p>Wyre Forest District Local Development Framework (LDF): Draft Policy Wording for Potential sites for Gypsies, Travellers and Travelling Showpeople</p> <p>The draft policy wording set out at Appendix 1 of the report to the Overview and Scrutiny Committee on Thursday 8th March 2012, be approved for informal consultation with key stakeholders ahead of its inclusion within the Pre-Submission Publication version of the Site Allocations and Policies DPD.</p>	-	<p>To be tabled at June Cabinet meeting with further recommendations from the LDF Review Panel.</p>	<p>The draft policy wording now forms part of the Pre-Submission Draft Publication version of the Site Allocations and Policies DPD, which will be presented at the June meetings of Overview and Scrutiny and Cabinet.</p>
08/03/12	<p>Wyre Forest District Council's Carbon Management Plan</p> <p>1. The Carbon Management Plan, as attached at Appendix 1 of the report to the Overview and Scrutiny Committee on 8th March 2012 be amended to include targets relating to</p>	-	<p>Delegated decision taken by Cabinet Member for Place Shaping on 12/03/12.</p>	<p>Development of Carbon Management Business cases for year one projects underway.</p> <p>Lead members have received first briefing on progress.</p>

	<p>the procurement process for fleet vehicles and subject thereto, that it be approved.</p> <p>2. Members to receive regular updates on progress made.</p>			
08/03/12	<p>Worcestershire Homelessness Strategy</p> <p>1. The draft homelessness strategy be consulted upon for a period of 12 weeks from 16th March 2012.</p> <p>2. Delegated authority be given to the Director of Economic Prosperity and Place in consultation with the Cabinet Member for Place Shaping to agree the final Worcestershire Homelessness Strategy following the 12 week consultation to take account of any comments received.</p>	-	Delegated decision taken by Cabinet Member for Place Shaping on 12/03/12.	The Strategy is currently out to consultation.
12/04/12	<p>North Worcestershire Strategy</p> <ul style="list-style-type: none"> The North Worcestershire Economic Development & Regeneration Strategy for North Worcestershire as set out at Appendix 3 to the report of the Overview and Scrutiny Committee on 12th April 2012 be endorsed. The identified priorities for Wyre Forest District set out in Appendix 3 to the report of the Overview and Scrutiny Committee on 12th April 2012 and namely the focus on the delivery of the ReWyre Initiative and associated State of the Area Debate, be agreed. 	17/04/12 Agenda Item 8.2	<p>1. The North Worcestershire Economic Development & Regeneration Strategy for North Worcestershire as set out at Appendix 3 of the report to Cabinet be endorsed.</p> <p>2. The identified priorities for Wyre Forest District set out in Appendix 3 of the report to Cabinet and namely the focus on the delivery of the ReWyre Initiative and associated State of the Area Debate be agreed.</p>	The Strategy and associated priorities will be delivered as part of the North Worcestershire service.

12/04/12	Worcestershire Extra Care Housing Strategy	17/04/12		
	<p>Recommend to Cabinet: The Worcestershire Extra Care Housing, as attached at Appendix 1 to the report of the Overview and Scrutiny Committee on 12th April 2012 be approved.</p>	<p>Agenda Item 9.1</p>	<p>The Worcestershire Extra Care Housing Strategy be approved.</p>	<p>A local delivery plan will be developed throughout 2012/13 to support the strategy's key aims.</p>
	<p>Recommend to LDF: In relation to the subsequent development of planning policy following approval of the Worcestershire Extra Care Housing Strategy as attached at Appendix 1 to the report of the Overview and Scrutiny Committee on 12th April 2012, the Committee wished the Council to resist new major developments of extra care accommodation outside of existing communities.</p>	<p>01/05/12 Agenda Item</p>		