

Open

Planning Committee

Agenda

6pm
Tuesday, 15th September 2015
Council Chamber
Wyre Forest House
Finepoint Way
Kidderminster



Planning Committee

Members of Committee:

	Chairman: Councillor S J Williams
	Vice-Chairman: Councillor G C Yarranton
Councillor J Aston	Councillor S J M Clee
Councillor J Greener	Councillor J A Hart
Councillor M J Hart	Councillor D Little
Councillor F M Oborski MBE	Councillor M Rayner
Councillor C Rogers	Councillor J A Shaw

Information for Members of the Public:-

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

An update report is circulated at the meeting. Where members of the public have registered to speak on applications, the running order will be changed so that those applications can be considered first on their respective parts of the agenda. The revised order will be included in the update.

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.

Delegation - All items are presumed to be matters which the Committee has delegated powers to determine. In those instances where delegation will not or is unlikely to apply an appropriate indication will be given at the meeting.

Public Speaking

Agenda items involving public speaking will have presentations made in the following order (subject to the discretion of the Chairman):

- Introduction of item by officers;
- Councillors' questions to officers to clarify detail;
- Representations by objector;
- Representations by supporter or applicant (or representative);
- Clarification of any points by officers, as necessary, after each speaker;
- Consideration of application by councillors, including questions to officers

All speakers will be called to the designated area by the Chairman and will have a maximum of 3 minutes to address the Committee.

If you have any queries about this Agenda or require any details of background papers, further documents or information you should contact Louisa Bright Principal Committee and Member Services Officer, Wyre Forest House, Finepoint Way, Kidderminster, DY11 7WF. Telephone: 01562 732763 or email louisa.bright@wyreforestdc.gov.uk

Declaration of Interests by Members – interests of members in contracts and other matters

Declarations of Interest are a standard item on every Council and Committee agenda and each Member must provide a full record of their interests in the Public Register.

In addition, alongside the Register of Interest, the Members Code of Conduct (“the Code”) requires the Declaration of Interests at meetings. Members have to decide first whether or not they have a disclosable interest in the matter under discussion.

Please see the Members’ Code of Conduct as set out in Section 14 of the Council’s constitution for full details.

Disclosable Pecuniary Interest (DPI) / Other Disclosable Interest (ODI)

DPI’s and ODI’s are interests defined in the Code of Conduct that has been adopted by the District.

If you have a DPI (as defined in the Code) in a matter being considered at a meeting of the Council (as defined in the Code), the Council’s Standing Orders require you to leave the room where the meeting is held, for the duration of any discussion or voting on that matter.

If you have an ODI (as defined in the Code) you will need to consider whether you need to leave the room during the consideration of the matter.

WEBCASTING NOTICE

This meeting is being filmed for live or subsequent broadcast via the Council’s website site (www.wyreforestdc.gov.uk).

At the start of the meeting the Chairman will confirm if all or part of the meeting is being filmed.

You should be aware that the Council is a Data Controller under the Data Protection Act 1998. The footage recorded will be available to view on the Council’s website for 6 months and shall be retained in accordance with the Council’s published policy.

By entering the meeting room and using the public seating area, you are consenting to be filmed and to the possible use of those images and sound recordings for webcasting and or training purposes.

If members of the public do not wish to have their image captured they should sit in the Stourport and Bewdley Room where they can still view the meeting.

If any attendee is under the age of 18 the written consent of his or her parent or guardian is required before access to the meeting room is permitted. Persons under 18 are welcome to view the meeting from the Stourport and Bewdley Room.

If you have any queries regarding this, please speak with the Council’s Legal Officer at the meeting.

NOTES

- Councillors, who are not Members of the Planning Committee, but who wish to attend and to make comments on any application on this list or accompanying Agenda, are required to give notice by informing the Chairman, Solicitor to the Council, or Director of Economic Prosperity & Place before the meeting.
- Councillors who are interested in the detail of any matter to be considered are invited to consult the files with the relevant Officers to avoid unnecessary debate on such detail at the Meeting.
- Members should familiarise themselves with the location of particular sites of interest to minimise the need for Committee Site Visits.
- Please note if Members wish to have further details of any application appearing on the Schedule or would specifically like a fiche or plans to be displayed to aid the debate, could they please inform the Development Control Section not less than 24 hours before the Meeting.
- Members are respectfully reminded that applications deferred for more information should be kept to a minimum and only brought back to the Committee for determination where the matter cannot be resolved by the Director of Economic Prosperity & Place.
- Councillors and members of the public must be aware that in certain circumstances items may be taken out of order and, therefore, no certain advice can be provided about the time at which any item may be considered.
- Any members of the public wishing to make late additional representations should do so in writing or by contacting their Ward Councillor prior to the Meeting.
- For the purposes of the Local Government (Access to Information) Act 1985, unless otherwise stated against a particular report, "background papers" in accordance with Section 110D will always include the case Officer's written report and any letters or memoranda of representation received (including correspondence from the Highway Authority, Statutory Undertakers and all internal District Council Departments).
- Letters of representation referred to in these reports, together with any other background papers, may be inspected at any time prior to the Meeting, and these papers will be available at the Meeting.
- **Members of the public** should note that any application can be determined in any manner notwithstanding any or no recommendation being made.

Wyre Forest District Council

Planning Committee

Tuesday, 15th September 2015

Council Chamber, Wyre Forest House, Finepoint Way, 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, together with the name of the Councillor for whom he/she is acting.	
3.	Declarations of Interests by Members In accordance with the Code of Conduct, to invite Members to declare the existence and nature of any Disclosable Pecuniary Interests (DPI's) and / or Other Disclosable Interests (ODI's) in the following agenda items and indicate the action that they will be taking when the item is considered. Please see the Members' Code of Conduct as set out in Section 14 of the Council's Constitution for full details.	
4.	Minutes To confirm as a correct record the Minutes of the meeting held on the 18th August 2015.	7
5.	Applications to be Determined To consider the report of the Development Manager on planning and related applications to be determined.	11
6.	Planning and Related Appeals To receive a schedule showing the position in relation to those planning and related appeals currently being processed and details of the results of appeals recently received.	96
7.	To consider any other business, details of which have been communicated to the Solicitor to the Council 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.	

8.	<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>	
----	--	--

Part 2

Not open to the Press and Public

9.	<p>New Enforcement Case</p> <p>To receive a report from the Director of Economic Prosperity and Place on a new enforcement case.</p>	-
10.	<p>Enforcement Matters</p> <p>To receive a report from the Director of Economic Prosperity and Place that provides Members with a summary of enforcement matters.</p>	-
11.	<p>To consider any other business, details of which have been communicated to the Solicitor to the Council 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>	

WYRE FOREST DISTRICT COUNCIL

PLANNING COMMITTEE

COUNCIL CHAMBER, WYRE FOREST HOUSE, FINEPOINT WAY, KIDDERMINSTER

18TH AUGUST 2015 (6.00 PM)

Present:

Councillors: S J Williams (Chairman), G C Yarranton (Vice-Chairman), J Aston, S J M Clee, J Greener, I Hardiman, J A Hart, D Little, M Rayner, C Rogers and J A Shaw.

Observers:

There were no members present as observers.

PL.11 Apologies for Absence

Apologies for absence were received from Councillors: M J Hart and F M Oborski MBE.

PL.12 Appointment of Substitutes

Councillor I Hardiman was appointed as a substitute for Councillor M J Hart.

PL.13 Declarations of Interests by Members

There were no declarations of interest.

PL.14 Minutes

Decision: The minutes of the meeting held on 21st July 2015 be confirmed as a correct record and signed by the Chairman.

PL.15 Applications To Be Determined

The Committee considered those applications for determination (now incorporated in Development Control Schedule No. 534 attached).

Decision: The applications now submitted be determined, in accordance with the decisions set out in Development Control Schedule No. 534 attached, subject to incorporation of any further conditions or reasons (or variations) thought to be necessary to give full effect to the Authority's wishes about any particular application.

PL.16 Planning and Related Appeals

The Committee received details of the position with regard to planning and related appeals, still being processed, together with particulars of appeals that had been determined since the date of the last meeting.

Decision: The details be noted.

There being no further business, the meeting ended at 7.07pm.

WYRE FOREST DISTRICT COUNCIL

PLANNING COMMITTEE

18th August 2015 Schedule 534 Development Control

The schedule frequently refers to various standard conditions and notes for permission and standard reasons and refusals. Details of the full wording of these can be obtained from the Development Manager, Wyre Forest House, Finepoint Way, Kidderminster. However, a brief description can be seen in brackets alongside each standard condition, note or reason mentioned.

Application Reference: 15/0306/FULL
Site Address: 17 RODEN AVENUE, KIDDERMINSTER, DY10 2RF
APPLICATION DEFERRED PENDING A SITE VISIT

Application Reference: 15/0173/FULL
Site Address: STOURPORT PRIMARY SCHOOL, TAN LANE, STOURPORT-ON-SEVERN DY13 8HD
<p>APPROVED subject to the following conditions:</p> <ol style="list-style-type: none"> 1. A6 (Full with no reserved matters) 2. A11 (Approved plans) 3. Materials (including hard surfacing) to be agreed 4. Development shall be for 'extra care' only 5. Affordable housing at 30% 6. Details tree protection for retained trees (protective fencing) to be agreed 7. Hedgerows to be retained 8. Landscaping plan and 3 year management plan to be agreed 9. Landscaping works to British Standard 10. CEMP to be agreed (irradiation of invasive species, protection of mammals) 11. No development until bat survey carried out. The landscaping plan referred to in Condition 8 shall be design to have strict regard to the bat survey requirements. 12. Lighting plan required which takes account of findings of the bat report required by condition 11. 13. Historic photographic record/Historic building recording record to be submitted. 14. Existing vehicular access to Tan Lane to be closed prior to occupation 15. Existing redundant signage/road markings to be removed 16. Cycle parking to be provided 17. Travel plan to be provided 18. Parking for site operatives (during construction) 19. Drainage plans to be submitted 20. Occupation limited to persons over age 55 years <p>Notes</p> <ol style="list-style-type: none"> A. Private Apparatus within the Highway B. Section 278 Agreement C. Temporary direction signs to housing development

Application Reference: 15/0305/OUTL

Site Address: SITE OF FORMER SION HILL MIDDLE SCHOOL, SION HILL, KIDDERMINSTER DY10 2XT

DELEGATED AUTHORITY TO APPROVE subject to the following:

a) the signing of a **Section 106 Agreement** to secure:

- i) Affordable Housing Provision;
- ii) Education Contributions;
- iii) Public Open Space Contributions; and
- iv) Highway Contributions

as detailed above; and

b) the following conditions:

- 1. A1 (Standard outline)
- 2. A2 (Standard outline – Reserved Matters)
- 3. A3 (Submission of Reserved Matters)
- 4. A5 (Scope of Outline Permission)
- 5. A11 (Approved plans)
- 6. B1 (Samples/details of materials)
- 7. B11 (Details of enclosure)
- 8. B13 (Levels details)
- 9. C2 (Retention of existing trees)
- 10. C3 (Tree protection during construction)
- 11. C5 (Hand digging near trees)
- 12. C8 (Landscape implementation)
- 13. C13 (Landscape Management Plan)
- 14. E2 (Foul and Surface Water)
- 15. Ecology Surveys prior to demolition
- 16. G11 (Comprehensive Photographic Survey)
- 17. Archaeology
- 18. Archaeology
- 19. Archaeology
- 20. Contaminated land
- 21. Contaminated land
- 22. Visibility Splays
- 23. Access closure – occupation – vehicular
- 24. Access, turning and parking
- 25. Parking for site operatives
- 26. Travel Plan

Notes

- A SN2 (Section 106 Agreement)
- B Footpaths
- C Section 278 Agreement
- D Design of Street Lighting for Section 278
- E SN6 (No Felling – TPO)
- F Demolition in accordance with Worcestershire Regulatory Service Code of Practice

Application Reference: 15/0348/FULL

Site Address: SWAN HOTEL (CAR PARK), 56 HIGH STREET, STOURPORT-ON-SEVERN DY13 8BX

APPROVED subject to the following conditions:

1. Temporary 2 year consent
2. A11 (Approved plans)
3. No external storage (of car repair components)
4. No washing of vehicles on site
5. Working hours condition

**EXECUTIVE SUMMARY TO REPORT OF
DEVELOPMENT MANAGER**

Planning Committee

15/09/2015

PART A Reports

Ref.	Address of Site	Recommendation	Page No.
14/0591/FULL/OUT	WEST MIDLAND SAFARI PARK SPRING GROVE BEWDLEY	DELEGATED APPROVAL	12
15/0306/FULL	17 RODEN AVENUE KIDDERMINSTER	APPROVAL	85

PART B Report

Ref.	Address of Site	Recommendation	Page No.
15/0424/FULL	CENTRE OF SPORTING EXCELLENCE ZORTECH AVENUE KIDDERMINSTER	APPROVAL	90

WYRE FOREST DISTRICT COUNCIL

PLANNING COMMITTEE
15TH SEPTEMBER 2015

PART A

Application Reference:	14/0591/FULL/OUT	Date Received:	22/09/2014
Ord Sheet:	380248 275671	Expiry Date:	22/12/2014
Case Officer:	Paul Round	Ward:	Wribbenhall & Arley

Proposal: Hybrid Application: Outline application for hotel (maximum 250 bed) (use Class C1) conference centre (maximum 5700m2) (use class D2) and spa (maximum 550m2) (use class D2), reprofiling of land to the east of Bunkers Hill with spoil from the development, landscaping, car parking and ancillary infrastructure, with access to be determined and all other matters reserved. Full application for water park (use class D2), reprofiling of land to the east of Bunkers Hill with spoil from the development, access, landscaping, car parking and ancillary infrastructure

Site Address: WEST MIDLAND SAFARI PARK, SPRING GROVE, BEWDLEY, DY121LF

Applicant: WEST MIDLAND SAFARI PARK

Summary of Policy	DS01, DS04, CP01, CP02, CP03, CP08, CP10, CP11, CP12, CP13, CP14 (CS) SAL.PFSD1, SAL.GPB5, SAL.CC1, SAL.CC2, SAL.CC7, SAL.UP1, SAL.UP5, SAL.UP6, SAL.UP7, SAL.UP9, SAL.PDS1 (SAAPLP) Design Guidance SPD Sections 1, 2, 3, 4, 7, 9, 19, 11, 12, 13 (NPPF) Planning Practice Guidance
Reason for Referral to Committee	'Major' planning application
Recommendation	DELEGATED APPROVAL subject to Section 106 Agreement

14/0591/FULL/OUT

1.0 Site Location and Description

- 1.1 The West Midland Safari Park (WMSP) has operated within the District since 1973 and covers an area of approximately 90ha. The A456 defines the Safari Park's boundary to the west and the north. The Severn Valley Railway line forms the boundary to the south west. The 4 miles drive through the Safari Park occupies the majority of the southern half of the attraction. The northern half of the WMSP focuses on Spring Grove House and surrounding parkland grounds. Elements of the historic park still survive today, including many specimen trees, lakes, the stable block and walled garden which form an historic landscape framework into which the theme park attractions have been placed.
- 1.2 The application site is known as Bunkers Hill and is located within an area of predominantly undeveloped parkland forming a swathe of landscape measuring approximately 200m wide which wraps around the north and north west boundaries of the attraction adjoining the A456. The landform at Bunker's Hill forms a ridge orientated from south west to north east which rises to a high point above surrounding ground levels to the east, south and west. Lakes within the WMSP lie at the base of Bunkers Hill to the south, south east and west of the application site.
- 1.3 The application is in hybrid form, with full planning permission being sought for the water park (phase 1) and outline planning consent being sought for the hotel and conference centre (Phase 2). Phase 1 has been designed to operate entirely independently from Phase 2 pending the proposed hotel and conference centre becoming operational. The application involves the re-profiling of land within the Safari Park with the resulting spoil from the development.
- 1.4 The development would have a primary access point via a new fourth arm at the A456/B4190 Kidderminster Road roundabout. The proposed development would be linked to the existing access road arrangements within the WMSP. Public access between the development and the rest of the park for shared visits would be managed via control point where the proposed access road meets the existing access road to the north of the proposed water park.
- 1.5 The site falls within the West Midlands Green Belt and lies between the heath and acidic grassland sites of The Devil's Spittleful SSSI and Habberley Valley Local Nature Reserve/Local Wildlife Site. The Grade II Listed Spring Grove House forms the centre piece of the Safari Park and the application site falls within part of the former estate. Due to the elevated nature of the site the Heritage Assets of Hoarstone Farmhouse (Grade II*), Winterdyne (Grade II*), Wassell Wood House (Grade II), Spring Grove Farm Barns (Grade II) and the Bewdley Conservation Area can be seen from the site.

14/0591/FULL/OUT

2.0 Planning History (of relevance)

- 2.1 WF.710/85/O – Motel block with car parking : Approved
- 2.2 WF.688/88 - 60 Bedroom motel : Refused

3.0 Consultations and Representations

- 3.1 Bewdley Town Council – It was agreed to recommend approval subject to conditions in relation to:
 - a) Highways – further consultation with Worcestershire County Council was required in order to ensure that serious concerns were answered regarding the impact caused by the potential significant increase in volume of traffic, in particular, in/out of the proposed new entrance off the A456 Kidderminster Road roundabout. This further consultation should also produce a solution to the problem at the Catchems End junction which presently required all traffic to turn left from Habberley Road and proceed up to this roundabout;
 - b) Visual intrusion – further testing was required to assess the impact of the proposed development on light/line of sight to residents of Spring Grove Farms and adjacent residential properties. There was no evidence provided that such considerations had been taken into account at these locations;
 - c) Air and noise pollution – monitoring is required before, during and after completion of the development. Councillors expressed concern that existing data gathered was not truly representative and felt strongly that further/ongoing testing was necessary;
 - d) Proposed rail-link/monorail – as agreed by RPS (the Agent) representatives at this meeting, full and open consultation should resume with residents living close to the Safari Park development prior to submission of future plans for this link. Note: at present this element of the scheme was merely in outline
- 3.2 Highway Authority – No objections subject to conditions.

This application is a significant development and is located on a route of strategic importance, consequently the application has been subject to pre application discussions and area wide transport modeling for a variety of peak hours. The trip generation for his application has been developed from first principles due to the limited amount of data available from similar sites across the country. There are also link trips between the existing safari park / amusement park and the proposed water park and a robust approach has been adopted into assessing this. Whilst the application will generate new trips on the highway network the impact of this is not considered to be severe considering the traffic profile and the overlap with peak hours, particularly those associated with commuting.

14/0591/FULL/OUT

Whilst there are trips proposed at peak hours these are of a limited number and are predominantly associated with staff travel. The trips can be managed with a travel plan. The Applicant has submitted a travel plan for the application which covers all of the proposed uses and details an approach to promote sustainable travel and reduce vehicle trips. This travel plan has been assessed, refined and has been agreed by the Highway Authority's travel plan coordinator.

Within the Transport Assessment table 6.5 considers the existing and proposed vehicle traffic generation and table 6.9 considers the existing and proposed for a midweek day. At the traditional commuter times of Monday – Friday 8-9 am a supplemental 87 two way trips are expected and between 5-6pm 81 two way trips. Considering the potential direction of travel of arrival and departure and the potential of the travel plan it is considered that this level of movement is modest and could be experienced today considering variations in daily traffic flow. It is accepted that during weekends in the summer and on bank holidays traffic generation will be greater however the application does not present significant additional volumes of movement over the existing situation and a robust approach to linked trips between the various elements of the wider park has been taken to represent a worst case scenario. The Highway Authority considers that these more intensive times occur over a small window annually and does not impact on traffic movements associated with the normal economic activities of the area which are reflected in the weekday assessment.

I am aware that Bewdley Town Council have expressed concerns on the use of Catchems End junction. This junction forms part of the area VISUM model so the anticipated number of trips in the weekday peak hour can be considered. The model output shows that there is an increased number of movements, but these are small, between 22 and 11 net two way movement in the AM and PM peaks. This low level of movement is not considered to be significant or to warrant any mitigating measures.

In conclusion the additional trips generated by the application predominantly will not occur at key times on the highway network and the residual movements have choice of arrival route to spread the traffic loading, this situation will also be managed through the travel plan. A choice of transport modes are available for staff and visitors to the site with improvements being made on Sundays and Bank Holidays which will also provide options for the WMSP users reducing the impact of that site.

The application has considered the trip generation, times of impact and where there is increased levels of movement seeks to address this using increased bus trips and travel planning measures, this approach follows the Planning Practice Guidance and complies with the transport elements of the National Planning Policy Framework and the Local Transport Plan.

14/0591/FULL/OUT

- 3.3 Environment Agency - We have no objections to the proposed development, but wish to make the following comments to assist your determination of the application:

FLOOD RISK

The proposed development is mainly located within Flood Zone 1 ('low probability') with a very small area to the south-west of the site located within Flood Zone 3 ('high probability'), based on our 'indicative' Flood Map for Planning (Rivers and Sea).

The Flood Risk Assessment (FRA) (ref: RCEF26416 – 001R, dated September 2014) by RPS and the Masterplan for the site shows that a small area of the car parking for the proposed hotel / conference facility would be located within Flood Zone 3 based on our Flood Map. We have modelled flood levels available for the Riddings Brook in this location.

Sequential Test (ST):

The proposal is for a hotel classified as 'More Vulnerable' use and conference centre, spa and water park classified as 'Less Vulnerable' uses in table 2 of the Flood Risk section of the National Planning Practice Guidance (NPPG).

Paragraph 101 of the National Planning Policy Framework (NPPF) requires decision-makers to steer new development to areas at the lowest probability of flooding by applying a ST. It states that *'Development should not be allocated or permitted if there are reasonably available sites appropriate for the proposed development in areas with a lower probability of flooding'*.

In this instance we would expect your Council to be satisfied on the ST aspect of the proposal (considering there is a small area of car parking for the hotel / conference centre that is located within Flood Zone 3). Provided you are satisfied with the ST then we would provide the following comments on the FRA as a requirement of the second part of the Exception Test (paragraph 102 of the NPPF).

FRA:

We are satisfied, given the ground levels on site, that the majority of the built development would be located within Flood Zone 1, where development is appropriate.

The FRA indicates that some of the car parking proposed for the hotel / conference centre would be within Flood Zone 3 of the Riddings Brook. The FRA does not go into detail on flood mitigation measures, but confirms that there should be no raising of ground levels or if the topography was altered flood storage compensation would need to be provided.

14/0591/FULL/OUT

We note that the hotel, conference centre, spa and associated car parking is at the outline planning application stage. As stated, we would not wish to see any raising of ground levels within the Flood Zone 3 extent as part of the final detailed layout design. Should the Applicant propose to raise ground levels within the Flood Zone 3 extent then a flood storage compensation scheme showing level for level compensation would need to be provided within an updated FRA as part of the reserved matters application.

The Masterplan for the site also shows a small watercourse in the area proposed for car park number 3. We have no Flood Map associated with this watercourse due to its small catchment size (less than 3km²). Ordinary watercourses fall under the jurisdiction of the Lead Local Flood Authority (LLFA). We note that you have consulted with the North Worcestershire Water Management (NWWM) Team, as the LLFA, who would comment further on any local flood risk and proposed culverting of this watercourse.

Flood Management Evacuation Plan (FMEP):

If part of the proposed car parking area is located within the 1 in 100 year (Flood Zone 3a) plus climate change floodplain then a FMEP would need to be in place. The Applicant would need to set out a FMEP to manage the site and evacuation procedures during a flood of this nature. It should be noted that due to the site being high up the catchment there are no site specific flood warnings available from the Environment Agency to inform a FMEP.

We would highlight that we do not normally comment on or approve the adequacy of flood emergency response and flood evacuation procedures accompanying development proposals, as we do not carry out these roles during a flood.

The NPPG (Paragraph 057, Reference ID: 7-057-20140306) places responsibilities on Council's to consult their Emergency Planners with regard to specific emergency planning issues relating to new development. In all circumstances where warning and evacuation are significant measures in contributing to managing flood risk, we will expect Council's to formally consider the emergency planning and rescue implications of new development in making their decisions.

Surface Water Drainage:

We note that you have consulted with the NWWM Team (LLFA) as the lead on surface water matters. Whilst the NWWM Team will comment on the detail of the surface water drainage scheme, given the scale and nature of the proposals, we can provide the following strategic comments to assist:

As mentioned in the FRA, the drainage design is conceptual at this stage. We are supportive of the use of soakaways and permeable paving as proposed. We would highlight that, as the development is on the side of a hill, careful thought should be given to the design so that water is able to soakaway rather than running off quickly towards the toe of the hill due to the topography on site. In addition, further design would be required to ensure that excess flows are controlled within the site and would not impact on third parties.

14/0591/FULL/OUT

The surface water drainage strategy has looked to avoid discharging to the Riddings Brook. If at a later stage this changes, consideration should be given to the downstream restrictions and control structures on the Brook and pools for which the West Midlands Safari Park is responsible. There are known flooding issues from the Riddings Brook downstream of the site, which must not be exacerbated as a result of the proposed development.

POLLUTION PREVENTION

Developers should incorporate pollution prevention measures to protect ground and surface water. We have produced a range of guidance notes giving advice on statutory responsibilities and good environmental practice which include Pollution Prevention Guidance Notes (PPG's) targeted at specific activities, such as: PPG 3 - Use and design of oil separators in surface water drainage systems & PPG 6 – Working at construction and demolition sites

- 3.4 Arboricultural Officer [Initial Comments] - The development will have a detrimental affect on woodlands W3,W6 & W7 (TPO 375) all of which where included in the new TPO that was made in 2012.

I am not completely against development in the preferred area and I realise that some trees will need to be compromised, but I feel there are alternatives so that the development can take place without the loss and disruption of the parks protected woodland resource.

[Comments on Revised Plans] - Although I'm not completely happy with the loss of protected trees to facilitate this development, the Arboricultural Method Statement (AMS) is of a good quality and if adhered to will ensure the retained trees are protected during the development.

I would like to include a condition that the AMS is adhered to at every stage of the development and that their Consulting Arborist provides regular reports to ensure the AMS is being followed. I feel this needs to be a condition for approval and that a should report needs to be submitted on an agreed timetable for each stage of the 'Sequencing and Supervision' table at the back of the AMS.

- 3.5 Conservation Officer [Initial Comments] - This hybrid application proposes the introduction of a large leisure complex into a previously undeveloped area of Green Belt land which also forms the parkland setting for Spring Grove House, a designated heritage asset. The application also covers a 250 bed hotel, in outline.

Although locally compromised by the introduction of rides and amusements into its immediate vicinity, Spring Grove House largely retains its parkland setting, particularly to the north and west. Despite the construction of the A456 by-pass the parkland is largely physically unaltered. The natural features of the Horseshoe and Bunkers Hill have protected it from the encroaching suburban development of the past 50 years.

14/0591/FULL/OUT

The proposed elevated location will, by day, serve to reinforce the impact of the leisure park on the wider landscape when viewed from elevated ground to the north-west. The view from the south-east is particularly significant as this provides the setting for the historic town of Bewdley in the context of the Severn Valley and the hills on the edge of that valley.

The proposal will be visible from several designated heritage assets. More locally the visual impact will be greatest on the eastern parts of Wribbenhall, and specifically on undesignated heritage assets (locally listed buildings) in close proximity to the site on Kidderminster Road.

At night the proposal will introduce a significant amount of illumination into a previously unlit site, the majority of which will be visible from the Bewdley Conservation Area at Maypole Piece and from public footpaths running parallel to the A456 Bewdley by-pass.

The hotel will if built in the locations indicated on the outline plans have potential to impact on the setting of Spring Grove Farm which also contains two designated heritage assets.

A development of this size and location will undoubtedly lead to the perception of the extension of the town within the landscape, something the Green Belt was designed to prevent.

Perhaps the most significant impact on the landscape is to Bunkers Hill itself which will be excavated to provide terraced car parking areas. This hill forms a natural bund in parkland which although not recognised as having any national significance, has maintained the secluded aspect of Spring Grove House for over 200 years. In latter years Bunker's Hill has served to shelter the house from much of the traffic noise from the A456 by-pass.

The spoil from the excavations will be tipped into another historic area of parkland, a curious amphitheatre feature known as the Horseshoe, which may have been a quarry formerly.

A number of trees will be removed as part of the scheme – several of which are protected by a tree preservation order, and some of which are thought to date from the creation of the park itself in the late 18th century. The hotel proposal will require the removal of a clump of pine trees which form a local landmark, distinctive within the local landscape.

These trees contribute to the significance of Spring Grove House: they were planted for its original owner and as they matured (certainly for the past 100 years) have created landmarks and eye-catchers within its landscape setting.

14/0591/FULL/OUT

In almost all of the above observations, the impact of the development will be a visual one. Although one assumes there will be a certain amount of intrusive noise generated from traffic and operation of the leisure complex, this has to be taken in context of the proximity to a very busy main road. This reduces the level of harm caused to the non-designated heritage assets along Kidderminster Road to less than substantial.

I think that in terms of physical loss of significance of specific listed buildings, this is quantifiable only for Spring Grove House. The house was largely rebuilt after a major fire, yet has retained its designated status. Despite the close proximity of fairground rides, these have been located in open areas and the park and gardens are at present capable of restoration to their original state. Part of the significance and special interest of Spring Grove House is that a good proportion of its parkland remains intact, despite the proximity of the bypass and the safari park. Developing a large proportion of the surviving parkland will rob the house of its wider setting and context.

The loss of this parkland does however, amount only to less than substantial harm to the house itself, as the park is not considered to be of national special interest. The impact on the house has thus to be weighed against the public benefits of the proposed scheme, as required by the NPPF paragraph 134.

Whilst the Applicant has not considered Hoarstone Farmhouse (Grade II*) nor Wassell Wood House (Grade II) as part of their Heritage Assessment, the proposals will impact significantly on their wider setting, and will undoubtedly diminish their impact on the landscape as viewed from the south-east at Burlish Camp. Historically these have been the most prominent buildings within the Green Belt in views north at this location and the development will impact on the openness of the green belt in relation to both these designated heritage assets.

Again, however, the impact amounts to less than substantial harm to the assets themselves and paragraph 134 of the NPPF applies.

Bewdley is an historic town, most the centre of which is included within the Bewdley Conservation Area, which extends also to Wribbenhall to the east.

The Conservation Area Appraisal for Bewdley States:

The Conservation Area is at the heart of the town of Bewdley that is itself set in and hidden by unspoilt undulating countryside. The Area includes a large proportion of the town and in places abuts open countryside; hence the rural setting of the town is an important component of its character and in turn that of the Conservation Area. Much of this countryside was recognised in the Worcestershire County Development Plan during the 1950s as being an Area of Great Landscape Value, and has been recognised in successive Local Plans as having high local landscape quality. To the west, north and south lie the Wyre Forest and its outliers, which are recognised as being of national importance to nature conservation.

14/0591/FULL/OUT

The urban fringe to the east of the river is entirely allocated as Green Belt. It is important to conserve the rural setting of the town and Conservation Area, and in so doing to recognise the interrelationships between the Area and overall setting.

Referring to Maypole Piece, the Conservation Area Appraisal states that *“the area of character interest extends beyond the existing Conservation Area Boundary at this point, particularly in relation to the ridge and hillside extending to the south east and north east”*.

In apparently considering only the direct views from Bunker’s Hill, the application fails to fully consider the impact of the development in a wider context, that is of the views towards the town from the east, in which both Bunker’s Hill and the town centre can be clearly seen, separated by the hill which is Maypole Piece.

In this context the proposed development is completely out of character, being set within Green Belt and so clearly set upon a hilltop (whereas all previous development in the parkland was set low into the landscape). It will, in my opinion, seriously diminish the setting of Bewdley in its wider context and visually extend the built-up area out of Wribbenhall, across the A456 and towards Kidderminster.

For this reason I believe that the proposal will neither preserve nor enhance the setting of the Conservation Area or views towards it, and thus fails to meet the criteria set out in the P (LBCA) A 1990.

I am convinced that other locations within the red-line ownership of the safari park could be found for this development which would have a far less intrusive impact on the wider area, yet providing similar facilities to those sought by the Applicant including proximity to the main road. These locations include the Horseshoe and the extensive car park near the main entrance to the safari park.

The fundamental issue for the Council to consider in this application is do the public benefits that the scheme promises to deliver warrant a development which will forever change the landscape setting of one of England’s most characteristic historic towns?

[Additional comments following further information] - In my comments of 27th March 2015 I noted that the application failed to respond to my comments of 8th December 2014, relating to paragraph 5.25 of the Heritage Assessment. Specifically: *“No visuals are provided of the scale and impact of the proposed development as seen from elevated land to the east, yet it is from viewpoints south east of the site that the development will have most impact in the Greenbelt landscape”*.

Montage 2025-0054-01-VP6 illustrates the outline of the proposed buildings in a red broken line and notes “building outline obscured by trees”.

14/0591/FULL/OUT

Referring to the letter dated 11th June 2015 addressed to Paul Round from Richard Boother, there appears to be some confusion on the Applicant's' part on the visibility of the town from viewpoint 6.

However when one analyses the montage from Viewpoint 6, 2025-0054-01-VP6 the tower of St Anne's Church in the heart of the Bewdley Conservation Area is clearly visible, as is much of the town centre

I consider the reliance in mitigation of the scheme of the tree screening to be unsound because the many of the trees are on a different part of the site and may be subject in future to felling or loss due to storm damage, thus further exposing the building in the landscape.

The letter states that the Heritage Statement found that the proposed development would have a negligible adverse effect on the significance of the Conservation Area.

A considerable contribution to the significance of the Bewdley Conservation Area is its setting in the wider landscape and that landscape is, on the eastern bank of the River Severn, protected by the Green Belt designation. The construction of a very substantial building on an elevated ridge less than a mile from the heart of the Conservation Area affects views towards and across it from many elevated vantage points in the locality. This will change the perception of the town as it sits surrounded by a wooded landscape, and this I consider will cause harm, albeit less than substantial harm, to the Conservation Area.

Under NPPF paragraph 134 the Applicant should demonstrate that the wider public benefits of the scheme outweigh this less than substantial harm.

- 3.6 Countryside Conservation Officer [Initial Comments] - The above application has the potential for causing harm to biodiversity which falls into two categories. Potential to cause harm off site due to the site's proximity to sites of nature conservation interest and to water bodies and potential impact on notable habitats and species within the development footprint. The below attempts to quantify this harm, and balance this against the offered mitigation. Where necessary recommendations are made as to how any identified issues could be best addressed to ensure the application meets the NPPF and the Council's own planning policies and/or the report makes suggestion as to how mitigation can be enhanced to better offset biodiversity loss.

POTENTIAL OFF SITE IMPACTS

WATER CONTAMINATION

The application proposes to re-profile large areas of the site with the spoil being removed and re-landscaped. This has good potential during times of high rain fall to become mobilized and washed into the nearby and down gradient pool and water course resulting in a pollution event. We would need to condition this so that the Applicant considers this and submits measures to be implemented prior to works that will look to prevent silts becoming mobilized during construction both in normal and during a high rain fall event.

14/0591/FULL/OUT

WIND BLOWN PARTICULATES BEING DEPOSITED ON THE RIFLE RANGE AND DEVILS SPITTLEFUL SSSI

The Devils Spittleful SSSI is 750 m away from the development site. The principal area of ecological interest is Acidic Heathland communities. These communities are dependent on low nutrient substrate. Potential exists that if a strong north westerly wind was to occur during the construction phase when there were large amounts of exposed soil, then the wind then could mobilise particulates within the sediment and this could be deposited onto the SSSI adding nutrient to the heathland substrate and cause harm to the SSSI.

A condition asking the Applicant to look at what measures could be undertaken to prevent mobilisation of particulates could be requested.

ISOLATION OF ACIDIC HABITATS FOUND ON THE RIFLE RANGE AND DEVILS SPITTLEFUL SSSI FROM ADJACENT ACIDIC SITES SUCH AS HABBERLEY VALLEY

The application site lies between the heath and acidic grassland sites of The Devil's Spittleful SSSI and Habberley Valley LNR/LWS and may contain or may have in the past contained (see below discussion on acidic/neutral semi improved grassland habitat) acidic habitats the loss of which would break an important wildlife corridor and serve to further ecologically isolate the SSSI. The District Council has stated in its Local Plan that it will look to preserve wildlife corridors. Whilst not immediately apparent as a wildlife corridor, islands of acidic habitat like that which are found at the application site form the only specialist acidic wildlife link.

The application is suggesting a program of planting and landscaping to provide ecological mitigation. If this landscaping was tailored to provide enhanced acidic grassland heathland communities rather than a generic unspecified grassland mix this would prevent the further isolation of the district's acidic communities. Both heath and acidic grassland being seen by the UK government as Priority Action Habitats and NPPF puts a duty on the district to take account of wider biodiversity networks and notable species which this habitat supports in abundance.

The above was suggested as mitigation in the initial ecological report but this has not made it onto the current landscaping plan.

POTENTIAL ON SITE IMPACTS

LOSS OF ACIDIC/ NEURAL SEMI IMPROVED GRASSLAND HABITAT

The ecological report highlights that the proposal will see the loss of natural semi improved grassland which is both species rich and species poor. The extent and nature of this loss of habitat is hard to determine. Ideally we should request a full botanical survey to address this. As it is there is only a very rudimentary flora list that shows neither distribution or abundance. The 2013 phase one survey was carried out side of the optimal time of year and following the site being mown.

14/0591/FULL/OUT

The species list which this has generated does highlight amongst others the following plant species Sheep's sorrel, lady's bedstraw, heath bedstraw, harebells and lesser knapweed. A species list of such a nature indicates that the site has a distinctive acidic community ecological flavour, and may even potentially contain areas of acidic grassland. A UK Priority Action Habitat. As a planning authority we must look at not ensuring there is no loss to these particular habitats. Hence the developer needs to present us with a plan that shows how they propose to define and mitigate this loss. The planting of a generic meadow mix as shown in the landscaping is not acceptable.

I feel that mitigation would be possible within the scheme but a far more robust landscaping plan will be needed. The plan needs to identify species rich areas and preferably these need to be preserved within the scheme. If not they should look at translocation. The area to the east where the spoil is being tipped is an ideal spot for creation of an acidic habitat as during the landscaping process poor nutrient sandy soil could be used as the base of a planting scheme that plants acidic grassland species herb species. Wavy hare grass and around 20% cover of common heather. A similar acidic grassland project has been delivered by Stourport Sports Club, who have found its maintenance to be cheaper than maintaining standard amenity grassland. Elsewhere on the development grassland areas could similarly be prepared with low nutrient sands found on the site and be planted with a much more grass dominated acidic grassland mix which then can be managed much like normal amenity grassland but with generally a lower frequency of cut. Consideration should also be given to whether green roofs are viable on some of the buildings. Once again if there were acidic in nature they would add to the offer of mitigation for both loss of grassland habitat and provision of forage for bats.

IMPACT ON INVERTEBRATES

The desk top study that was included in the report identified that the surrounds of this development had many notable red data book invertebrate species. The role of a desk top study is to highlight what potential additional studies would be needed. In this case it would not have been unreasonable to have expected an invertebrate assessment. Ideally we should request this. If timescales are against this, then the preservation of any species rich areas is paramount, as these will most likely contain eggs and or pupa of much of the sites invertebrate life. This would then provide the basis for populating areas of newly created habitat. If it is not possible to preserve the habitat in situ then it should be transplanted along with a reasonable amount of the underlying substrate. Ecological expertise should be used to oversee this. Features to encourage invertebrates should look to be included in the landscaping plan, particularly within the areas of south facing exposed sandy steps and sand paths, native plants and plants renowned for good nectar production including ornamental planting.

14/0591/FULL/OUT

DEADWOOD HABITATS

There is a lot of standing dead wood in the application site. Much of this is likely to be lost. Standing dead wood provides habitat for both invertebrates and bats. It is reasonable to expect that rotting standing trees will need to be removed in the interest of safety but much of this could be retained on site and either securely bound to trees away from areas where the public may be up and risk. Dead wood with woodpecker holes cracks and fissures should be selected preferentially. Dead wood which is standing vertically is far more valuable than dead wood that is lying on the floor.

However a few resonantly sized logs should be placed in the landscaped areas to provide habitat. Logs piles can also be used to provide refuge for reptiles and mammals. The odd larger log partially entering into a water body will also provide good habitat. The above needs to be shown on an enhanced landscaping plan.

LOSS OF WET WOODLAND

Wet woodland is a UK Priority Action Habitat. We have a duty of care to prevent the loss of this habitat. The report lacks a robust botanical survey but areas of wet woodland are referred to within the report. We need clarity as to this situation. Wet woodland is not some thing that can be recreated with ease, and if there is wet woodland on the site mitigation for this loss may well be difficult and it may be necessary to amend plans to facilitate its retention. This issue needs to be immediately addressed.

LOSS OF NATIVE BROAD LEAF WOODLAND

The application will see the felling of a number of mature trees. It is likely that this will be in excess of 5 cubic metres of timber and need to have a Forestry Authority Felling Licence. This licence is likely to require a replanting scheme as mitigation for the loss. This might be achieved in the landscaping plan, in which case all is well or it may require the Applicant plant some trees elsewhere on their holdings. As the landholding is large, I feel it is some thing that can be achieved through additional landscaping and or off site tree planting. Tree planting within the acid habitat mitigation area should not be pursued.

LOSS OF SCRUB HABITATS

Scrub is a Worcestershire Biodiversity Action Plan habitat. The lack of botanical survey once again hinders more informed comments, but I believe that in the case of this application, areas of acid scrub will form an important part of the ecological mosaic. Of most importance will be gorse and broom. Both these species are very important for invertebrate populations in adjoining land and every effort should be undertaken to ensure that these species are retained incorporating them extensively in both the informal landscaping and within the more ornamental areas.

14/0591/FULL/OUT

Areas of western gorse, *Ulex gallii* need to be identified, if present, and these should look at being retained or as a last resort, transplanted in a similar manner to the species rich grassland which may be an option, but ecological expertise needs to be sought.

IMPACTS ON BAT SPECIES

Bats, their roosts and their supporting habitat are protected by law. There is some good quality surveying but the ecologist was not informed of the proposed layout of the application and therefore could not give his professional comments on whether the application and the proposed tree clearance and lighting scheme would impact on bat's ability to survive.

The idea that mitigation by making conditions for one species better at the expense of another is not valid mitigation. It is illegal to cause harm to any bat no matter how happy you make another. Both the lighting plan and the proposed landscaping need to be provided to the ecologist to see whether they feel the proposal is likely to cause harm and what mitigation will be needed. The ecologist has also identified that the surveying is incomplete and there is a fair chance that bats are roosting on as yet un-surveyed trees. T8 is particular concern as a bat was possibly seen emerging. Mitigation then needs to be blended into both the amended landscaping plan and shown integral to the main building plans which need to incorporate built in bat features as described by the ecologist. The lighting plan also needs to incorporate dark corridors to allow bats to transit across the site. The above should be worked up prior to approval. But whilst the site has a lot of bats there would now appear not be a major roost as this should have been easy to detect with the level of surveying that has been done. Hence the bat mitigation is unlikely to have huge design impacts on the proposal hence it would seem not too unreasonable to condition.

IMPACTS ON OTTER

There is a small chance that the areas being cleared of vegetation around the lake could harbour some part of an otter lifecycle, even though no otter or otter sign during the ecological survey. Hence prior to any works taking place a visual inspection of the site needs to take place by an ecologist and ecological clerk of works needs to be on site during any clearance. If any sign or sighting of otter is made then an application for licence may be needed to be made to Natural England. This is easily a condition.

IMPACT ON REPTILES, GRASS SNAKES

Grass snakes are present on site and the ecologist has come up with a proposal to minimise harm. I am a little more concerned about what habitat will be left for existing and displaced reptiles to utilise during the construction phase. Displaced animals will either need nearby enhanced habitat to move onto or an alternative location into which they will be manually translocated.

14/0591/FULL/OUT

A condition addressing these needs to be included. If this loss of habitat is then mitigated for through appropriate landscaping, the plan needs a reptile friendly aspect which looks at retaining/creating corridors for the reptiles to move between the water side and rough grassland and scrub. Specific reptile deterring fencing/routes may need to be included into the design to prevent animals being killed by accessing unsuitable areas, for example the lazy river, roadways etc. Designs and locations of replacement hibernacula and egg lining sites needs to be incorporated into the landscaping plan.

IMPACT ON BADGER

Badgers are present near the site boundary and highly usable badger habitat exists on site, hence a condition for resurvey prior to works needs to be included as does measures to be included in a CEMP to prevent Badger and otter form being harmed by the construction works.

IMPACTS ON OTHER PROTECTED SPECIES

I am content that Newts and Dormice have been adequately surveyed and found not to be present, hence no further work is needed.

BIRDS

There is some impact on availability of nest sites and this can be compensated through some artificial provision and through the appropriate landscaping as part described above.

The landscaping plan needs to include all phases of the proposed development at this stage, as all the phases of work will impact across the site and so a more uniform approach to its mitigation needs to be agreed up front and not phase by phase.

A Habitat Management Plan needs to be conditioned to be produced along with the Landscaping plan to ensure an in perpetuity life of the various habitat enhancement creation projects and the various items of species specific mitigation. The Habitat Management Plan also need to embed a 1, 3 and 5 year ecological assessments to ensure the proposed mitigation is delivering its ecological objectives. The habitat management plan also needs to address the measures needed to tackle invasive weeds currently on site and those potentially occurring on the restoration areas.

[Additional comments following further information] - The additional information has provided sufficient evidence to quantify the harm caused and the mitigation needed. Whilst a number of the aspects will require further information these can be addressed as part of pre-start conditions for phase 1 or as part of the reserved matters submission for phase 2.

- 3.7 County Planning - Worcestershire Green Infrastructure Partnership (the Partnership) welcomes the opportunity to comment on this planning application.

14/0591/FULL/OUT

The Partnership is a cross-disciplinary partnership of statutory agencies, voluntary organisations, local district councils and the county council. The purpose of the Partnership is to optimise planning and delivery of green infrastructure in Worcestershire. The partners represent a diverse range of interests, all focused on the natural and historic environment but encompassing sustainability, recreation and transport.

The Partnership prepared the Worcestershire Green Infrastructure Strategy (the GI Strategy) which identified the strategic priorities and is to guide the delivery of green infrastructure in the county through development, regeneration and environmental projects. The Partnership has also developed an extensive evidence base including the Green Infrastructure Framework 3, which identified Environmental Character Areas (ECAs). ECAs are classified according to the quality of the natural environment (based on the biodiversity, landscape and historic environment information).

In line with this objective we recommend that any works on this site would not lead to further biodiversity deterioration but support its restoration whilst contributing to other green infrastructure functions such as landscape, historic environment, water and access and recreation issues. It should strive towards integration of the natural assets with the wider green infrastructure networks in the surrounding areas to ensure increased connectivity between these features and quality surrounding green infrastructure.

LANDSCAPE

We appreciate the requirement by the West Midlands Safari Park to extend and improve their visitor attractions and do not think that there would be justification to refuse the Application on purely landscape grounds.

However, there are a number of landscape issues which should be addressed to enable the development to better integrate better into its surroundings.

- The proposed development will effectively transform the Application site and views of it from local receptors, particularly from the A456 and local residential properties. Although care has been taken to emphasise the retention of trees wherever possible, it is apparent that almost all the trees and shrubs between the A456 and the summit of Bunkers Hill will be removed. The terracing necessary to create level plateaux for parking, roads and buildings will result in significant retaining walls. These, together with the transient but constant car parking and the loss of vegetation will create a highly visible development. Efforts have been made to mitigate this adverse visual impact with additional tree planting but we would recommend that this is substantially increased and a proportion of semi-mature trees are used to give a more immediate effect. The extensive use of hedges against retaining walls would also help to soften the impact.
- We also recommend that the retaining structures are faced with natural stone to match the local sandstone. "Green" retaining walls, planted with suitable evergreen plants could also be employed but these do require an ongoing maintenance investment. High quality care of the soft landscape is not evident across the existing site and may not be a future priority.

14/0591/FULL/OUT

- The exposure of the development to views from the west will introduce substantial night time lighting in an area that has previously been dark. This will be particularly of concern to residential areas immediately to the west of the A456. I recommend that methods of reducing this lighting impact are investigated and that the minimum safe lighting levels are provided.
- The proposed access from the existing roundabout on the A456 will also open up views into the park that have been previously blocked by landform. I recommend that this access is re-appraised to achieve an alignment that would allow a much greater degree of screening.
- Although it has been stated in the provided documents that the intention is to use the excavated material to build up the terraces needed for roads and car parking and thereby reduce the amount of spoil needed to be taken off site, I can find no clear reference to the quantities involved.
- We would recommend that the Applicant is required to demonstrate the quantities of cut and fill required. If there appears, as I think likely, that there will be excess material from cut, an agreement must be made ahead of the commencement of the works regarding its disposal.

RECOMMENDATIONS

- Condition a comprehensive landscape scheme that will integrate all the external works, including level changes, excavation and deposition, hard landscaping, planting and lighting.
- Re-assess the alignment of the access road from the A456 roundabout.
- Re-assess the lighting designs to reduce night impact on residential areas.
- Agree suitable facing material for retaining walls.
- Ascertain accurate figures for cut and fill and any necessary disposal methods.

The Flood and Water Management Act (FWMA) delegated upper-tier and unitary authorities as Lead Local Flood Authorities (LLFA) with responsibility for their respective area's Local Flood Risk Management Strategy. Worcestershire County Council is therefore the LLFA for Worcestershire.

This role currently relates to ordinary watercourses, surface water and groundwater flooding (fluvial flooding from main tributaries is still currently the responsibility of the Environment Agency).

The FWMA has also delegated LLFAs a number of other statutory powers and duties, extending previous responsibilities for flood risk management, these will be of importance in considering proposals for flood risk management for the proposed South Worcester Urban Extension and include:

- Powers to request information from any person in connection with the authority's flood and coastal erosion risk management functions;
- Power to designate structures and features that could affect flooding and are considered to be significant when assessing local flood risk;

14/0591/FULL/OUT

- A duty to establish a Sustainable Drainage Systems (SuDS) Approving Body (SAB) with responsibility for approval of all drainage plans and the adoption and maintenance of SuDS that serve more than one property in new developments (implementation date to be confirmed by Defra);
- Following commencement of paragraphs 32-34 of Schedule 2 of the FWMA on the 6th of April 2012 transfer has been made of the regulatory powers (consenting and enforcement) on Ordinary Watercourses from the Environment Agency to LLFA's (internal drainage boards will still have this role on ordinary watercourses in their system).

As permitted by FWMA a number of statutory functions of the LLFA have been delegated to the District Drainage authorities. For Wyre Forest District Council this is the North Worcestershire Water Management Team (NWWM), this currently includes the ordinary watercourse consenting function.

The 'emerging' Worcestershire Surface Water Management Plan
The County Council is also working in partnership with partners including District Authorities, Severn Trent Water and the Environment Agency to reduce the risk of surface water flooding in Worcestershire. This work includes the development of a Worcestershire Surface Water Management Plan (SWMP).

These comments represent those of Worcestershire County Council as the Lead Local Flood Authority (as determined by the Flood and Water Management Act 2010) and are officer comments only.

SUMMARY

Thank you for the opportunity to comment on the proposed development. Whilst welcoming the consideration of opportunities to manage surface water and recognising that this is an outline application we are disappointed to note that absence of pre-application enquires with the LLFA.

Notwithstanding the above we welcome the consideration that has been given to opportunities to introduce surface level SuDS features. However, we would welcome further consideration of opportunities for innovative approaches to Water Sensitive Urban Design and to integrate these as part of a holistic and multifunctional approach to surface water management and green infrastructure to provide betterment and protection to neighbouring communities.

DETAILED COMMENTS

We welcome the consultation that has been undertaken with our partner Risk Management Authorities at the Environment Agency and North Worcestershire Water Management Team.

Environment Agency standing advice for applicants in the West Region for sites in flood zone 1 is to discuss applications with the LLFA. To be clear and as set out in our informative above and as enshrined in the FWMA (2010) the LLFA for Worcestershire is Worcestershire County Council.

14/0591/FULL/OUT

The LLFA supports a partnership approach to discussion regarding development proposals of such a strategic nature and would seek a holistic and multifunctional approach to surface water management. However, whilst other parties within the County Council may have been involved in pre-application discussion (such as the Highways Authority) officers of the LLFA have not to date been contacted for pre-application discussions with regard to flood risk management proposals by the Applicant.

Our colleagues in the Highways Authority should be consulted on proposals for highways drainage or impacts from this proposed development including proposals to direct surface water flows in an exceedance event to the highway.

FLOOD RISK MANAGEMENT

The FRA notes that some areas of the site fall within flood zone 1. The Applicant is advised that some watercourses have not been modelled on EA Flood Zone Maps, which primarily show flooding from main rivers, not ordinary watercourses with a catchment of less than 3km². Advice should be sought from the Environment Agency as to whether the Riddings Brook and its catchment have been modelled. We would welcome clarification on this matter.

In addition to the FMfSW 30 year and 200 year maps in the SFRA, reference should also be made to the updated national scale flood maps (uFMfSW) published by the EA on 12th December 2013 and available on the EA website.

The 'emerging' Worcestershire SWMP which utilises the uFMfSW identifies a number of historic flooding 'hotspots' both upstream and downstream including Sandbourne Drive to the South of the proposed site and in proximity to the Riddings Brook.

Paragraph 9.12 states that "surface water that does occur during intense rainfall events will either flow downhill into the lakes that surround Bunkers Hill or onto Kidderminster Road and any associated drains." The lakes are in hydrological connectivity with the Riddings Brook and as noted above there are flood spots downstream.

We would wish to avoid flows being directed toward the Kidderminster Road due to the potential negative impact this may have on the highway network.

This matter should be discussed further with our highways colleagues. Our preference therefore is for overland flows to be directed to surface level features and open space including filter drains, swales infiltration ponds or open space.

14/0591/FULL/OUT

For clarity an ordinary watercourse is defined under the FWMA as a “watercourse” that does not form part of a “main river” and includes streams and all ditches, drains, cuts, culverts, dikes, sluices, sewers (other than public sewers within the meaning of the Water Industry Act 1991) and passages, through which water flows as defined by the Land Drainage Act 1991 [section 72(1)].

Any proposals for new, or alterations to existing, structures such as culverts on watercourses will require an application to SWLDP for consent under s.23; Land Drainage Act 1991. If there are existing ditch watercourses and ponds in the area, these should be included where possible in the drainage strategy proposals as part of a comprehensive SuDS approach.

WATER RESOURCE & QUALITY

The proposed site is located within a groundwater source catchment protection zone and we welcome proposal for SuDS infiltration measures. As such we would also expect a minimum two treatment stages to improve water quality.

RAINWATER HARVESTING

Paragraph 10.12 states that "the attenuation benefits provided through the use of rainwater harvesting are considered to be limited, and would only be realised when the tanks were not full. It is not proposed to include such features within the proposed development. "

The principle of Water Sensitive Urban Design integrates water cycle management with the built environment and considers all elements of the water cycle and their interconnections to achieve an outcome that sustains a healthy natural environment. This principle should be explored from the outset, and throughout the design and planning process. Accordingly, water management solutions seek to meet the expectations and aspirations for design of successful places.

Paragraph 6.13 of the Wyre Forest Core Strategy states that "part of the District falls into an area which is currently over-abstracted, and most of the remaining area of the District falls into the 'no water available' category." It then goes on to state in paragraph 6.14 that water management and conservation issues will become increasingly important throughout the plan period.

Given the above and the scale and proposed uses as a water park and with other leisure and conference use. We find it extremely disappointing that little or no consideration has been given to innovative opportunities for rainwater

capture and harvesting. This is particularly disappointing given the extensive roof space that will be created.

14/0591/FULL/OUT

In essence the attenuation benefits should not be seen in isolation of the long term sustainability benefits and potential cost saving given the likely significant water use for these proposals.

Green Roofs

Paragraph 10.13 - Given the nature and scale of the proposed development we find the lack of innovation and consideration of opportunities for green roofs extremely disappointing. Green roofs provide the opportunity to not only attenuate or slow rainfall run-off but also provide opportunities to improve the aesthetic of the buildings reduce their impact on the landscape and to provide opportunities for biodiversity.

DESIGN FOR EXCEEDANCE

We welcome proposals to include consideration of design for exceedance at the detailed matters stage. However, consideration should be given to our comments in paragraphs 3 through 5 and 19 through 21.

The residual risk of flooding in an exceedance event or if any asset is subject to failure should be considered. Overland flow routes should not put people and property at unacceptable risk.

The consideration of egress routes should also be clearly identified and illustrated. Exceedance flow paths should be shown on the Drainage Strategy, particularly the area of development in the north east of the site emanating from the existing pond.

SUDS AND GREEN INFRASTRUCTURE

The LLFA preference is for at-surface level SuDS features that should form part of an integrated and multifunctional green infrastructure network and which provide opportunities for biodiversity, open space and place making opportunities.

There are existing elements of blue infrastructure contained within the proposed site and such existing assets should be protected and enhanced as part of a cohesive green/blue infrastructure network and open space strategy.

The opportunity to provide biodiversity and aesthetic enhancement as part of a holistic and multifunctional green infrastructure should therefore be explored.

Paragraph 10.11 states that "the proposed development incorporates large areas of hardstanding. In addition the site is located on Bunkers Hill which includes relatively steeply sloping sides; therefore the potential to incorporate swales, detention basins and ponds is limited. Small infiltration basins may be included however, it is likely that all surface water will pass directly to soakaway."

14/0591/FULL/OUT

Whilst welcoming proposals to manage the risk of surface water and the identification of opportunities for infiltration. We are disappointed to note the lack of ambition for place making by moving water at surface level through the site at what is a significant development for Kidderminster and Worcestershire.

The proposals include significant cut and fill across the site to create development platforms which will fundamentally alter the topography of the existing site. Given this extensive re-profiling we contest the assumption that the steep topography is a barrier to the inclusion of such measures. We would therefore welcome further consideration be given to the inclusion of swales and infiltration basins as part of the SuDS train. These may be particularly beneficial in exceedance events to prevent flows down the slope toward the Kidderminster Road. In addition there is potential to incorporate these as part of a multifunctional and holistic approach to SuDS and green infrastructure and as part of landscaping proposals.

At the detailed design stage we would welcome the inclusion of an accompanying maintenance plan that considers the relationship and connectivity with surrounding green infrastructure networks and maximises the opportunity for holistic and multifunctional management of surface water.
SuDS and the SuDS Approval Body

The current situation regarding long term maintenance of SuDS is that even if the relevant sections of the FWMA 2010 are enacted, National Standards are published and the SAB created by Worcestershire County Council (LLFA), this will only apply to new applications post enactment. Confirmation of enactment is currently awaited from Defra. It is unlikely therefore that adoption of SuDS on this site will occur even if it is considered compliant by the LLFA/SAB.

To be clear until enactment of Schedule 3 of the FWMA the LLFA/County Council is not legally obliged to adopt SuDS and current view is not to retrospectively adopt such schemes. The Applicant will therefore need to put in place appropriate and robust arrangements for the future maintenance of SuDS for the lifetime of the development. A minimum 8.0m easements should be provided to and around all SuDS features for maintenance access.

Minerals and Waste Planning Policy

The Development Plan

In the Design and Access Statement accompanying this application, the Applicant has assessed the national planning policy and development plan context. However, they have made no reference to Planning Policy Statement 10 Planning for Sustainable Waste Management (PPS 10) which was still extant at the time of preparing the application. This has recently been superseded by the new National Planning Policy for Waste (October 2014) and this should be read alongside the NPPF.

14/0591/FULL/OUT

The Applicant has also made no reference to the Worcestershire Waste Core Strategy (WCS) or the saved policies of the Hereford and Worcester Minerals Local Plan. The Applicant should note that the Waste Core Strategy and Minerals Local Plan form part of the Development Plan for Worcestershire and should already have been accorded significant weight in the Applicant's thinking in line with the expectations of paragraph 216 of the NPPF.

WASTE

Policy WCS 5: Landfill and disposal

The National Planning Policy for Waste states that when determining planning applications for non-waste development, local planning authorities should, to the extent appropriate to their responsibilities, ensure that the handling of waste arising from the construction and operation of development maximises reuse/recovery opportunities, and minimises off-site disposal.

The Waste Core Strategy seeks to ensure that waste is managed as a resource in accordance with the waste hierarchy. Landfill and disposal of waste should be a last resort. Part a of policy WCS 5 sets out that planning permission for landfill or disposal will not be granted unless:

- i. re-use, recycling or energy or resource recovery are not practicable for the waste type to be managed and no landfill or disposal capacity exists in the county for that type of waste; or
- ii. there will be a shortfall in landfill or disposal capacity necessary to achieve the aims and purpose of the strategy; or
- iii. the proposal is essential for operational or safety reasons or is the most appropriate option.

The indicative illustrations and the Design and Landscaping section of the Design and Access Statement refer to a number of raised "landscaping" embankments and bunds. The explanatory text supporting policy WCS 5 states that:

"excavation activities, a normal part of the construction process, can result in considerable arisings of subsoils. In some cases, this type of waste can usefully be re-used for purposes such as... landscaping, levelling of sites, the construction of bunds, embankments or features for noise attenuation. However, to prevent inappropriate development, these kinds of proposals will be considered against Policy WCS 5: Landfill and disposal. The decision on whether proposals are a form of disposal will be guided by the Environment Agency's advice (currently set out in "Defining Waste Recovery: Permanent Deposit of Waste on Land" Regulatory Guidance Series No EPR 13)".

Although it has been stated in the application documents that the intention is to use the excavated material to build up the terraces needed for roads and car parking and thereby reduce the amount of spoil needed to be taken off site, we can find no clear reference to the quantities involved.

14/0591/FULL/OUT

Whilst we welcome the re-use of material on site for appropriate landscaping or site levelling etc, we would recommend that the Applicant is required to demonstrate the quantities of cut and fill required. If there appears, as we think likely, that there will be excess material from cut, an agreement must be made ahead of the commencement of the works regarding its disposal. Wyre Forest District Council should carefully consider policy WCS 5 and whether the proposed landscaping embankments are a necessary landscape feature or an inappropriate disposal of waste.

Page 54 of the Waste Core Strategy (WCS) refers to the need to follow the Environment Agency's advice on whether this kind of proposal is really covert landfilling. The WCS states that this is "Currently set out in "Defining Waste Recovery: Permanent Deposit of Waste on Land" (Regulatory Guidance Series No EPR 13). The Environment Agency's current version of this is "Defining Waste Recovery:

We strongly recommend that this matter is resolved prior to the grant of permission. However, if the District Council is minded to grant permission in the absence of this information, we recommend that a pre-commencement condition is imposed, such as:

- Prior to the commencement of the development hereby approved, an assessment shall be submitted to and approved in writing by the Local Planning Authority with details of the amount of excavated material which will arise from the development, detailed plans for any re-use of this material on site, and details of any off-site disposal at appropriately licenced facilities. Thereafter the development shall be carried out in accordance with the approved details.

Policy WCS 17 – Making provision for waste in all new development

The National Planning Policy for Waste states that new, non-waste development must make sufficient provision for waste management and promote good design to secure the integration of waste management facilities with the rest of the development and, in less developed areas, with the local landscape.

Policy WCS 17 aims to ensure that the waste implications of all new development are considered. The policy provisions expect that proposals for new development either:

- a) incorporate facilities into the design that allow occupiers to separate and store waste for recycling and recovery; or
- b) make appropriate developer contributions where this is more appropriate than on-site facilities; or
- c) have adequate existing provision.

14/0591/FULL/OUT

The explanatory text accompanying this policy sets out that the level of on-site provision should be adequate to meet the needs of the proposed development. Where significant areas of employment land or housing are proposed, such as in this application, waste storage facilities are likely to be required and the Applicant should consider that "part a" of the policy is most appropriate for this type of development.

Section 6.18 of the Design and Access Statement discusses waste and recycling collection. We welcome the stated commitment to managing waste in accordance with the waste hierarchy.

The Design and Access Statement specifies that "Each goods delivery area will include a waste and recycling collection point; from here it will be taken to a central waste collection compound for segregation. At regular intervals a licensed waste contractor is employed to collect the segregated waste, including oil (cooking & engine), cardboard, paper, plastics, glass, wood, metal, WEEE waste, batteries, light bulbs and hazardous wastes. Food waste is generally recycled through an accelerated compost machine for use as fertiliser on the Park."

We are pleased that these proposals are in line with "part a" of the policy. We would recommend that the case officer satisfies himself that these proposals are in line with the ADEPT report "Making Space for Waste" (June 2010).

MINERALS

The proposed development is not in an area of identified mineral deposits as shown on the 1997 Hereford and Worcester Minerals Local Plan Proposals Map, and as such we have no formal comments to make with regard to mineral issues.

The County Council has now commenced work on a new Minerals Local Plan and the latest minerals resource maps show that there is a deposit of 3rd terrace (Holt Heath) sand and gravel at Bunkers Hill. This is a small deposit (only 60m wide) and has therefore not been taken forward for consideration in the emerging Minerals Local Plan and we would not seek to safeguard it.

However, the Design and Access Statement accompanying the application refers to a number of geotechnical studies which have informed the development of the design and revealed that the site is underlain largely by sandstone. We would encourage any material excavated for the building's footings to be utilised on site, where this is consistent with Waste Core Strategy policy WCS 5.

CONCLUSION

We would urge the Applicant to address concerns in relation to the re-use of material on site for appropriate landscaping or site levelling etc, we would recommend that the Applicant is required to demonstrate the quantities of cut and fill required. If there appears, as we think likely, that there will be excess material from cut, an agreement must be made ahead of the commencement of the works regarding its disposal.

14/0591/FULL/OUT

Given the nature and scale of the development and the existing and future pressures on Worcestershire water resources we would welcome further consideration of opportunities for water capture and recycling as part of a holistic approach to water management.

- 3.8 Crime Prevention Design Advisor - No objections. I think a development of this size has major security implications for the police and emergency services.
- 3.9 Historic England [Initial Comments] - Historic England has considered the further information supplied and finds that the development will cause harm to a number of heritage assets therefore recommends you refuse the application

The proposed application for a hotel (outline) and water park (full) on Bunker's Hill adjacent to the West Midlands Safari Park has the potential to affect several designated and non-designated heritage assets and the application has not adequately considered this.

An assessment of the impact on the Grade II* listed Hoarstone Farmhouse whose setting will be affected has been provided which acknowledges that some elements of the proposed development will be visible from Hoarstone Farmhouse. It characterises this impact as a slight change that would not affect the significance of the farmhouse. However we cannot agree with this as the change will result in a large form on the top of a hill that will be an alien and intrusive element in the rural setting of this nationally-significant asset. We acknowledge that the impact on the Grade II* listed Winterdyne House on the other side of the river, along with its undesignated but important garden will be less.

We note the Grade II listed Spring Grove House lies in the immediate vicinity of the development along with the remnants of its eighteenth-century designed landscape (non-designated but locally-listed). We acknowledge that there is analysis contained in the Heritage Statement but we consider that the assessment of impact has downplayed the harm to these assets. We are also concerned about the impact on the Bewdley Conservation Area and all its listed buildings. Whilst the heritage statement has considered this it focuses on intervisibility between the heritage assets and the development site. The new information has increased the harm from the upper parts of the development being visible but 'very well screened' (5.30) to it being 'fairly well screened' (p. 11); both original and current submissions recognise the slight increased visibility in the Winter months. The harm to the Conservation Area has been characterised as a negligible adverse affect and we disagree with this. We also consider that the affect on the approaches to the Conservation Area is substantial and potentially negative on the contribution these have to play in the experience of the Conservation Area with all its historic and architectural significance.

14/0591/FULL/OUT

As the application affects the settings of listed buildings the statutory requirement to have special regard to the desirability of preserving the buildings and their settings (s. 62, 1990 Act) must be taken into account by your authority when making its decision. As it also affects a conservation area the statutory requirement is to pay special attention to the desirability of preserving or enhancing the character or appearance of the area (s.72, 1990 Act). Under the NPPF it is a core planning principle to conserve heritage assets in a manner appropriate to their significance, so that they can be enjoyed for their contribution to the quality of life of this and future generations (para.17 NPPF). When considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation. Significance can be harmed or lost through alteration or destruction of the asset or development within its setting (para.132, NPPF). Setting is defined in the NPPF as the 'surroundings in which a heritage asset is experienced. Its extent is not fixed and may change as the asset and its surroundings evolve. Elements of a setting may make a positive or negative contribution to the significance of an asset, may affect the ability to appreciate that significance or may be neutral.' Planning authorities should look for opportunities for new development within conservation areas and within the setting of heritage assets to enhance or better reveal their significance (para.137 NPPF). Permission should be refused because of concerns about incompatibility of development with an existing townscape, where the concern relates to a designated heritage asset, and the impact would cause material harm to the asset or its setting which is not outweighed by the proposal's economic, social and environmental benefits (para.65 NPPF).

We are not against the development in principle but we would urge it be sited in a more unobtrusive location or that the design be modified to the extent that it would recede into the landscape, both during the day and at night. In this way the policy of the local authority in the Planning Brief was well-tuned and laudatory - emphasising that the design of the buildings, 'particularly in their heights and siting' should be such that they would be 'completely screened when viewed from neighbouring residential properties and from the wider area.' This may be a high test but given the calibre of the assets, the potential for harm, and the affect on generations whose enjoyment of the assets should not be placed at risk, these are exactly the circumstances in which it comes into play. We consider that the development proposed would neither preserve or enhance, nor enhance or better reveal the significance of the conservation area. We find it incompatible with the existing designated townscape. We consider the harm to heritage assets it will cause to be 'less than substantial' but serious.

(Officer Comment – Revised Information has been sent to Historic England to address their concerns and their views will be included on the Addenda and Corrections schedule).

14/0591/FULL/OUT

3.10 Worcestershire Regulatory Services (Noise) [WRS] – Following the updated noise assessment there are no adverse comments to make in relation to the application.

3.11 Worcestershire Regulatory Services (Air Quality) - The additional information relating to trip generation, model verification and sensitivity rationale has helped to address previous concerns raised with the original air quality assessment. Based on this revised information WRS are satisfied with the findings of the assessment.

WRS would recommend that mitigation measures are implemented as part of the development in a bid to alleviate pollution creep arising in the general area. The following recommendations are made with consideration of the National Planning Policy Framework:

3.12 Worcestershire Regulatory Services (Land Contamination) – No objection subject to a condition in respect of reporting of unexpected contamination.

3.13 Worcestershire Regulatory Services (Food) –
FOOD HYGIENE

All proposed catering outlets to comply with EC Regulation 852/2004 (including adequate waste storage and collection arrangements) .The layout, design and construction must permit adequate cleaning/disinfection, good hygienic practices and protect against contamination by foodstuffs, materials, equipment, water, air supply or personnel and external sources e.g. pests. In terms of layouts, food routes should follow a linear flow from raw to cooked, avoiding back tracking. Staff route circulation should be minimised with all equipment and raw materials close at hand. Access to offices, staff rooms, toilets etc should avoid the production areas.

HEALTH AND SAFETY

All proposed facilities to comply with the relevant aspects of the Workplace (Health Safety and Welfare) Regulations 1992 (e.g. staff welfare facilities, changing facilities, sanitary provision, ventilation etc) as well as the relevant Standards (e.g. BS6465-Part 2 Provision of Sanitary Appliances for Restaurants, Bedrooms in Hotels etc; BSEN 12600:2002 Safety Glass; BS 7671: Electrical Installations)

Waterpark facilities to comply the relevant legislation (e.g. plant room mechanical ventilation to ensure compliance with Control of Substances Hazardous to Health Regulations 2002 (as amended) and design, construction, installation and operation of pressure equipment to comply with the Pressure Equipment Regulations 1999 and Pressure Systems Safety Regulations 2000. It is recommended that separate guidance provided by The Pool Water Treatment Advisory Group (PWTAG) and HSE (e.g. HSG 179) is followed.

14/0591/FULL/OUT

Proposed new wildlife area “*intended to integrate live animals into this area*”. Reference is made, to the Zoo Licencing Act 1981 and the Secretary of State’s Standards of Modern Zoo Practice including Section 1A (c) (i)/(d) relating to environment and public safety/facilities, as well as any recommendation/observations of DEFRA inspectors and/or veterinary assessment.

- 3.14 Planning Policy Manager – Much of the West Midlands Safari Park (WMSLP) site is allocated as a previously developed site in the Green Belt under the terms set out in Site Allocations and Policies Local Plan Policy PDS.1. This policy includes a plan which depicts the Previously Developed Land (PDL) boundary for the WMSLP and states that within this boundary, development proposals that support and enhance the park’s operations as a leisure and tourism destination will be permitted. However, the siting of the proposed waterpark and hotel/conference centre falls on an area of land that is not located within the PDL boundary (where limited infilling or the partial or complete redevelopment is deemed to be acceptable).

Due to its location outside of the identified PDL area, Policy SAL.UP1 (Green Belt) therefore applies to these proposals. This policy is very clear in its requirement that development will not be permitted on land within the Green Belt except in very special circumstances. It is therefore for the Applicant to demonstrate, and for the decision maker to then weigh up, whether very special circumstances exist in this particular case, which outweigh the presumption against inappropriate development in the Green Belt.

My comments focus on the principle of very special circumstances. I note that the Applicant identifies a number of issues that they consider constitute very special circumstances. These are listed as follows:

- The WMSLP as a major driver of the local economy. The need and economic case for the development in terms of support of the local tourism industry, jobs and the local economy.
- The need to ensure the WMSLP remains as a viable business and the long term future of the attraction.
- The need for the WMSP to compete with other similar sized attractions.
- The tourism need for specific facilities.
- The enhancement of landscape features and mitigation and the benefits of comprehensively improving the landscape setting of the site.
- The support for tourism development within the Wyre Forest District.
- A lack of alternatives for siting the proposals within the park area. Given the proposed scale of these facilities, there are few other locations where they could be located.
- The precedent set by other visitor attractions.

The Applicant considers that particular weight should be given to the role of the WMSLP as a major driver of the local economy and the need to ensure that the long term future of the attraction is secured. They have provided detailed evidence in support of this and I consider this in more detail below.

14/0591/FULL/OUT

SALP Policy GPB5 (Supporting Major Tourist Attractions) recognises the WMSLP as being particularly important to the local economy and states that any proposal for major development within the park will need to be considered on a comprehensive basis in the context of a planning brief and master plan for the whole site. It states that the Council will consider applications for development at WMSLP favourably where such development would upgrade and improve the viability of the attraction, are appropriate to its function as a major tourism destination and make a positive contribution to the local economy, taking into account its location within the Green Belt.

The Applicant has submitted a survey (Amion Consulting, 2011) of the potential economic benefits that the proposals could bring to the District, in support of their application. This concluded that redevelopment at the WMSLP has the potential to generate significant net additional local jobs and economic activity. The cumulative net additional GVA impact would be approximately £24 million at District level and £30.2 million at County level.

WMSLP considers that it is operating within a very difficult commercial environment. If it doesn't invest in new rides and attractions, visitor numbers will decline year on year and major investment is needed to keep visitor numbers stable. The park needs to compete with other similar sized attractions and every major visitor attraction in the UK has introduced hotel or other accommodation as part of its offer. WMSLP is considered to be vulnerable as it doesn't currently offer these facilities and the wider economic potential of the Safari Park cannot be fully realised unless the park maintains its place in the market and also extends the season for its indoor attractions. WMSLP considers that the addition of a water park will provide an additional all-year round facility that will allow the park to continue to operate throughout the year, and will allow the business to stabilise and remove the seasonality that affects attractions of this nature. The hotel will allow visitors to stay for longer and the conference centre provides a facility that will be at its busiest on weekdays outside of school holidays when the park is at its quietest.

The Applicant lists the following visitor attractions (at paragraphs 4.11-4.29 of the Planning Brief), located within the Green Belt as having expanded in recent years:

- Chessington World of Adventures
- Thorpe Park
- Legoland
- Drayton Manor Zoo and Theme Park
- Paradise Wildlife Park
- Center Parcs

WMSLP considers that expansion and diversification at these attractions has set a national precedent. The approach taken by most Local Planning Authorities in relation to tourist attractions in the Green Belt is to generally facilitate developments that assist in maximising the contribution of the attractions to local economies.

14/0591/FULL/OUT

Paragraph 8 of the National Planning Policy Framework outlines the concept of securing all three strands of sustainable development – economic, social and environmental. It states:

“These roles should not be undertaken in isolation, because they are mutually dependent. Economic growth can secure higher social and environmental standards and well designed buildings and places can improve the lives of people and communities. Therefore to achieve sustainable development, economic, social and environmental gains should be sought jointly and simultaneously through the planning system. The planning system should play an active role in guiding development to sustainable solutions.”

Recent Planning Caselaw has demonstrated the importance of ensuring that very special circumstances reflect all three pillars of sustainable development and therefore the Applicant was asked to also provide evidence of the social and environmental exceptional circumstances demonstrated by the proposals. The Applicant consequentially submitted these in a letter dated 22nd July 2015. This specifically outlined the very special circumstances relating to the social circumstances of the scheme as follows:

- The proposed water park as a valued facility amongst local residents
- Broadening the platform of the WMSLP to carry out its corporate social responsibilities.
- Reduced admission rates for schools during off peak times. The proposed Water Park has the potential to become a significant resource for local schools.
- The proposed Sunday and Bank Holiday bus service will provide a frequent and reliable service and will route between Kidderminster Railway Station and Bewdley Town Centre. This will provide additional public transport services that can be used by the local community.

Those very special circumstances outlined in relation to the environment are listed as follows:

- The completion of this development would result in a significant net gain in the number of trees in the application site and across the Safari Park as a whole.
- The presence of a Higher Level Stewardship Agreement with Natural England. The commitment of the applicant to a project of this nature serves to emphasise how it can maximise the environmental benefits of the creation of new habitats areas proposed in mitigation as part of the development.

In terms of a longer term planning approach to the site, the creation of a site wide master plan which clearly shows the WMSLP's strategy for change and improvement over the coming years is welcomed and will provide certainty. It also helps to recognise the significant contribution that the WMSLP makes to the local economy. The proposals submitted have been informed by this comprehensive master planning process.

14/0591/FULL/OUT

With the submission of their most recent letter, the Applicant has submitted a significant amount of evidence in support of why these particular proposals in this specific case demonstrate very special circumstances. They consider that particular weight should be afforded to the role of the WMSLP as a major driver of the local economy and the need to ensure that the long term future of the attraction is secured. Having weighed up this evidence alongside the District's Local Planning Policy context, which is generally supportive with regard to enhancing the WMSLP's important role in the local economy, I consider that these arguments are particularly persuasive in demonstrating very special circumstances. It is now for the decision maker to take a view as to whether these outweigh the presumption against inappropriate development in the Green Belt.

- 3.15 North Worcestershire Water Management - The development is in the catchment of the Riddings Brook, a main river for which the Environment Agency has an overseeing and enforcement role. I therefore expect that the Environment Agency will cover most aspects of my comments in greater detail, with the exception of surface water drainage.

FLOOD RISK ON THE SITE

I understand that the development itself due to its elevation will not be at risk of flooding.

FLOOD RISK ELSEWHERE

The Riddings Brook catchment has a history of flooding, so every attempt should be made not to increase this flood risk off the site. I understand that the intention is to use infiltration SuDS such as trench and ring soakaways and permeable paving to deal with the surface water runoff. I understand that the infiltration rate has been determined in 9 trial holes, which varied between 1.14×10^{-6} m/s and 2.08×10^{-5} m/s. In the micro drainage calculations however for all features an infiltration rate of 1.02×10^{-5} m/s has been used, independent of location. Although this is fine for some indicative calculations, the infiltration rates will need to be determined properly on site following the reprofiling of the site to inform the detailed design.

The use of SuDS on all development is actively being encouraged in the Council's strategy. The policy states that the multi-functional role of SuDS should be considered. In this development the proposed SuDS will perform a water quantity and quality role only, with no additional benefits for biodiversity and amenity, which possibly could have been achieved by using green, above ground SuDS. The information submitted does not detail that other SuDS have been considered.

As the site is currently Greenfield the Applicant will have to demonstrate that the discharge leaving the site will not increase following development, up to a 1 in 100 year rain event plus an allowance for climate change. The proposed 20 % climate change allowance is I believe acceptable for this type of development.

14/0591/FULL/OUT

The Flood Risk Assessment states that 'should any soakaway overflow connect to STW sewers the acceptable discharge rate will need to be agreed with STW in consultation with the EA (5.9). This should be North Worcestershire Water Management as the EA does not deal with surface water runoff, that is the Lead Local Flood Authority (Worcs County Council) with NWWM undertaking this role on their behalf. The discharge rate that would be allowed would be Greenfield runoff, up to 1 in 100 year + climate change allowance event.

RUNOFF TREATMENT

Paragraph 10.9 of the Flood Risk assessment reads:

"Consultation with the North Worcestershire Water Management Team has confirmed that the soakaways are suitable for use to dispose of surface water at the site, however, pollution prevention methods, such as the use of catch pits and interceptors, will be required for heavily trafficked areas of the site. Road water is suitable to pass directly to soakaway."

I believe that the last sentence should read: "Roof water is suitable to pass directly to soakaway". The conceptual surface water drainage plan for the Water Park area, appendix to FRA, shows that all soakaways (except SA5) will have an oil interceptor.

POLLUTION PREVENTION

I believe there are two aspects that need attention, namely prevention of pollution during and after the reprofiling and construction works. I understand from the information submitted that the principal contractor will develop a pollution incident control plan (pro-active), which I encourage. Especially the major earth works envisioned could for a huge risk for pollution by sediment rich runoff into the pools present on both sides of Bunkers Hill. I envisage that measures such as erection of silt fences etc will be required.

After the works have been undertaken the catch pits and interceptors will treat runoff captures from the car park and road areas. It will be good to have a maintenance plan to ensure that these features will continue to perform their function. In addition, it would be good to understand what will be done in the detailed design stage to prevent runoff entering the pools directly, especially from car park number 3 (western lake) and the turning point (eastern lake).

TRIBUTARY TO WESTERN POOL

I would like to know more information regarding the open watercourse that discharges into the western lake from the hotel courtyard area, partly underneath car park 3. If this is an existing watercourse then we would be opposed against culverting of sections for the development of the car park; bridges should be included instead.

14/0591/FULL/OUT

INVASIVE SPECIES

I read in the information submitted that Himalayan Balsam has been recorded in some locations. It is stated that mitigation involving the removal of the plant will be implemented in accordance with an Invasive Species Management Plan. Although the successful removal of the plant will depend upon actions upstream in particular, I welcome the fact that an attempt will be made to remove the plant locally.

CONCLUSION

Back in 2011 a meeting was held with the consultant to discuss the proposed development. Given the size of the development and the proximity to the pools that form part of the Riddings Brook system, I feel that another meeting would have been beneficial to discuss the proposed scheme.

Notwithstanding this, I believe that sufficient information has been submitted to conclude that the development itself will not be at risk of flooding and that it can be developed in such a way that flood risk will not be exacerbated elsewhere. I do believe that given the nature and the scale of the development it will be necessary to attach a number of conditions

- 3.16 Natural England - This application is in close proximity to the Devil's Spittleful Site of Special Scientific Interest (SSSI). Natural England is satisfied that the proposed development being carried out in strict accordance with the details of the application, as submitted, will not damage or destroy the interest features for which the site has been notified. We therefore advise your authority that this SSSI does not represent a constraint in determining this application.
- 3.17 Severn Trent Water – No objection subject to conditions
- 3.18 Bewdley Civic Society – [Initial Comments] – This application represents a major change for this highly sensitive Green Belt area between the two towns. For decades planning policy has only permitted the Park's significant developments in the folds of the landscape. This has worked well.

The Society is concerned that this application could establish a very different regime against which further developments in this highly sensitive area will be judged and will establish how much weight is to be given to the determining and conflicting elements of the development as set out in Policy SAL.GPB5, one that is markedly different to that previously applied.

The Civic Society is concerned with the imbalance of this proposal insofar as the economics and potential contribution the development of the WMSP could make to the area's economy appears to wholly override the sensitive and most important issues of openness and visual amenity. Whilst there has been some attempt at assimilating this large development into the landscape, the scale and particularly the siting of this development is such that it will never achieve the careful and considered concealment as before. This is unacceptable.

14/0591/FULL/OUT

It is singularly most unfortunate that the highest part of the Waterpark development sits on the highest part of the site. Bunkers Hill is a valuable green space on the gateway to Bewdley. The top of Bunkers Hill is to house the entrance to the 16m high Waterpark building (the building slides down the eastern slope into the site away from the A456/roundabout). The Elevations Plan show that the building will have a major impact on the visual amenity of the Bunkers Hill escarpment, made worse by the new access off the roundabout and new car parking areas which will open up the public view. Neither the existing treescape nor new landscaping will significantly soften this aspect. It will undoubtedly be brightly lit.

Whilst acknowledging the importance of new development to the area's economy, the Civic Society wishes to express its concern at the visual impact of this development on such an important area. Not enough weight has been given to the visual/openness arguments, arguments which have prevailed in the past with previous planning decisions both by WFDC and Appeal Inspectors.

On the issue of the development's impact on local infrastructure, the application's Traffic Impact Study and modelling purports to show that the local road network can accept the increased traffic flows. This is disputed certainly by the Bewdley Town Council who fear this aspect has not been properly researched and that Bewdley could well become bottled by the additional traffic and lose visitors and trade as a consequence. The Civic Society endorses that view.

On the above points the Bewdley Civic Society objects to this application as presented.

[Comments on additional information] – The photo-montages recently submitted wholly vindicate the Society's concern with the visual impact of the proposal in this most sensitive area between the two towns. Of particular interest are those pictures taken of Bunker Hill from the approaches to the Catchems End roundabout. They confirm that the Waterpark development will be not only particularly obtrusive but, by being located so close to Catchems End, will urbanise and visually extend the built environment into this important green open area between the towns. Bunker Hill provides an important green and open foil between the WMSP and Catchems End and should remain as such.

The photographs themselves paint a misleading picture by not showing the full impact of the development on Bunker Hill. Not shown are the terraced car parking areas, the incised new access road nor the toll booths off the Catchems End roundabout. Add these missing developments to the pictures and the actual extent and impact of the development is more fully appreciated. The development is likely to be extensively lit as it is an all year round facility. The Society concludes that the development will seriously impinge on and erode the openness and visual amenity of Bunker Hill.

14/0591/FULL/OUT

The Waterpark development, as the photo-montages confirm, will seriously erode and damage the openness and amenity of this Green Belt area between the two towns. The advantages of this development do not outweigh the serious and damaging impact this proposal has on this important Green Belt area. The Society is not against the development per se but advocates that the development should be relocated to a more discreet location within the Park in line with previous decisions. This would retain and maintain the most important of the Green Belt principles and not conflict so heavily with Local Plan policy.

The Society remains very supportive of the Town Council view concerning the traffic implications of this development. The conclusions of the Traffic Report are seriously questioned in the known reality of the WMSP traffic's present impact on the two towns. The development will exacerbate these existing problems and yet provides no solution nor improvement. The additional pressure on the already overloaded Catchems End traffic island will be enormous and may well at certain times landlock the town, discouraging visitors, affecting trade and the general wellbeing of the area.

The Civic Society maintains its strong objection to this present proposal for the reasons set out in this and the earlier letter.

- 3.19 Campaign for the Protection of Rural England - We object to this application, which is a wholly unjustified and unacceptable intrusion into the Green Belt of development that ought not to be acceptable there.

West Midlands Safari Park (WMSP) was given a special status under the Wyre Forest Site Allocations and Policies Local Plan, as a Previously Developed Site in the Green Belt (PDSGB). This was done in order to support and enhance its status as a regional and national tourist destination. This seems to relate primarily to an area outlined in red on a map. The Plan notes that despite the fences and animal houses the present use tends to maintain the openness of the Green Belt. At the (Local Plan) Examination (in Public), we were unhappy with the inclusion of the car park within the red boundary, but the final Adopted version covered a greater area.

- The application site is largely land outside the PDSGB boundary.
- While a hotel may benefit WMSP in providing accommodation for tourists visiting it, this is development of a kind that is wholly different in scale and nature from the existing WMSP tourist attraction, which is essentially a variety of zoological park.
- The suggested Water Park is similarly largely unrelated to WMSP – essentially an up-market swimming pool, something that typically belongs in a town centre, not on the edge of the countryside.

The starting point for this must be the fact that this is in the *Green Belt*. The alleged adoption of a master plan covering an area beyond the PDSGB should have no effect, because it is purporting illegitimately. A ministerial statement in July last year made clear that Green Belt boundaries should only be altered through a Local Plan Review, not *ad hoc* on applications.

14/0591/FULL/OUT

This has since been incorporated in NPPG. The amendment of an adopted plan requires a formal process that involves public consultation and an Examination in Public of the new plan. No such examination has taken place in respect of the allegedly adopted masterplan, unlike WFCS and SALP. Accordingly, any alleged adoption cannot alter the clear provisions of WFCS and of SALP. It is a principle of law that subsidiary legislation must be within the scope of the power given by primary legislation. SALP was adopted to provide detail for WFCS, as intended by it. To the extent that any (allegedly adopted) Planning Brief or Masterplan extends beyond the boundary for the PDSGB, the alleged adoption is void. In a different field of law, powers of appointment under trusts, the use of a power for purposes outside the terms of the trust deed giving the power is void as a fraud on the power. "Fraud" in this context does not imply anything criminal and I am not suggesting that the alleged adoption was such; merely that the Council, by failing to follow the proper procedure for amending a Local Plan was exceeding its powers.

The Green Belt status of the site is important:

- It is adjacent to Bewdley, but completely distinct from the town. There is a strategic gap between Bewdley and Kidderminster, but it is a narrow one. Being only a narrow one, it is important that it should not be encroached upon by buildings unless entirely necessary. In this case it is not necessary, as there are a number of opportunity sites in Kidderminster on which a hotel could easily be developed.
- The site is separated from the town of Bewdley by the bypass. The bypass is a significant landscape barrier, marking the end of the town and the start of the countryside. While WMSP (and Spring Grove House) and built environment in the Green Belt, their scale is not such as to have much effect on the openness of the Green Belt. The effect of the development is to fill in the gap between the town and WMSP, so that WMSP will become an adjunct of the town. It lies directly opposite the developed area of Catchems End (in Wribbenhall).
- With a separate entrance of the roundabout at the end of the Bewdley Bypass, the development appears to be a free-standing development, rather than one ancillary to the existing WMSP.
- The proposed buildings will be extremely intrusive and the very reverse of the principle of maintaining the openness of the Green Belt.
- We would question whether the need for a 250-room hotel is so great as to outweigh the general principle that development should not be allowed in the Green Belt. The scale of the proposal is grossly excessive.

Policy SAL.GPB5 sets out a series of tests to be passed for an application to be approved:

- This will do little to enhance the viability of WMSP. The various pools (which probably predate the inclosure of Kidderminster Heath in c. 1780) might provide an opportunity for WMSP to enhance its zoological offer, but this proposal certainly does not.
- It will do nothing towards heathland restoration, though perhaps the area concerned (having been parkland belonging to the c. 1790 Spring Grove) ceased to be heathland at about that period.

14/0591/FULL/OUT

Furthermore, the site is outside the boundary to which the policy applies, or largely so.

PLANNING STATEMENT

- The Applicant's Planning Statement reports a WMSP Planning Brief (4.42-8). To the best of my knowledge this has not been to any Examination or been adopted by WFDC. Accordingly, this is wholly the Applicant's document and should be given no more weight than the Planning Statement citing it. This merely meets the policy SAL.GPB5 requirement for master-planning of the whole site. It is merely a statement of the Applicant's wishes. If this has (as the Applicant states) been adopted by WFDC, this has been without proper consultation, so that the adoption should be ignored and treated merely as the Council noting it. Alternatively the Planning Brief is a departure from the Adopted Development Plan that should not have been adopted without a Public Examination.
- The Planning statement paragraph 5.10 describes this as "infilling". That is clearly a misdescription. The definition of Previously Developed Land has been amended to exclude gardens. Parkland by its nature is either a variety of garden. Alternatively, it falls into a separate class even closer to agricultural land.
- Its paragraph 5.14 seeks to compare the occasional use of the land overflow parking with fully built environment. These are wholly different from each other in scale.
- I would also take issue with paragraph 5.18, while I agree that the animal enclosures are open countryside, I would suggest that parkland should also be regarded as such.
- Paragraph 5.20 seeks to turn the stated objective of the Green Belt on its head. What "assisting in urban regeneration by encouraging the recycling of derelict and other urban land" is about is reversing the doughnut effect, by which the centres of cities tend to decline, leading to the city turning into something like a ring doughnut. The existence of the Green Belt thus forces developers to look to derelict urban land in preference to green-field land. This hardly applies to a market town such as Bewdley, where there is little derelict land. It may assist in regeneration by providing jobs, but not *urban* regeneration or *recycling* previously developed land.
- The case made under "very special circumstances" is derisibly weak. As already stated, Ministerial Statements on the Green Belt have made clear that the boundaries of the Green Belt should only be altered through the making or review of a Local Plan. They cannot be altered by the adoption of a "planning brief", without the full Local Plan process being gone through. Nevertheless, the effect of this application is to alter the through a mere planning application.

There are certain cases where development in the Green Belt is permissible. But this is not one of them. These include (NPPF Para 89, point 2) the provision of outdoor sporting facilities, outdoor recreational facilities and cemeteries, as long as it preserves the openness of the Green Belt. This is tighter than allowed by the old PPG, on which WFCS was based.

14/0591/FULL/OUT

WFCS paragraph 5.13 states that there were no exceptional circumstances for reviewing the Green Belt boundary. It goes on explicitly to adopt the old PPG2, by saying that proposals would be resisted in accordance with it unless there were very special circumstances. Since PPG2 has now been replaced by NPPF, WFCS should be taken as adopting the NPPF policy. It is doubtful whether the Water Park proposal would have met the PPG2 test, as it was necessary sporting provision and would have a grave impact on the openness of the Green Belt; it certainly fails to meet the NPPF test.

The outline proposal for a hotel, that is tacked on to the Water Park proposal is even less acceptable. There is no even the excuse that it is a sporting facility.

There are no very special circumstances. The preservation of the Green Belt is not a mere issue of balancing the benefits of development against their harm. The whole purpose of the Green Belt is to prevent development, with a few limited exceptions; none applicable here. This application does not come near meeting the criteria required for a planning application to be approved. The application should accordingly be refused.

3.20 Neighbour/Site Notice –

- A letter has been received from the residents of Spring Grove Barns stating the following:

This is a formal submission of comments and objections on behalf of the 11 properties of Spring Grove Barns and the dwellings of Lowentarn and Salentarn. All properties are the closest neighbours to WMSP.

It is important to state that all of the residents are wholeheartedly in favour of the overall development of WMSP and think it is fantastic for the local community and economy. What we do insist upon, however, is proper consideration given to the residents when taking into account the development of the safari park and we feel that this has not been given in sufficient measure within the planning submission specifically in relation to privacy, line of sight and noise.

Over the last three years we have held a number of meetings with WMSP and their planners RPS. We have been delighted with the way in which this has been dealt with, where our concerns have been noted and our comments sympathetically received. The most recent meeting held with RPS was only three months ago, where all residents were comfortable with everything discussed.

However when we were invited to review the formal planning submission by Wyre Forest District Council planning office, submitted by WMSP and RPS, we were somewhat taken aback. Our key topics for comments and / or objections are as follows:

- 1) The proximity of a proposed rail line to our properties and the effect on the environment of running a proposed rail line across the lake;

14/0591/FULL/OUT

- 2) The lack of proper consideration given to noise level assessment at our properties;
- 3) The lack of proper consideration given to the visual aspect from our properties;
- 4) The inclusion of defined “wildlife area” and “new ponds / water features” adjacent to our properties with no detail of what they actually are;
- 5) The inclusion of a new road link immediately adjacent to our properties which has never been discussed in any meetings with WMSP or RPS (denoted as “C” on the enclosed map); and
- 6) Impact on heritage assets.

RAIL LINK

Three months ago when we last met with RPS, there was no inclusion of a rail link on any of the proposed master plans. We communicated to RPS that we welcomed the fact that the rail link had been removed from the proposal (which was present in our original discussions) and they acknowledged the fact that we welcomed this, as they state in their submitted planning proposal. We now find in the formal planning submission that a rail link has been included and this runs very close to our properties and the residents feel that this has been included against the spirit of the previous consultation with its closest neighbours.

We object to the rail link on the basis of its proximity to Spring Grove Barns, specifically:

- a) Overlooking / loss of privacy given the current route proposed near to our properties;
- b) Noise resulting from the rail link in and around our properties;
- c) The potential nature conservation effect on the lake; the lake has resident kingfisher, heron and breeding Great crested grebe. In addition over the last 12 months Pochard, Little egret, Goosander and Mandarin duck have all been resident at some point;
- d) Loss of visual amenity. A proposed rail link being situated approximately 20m from the rear boundaries of the properties (The Stables, The Old Barn, The Hayloft, and Horseshoe Cottage) would be clearly visible (and audible) from the properties;
- e) Loss of Trees. The route as currently outlined for the rail link is clearly depicted as cutting through trees immediately prior to entering the lake to the south of the island. The island itself is completely covered with trees. The current proposed route for the rail link appears to “clip” the right hand side of the island. It is assumed that this is intentional in order that a support platform for the link can be located on the island which will mean further loss of trees; and
- f) Effect on listed buildings. A proposed rail link being situated approximately 20m from the rear boundaries of the properties does impact on the aesthetic value of the listed buildings.

NOISE LEVELS

Referring to the Acoustics Assessment Report by RPS
Our properties are located at the closest proximity to the outline planning development area, namely the wildlife area and the hotel development.

14/0591/FULL/OUT

Despite this, it appears our properties have not been considered as a suitable site for a baseline noise survey. As close neighbours we do not find this acceptable or reasonable. Noise levels during and post construction has been one of two important topics of discussion with WMSP in voicing the concerns of the residents, the other primary topic being privacy. We feel that it is a clear omission not to consider noise levels at our properties. If there is an argument that the sound assessments have focused on the waterpark, the planning permission should be solely for the waterpark and not include the hotel and conference development. The noise assessment report explicitly refers to both developments and therefore we would expect the residents closest to the hotel development be considered carefully in this regard. This is not the case in the planning proposal and we must object on the basis that we have no baseline against which to measure noise pollution during construction and when the hotel and conference centre is in operation.

VISUAL RECEPTORS

Referring to the Landscape and Visual Appraisal

The residents have been acknowledged in the Appraisal as being categorised “high sensitivity”. Despite this, it was not deemed appropriate to use our location as a viewpoint as part of the planning process. Our properties have been deemed “barely perceptible due to intervening vegetation and distance from the site”. We do not accept that our properties have been given due care and attention in assessing visual impact because:

- a) We are the closest neighbouring properties to the hotel development and proposed wildlife area.
- b) The claim that our properties are barely perceptible is simply incorrect – the wildlife park will be in clear line of sight from our properties, and for six months of the year when there are no leaves on the trees there is clear line of sight to much of the development area immediately opposite our properties across the lake.
- c) To select a viewpoint at Warton Park Golf Club approximately 2 miles away looking at the proposed site and to not consider residential properties 50 metres across the lake is astonishing and in the residents view it is not acceptable as our residential properties are not being given sufficient consideration.

Our objections are:

- a) Potential overlooking / loss of privacy – the proposed wildlife area (and the visual impact of the rail link) with no such detail included in the outline planning submission;
- b) Potential light pollution – with clear line of sight to the wildlife area we have not been considered or consulted on the potential light effect on our properties from the development area across the lake;

14/0591/FULL/OUT

c) Design and appearance of the wildlife area - we have no details of what the wildlife area will consist of given its recent introduction and lack of discussion to date, and therefore we must object on this basis until such time as it is made clear to the residents who have direct line of sight on to that area.

WILDLIFE AREA AND NEW PONDS / WATER FEATURES

Our objections are on the basis that we simply have no information about what will actually be included within this wildlife area and new ponds / water features. We also have a concern on the effect of the new ponds / water features on both the lake wildlife and potential flooding around our properties, as joining the two bodies of water as proposed may have an unforeseen impact on water levels which we do not feel has been considered sufficiently in the planning proposal. In 2007 there was significant flooding from the water system which included the residential properties named the Stables on the track that runs down towards the leisure centre from the railway bridge.

PROPOSED NEW INTERNAL ROAD LINK IMMEDIATELY ADJACENT TO OUR PROPERTIES

From the residents perspective this is a new inclusion introduced only when the formal planning submission has been made. As this is immediately adjacent to our properties, and appears to include a large red area which suggests parking (without having any knowledge to the contrary) we must object on the basis that we have not been given any details as to what this actually is. Our objections are on the basis of:

- a) Overlooking / loss of privacy
- b) Potential noise affect being adjacent to our properties

IMPACT ON HERITAGE ASSETS

In the Heritage Statement submitted it is clear that little real reference is given to impact on the heritage assets within Spring Grove and the impact of the development on these. There is very little mention of our properties, which are the closest and largest concentration of this type not already within the safari park land and within the Heritage Statement it states that there would be no negative impact on such assets, but with the proximity of the development as a whole and apparent proposed "new areas" we feel that this is not the case.

Our objections are on the basis of:

The Heritage Assets with Spring Grove Barns are so very closely linked by the proximity and setting of the Safari park site as it stands. With this scale of development the council should not and must not underestimate the impact on these assets and should ensure that they are not just dismissed.

14/0591/FULL/OUT

- A letter has been received from Hillcrest Residents' Association stating the following:

We have supported this proposed development since the start of the Consultation period and continue to do so BUT at the same time we have expressed our concerns about the impact of the increased traffic flow which will arise from this investment. The whole purpose of this proposed investment "to attract large numbers of customers" and to have a business which covers all twelve months of the year.

We appreciate the proposal to provide access to the attraction from a new junction with Severn Valley Railway but it seems obvious to us that the bulk of the visitors/clients will arrive by road. Given the population distribution it would seem that only a small proportion of the people will arrive from the west across the river. The traffic routes are well established and whilst they are signed given the very high volumes at certain times of the year many drivers use their initiative and try to find a shortcut or a way that is less congested (of course they fail and block up other roadways).

As you can well understand I am making a claim on behalf of our Residents many of them dwelling within Sutton Park Road and the "Tributaries" which only have access to Sutton Park Road when they attempt to travel anywhere. Access to Bewdley Hill is very regularly very time consuming especially when trying to turn towards town. On many occasions Sutton Park Road is more or less blocked by near stationary vehicles when the visitor number to the Safari Park are high or there has been an incident on the highway adjacent to it. On those occasions if one does leave home by car the on one's return one has to queue along with the "Holiday makers" until it is possible to make the required progress to reach home.

We have lobbied our representative and to give him his due he has worked hard on our behalf in an attempt to have traffic lights installed at the junction of Sutton Park Road (and Crestwood Avenue) with Bewdley Hill. If you decide to recommend this development for approval and the Members of the Committee agree with you WE believe that these traffic lights should be one of the consequential results. The representatives of the Developer have been told of this requirement and it should not come as a surprise to them.

I have been told on other occasions that any such conditions can only be applied after the decision to approve has been made but it is my opinion that agreement in principle should be sought before the application is considered.

Furthermore I have experienced occasions when WFDC have been unwilling or indeed unable to have conditions attached to planning consent complied with.

14/0591/FULL/OUT

I feel sure that there are other Residents' Associations that have similar feelings to ours about the impact of this development on the immediate surroundings (whilst they will all like us wish the development to proceed).

One such area is the roundabout from which it proposed that the Hotel and Conference Centre will be accessed. With the left turn only at Catchems End there are high volumes of traffic when drivers try to avoid Bewdley Hill.

You may or may not be aware of the severe congestion created at Hagley where the traffic island is being reshaped; this has gone on for many weeks and many more will pass before it is complete. It could be that this is associated with the provision of access to the Cala Homes housing development.

We would appreciate it if you could relay our concern to the developer before you write your report on this application. There is precedence, for example Tesco, Stourport when action had to be guaranteed (in that case the building of a bridge over the river) to improve traffic flow in the immediate area.

- 10 individual letters of objection have been received raising the following comments:
 - I feel this is totally inappropriate for this location. The road from Kidderminster to Bewdley is already grid locked when SP has events or during bank holidays. Access is limited via the main road. Noise pollution is causing disturbance even at this address from existing functions, noise from music, fireworks etc on numerous occasions. The extra traffic, noise and pollution is not required or wanted.
 - Currently the traffic at the roundabout at bunkers hill is considerable for a small location, particularly between peak periods of the morning, mid afternoon (school time) and late afternoon. Weekends are also busy at these times. The assessment of traffic is 1 car added queues however a water parks core times of visit and leaving will coincide with these peak periods and therefore be far more. Traffic from this type location is not constant but bunched around morning, lunchtime for leaving/arriving. and then towards the end of the day for people leaving. This is consistent with the safari park itself which currently log-jams traffic on these times, particularly on weekends or core holidays.
 - Traffic safety - crossing points etc? Needed for safety, but what about impact on traffic flow as well....neither has been considered to what I could see other than bus links.
 - Business model - are the accesses to the locations going to be linked on a group ticket? If so, this will mean traffic going between the safari park and the leisure park therefore greater traffic up and down the roundabout.

14/0591/FULL/OUT

- New access of small roundabout - why is this required? Where is the feasibility of this versus the current access point for the safari park and having an internal link road for the waterpark only.
- Its not clear if cars will be able to use the bunkers hill new access to go to the safari park. If so this will me further traffic on a small roundabout and noise for local residents.
- Traffic impacts mentioned above as core time traffic.
- 1 outdoor element of waterpark. Why can't all of this be internal so as not to impact local residents with noise? Most from the plans look internal so the guidance on planning could be all needs to be internal due to noise. Precedence exists for this in the current impact on noise of screaming from fairground rides on the safari park. This will add further impact and is close therefore louder.
- Wider impacts potential - e.g parties, additional fireworks displays etc. These are currently quite disruptive to local resident from the safari park. If this is closer still, then will be higher impact.
- Closing times of waterpark In summer - could be open late in to evening with outdoor attractions, therefore noise in evening.
- Bewdley is a Georgian town which attractions is the architecture, steam train, river and natural beauty. A waterpark and conferencing facilities is not in line with nature of Bewdleys attraction. Resident live in Bewdley for the above reason, not commercial activities such as a waterpark.
- Kidderminster has a water-shoot pool - the glades. If anything a normal swimming pool is what the area requires (i.e Bewdley/Kidderminster/Stourport)
- Hotels - there is already a large hotel across the road from this location. Also fairly recently Wetherspoons purchased the George so there is a fairly big hotel in bewdley as well as other places to stay such as the Mug House. Any hotel will impact the businesses that currently exist.
- Traffic impact will reduce the attraction of visiting Bewdley town centre itself due to bigger queues on its outskirts.
- Opposed to new access off roundabout at start of by-pass as will destroy bank and trees which protect residents. This is too big a development for the site.

14/0591/FULL/OUT

- Surely the existing road infrastructure would not cope with extra traffic - it has not been made clear where the access points will be. If the proposed hotel is situated near to the existing island and access is made via here, then I completely object; that island struggles to cope with traffic as it is.
- The plans amount to a major change within the Green Belt area. As they stand they would have a significant deleterious impact upon the visual amenity of the area.
- If approved will lead to further encroachment by the Safari Park
- The balance of cost and benefits must be considered. Cost in the loss of Green Belt land and the unaddressed issue of congestion in the Kidderminster bottleneck.
- The economic benefits are fragile – little detail on job creation. There is no credible future for the workers or for the Wyre Forest Economy.
- The existing situation of traffic and noise from the Park has increased. Without strict guidelines and local resident's opinions taken into consideration we could be faced with another massive Alton Towers on our doorstep, which yes maybe good for tourism, but to often the deciders do not live anywhere near, not will they have to endure the problems when the work begins and the aftermath when the park opens.
- The traffic and the roundabout...is already very heavy particularly during rush hours. The impact on roads leading into Bewdley as drivers try to avoid the busy traffic and the roundabout...The disruption caused by construction vehicles. The increase of air pollution. The bypass already has to cope with extra traffic when Bewdley in flood.
- On balance I welcome the proposal as it will be good for local employment and the District economy generally, although I am concerned at the potential increase in traffic volumes generally.
- I am most concerned about the noise likely to be generated by screams of thrill seeking visitors using the water slides...I fear that it will impinge directly on my enjoyment of my property.
- Impact of traffic on Kidderminster particularly A456 at Land Oak traffic lights and junction of Sutton Park Road. Will also impact on Catchems End in Bewdley.

14/0591/FULL/OUT

4.0 Officer Comments

DETAILS OF PROPOSAL

- 4.1 The application is in hybrid form, with full planning permission being sought for the water park (phase 1) and outline planning consent being sought for the hotel and conference centre (Phase 2). Phase 1 has been designed to operate entirely independently from Phase 2 pending the proposed hotel and conference centre becoming operational.
- 4.2 The application provides detail of the design ethos adopted which encompasses both phases of development. *"...the overall effect that WMSP would like to create is a sense of Africa ...[with] a relatively contemporary approach where the colours and pallets associated with traditional Africa are merged with more modern forms and techniques."*
- 4.3 The site location plan incorporates Bunkers Hill where the built development is proposed to be located a separate area to the north which is to be re-profiled with any spoil from the built development. A vehicular and pedestrian link between the two areas is included within the red line.
- 4.4 The development would have a primary access point via a new fourth arm at the A456/B4190 Kidderminster Road roundabout. Phase 2 would also be principally served by this new access, however a secondary access serving the hotel and conference centre is also proposed to the A456 at a distance of appropriately 200m from the roundabout.
- 4.5 The proposed development would be linked to the exiting access road arrangements within the WMSP. Public access between the development and the rest of the park for shared visits would be managed via control point where the proposed access road meets the existing access road to the north of the water park.
- 4.6 Whilst the detailed design of the proposed is known at this outline stage the Agent advises that it would be of a safari style incorporating 250 stylised bedrooms, associated bars and restaurants, spa and leisure facilities spread out over 6 storeys. The conference centre (also known as the 'confex') would be able to accommodate 1000 people for seated conference, exhibition, product launches, events or evening conferences. The central 'wow' is proposed to be the tallest part of the hotel / conference centre with the component parts of the development lower in height, however the proposed final design would be determined at the reserved matters stage.

14/0591/FULL/OUT

- 4.7 The water park, which is submitted in detail, would be split over four levels. The proposed main entrance to the building at the top of Bunkers Hill has been designed to be as low profile as possible with the higher parts of the building taking advantage of the slopes to create volume without breaking tree height. To the south the water park building has been designed to allow for the future construction of the hotel and conference facility which includes the ability to share operational and service areas as well as provide a covered guest link. To the west the volume of the building has been kept as small as possible and shaped to reduce its visual impact when viewed from outside the park. To the east the design takes advantage of the slope of the site to contain the large internal volumes as well as provide sufficient height for the rides and slides. The maximum internal height of the water park building is 18m at the slide entry points.
- 4.8 The orientation of the building is roughly on an east /west axis so that it takes advantage of the slope to maximise its height at the slide entry points. The proposed restaurant within the water park would be able to seat 200 guests with the ability to be sub-divided for special hire events such as children's parties. A roof terrace is also proposed alongside the restaurant.
- 4.9 The plans for the water park show the following facilities:
- Play and splash area for infants
 - Activity areas for children
 - Wave pool
 - Event stage area to stage water based shows and events as well as other possible corporate or group activities
 - Slides
 - External river rapids
 - Spa pools
 - Poolside relaxing areas
 - Catering outlet
 - Changing areas
- 4.10 WMSP have worked closely with a special water park manufacturer based in Canada. The building would accommodate 7 rider, 6 of which would be visible around the exterior of the building. These are named the constrictor, the super bowl, the enclosed inner tube ride, the family 3 python, the aqua loop and two external uncovered river rapid rides.
- 4.11 The shape of the building has been determined by the activities within and the volume required for each. This approach, the Agent has remarked, has allowed the building to be sub divided into a number of elements which help to break down the size and bulk of the building.

14/0591/FULL/OUT

4.12 The main bulk of the building is clad in two elements. The first is proposed to be corten steel or a similar looking cladding. This material once fully oxidised has a vivid orangey brown colour evocative of the African landscape. This has been located around the entrance to the building and particularly along the north and west elevations, which are more visible to the public.”*In contrast at each point where the plan perimeter of the building changes direction a more plain polyester powder coated aluminium cladding has been added. This will have a slight silver sheen to it which will subtly change depending upon light levels and pick up slight reflections and tones from the landscape around it.*” The use of two contrasting materials will also help to break down the form of the building such that appears as a series of layers. A colonnade created by a series of coloured metal tubes, sculpted to create a sense of the African grasslands, is also proposed to provide separation between pedestrian and vehicles.

4.13 It considered that the design has been carefully considered and has been arrived at through a thorough analysis of the surroundings, taking on the principles of design already adopted across the Safari Park. The design will provide an quality development to complement and enhance the parks position as a premiere visitor attraction not only in the District but across the Region

PRINCIPLE OF DEVELOPMENT AND POLICY CONTEXT

4.14 The NPPF promotes sustainable development which has three dimensions, an economic role, a social role and an environmental role. Paragraph 18 advises that significant weight should be placed on the need to support economic growth through the planning system.

4.15 The NPPF also promotes sustainable transport and provides advice on Green Belt citing that, “*The Government attaches great importance to Green Belts. The fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open; the essential characteristics of Green Belt are their openness and permanence.*”

4.16 Paragraph 80 of the NPPF states that Green Belt serves five purposes:

- To check the unrestricted sprawl of large built up areas;
- To prevent neighbouring towns merging into one another
- To assist in safeguarding the countryside from encroachment
- To preserve the setting and special character of historic towns; and
- To assist in urban regeneration by encourage the recycling of derelict and other urban land.

4.17 The NPPF is quite clear that inappropriate development is, by definition, harmful to the Green Belt and this should be given significant weight. Inappropriate development should not be approved unless there are very special circumstances.

14/0591/FULL/OUT

- 4.18 The Adopted Core Strategy outlines the future strategy for development within the District over the period to 2026. Amongst the list of 13 objectives are:
- To diversify and grow the District's economy, emphasising the development of the service sector, high tech industry and sustainable tourism; and
 - To safeguard and enhance the District's unique landscape character, Green Belt, natural environment and green infrastructure
- 4.19 Policy DS01 states that development in the open countryside will be closely controlled to safeguard the integrity of the Green Belt and landscape character.
- 4.20 Policy CP10 supports sustainable proposals that improve the quality and diversity of existing tourist facilities, attractions, accommodation and infrastructure, "*subject to the proposal not causing adverse impact on the surrounding environment and infrastructure.....new developments should incorporate sustainable transport links wherever possible, especially between attractions and town centres.*"
- 4.21 The Adopted Wyre Forest Site Allocations and Policies Local Plan, provides detailed policies building on the strategic aims of the Adopted Wyre Forest Core Strategy.
- 4.22 Policy SAL.UP1 replicates the NPPF Green Belt policy but adds that proposals within or conspicuous from the Green Belt must not be detrimental to the visual amenity of the Green Belt, by virtue of their siting, materials or design.
- 4.23 Policy GPB5 of the Adopted Site Allocations and Policies Local Plan relates to major tourist attractions and cites the WMSP as one of the examples within the District. It states that:

"Any proposal for major development within the park will need to be considered on a comprehensive basis in the context of a planning brief and master plan for the whole site. The Council will consider applications for development at West Midland Safari Leisure Park favourably, where such development would;

- [1] upgrade and improve the viability of the attraction;*
- [2] address the potential for heathland restoration and recreation;*
- [3] are appropriate to its functions as a major tourism destination;*
- [4] make a positive contribution to the local economy; and*
- [5] are acceptable taking into account its location within the Green Belt and*
- [6] the need to ensure compatibility with the local infrastructure network."*

14/0591/FULL/OUT

- 4.24 A planning brief was prepared in accordance with Policy GPB5. This was considered by Cabinet on 17th September 2013 and it was agreed that the West Midlands Safari and Leisure Park Planning Brief and Masterplan be approved as a suitable framework to meet the policy requirements of the Site Allocations and Policies Local Plan (Policy SAL.GPB5). The cabinet report set out the scope of the document stating:

It is important to note that the Planning Brief and Masterplan purely set out a framework for considering applications against. The document highlights the key considerations that will need to be explored through more detailed work as part of any planning application. Its purpose is not to pre-determine what might be acceptable within this location instead it highlights key issues, constraints and challenges that will affect any application in this area. Whilst any future planning application will need to have regard to the Planning Brief and Masterplan, it will also need to be assessed against local and national planning policy and will require further, more detailed work and justification.

- 4.25 The Policy sets out the approach to major development at the Safari Park giving a criterion based approach to its consideration. Weight should be afforded to the planning brief which sets out how a particular development fits within the context of the masterplan as a whole. The reasoned justification behind Policy SAL.GPB5 recognises the importance of the tourist industry for the District stating that it is, “*important that future planning policy protects and enhances this aspect of the economy.*” A study of the economic impact of WMSP was undertaken by Amion Consulting in 2011, and it concluded that the proposed redevelopment of the park would help to drive the development of the visitor economy, enable business growth and create new employment opportunities, as well as building on an existing local asset.
- 4.26 However the study acknowledges conflicting the District’s policy aims, “*There are currently competing priorities in planning policy terms within this location and the Council is seeking to achieve a balanced approach which maintains the essence of the Green Belt whilst providing some flexibility to enable one of the District’s key tourist attractions, and employers, to develop in a sustainable and appropriate manner. Unless the Park can continue to introduce new attractions and complementary development, the Park’s contribution to the local economy will be restricted.*”
- 4.27 In recognition of the valuable role which WMSP plays in the region’s tourism and to aid in its enhancement the existing area which the Park encompasses is identified as a Previously Developed Site within the Green Belt under Policy SAL.PDS1 of the Adopted Wyre Forest Site Allocations and Policies Local Plan.. However Members are advised that only 8% of the current planning application site is located within this defined previously developed site.

14/0591/FULL/OUT

- 4.28 The NPPF defines hotels as a town centre use where in accordance with the sequential test, the preferred location is within the town centre, next an edge of centre location and finally an out of centre location. The proposed location is out of centre and therefore conflicts with this part of the NPPF. However the development is being proposed as an integral part of enhancing the existing WMSP tourist offer, the principle of which is in accordance with Adopted Core Strategy Policy CP10 and the Policy GPB5 of the Adopted Site Allocations and Policies Local Plan the latter of which was adopted more recently than the NPPF and therefore given significant weight. Particularly because, as the Agent explains, *“By definition, this development needs to be located at the safari park. This is essential to secure the wider benefits of the development of a resort at this location, and the applicant would not build it in any other location.”*

APPROPRIATENESS OF DEVELOPMENT IN THE GREEN BELT

- 4.29 Considering the proposed development against local and national Green Belt policy first requires an assessment as whether it is appropriate or inappropriate development. Taking the two elements of the scheme separately the Agent acknowledges that the first part, or the proposed built development, does not fit into any of the appropriate development categories, and therefore it must be concluded that it is inappropriate development which is harmful by definition. However the proposed area for the laying of spoil from the development, or the second element of the scheme, is considered to be appropriate as it would not result in a loss of openness or conflict with the purposes of including land within the Green Belt.
- 4.30 It is therefore for the Agent to demonstrate that very special circumstances exist to support the development and these will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm, is clearly outweighed by other considerations.
- 4.31 It is therefore necessary to examine the potential harm to the openness of the Green Belt and the harm to any of the previously listed purposes of the Green Belt.
- 4.32 In terms of the potential impact upon openness the Agent acknowledges that a large proportion of the application site is free from built development; with the exception of the area on where the proposed buildings are proposed which is used as an overflow car park at peak periods. The Agent comments that; *“Clearly the addition of large buildings and associated car parking and infrastructure in this location would have a material impact on openness on Bunkers Hill, and it does mean that permanent development will encroach into an area that is currently free from development for a large part of the year.”*
- 4.33 However the Agent considers that the actual and/or perceived harm would be minimised by the association of the proposed development with the adjacent amusement park and safari park infrastructure together with the existing trees and proposed new planting.

14/0591/FULL/OUT

4.34 Considering the five purposes of Green Belt in turn, these are as follows:

1. To check the unrestricted sprawl of large built up areas;

The proposed application site does not abut the urban areas of Kidderminster, Stourport or Bewdley and therefore it is considered that it would not conflict with the above.

2. To prevent neighbouring towns merging into one another;

The proposed application site is contained within the defined area of the Safari Park. The contained nature of the site and the position away from the edges of the neighbouring Towns would not result in the impact of the merging of Towns.

3. To assist in safeguarding the countryside from encroachment

It is considered that as the site lies between the A456 and the amusement park it does not have the appearance or feel of the traditional countryside and therefore the harm would not be significant.

4. To preserve the setting and special character of historic towns;

The comments of the Conservation Officer and Historic England as set out previously are to be noted in this context, although further advice has been sought from Historic England. Whilst there is a degree of separation between the site and the Conservation Area, it must be accepted that some harm will be caused to the setting of the Conservation Area. It is therefore considered that some harm will be caused to this purpose.

5. To assist in urban regeneration by encourage the recycling of derelict and other urban land.

The proposed development is to support and enhance the existing leisure facility, and therefore it needs to be located outside of the urban areas adjacent to the Park. However it has the potential to have a positive spin off impact on the regeneration of the surrounding towns.

APPLICANT'S SUBMISSION OF OTHER CIRCUMSTANCES

4.35 The Applicant has provided statements and supporting documentation to provide a balance in favour of the development which they present so as to outweigh the harm identified. The 'other circumstances' submitted by the Agent are based around economic, social and environmental reasons which are the three dimensions of Sustainable Development as set out in paragraph 7 of the National Planning Policy Framework. The submission of 'other circumstances' are summarised as follows:

14/0591/FULL/OUT

a) An Economic Role – contributing to building a strong, responsive and competitive economy

The Applicant highlights that the application proposal is one of the economic landmark projects identified by the Council's ReWyre initiative which is aimed to help drive business growth in the District, as a result most of the circumstances identified have an economic dimension to them. These are summarised as follows:

- The need and economic case for the development in terms of support of the local tourism industry, jobs and the local economy
- The need to ensure a viable business and ensure the long-term future of the attraction
- The need to compete with other similar sized attractions which have introduced accommodation and indoor attractions
- The need for indoor attractions to extend the season
- The tourism need for specific facilities
- Planning policy support for tourism development
- Lack of alternative sites
- Precedent set at other day-visitor attractions

Two reports have been submitted to accompany the application which combine to form an Economic Impact Study; first an 'Economic Impact Study' by Amion Consulting dated February 2011 which was a key background document in preparation of the Planning Brief; and second a "Project Zanzi Waterpark Economic Impact Assessment" also prepared by Amion Consulting, dated December 2013 which provides an update and additional detail taking into account the progression of the application proposal.

The 2011 report concluded that economic recovery and future growth is likely to be driven through private sector investment. *"Analysis of local area statistics indicates that Wyre Forest underperforms in terms of key economic and social indicators in relation to Worcestershire as a whole. There are also significant areas of deprivation within Kidderminster. As such, facilitation the delivery of this project has the potential to enhance the performance of a key sector economy close to the area of local need."*

The report highlights that a review of the local market advises that there is a clear gap in the provision of quality branded hotels and that at a regional level conference facilities are strongly focused within Birmingham with wider provision, including in Wyre Forest, at present limited.

14/0591/FULL/OUT

The results of a visitor survey is also reported and, *“The proposed Water Park was considered to be particularly important in encouraging visitors to extend their stay, with 87% of respondents indicating that this element of the project would encourage people to stay longer. 53% of respondents indicated that the hotel would encourage them to stay longer.”*

The report advises that there is a perceived gap in the local area for high quality family attractions. The report estimates that the scheme would in total *“.....increase the overall number of visits (excluding under 4’s) to the extended Safari Park to 1.2 million per annum once a stabilised position is reached – a growth in total visits of 0.5 million compared to current levels. This could result in an increase in visitor expenditure from £34 million to £71 million per annum.”*

The second report comprises a review and update of the previous 2011 report with specific regard to the first phase of development, the proposed Water Park. *“It is estimated that there will be a 198,860 visitors in year 1 and 219,368 by year 4, with on-site expenditure expected to grow from £3.4 million in year 1 to £3.7 million in year 4, with up to £68 million gross off-site expenditure generated by year 4 ...it is estimated that the water park will increase net additional visits per annum in Wyre Forest from 175,653 in year 1 to 193,786 in year 4 ...In total, it is expected that by year 4, the scheme will generate £7.3 million of additional visitor expenditure per annum at district level, and £9.2 million at county level.”*

The report indicates that, *“... around 145 FTE net additional jobs would be taken up by residents within Wyre Forest. At the county level, some 191 FTE net additional jobs would be taken up by people in Worcestershire.”*

The Agent advises that there has been strong support for local businesses because of its positive impact on jobs and the spin off benefits for the local economy.

- b) A Social Role – supporting strong and vibrant healthy communities
It is clear from the responses received through the public consultation on the proposals that the Water Park has the potential to become a valued facility amongst local residents. Whilst the comments received during the public exhibitions were focused more on technical issues, the feedback received through Facebook was overwhelmingly positive about the prospect of such an attraction in the area. The Economic Impact Assessment reports that a survey of visitors to WMSP highlighted support for the project and indicated that the proposals have the potential to significantly enhance the attraction, with some 82% of respondents considering the proposals to be positive.

14/0591/FULL/OUT

The new facilities the subject of this application will broaden the platform from which the Applicant can carry out its Corporate Social Responsibilities. The Park has contributed over £80,000 to local charities. In addition to this since October 2014 the Safari Park has hosted or provided complimentary or reduced price activities and events for over 50 individuals, charities and other organisation, with a total value of over £125,000.

In a more commercial sense, the Applicant will be able to consider reduced admission rates for schools and other young people's organisations during off-peak times, as it does presently with the existing facilities. Off-peak times at the park coincide with school term days, so the availability of reduced price admission rates should be at times when it is most useful for local schools to attend. The water park in particular therefore has the potential to become a significant resource for local schools.

Other social benefits include the proposed Sunday and Bank Holiday Bus Service, as set out in the Public Transport Strategy accompanying the application. The proposed service will provide a frequent and reliable service on these days currently not covered by existing services and will route between Kidderminster Railway Station and Bewdley town centre. This will provide additional public transport services that can be used by the local community which would otherwise not exist. This will undoubtedly have knock-on economic benefits as well as social benefits for local residents and businesses.

Aside from the obvious economic advantages of job creation, this brings with it social benefits as well as these bring greater financial security to many households across the District. Increased economic activity generally brings with it social benefits. These benefits are too numerous to list individually here, but economic prosperity brings with it generally healthier people with a higher satisfaction levels.

c) An Environmental Role – contributing to protecting and enhancing our natural, built and historic environment

The Planning Supporting Statement explains how the development accords within the principles of sustainable development, as set out in the NPPF. Within this a number of environmental considerations can also be drawn out.

A rigorous tree planting regime is proposed which will form the central part of the detailed landscaping proposals for both phases of the development. Not only to ensure that lost trees are replaced but also to rejuvenate the existing stock of trees, of which many of the larger specimens are very mature with only a limited further life-expectancy, thus ensuring the long-term integrity of the parkland setting of the wider Safari Park site. The completion of this development will result in a significant net gain in the number of trees in the application site and across the safari park as a whole.

14/0591/FULL/OUT

In 2011 the Applicant entered into a Higher Level Stewardship (HLS) agreement with Natural England (NE) in reaction to the management of the part of the SSSI within the Park's ownership. This is a ten year plan of continued heath land restoration and maintenance for which they receive some NE funding. The Applicant has complied with all the requirements of the HLS and shown willingness to take on board all recommendations at the regular inspections by NE assessors. The HLS agreement is more detailed and more rigorous than the S106 agreement currently in place relating to the management of the SSSI and therefore it has been necessary to invest more time in site management.

The last NE inspection found that the site had all the required elements for good quality heath land but there are still some unwanted elements (e.g. more scrub and aggressive species such as aspen) which need to be managed. The Park has now altered its grazing plans (from just winter cattle grazing) to all year round (unless levels of foliage are very low in a particular year) by soay sheep. In addition they will bring on cattle in the summer months if necessary. The commitment of the Applicant to a project of this nature serves to emphasise how it can maximise the environmental benefits of the creation of new habitats areas proposed in mitigation as part of the development, as set out in the Ecological Mitigation Strategy.

The Parks' corporate social responsibilities extend into the environmental dimension as set out in paragraph 7 of the NPPF, and again the new facilities proposed along with the landscape improvements and habitat enhancements, will only broaden the base from which this function can be carried out. The possibilities are endless, but by way of example, each year the Park takes part in a BIOBLITZ initiative (a count of all species seen in 24 hours involving members of the public and staff and expertise). To aid BIOBLITZ the Conservation and Learning staff are this year proposing a small natural species haven area near the classroom which will be used to educate visitors during BIOBLITZ, and will help in lessons and will also promote wildlife on the wider WMSP site. This will involve simply fencing off small areas in one of the less intensively managed areas near the classroom as diversity of species is reasonable here. Clearly the creation of new habitat areas as part of this development will broaden the appeal of the site for initiatives of this nature.

DO VERY SPECIAL CIRCUMSTANCES EXIST?

- 4.36 Inappropriate development by definition causes harm to the Green Belt, the NPPF is clear that decision makers should afford 'substantial weight' to such harm. The harm through inappropriateness and any other harm will have to be 'clearly outweighed' for very special circumstances to exist.

14/0591/FULL/OUT

- 4.37 Paragraph 8 of the NPPF makes it clear that the three dimensions of sustainable development "...should not be undertaken in isolation, because they are mutually dependent." It goes on to explain that "Economic growth can secure higher social and environmental standards, and well-designed buildings and places can improve the lives of people and communities. Therefore, to achieve sustainable development, economic, social and environmental gains should be sought jointly and simultaneously through the planning system. The planning system should play an active role in guiding development to sustainable solutions.
- 4.38 The economic case as presented is strong and builds on the framework established through the Re-Wyre prospectus and work undertaken through the Planning Brief and Masterplan. Paragraph 19 of the NPPF states that "Planning should operate to encourage and not act as an impediment to sustainable growth. Therefore significant weight should be placed on the need to support economic growth through the planning system.
- 4.39 The Applicant has approached this development through promotion under the Adopted Wyre Forest Site Allocations and Policies Local Plan and this subsequent planning application. This development has been supported throughout this process on the basis of the benefits to the District's economy as a whole. The additional detail that underpin this application has reinforced this position. Policy CP10 of the Adopted Wyre Forest Core Strategy identifies the West Midlands Safari Park along the Severn Valley Railway and the major tourist attractions within the District. The submission shows that the development will not only maintain the position of the attraction but upgrade and improve its viability, a requirement of Policy SAL.GPB5 of the Adopted Wyre Forest Site Allocations and Policies Local Plan.
- 4.40 It has been evidentially shown that the economic impact on the park, the Town of Bewdley and the District will be significant, this weighs heavily in favour of the development and the strength of the economic argument plays throughout the remaining factors binding them together in line with guidance in the NPPF. It is concluded that significant weight can be afforded to the economic case.
- 4.41 In respect of the Social and Environmental dimensions of sustainable development the NPPF advises that "Pursuing sustainable development involves seeking positive improvements in the quality of the built, natural and historic environment, as well as in people's quality of life, including (but not limited to):
- making it easier for jobs to be created in cities, towns and villages;
 - moving from a net loss of bio-diversity to achieving net gains for nature;
 - replacing poor design with better design;
 - improving the conditions in which people live, work, travel and take leisure; and
 - widening the choice of high quality homes.

14/0591/FULL/OUT

- 4.42 It is absolutely clear that the proposed development will provide job creation along with improved work situations and improvement of leisure opportunities. These provide a platform for increased social wellbeing of local people enabling increased skills across the Districts workforce. In addition the opportunities to enhance the relationship of the park with schools and charities having a wider offer of facilities are no doubt beneficial. The ability of the park to offer high quality hotel and conferencing facilities will help the District in providing a true destination which has positive knock on impacts to the social well being of the District. The development will provide additional public transport services that can be used by the local community which would otherwise not exist. This will undoubtedly have knock-on economic as well as social benefits for local residents and businesses. It is felt that great weight can be afforded to the social aspects of the argument in favour of the development.
- 4.43 The environmental impact and mitigation will be discussed in detail later in the report. However it is suffice to say at this juncture that substantial work has gone into the project to indentify the harm to biodiversity that would be caused and to achieve net gains to nature as required by the NPPF. In addition biodiversity aspects of the development in conjunction with the work undertaken by the Safari Park as an organisation working in partnership with both Natural England and the District Council add to this environmental dimension. The development will provide a sustainable design that uses natural waste prudently, minimises waste and pollution, aiding to combat the challenges of climate control and moving towards a low carbon economy.
- 4.44 The positive contributions of the environmental dimension must be considered again the impact to the historic environment. Whilst this will be discussed in detail later in the report it is clear from the comments of the Conservation Officer and Historic England that less than substantial harm will be caused to designated heritage assets. Such harm whilst being non substantial is still significant. The harm indentified relates to the setting of heritage assets and is finely balanced when judged against the positive aspect of the development. For the purposes of this consideration it dilutes that weight against the Green Belt harm but it is still concluded that on overall additional weight can be given to the environmental aspects of the supporting case.
- 4.45 Having considered the three dimensions of sustainable development together and taking account of the arguments in favour, including the support of the Development Plan and balancing them against the harm that would be caused, it is concluded that that the harm caused to the Green Belt is clearly outweighed by positive arguments in favour of the development. it is therefore considered that Very Special Circumstances exist in this case.

HIGHWAY CONSIDERATIONS

- 4.46 As with any large scale major development the highway implications are high on the agenda in respect of considerations both of decision makers and the public. This is particularly the case in this application. Members will note the level of concern of the Town Council, Civic Society and members of the public, and will no doubt have their own experience in this regard.

14/0591/FULL/OUT

- 4.47 The existing access provision is directly from the A456, which will remain unchanged serving the wildlife and amusement part of the Safari Park.
- 4.48 The water park will be directly accessed from the A456/B4190 roundabout whilst the hotel and conference facilities would be accessed via a secondary access proposed off to the A456 approximately 200m south west of the A456/B4190 roundabout.
- 4.49 An internal vehicular link road between the proposed development site and the existing safari park is also proposed. The internal link road would provide access for all vehicles for visitors purchasing a joint ticket for both the safari park and water park attractions. A manned ticket booth is proposed to be located along the link road permitting vehicles to move between attractions. The Applicant states that: *“The link road will be well signed advising visitors of the need for a joint ticket or safari park tickets in order to access this area of the park. This will deter users from using the Water Park access to enter the Safari Park.”*
- 4.50 New segregated pedestrian and cycle routes will be created along the A456 Kidderminster Road.
- 4.51 It is envisaged that a 2 hourly bus service would be provided between Kidderminster and Bewdley on Sundays and Bank Holidays between October and April with this increasing to an hourly frequency between May and September. The WMSP would operate a shuttle service between Kidderminster and Bewdley train stations to the park. The Applicant advises that: *“These shuttle buses will operate on a commercial basis when demand at the Park is high, most likely during the summer school holidays, Easter break, and on days when large conferences are scheduled.”*
- 4.52 New bus stops are proposed to be located to the east of the A456/B4190 roundabout with a formal crossing point in the form of a toucan crossing. There are currently nearly 2,000 formal car parking spaces at the WMSP, there is also informal car parking provision for an additional 200 vehicles.
- 4.53 A further 217 formal car parking spaces are proposed to serve the water park and in the interim and overflow car park of 200 informal spaces on the site of the proposed hotel and conference centre. Whilst in outline form it has been demonstrated that a total 403 formal car parking spaces will provided across the whole development to serve the water park, hotel conference and spa. The parking provision of both phases comply with the parking standards of the adopted Highway Design Guide as required by Policy SAL.CC2 of the Adopted Wyre Forest Site Allocations and Policies Local Plan.

14/0591/FULL/OUT

- 4.54 The Applicant has produced a Transport Assessment (TA) which has been scoped and assessed by the Highway Authority and included a large amount of modelling work through the County's 'VISUM' model. The modelling work enables the traffic generation associated with the development to be assimilated into the existing traffic generation and patterns across the Districts highway network providing detail where additional assessment is required. Although the commentary from the Highway Authority is provided within the 'Consultations' section it is worthwhile repeating here.

"Whilst the application will generate new trips on the highway network the impact of this is not considered to be severe considering the traffic profile and the overlap with peak hours, particularly those associated with commuting. Whilst there are trips proposed at peak hours these are of a limited number and are predominantly associated with staff travel, the trips can be managed with a travel plan. The applicant has submitted a travel plan for the application which covers all of the proposed uses and details an approach to promote sustainable travel and reduce vehicle trips. This travel plan has been assessed, refined and has been agreed by the Highway Authority's travel plan coordinator.

Within the Transport Assessment table 6.5 considers the existing and proposed vehicle traffic generation and table 6.9 considers the existing and proposed for a midweek day. At the traditional commuter times of Monday – Friday 8-9 am a supplemental 87 two way trips are expected and 5-6pm 81 two way trips. Considering the potential direction of travel of arrival and departure and the potential of the travel plan it is considered that this level of movement is modest and could be experienced today considering variations in daily traffic flow. It is accepted that during weekends in the summer and on bank holidays traffic generation will be greater however the application does not present significant additional volumes of movement over the existing situation and a robust approach to linked trips between the various elements of the wider park has been taken to represent a worst case scenario. The Highway Authority considers that these more intensive times occur over a small window annually and does not impact on traffic movements associated with the normal economic activities of the area which are reflected in the weekday assessment.

I am aware that Bewdley Town Council have expressed concerns on the use of Catchems End junction. This junction forms part of the area VISUM model so the anticipated number of trips in the weekday peak hour can be considered. The model output shows that there is an increased number of movements, but these are small, between 22 and 11 net two way movement in the AM and PM peaks. This low level of movement is not considered to be significant or to warrant any mitigating measures.

14/0591/FULL/OUT

In conclusion the additional trips generated by the application predominantly will not occur at key times on the highway network and the residual movements have choice of arrival route to spread the traffic loading, this situation will also be managed through the travel plan. A choice of transport modes are available for staff and visitors to the site with improvements being made on Sundays and Bank Holidays which will also provide options for the WMSP users reducing the impact of that site.

The application has considered the trip generation, times of impact and where there is increased levels of movement seeks to address this using increased bus trips and travel planning measures, this approach follows the Planning Practice Guidance and complies with the transport elements of the National Planning Policy Framework and the Local Transport Plan.”

- 4.55 The TA has been subject to robust and vigorous analysis by the Highway Authority. Comments expressed by the Town Council have been taken into account however it is considered that based on the background vehicle movements and traffic flows that the increases associated with the development will occur at times when there is spare capacity within the Highway Network. The improvements to the bus services and bus infrastructure are welcomed by the Highway Authority and can be secured through a S.106 Agreement for monies towards bus services and the Highway Act for the physical improvements within highway.
- 4.56 The proposed accesses for both the Water Park and Hotel/Conference Centre are to be determined at this stage. These have also been the subject to detailed drawings and analysis. The final scheme provides an additional access off the A456/B4190 roundabout whilst the hotel and conference facilities would be accessed a secondary access proposed off to the A456 approximately 200m south west of the A456/B4190 roundabout. All traffic will exit the site via the roundabout. The details proposed are acceptable to the Highway Authority and will allow traffic to enter and exit the site without resulting in a deterioration of highway safety or reducing the free flow of traffic on the highway. In this respect the development complies with Policy SAL.CC1 of the Adopted Wyre Forest Site Allocations and Policies Local Plan

VISUAL IMPACT ON THE LANDSCAPE AND PROTECTED TREES

- 4.57 The Agent considers that the principal residential visual receptors are located in properties on the edge of Catchems End and Wribbenhall to the west, Spring Grove Farm, Salantern and Lowantern and on the edges of Bewdley
- 4.58 The site lies within the landscape character area Burlish Park Sandstone Estatelands with the following key characteristics;
- Localised ornamental grounds with associated water features and tree planting;
 - Recreational land use including golf and safari park;

14/0591/FULL/OUT

- Remnant parkland still managed as such as safari park; and
 - This area, together with the Devil's Spittleful contains the main heathland resource of the county.
- 4.59 The Design and Access Statement reflects that the WMSP, “...*is relatively unobtrusive in the landscape when viewed from surrounding public vantage points. The undulating landform rising up from the lakes, combined with the woodland trees within the site and adjoining landscape, conceal many of the attractions. The large scale brightly coloured rides within the theme park nestle amongst the trees. Views into the park are directed over the tree tops, merging the site with the surrounding well wooded landscape. The safari park is more visible in views from the south and west, where reduced tree cover within and around the site allows in of the built structures, roads traffic and screen fences.*”
- 4.60 The Agent has submitted a list of landscape objectives which include:
- Retention of existing mature trees wherever possible
 - Enhancement of retained tree groups through the establishment of new planting
 - Use of strategically spaces semi mature trees within the car park to create an extension of the typical parkland character of the historic surroundings at Spring grove
 - Incorporation of a gateway feature at the site entrance to create a sense of arrival for visitors
 - Provision of a landscape buffer to separate new development from the A456 through the inclusion of native planting
- 4.61 A Landscape and Visual Impact Assessment has been undertaken to support the decision making process, this includes existing and proposed viewpoints from various vantage points
- 4.62 The Agent considers that the proposed visual impact is limited as the siting of the building is on the “*eastern blind side of the hill as much as practicable*” Residents within houses at Catchems End and Wribbenhall which face onto the development would have the closest and potentially most open views of the scheme. “*Effects on residents which do not benefit from front garden vegetation or trees in the intervening landscape would be significant at year 1 after completion ...views towards the site from most other residential properties and footpaths in the study area are almost completely obscured by mature trees and woodland belts at WMSP and the surrounding landscape. Receptors in these locations would not be significantly affected.*”

14/0591/FULL/OUT

- 4.63 It is acknowledged that views from Spring Grove Barns will be impacted by the scale of the hotel and conference centre, although not particularly by the water park development. The submitted photomontages are a 'worst case scenario' at year 1 and do not take account of new planting. In respect of the hotel and conference centre, which is in outline, the impact is not readily apparent as the siting, form, external finish and materials are matters for consideration at reserved matters stage. At which time detail will be provided as to the ultimate impact and mitigation measures required. It is sufficient to say at this outline stage that I am convinced that a development can be achieved on the remaining part of the site that will provide an acceptable impact to these properties.
- 4.64 The visual assessment has demonstrated that there will be a degree of impact at year 1 of the development particular close to the development site, however the proposed planting will help mitigate the harm in future years and merging the development into the landscape in the context of the wider Safari Park development which is the identified characteristic in the Landscape Character Assessment. However it has to be concluded that some harm will ensue, and such harm can be adequately outweighed by the positive arguments advanced.
- 4.65 There will be also harm caused to a lesser degree through the re-profiling of the area to the south of the site with the spoil created by both phases of development. However any impact will soon be lost as the spoil is seeded and merges back into the landscape surroundings.
- 4.66 The application site accommodates many fine specimens of mature trees including sweet chestnut, horse chestnut, sycamore, common lime, English oak and beech, some of which are up to 30m high and could be up to 200 years old. Trees within the park, including the application site have been protected by a Tree Preservation Order for just over 50 Years, which has recently been reviewed and amended.
- 4.67 The proposals for the Water Park involve the removal of a number of trees on the eastern side of Bunkers Hill to facilitate the development although the tree screen to other sides of the hill will be maintained, with the exception of the position of the new access points. The key historic trees will be kept as features of the site retaining its character and visual appearance.
- 4.68 Following discussions with the Applicant revised plans and a comprehensive Arboricultural Method Statement have been provided. In addition the detailed plans show indicative area of tree planting to replace the trees that would be lost. Subject to conditions in respect of tree protection and comprehensive landscaping scheme the Arboricultural Officer is satisfied that the development can proceed on this basis.

14/0591/FULL/OUT

IMPACT ON HERITAGE ASSETS

- 4.69 The northern half of the WMSP focuses on Spring Grove House and surrounding parkland grounds. Elements of the historic park still survive today, including many specimen trees, lakes, the stable block and walled garden form a historic landscape framework into which the theme park attractions have been placed.
- 4.70 Spring Grove House was built between 1787 and 1790 for a wealthy local businessman Samuel Skey and was listed Grade II in 1986. The surrounding parkland was 'Brownian' in style which the Agent has described as "*areas of undulating grassland, clumps and belts of trees and serpentine lakes created by the damming of small rivers*", rather than being designed by Capability Brown. The wider site within which the application area is located currently contains elements of landscapes from several different historic periods.
- 4.71 The NPPF advises that local planning authorities should recognise that heritage assets are an irreplaceable resource and conserve them in a manner appropriate to their significance.
- 4.72 Paragraph 129 states that local planning authorities should identify and assess the particular significance of any heritage assets that may be affected by a proposal taking account of the available evidence and any necessary expertise. It goes on to advise at paragraph 132 that great weight should be given to the assets conservation and warns that significance can be harmed or lost through alterations or destruction of the heritage asset or development within its setting.
- 4.73 Policy SAL.UP6 seeks to safeguard the historic environment both in respect of physical structures and designated areas. Where harm is identified to the significance of an asset the policy requires clear and convincing justification.
- 4.74 Consultation advice has been sought from the Conservation Officer and Historic England, who have assessed the documentation submitted in respect of Heritage Assets. Both agree that the impact of the development on Spring Grove House will be minimal although there is some concern over the further loss of part of the undeveloped informal parkland. The major concerns arise in respect of impact on the setting of the Grade II* Hoarstone Farm House and Bewdley Conservation Area, particularly in respect of the long range views from and to these assets.
- 4.75 The NPPF defines the '*setting of a heritage asset*' as "*the surroundings in which a heritage asset is experienced. Its extent is not fixed and may change as the asset and its surroundings evolve. Elements of a setting may make a positive or negative contribution to the significance of an asset, may affect the ability to appreciate that significance or may be neutral.*"

14/0591/FULL/OUT

- 4.76 The Applicant has provided additional vantage points and analysis in respect of the impact defining it as slight. This view is contested by the Conservation Officer and Historic England who identify the harm in the terms of the NPPF as less than substantial, although such harm is still significant.
- 4.77 Hoarstone Farm House is located on Hoarstone Lane approximately 1.1km (0.7 mile) as the crow flies to North-West of the site and is set up on the hillside. The Bewdley Conservation Area at its closest point (Maypole Piece) is approximately 600m from the site. Views can be obtained of the site from the heritage asset and visa versa, this in my view has an impact but does not directly affect its setting as defined in the NPPF as these vantage points do not adversely affect the way the heritage asset is experienced. It is appreciated that the views out of the Conservation Area will change, but as considered before, the change in the landscape is seen within the context of Safari Park site as a whole. A vantage point can be obtained from Burlish Top in which the application site and the heritage assets can be seen in conjunction. From this point the development site will be situated behind existing trees and only glimpses will be obtained, although it is appreciated that the impact will be greater during winter months and at night.
- 4.78 The Conservation Officer describes the impact on the Conservation Area as follows:

A considerable contribution to the significance of the Bewdley Conservation Area is its setting in the wider landscape and that landscape is, on the eastern bank of the River Severn, protected by the Green Belt designation. The construction of a very substantial building on an elevated ridge less than a mile from the heart of the Conservation Area affects views towards and across it from many elevated vantage points in the locality. This will change the perception of the town as it sits surrounded by a wooded landscape, and this I consider will cause harm, albeit less than substantial harm, to the Conservation Area.

- 4.79 The context of the landscape will undergo change and the comments made by the Conservation Officer and Historic England must be taken seriously, having identified 'less than substantial harm'. Members should be aware of the statutory duty under section 66(1) Planning (Listed Buildings and Conservation Areas) Act 1990 (as amended) which provides that "In considering whether to grant planning permission for development which affects a Listed Building or its setting, the Local Planning Authority, shall have special regard to the desirability of preserving the building or its setting...or historic interest which it possesses."
- 4.80 The NPPF at paragraph 134 advises that "*where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal, including securing its optimum viable use.*"

14/0591/FULL/OUT

- 4.81 The balance in this respect has to take account of the harm identified along with 'special regard' as required by statute against the 'public benefits' of the scheme. Public benefits find definition in the Planning Practice Guidance where it states "*Public benefits may flow from many developments and could be anything that delivers economic, social or environmental progress as described in the National Planning Policy Framework (Paragraph 7). Public benefits should flow from the proposed development. They should be of a nature or scale to be of benefit to the public at large and should not just be a private benefit. However, benefits do not always have to be visible or accessible to the public in order to be genuine public benefits*"
- 4.82 The positive arguments in favour of the development under the three dimensions of sustainable development have been rehearsed as part of the test of very special circumstances. It is not intended to repeat them here. It is evident that the collective arguments in favour of the development weigh heavily and it is considered that the less than substantial harm identified, whilst being significant, is outweighed by the public benefits of the scheme as sustainable development, which has been discussed at length previously.

BIODIVERSITY AND ECOLOGY

- 4.83 The NPPF seeks to ensure that the natural environment is enhanced. It highlights amongst other matters the need to seek to protect and enhance valued landscapes, minimise impacts on biodiversity, and provide net gains in biodiversity where possible.
- 4.84 Policy CP14 of the Adopted Wyre Forest Core Strategy advises that new development will be required to contribute towards local biodiversity. In a similar vein Policy SAL.UP5 of the Adopted Wyre Forest Site Allocations and Policies Local Plan seeks to provide opportunities for safeguarding biodiversity. Development that would have an adverse significant impact upon protected species or priority species or habitat will be refused unless adequately mitigated.
- 4.85 The Countryside Conservation Officer identified the development's potential to cause harm due to the site's proximity to sites of nature conservation interest and to areas of water and the potential impact on notable habitats and species within the development footprint. Natural England have confirmed that the nearby Rifle Range and Devils Spittleful SSSI (approximately 650m away) will not be adversely affected by the development and the Environment Agency and North Worcestershire Water Management have confirmed the acceptability of the development on the areas of water nearby.
- 4.86 The site has been identified as impacting on the following:
- Loss of acidic/ neutral semi improved grassland habitat.
 - Impact on invertebrates
 - Deadwood habitats
 - Loss of wet woodland
 - Loss of native broad leaf woodland

14/0591/FULL/OUT

- Loss of scrub habitats
- Impacts on protected species

- 4.87 The Applicant has provided substantial additional information to quantify the losses to particularly acid grassland and proposals for mitigation, the Countryside Conservation Officer is happy that the application is offering suitable amounts of mitigation to offset this loss and that this mitigation is viable.
- 4.88 The Applicant has confirmed that whilst areas of woodland and individual trees would also be lost in the proposals, measures have been taken to minimise the impacts this could have on the site's ecology by maintaining a more or less continuous line of trees around the site boundary. The proposals have been designed to avoid an area of wet woodland in the west of the site and to maintain a 5m buffer around it. Further areas of woodland connecting to the north and south of the wet woodland would also be retained to provide a 5m buffer zone along the edge of a large pond. Additional native tree and shrub planting is proposed throughout the development to maintain existing woody corridors and infill gaps within woodland. An ecology management plan would be produced providing detailed information on the management measures to be used on the habitats present during the operation of the development.
- 4.89 This now provides a position where the scheme is acceptable in ecology terms, subject to a number of planning conditions to secure and safeguard the mitigation proposed.

ENVIRONMENTAL HEALTH CONSIDERATIONS

- 4.90 Worcestershire Regulatory Services have provided comments in respect of land contamination, food safety, noise impact and air quality.
- 4.91 The originally submitted reports for the impact on noise and air quality have been revised providing additional information and survey work.
- 4.92 The revised air quality report submitted concludes that *"impacts during the construction of the Proposed Development, such as dust generation and plant vehicle emissions, are predicted to be of short duration and only relevant during the construction phase. The results of the risk assessment of construction dust impacts undertaken using the IAQM guidance, indicates that before the implementation of mitigation and controls, the risk of dust impacts will be medium. Implementation of the highly-recommended mitigation measures described in the IAQM construction dust guidance should control the risk of residual dust effects to a level categorised as "not significant". An assessment has been undertaken for the first year in which the development is expected to be fully operational, 2016. The air quality impact of the Proposed Development on existing receptors is predicted to be 'negligible' and pollutant concentrations are predicted to be below the relevant objectives at the façades of both existing and proposed receptors. Using the significance criteria adopted for this assessment together with professional judgement, the resulting air quality effect is considered to be 'not significant' overall."*

14/0591/FULL/OUT

- 4.93 In respect of the additional information relating to trip generation, model verification and sensitivity rationale has helped to address previous concerns raised with the original air quality assessment. Based on this revised information Worcestershire Regulatory Services are satisfied with the findings of the assessment.
- 4.94 The noise assessment looked at the impact on sensitive receptors, particularly properties at Spring Grove Barns. The revised report concludes that
- Any fixed items of plant associated with either the hotel, conference centre or waterpark will be designed and located such that Rating Levels will be no greater than -10 dB below background sound levels at any existing NSRs.
 - Any fixed items of plant associated with either the hotel, conference centre or waterpark will be designed and located such that Rating Levels will be no greater than +5 dB above background sound levels.
 - Patron noise from within the waterpark will be controlled by the structure of the waterpark building.
 - Patron noise external to the structure of the building has been assessed indicating that patron noise might occasionally be audible but would be unlikely to result in any significant loss of amenity to adjacent residences.
 - The change in the LA10 sound level due to the change in traffic flows resulting from the use of the development are not considered as significant.
 - Internal noise levels in within bedroom of the proposed hotel would be the criteria set out in BS 8233:2014 with windows closed during the daytime and night-time periods and windows partially open during the night time period. An alternative method of ventilation should be provided, other than openable windows, to ensure suitable internal daytime noise levels.
 - Internal sound levels in within rooms of the proposed hotel would not exceed the design range criteria set out in BS 8233:2014 with windows closed or partially open.
- 4.95 Worcestershire Regulatory Services have assessed the revised report and accept the findings having no adverse comments to make.
- 4.96 The technical reports submitted have been assessed by Worcestershire Regulatory Services and have found to be acceptable and will not result in adverse impacts to residents or the surrounding area. Matters of contamination and food safety can be dealt with by way of conditions or informative note.

SECTION 106

- 4.97 The application would need to be subject to a S.106 agreement to secure the highway funding of £87,000 to provide additional Sunday bus services on Sundays and Bank Holidays routing between Kidderminster Railway Station and Bewdley Town Centre. This will secure the highway benefits and mitigation as directed by the TA and accepted by the Highway Authority.

14/0591/FULL/OUT

REFERAL TO SECRETARY OF STATE

- 4.98 The application is a major development within the Green Belt. The Town and Country Planning (Consultation) (England) Direction 2009 requires that if the Local Planning Authority seek to approve the application that they shall first consult with the Secretary of State to ascertain whether he wishes to exercise his right to 'call in' the application for his determination.

5.0 Conclusions and Recommendations

- 5.1 The proposal as set out in outline for the hotel, conference centre and spa and for the detailed proposal or a water park are considered to be inappropriate development in the Green Belt that would result in harm to the landscape, and less than substantial harm to designated heritage assets. The harm identified has been fully considered and weighed against the positive arguments in favour of the development framed by the three dimensions of sustainable development as set out in the NPPF. It is concluded that any harm identified is clearly outweighed by the arguments advanced and the public benefits that would ensue.
- 5.2 The impact of the development on the highway network has been robustly considered through a Transport Assessment and judged to be acceptable by the Highway Authority concluding that the highway network is capable of accommodating the additional traffic generation and that proposed access points are acceptable.
- 5.3 Neighbours concerns over noise and air quality have been considered through technical reports and judged by Worcestershire Regulatory Services who found the reports conclusions that no adverse impact would arise to be sound.
- 5.4 Policy SAL.GPB5 supports this major development within the Safari Park which has been considered on a comprehensive basis in the context of a planning brief and masterplan for the whole site. It looks favourably on this proposal as the development would upgrade and improve the viability of the attraction; allow for the potential for heathland restoration and recreation; is appropriate to the Parks function as a major tourism destination; will make a positive contribution to the local economy; and, is acceptable having taken into account its location within the Green Belt and the need to ensure compatibility with the local infrastructure network.

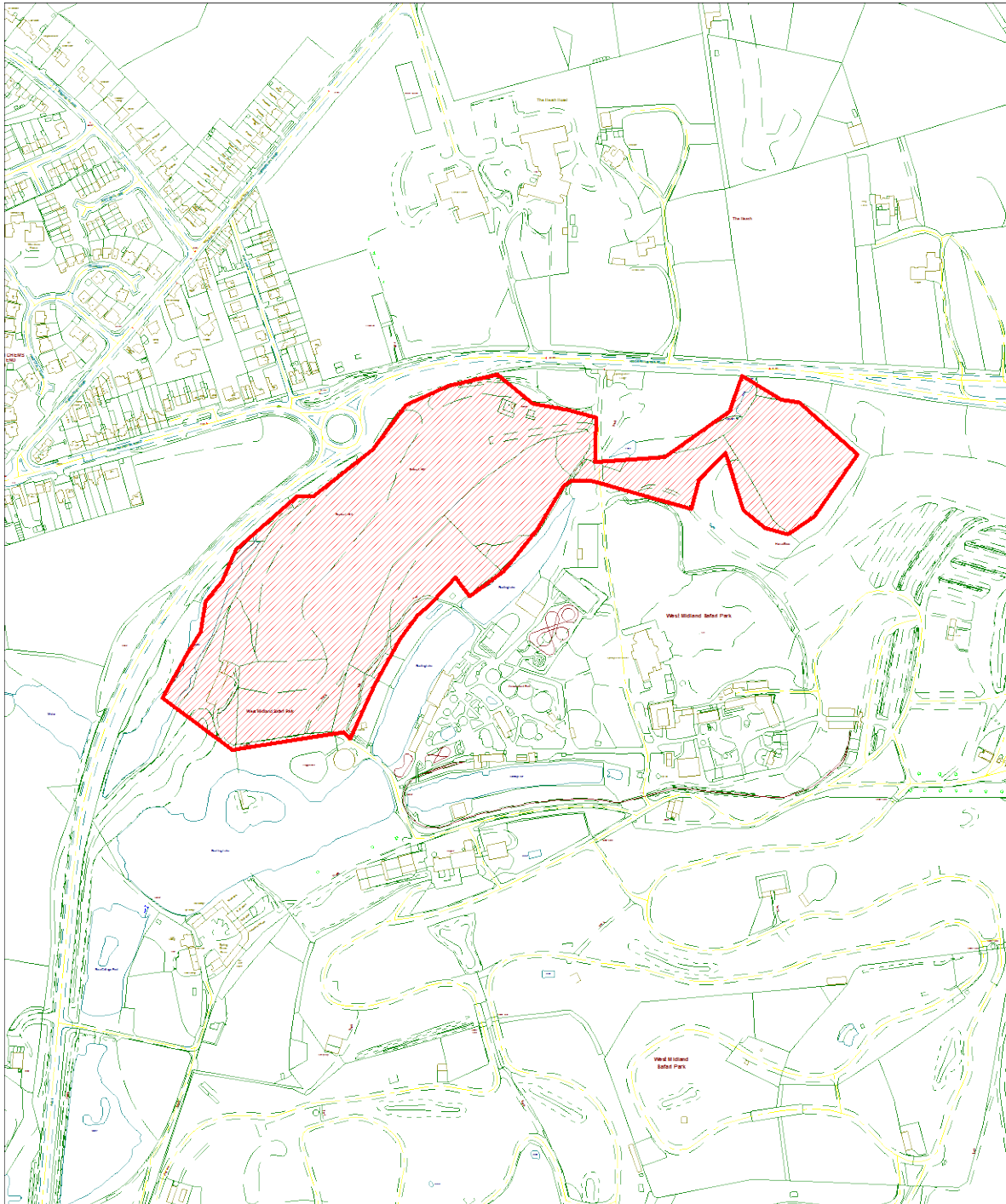
14/0591/FULL/OUT

5.5 It is therefore recommended that the application be given **delegated APPROVAL** subject to:

- a) referral to the Secretary of State and the decision not to call in the application being received;
- b) the signing of a Section 106 Agreement; and
- c) the following conditions:
 1. A1 (Standard outline)
 2. A2 (Standard outline – reserved matters)
 3. A3 (Submission of reserved matters)
 4. A5 (Scope of outline permission)
 5. A11 (Approved plans)
 6. Land to be tied to WMSP
 7. B7 (External details – no approval)
 8. B13 (Levels details)
 9. Arboricultural Method Statement (AMS) to be followed plus update reports
 10. C7 (Landscaping – large scheme)
 11. Ecology mitigation for Phase 1
 12. Ecology Survey and mitigation for Phase 2
 13. C8 (Landscape implementation)
 14. C12 (Details of earthworks)
 15. C13 (Landscape management plan)
 16. Contaminated Land
 17. Air Quality
 18. Drainage
 19. Protection of Watercourse
 20. Surface Water
 21. Highway improvements/offsite works
 22. Parking for Site Operatives
 23. Travel Plan

Notes

- A. SN2 (Section 106 Agreement)
- B. Section 278 Agreement
- C. Design of Street Lighting for Section 278
- D. WRS – Food & Health and Safety
- E. SN13 (Landscaping/planting works)



ECONOMIC PROSPERITY AND PLACE DIRECTORATE

**West Midland Safari Park, Spring Grove,
Bewdley, DY12 1LF**

Date:- 26 August 2015

Scale:- 1:5000

OS Sheet:- SO8075

Crown Copyright 100018317 2014

Wyre Forest House, Finepoint Way, Kiddeminster, Worcs. DY11 7WF Telephone: 01562 732928. Fax: 01562 732556



Application Reference:	15/0306/FULL	Date Received:	10/06/2015
Ord Sheet:	384017 277210	Expiry Date:	05/08/2015
Case Officer:	James Houghton	Ward:	Broadwaters

Proposal: Two storey rear extension, dormer extension to side

Site Address: 17 RODEN AVENUE, KIDDERMINSTER, DY102RF

Applicant: KAW Securities Ltd

Summary of Policy	CP11 (CS) SAL.UP7, SAL.UP8 (SAAPLP)
Reason for Referral to Committee	Previously considered by Committee and deferred for a site visit
Recommendation	APPROVAL

THIS APPLICATION WAS DEFERRED FROM THE 18TH AUGUST 2015 PLANNING COMMITTEE MEETING FOR A MEMBERS' SITE VISIT

1.0 Site Location and Description

- 1.1 The application property is a detached, two storey, hip roofed dwelling set back from the road behind a front drive. It is located on Roden Avenue, which runs between Birmingham Road and Hurcott Road in Kidderminster.
- 1.2 The property is within an established residential area, being surrounded by residential properties.
- 1.3 The proposal seeks for extensions to the existing property.

2.0 Planning History

- 2.1 None.

3.0 Consultations and Representations

- 3.1 Highway Authority – No objections subject to the addition of a condition requiring the retention of the existing parking area.

15/0306/FULL

3.2 Neighbour/Site Notice – A total of seven letters and emails have been submitted by the occupants of properties near the application site. The issues raised in these letters include:

- The proposed dormer would have an impact on the levels of light currently experienced through the side facing windows at the neighbouring property;
- There are concerns that the windows proposed for the dormer would result in the loss of privacy through the side facing windows at the neighbouring property;
- The form of the dormer proposed would not be characteristic for this area;
- Whilst it is acknowledged that the rear two storey extension meets the requirements of the 45° code the structure would restrict the views currently enjoyed to the rear of the property;
- The scale of the rear extension would be considered to overwhelm the original structure and to represent overdevelopment of the site;
- The design of the extension to the rear is criticised as the side elevations of the structure visible over garden fences would be relatively featureless, largely comprising brick, broken only by high level obscure glazed windows, in addition the building would project past the rear of neighbouring dwellings;
- The extension would not be of a type characteristic for this area; and
- There are concerns of increased noise nuisance as a result of the extension.

4.0 Officer Comments

4.1 The applicant seeks approval for the addition of a two storey, hip roofed rear extension which would provide a garden room at ground floor and an additional bedroom along with some reconfiguration of existing space at first floor. In addition it is proposed to add a first floor side extension over the existing garage which would provide space for two en suite bathrooms.

TWO STOREY REAR EXTENSION

4.2 The proposed rear extension would project 5.0m from the rear wall of the house and would replicate the eaves height of the host building. The ridge of the extension would be set lower than that of the original in order to ensure that the extension is not visible from the highway.

15/0306/FULL

- 4.3 The proposed rear extension, whilst considerable in size, would not be visible from the street and as such would have no significant detrimental impact on the character of the area or the street scene. The extension meets the requirements of the 45° code from the principal habitable room windows at both neighbouring properties, as such it would be considered that this element of the development would have no significant impact on the amenity enjoyed by the occupants of neighbouring dwellings, specifically in terms of light and outlook. Side facing windows are proposed in both the north and south elevations of the extension. The ground floor windows would have little impact on privacy as the boundary treatment would minimise the chance of any potential overlooking, at first floor it is proposed to fit high level, obscure glazed windows which would, again, minimise any potential overlooking issue. The requirement for obscure glazing should form the basis of a condition.

DORMER EXTENSION

- 4.4 The scheme initially submitted differed from that currently being considered in that the first floor side extension was to comprise a dormer which sat within the roof slope. A dormer of this type could be introduced without the need for planning permission as it meets the requirements of Schedule 2, Part 1, Class B of the Town and Country Planning (General Permitted Development) (England) Order 2015. The current scheme includes a more traditional first floor side extension which would utilise the space above the existing garage. This extension would be in close proximity to the side facing windows at no.19 Roden Avenue.
- 4.5 The potential for this element of the scheme to have an impact on the amenity enjoyed by the occupants of neighbouring properties is greater than for the rear extension. This is due to the four side facing windows at no. 19 Roden Avenue, serving bedrooms at first floor and serving a lounge and dining room at ground floor. It should be noted that these four windows are secondary to principal windows located on the front or rear elevations of the property and are estimated to be around a third of the size, in terms of area. The Council's guidance leaflet on the application of the 45° Code states:

*“The 45° line applies equally to ground and first floor windows as well as to side windows where they provide **the only** source of light to a habitable room.”*

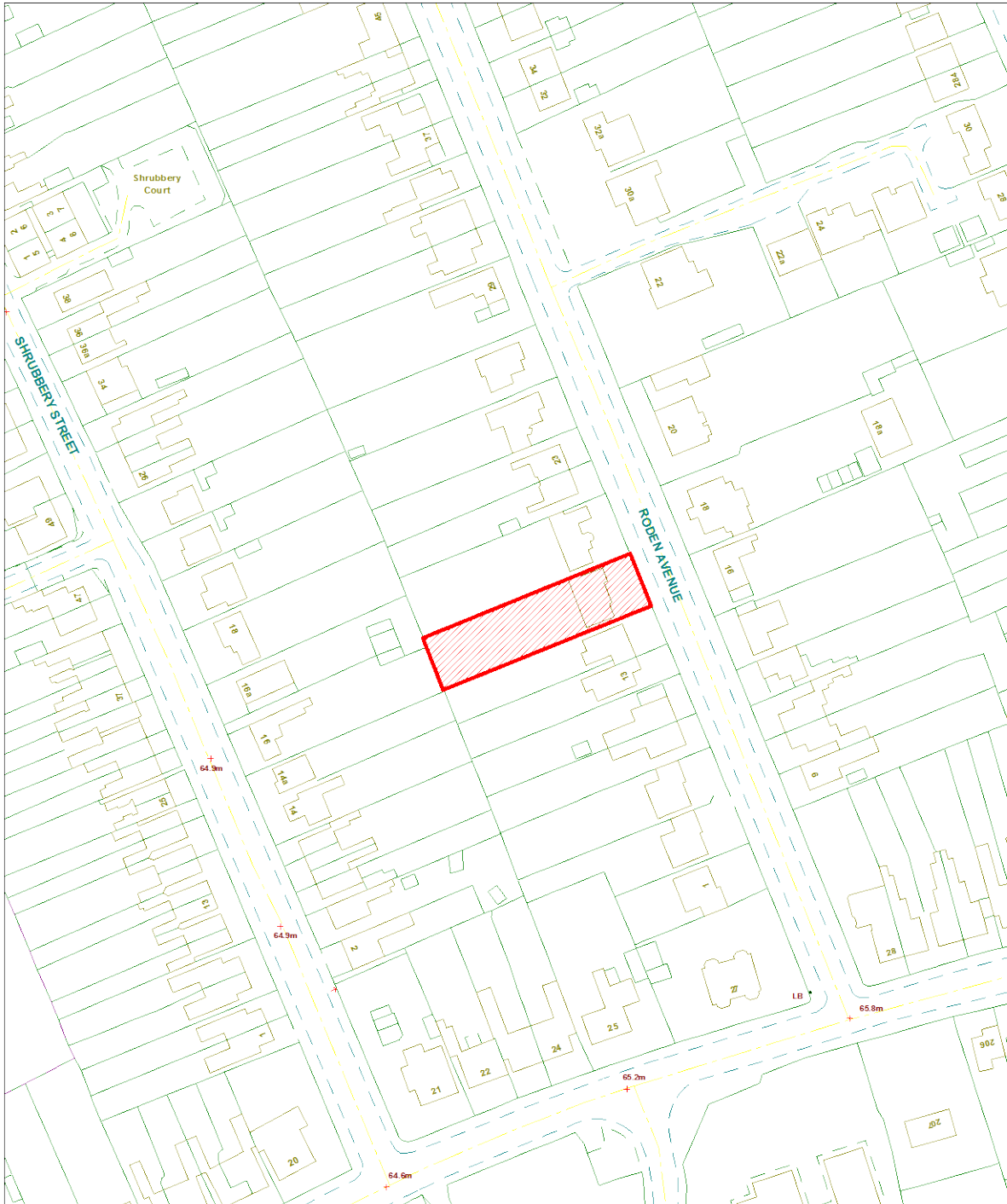
If these windows were to be glazed in clear glass there is the potential for significant harm to privacy. A condition should be added to any permission issued which requires the use of obscure glazing and that any parts of the window below 1.7m above floor level are non opening.

15/0306/FULL

- 4.6 The letters received in relation to this scheme observe that this element of the scheme would not appear typical for this area, it should be noted that, given the potential for a dormer to be erected under the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015, the proposed extension represents a more appropriate design relative to the host property and as such would have less impact on the character of the area and the street scene.
- 4.7 An objector raises the potential for the extensions to give rise to increased noise at neighbouring properties, there are no obvious signs as to why this would be the case, no external plant is proposed and should the use of the building change from residential specific planning consent would be required. Whilst the concerns expressed by correspondents relating to the loss of view are noted, this would not be a material consideration in determining this application.

5.0 Conclusions and Recommendations

- 5.1 The proposed extensions are considered acceptable in terms of both scale and design. By virtue of its position the rear extension would not appear disproportionate to, and would not overwhelm, the original dwelling. The proposed side extension would not appear atypical or incongruous in this location and as such would have no significant detrimental impact on the character of the area or the street scene. The impact of the development on the amenity enjoyed by the occupants of neighbouring dwellings has been assessed and it considered that, subject to conditions, there would be no significant impact.
- 5.2 It is therefore recommended that the application be **APPROVED** subject to the following conditions:
1. A6 (Full with no reserved matters)
 2. A11 (Approved plans)
 3. B3 (Finishing materials to match)
 4. J7 modified (Obscure glazing and non opening elements – North and South elevations)
 5. J1 (Remove PD rights – Class B)



ECONOMIC PROSPERITY AND PLACE DIRECTORATE

**17 Roden Avenue
Kidderminster, DY10 2RF**

Date:- 05 August 2015 Scale:- 1:1250 OS Sheet:- SO8377SE Crown Copyright 100018317 2014
Wyre Forest House, Finepoint Way, Kidderminster, Worcs. DY11 7WF Telephone: 01562 732928. Fax: 01562 732556



WYRE FOREST DISTRICT COUNCIL

PLANNING COMMITTEE
15TH SEPTEMBER 2015

PART B

Application Reference:	15/0424/FULL	Date Received:	22/07/2015
Ord Sheet:	381361 273315	Expiry Date:	16/09/2015
Case Officer:	John Baggott	Ward:	Mitton

Proposal: New temporary classroom unit as part of existing teaching and sports facilities

Site Address: CENTRE OF SPORTING EXCELLENCE, ZORTECH AVENUE, KIDDERMINSTER, DY11 7DY

Applicant: Birmingham Metropolitan College

Summary of Policy	CP07 (CS) SAL.UP1, SAL.UP4 (SAAPLP) Section 9 (NPPF)
Reason for Referral to Committee	Planning application represents departure from the Development Plan
Recommendation	APPROVAL

1.0 Site Location and Description

- 1.1 The application site consists of the former Brinton’s Carpets sports and social facilities which in recent years has been operated by Stourbridge College, prior to its acquisition by merger with the applicants, Birmingham Metropolitan College.
- 1.2 The site is referred to by the applicants as their Centre of Sporting Excellence (COSE) and it lies completely within the Green Belt consisting of some 16 hectares (40 acres) in area, and provides facilities for two key course areas, centred on sporting activities (predominantly football) and horticultural courses (for learners with learning disabilities).
- 1.3 The site is accessed via Zortech Avenue, and is served by a sizeable gated car park, and is home to a total of 11 football pitches, of which 2 so-called “Trophy” pitches (i.e. higher quality) are used by the college and Kidderminster Harriers FC, for training purposes. There is also a bowling club operating from the site, and the Centre is also used by the WFA (Women’s Football Association) and RFU (Rugby Football Union) as a centre for football and rugby coaching qualifications.

15/0424/FULL

- 1.4 The existing main brick built two storey building on site, which provides classroom and canteen facilities is supplemented by a number of additional brick and prefabricated structures, all of which are located in the immediate vicinity of the aforementioned car park, to the northern boundary of the site, which bounds the Gilt Edge club buildings; bowling green and the former golf driving range.

2.0 Planning History

- 2.1 None of relevance

3.0 Consultations and Representations

- 3.1 Stourport-on-Severn Town Council – No objection to the proposal, and recommend approval.
- 3.2 Worcestershire Regulatory Services – No objections.
- 3.3 Neighbour/Site Notice – No representations received.

4.0 Officer Comments

- 4.1 As previously identified, the COSE site is home to 11 football pitches, which are used by the college, Kidderminster Harriers FC and the wider community, with pitches available for local league matches at the weekend. At present there are just 4 changing rooms to serve the 11 pitches and given the existing demands on the pitches and facilities, and the increasing numbers of students on both the sports based courses and the LLDD courses, there is an urgent need to provide more changing facilities for both male and female use, and to expand and enhance facilities at the site.
- 4.2 The site lies within the Green Belt, and the existing buildings on site are a diverse group of permanent and re-locatable buildings, located within a single group at the northern end of the site, as previously described.
- 4.3 The proposal is to site a single temporary classroom unit to the front of the existing changing room building, within the immediate vicinity of the existing group of buildings. This temporary (mobile) classroom unit would measure some 21.5 metres x 8.4 metres, and would provide 2 classrooms, an office and welfare facilities. With such dimensions, this is by no means a small classroom unit.
- 4.4 The temporary classroom unit would in part replace, and supplement, existing teaching facilities, with 2 existing classrooms within the existing main building being converted to provide 2 much needed additional changing rooms.

15/0424/FULL

- 4.5 The applicants had first considered the use of the proposed temporary building for changing rooms, but have opted instead to convert existing classrooms due to matters of security and, in particular, the greater convenience the conversion provides in terms of plumbing and drainage for the associated showering facilities, and the associated costs.
- 4.6 A temporary, 3 year, consent is being sought by the applicant for the siting of the classroom unit to provide the facilities swiftly, but also to enable suitable time for the longer term needs and aspirations of the applicant to be fully explored, with the intention being that more cohesive and comprehensive development can be brought forward, which would remove the reliance upon temporary structures and deliver a high quality scheme going forward.
- 4.7 In terms of the proposed siting of the classroom unit, as already stated it would be located adjacent to the existing changing rooms building. The building itself is a typical, functional, temporary classroom unit, in a neutral finish. The long axis of the building would effectively sit in a north-south orientation, to maintain as far as possible the existing massing and leave the overall silhouette of the building group unaltered when viewed from the open aspects (i.e. the football pitches) to the south. When viewed from the west, the building would be seen against the immediate backdrop of a significant coniferous tree screen, which wraps around the existing bowling club facilities on the site.
- 4.8 The key issue in terms of the application is the site's location within the Green Belt. Paragraph 89 of the National Planning Policy Framework (NPPF) states that a local planning authority "*should regard the construction of new buildings as inappropriate in the Green Belt*", before going on to list exceptions to this principle. These exceptions are repeated within the Council's own Green Belt Policy, as set out within Policy SAL.UP1 of the Site Allocations and Policies Local Plan (SAAPLP). Critically, and of specific relevance to the current application, this exception list does include the construction of new buildings for the:
- "provision of appropriate facilities for outdoor sport, outdoor recreation ... as long as it preserves the openness of the Green Belt ..."*
- 4.9 It would be reasonable to argue that the provision of new changing rooms could be seen as constituting "*appropriate facilities for outdoor sport*", especially given the existing shortfall in changing rooms on the site when compared with the number of pitches, as already described.

15/0424/FULL

- 4.10 However, having said that, it must be acknowledged that in this instance the proposed new building is actually for additional classroom space, with existing classrooms within the permanent building to be converted to accommodate the much needed new changing rooms. It might have easily been the case that the new building could have been home to the changing rooms themselves, and in such an instance there would be clear grounds for supporting such a proposal. However, the fact remains that this is not the case. Whilst it might be reasonable to argue that the proposal would deliver the same outcome in terms of the physical building (a “fall back position” of sorts), adopting a precautionary approach it must be acknowledged that with strict interpretation, the proposal does not fall within the specific exemptions within paragraph 89 of the NPPF, and it is therefore appropriate to consider “very special circumstances” in support of the application submission.
- 4.11 The applicant states that the proposals constitute an important, albeit temporary, expansion, considered to be key to the aims for the College, and to enhance facilities on the site for students, staff and community users. The College plays a pivotal role in the development and future of its students, many of whom live locally within the Wyre Forest administrative boundary.
- 4.12 The proposed maintenance and enhancement of the existing facilities, to support the college aspirations, will help to provide improved facilities for local users and is considered essential, thereby maintaining and enhancing an existing valuable social asset. In this particular regard, paragraph 7.6 of the SAAPLP recognises, under the reasoned justification relating to Policy SAL.UP1 (Green Belt), that:

“It is nationally recognised that outdoor sport is one of the uses of land which can be appropriate within the Green Belt. Within the District’s Green Belt, there is a concentration of outdoor sports facilities on the Minster Road they can play a valuable role for urban populations”.

- 4.13 Furthermore, Policy CP07 of the Core Strategy (“Delivering Community Wellbeing”) states that:

“Opportunities to expand, enhance or maximise existing community uses will be supported (subject to other material considerations) and the shared use of community and educational facilities will generally be promoted. Open space provision and sport and recreation facilities within the District will be safeguarded and enhanced ...”.

The provision of improved additional changing room facilities would be in line with the above policy.

15/0424/FULL

4.14 In terms of the needs of the College and the community, the drivers listed by the applicant are as follows:

- Necessary to accommodate growing numbers of students(Sport and LLDD).
- To ensure that the WFA and RFU links are maintained in order to work with the local and surrounding community.
- To ensure that weekend, summer and evening provision can be accommodated at the site.
- To accommodate community outreach for bowls and other sports.
- To accommodate female football provision. As we are working hard to promote 'That Girl Can' and increase female participation in sport at the college.
- The FA work closely with local schools holding taster days and football competitions at the site.
- FA students outreach at local schools helping coach all ages in football and other sports.
- To ensure we can accommodate larger groups of FD learners who are presently in very small classrooms.
- To accommodate increasing HE numbers.

4.15 In terms of the LLDD provision on the site:

- To ensure those students on site with special educational needs (SEN) have access to enrichment and sporting activities. These activities help students to maintain a healthy lifestyle, interact with others appropriately and gain skills that transfer into the workplace and their social lives, consistent with government policy.
- To ensure that the growing number of SEN students, including those on the autistic spectrum, can be accommodated at their campus of choice. COSE provides a valuable, less intimidating environment, than that of a large college campus, for those with autism, anxiety and complex learning needs within the local and wider community of Kidderminster.

4.16 The applicant states that, without the proposed temporary classroom, the College will not be able to support the extra students applying to the college to continue their education. The College uses the facilities to support the Amateur Football Association, including feeding in to Kidderminster Harriers Football Club who use the grounds for training. There are a number of other local clubs that use the site such as local children's football clubs, a bowling club and a number of model aircraft and car clubs.

15/0424/FULL

4.17 The applicant's case for supporting the proposal is, understandably, based upon their specific (educational) needs and the associated social benefits. Economic and environmental matters do not exist in this instance, and as such the very special circumstances presented are somewhat narrow. Even so, Officers consider that on the basis of the temporary 3 year consent being sought, and the clear and immediate need to enhance facilities that, on balance, a sufficient argument of very special circumstances has been provided. Add to this the "fall back" position that had the proposal been for the changing rooms to be provided within the temporary building that, in line with both the NPPF and the SAAPLP Green Belt policy, the proposal could have been considered as appropriate development then Officers are satisfied that the application can be supported.

5.0 Conclusions and Recommendations

5.1 The proposed development, consists of a single temporary classroom unit which would provide 2 classrooms and in doing so facilitate the provision of 2 additional changing rooms (within the existing permanent building), thereby taking the total number of changing rooms on site to 6.

5.2 This is a Green Belt location and whilst the provision of changing rooms would be capable of being considered as being appropriate development in the Green Belt, in line with both the NPPF and SAAPLP, an educational (classroom) development is not listed as an appropriate development.

5.3 Very special circumstances to justify the development have been presented and whilst understandably narrow, Officers consider that these are sufficient. Added to which, there is the "fall back" position whereby the proposed temporary building could provide the changing rooms with the end game, in terms of the size, siting and appearance of the building, being identical.

5.4 In light of the above, Officers are satisfied that there is a clear case for supporting the application, on the basis of the temporary 3 year period only, and it is therefore recommended that the application be **APPROVED**, subject to the following conditions:

1. A8 (Temporary Permission [3 years only])
2. A11 (Approved Plans)

WYRE FOREST DISTRICT COUNCIL

Planning Committee

15 September 2015

PLANNING AND ENFORCEMENT APPEALS

Appeal and Application Number	Planning Inspectorate Reference	Appellant	Site (Proposal)	Form of Appeal and Start Date	Written Reps. or Statement Required By	Proof of Evidence Required By	Public Inquiry, Hearing or Site Visit Date	Decision
WFA1440 14/0060/HHED	APP/HH/14/1380	Mr D Scriven	NEW HOUSE FARM BELBROUGHTON ROAD BLAKEDOWN KIDDERMINSTER High Hedge Complaint	WR 04/08/2014	08/09/2014			
WFA1448 14/0631/TREER	APP/TPO/ 1845/4372	Mr M Bradshaw	10 KITTIWAKE DRIVE KIDDERMINSTER DY104RS Fell Oak Tree	HE 29/01/2015	05/03/2015		07/10/2015 Stourport on Severn and Bewdley rooms	

Appeal and Application Number	Planning Inspectorate Reference	Appellant	Site (Proposal)	Form of Appeal and Start Date	Written Reps. or Statement Required By	Proof of Evidence Required By	Public Inquiry, Hearing or Site Visit Date	Decision
WFA1450 14/0664/FULL	APP/R1845/W/1 5/3009035	Mr & Mrs M Kent	FOXMEAD ROCK KIDDERMINSTER DY149XW Retention of a steel portal framed, general purpose, agricultural building for use on existing smallholding	WR 15/04/2015	20/05/2015			Dismissed 19/08/2015
WFA1451 15/0206/ENF	APP/R1845/C/15 /3009021	Mr M Kent	FOXMEAD ROCK KIDDERMINSTER DY149XW Unauthorised Steel Framed Building (Enforcement Case 13/0171/ENF)	WR 16/04/2015	21/05/2015			Dismissed 19/08/2015
WFA1452 15/3015/PNRE	APP/R1845/W/1 5/3030442	Fernihough Bros	Building at ELFORDS FARM HEIGHTINGTON BEWDLEY DY122XN Change of use of agricultural building to a dwelling house	WR 24/06/2015	29/07/2015			

Appeal and Application Number	Planning Inspectorate Reference	Appellant	Site (Proposal)	Form of Appeal and Start Date	Reps. or Statement Required By	Proof of Evidence Required By	Hearing or Site Visit Date	Decision
WFA1453 15/0113/FULL	APP/R1845/W/1 5/3032552	Mr M Richardson	CRUNDALLS COTTAGE CRUNDALLS LANE BEWDLEY DY121NB Retrospective application to seek retention of extensions to property	WR 16/07/2015	Written 20/08/2015		Public Inquiry,	
WFA1454 15/0013/S73	APP/R1845/W/1 5/3129859	BURLISH PARK GOLF CLUB - MR T PLUMMER	BURLISH PARK GOLF CLUB ZORTECH AVENUE KIDDERMINSTER Variation of condition 11 of Planning Permission 12/0739/FULL to allow importation of material between 7:00 - 8:30 and 9:30 - 18:00 (Monday to Friday) and 7:30 - 13:30 (Saturday)	WR 20/07/2015	24/08/2015			

Appeal Decisions

Site visit made on 13 July 2015

by **P N Jarratt BA(Hons) DipTP MRTPI**

an Inspector appointed by the Secretary of State for Communities and Local Government

Decision date: 19 August 2015

Appeal A Ref: APP/R1845/C/15/3009021

Appeal B Ref: APP/R1845/C/15/3009022

Foxmead, Callow Hill, Rock, Kidderminster, Worcestershire, DY14 9XW

- The appeals are made under section 174 of the Town and Country Planning Act 1990 as amended by the Planning and Compensation Act 1991.
 - The appeals are made by Mr Mike Kent (Appeal A) and Mrs Meg Kent (Appeal B) against an enforcement notice issued by Wyre Forest District Council.
 - The Council's reference is WFA1451.
 - The notice was issued on 24 February 2015.
 - The breach of planning control as alleged in the notice is the erection of a steel portal framed building ("the Building").
 - The requirements of the notice are to take down and remove the Building and any associated concrete foundations from the Land.
 - The period for compliance with the requirements is three months.
 - The appeals are proceeding on the grounds set out in section 174(2) (a) of the Town and Country Planning Act 1990 as amended.
 - **Summary of decisions: Appeals dismissed, planning permission is refused and the enforcement notice is upheld.**
-

Appeal C Ref: APP/R1845/W/15/3009035

Foxmead, Callow Hill, Rock, Kidderminster, Worcestershire, DY14 9XW

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
 - The appeal is made by Mr & Mrs Mike and Meg Kent against the decision of Wyre Forest District Council.
 - The application Ref 14/0664/FULL, dated 11 November 2014, was refused by notice dated 25 February 2015.
 - The development proposed is for the retention of a steel portal framed, general purpose, agricultural building for use on existing smallholding.
 - **Summary of decision: Appeal dismissed.**
-

The appeal on ground (a), the deemed planning application and the s78 appeal

Main issues

1. I consider that the main issues are firstly, the effect that the retention of a general purpose agricultural building has on the character and appearance of the countryside and, secondly, whether there are other considerations to justify an agricultural building of the size constructed on the smallholding.

Reasons

2. The site of the partly completed structure is within a paddock located to the rear of a modern dwelling known as Foxmead which has a vehicular access from Callow Hill. The access continues to the side of the house to provide vehicular access to the rear. To the rear of Foxmead and within the same ownership is a large flat roofed building used as a dwelling and a second former stable block within a fenced compound which appeared also to be used for residential purposes (and is the subject of an undetermined application for a lawful development certificate). There are a number of sheds, a double carport and a touring caravan within the property. The site area is about 0.64 hectare of uncut pasture with some mown tracks and lies in open countryside.
3. The structure is on the crest of ground that rises from Foxmead and then falls away from the structure to the south. It is sited close to an overgrown boundary hedgerow and trees. It consists of a 3 bay open sided, pitched roof, steel framed building having dimensions of 18.2m long by 9.1 wide, and an eaves height of 3.6m and a ridge height of 4.6m. The building was originally proposed to be clad in box profile sheets but tanalised timber cladding laid vertically is now proposed. At the time of my site inspection a small tractor, a sit-on mower, ladders and other small implements were stored within the structure. There was no evidence of any livestock or agricultural activity on the land.
4. There have been three applications for the retention of the building two of which were refused in February and July 2014, and the application subject to Appeal C. These have been refused on the basis that the building formed a dominant, incongruous and alien feature within the landscape and that insufficient information had been submitted to justify a building of that size.
5. The structure is significant in size both in terms of its footprint and height relative to other buildings on the land. Because it is sited on a slight rise in the ground it is prominent within the site. It would be more prominent when completed as the cladding would contribute to its overall massing. Whilst in design terms it would appear as a utilitarian agricultural building of a type that would not normally look out of place in the context of other farm buildings in the countryside, due to its size and location on what is a modest sized smallholding it appears incongruous. To this extent it is harmful to the character and appearance of the open countryside. Although the existing hedgerow and trees act as a screen, this would be less effective in the winter when the trees and hedge have lost their leaves.
6. I note that the appellants had at one time considered reducing the size of the building by one bay but were concerned that this would result in the need for outside storage.
7. Despite the site being within an area described as Forest Smallholdings and Dwellings by the Worcestershire Landscape Assessment, I conclude on the first issue that the building would be intrusive and would adversely affect the character and appearance of the countryside. This would be contrary to the National Planning Policy Framework (the Framework) which as one of its core planning principles at paragraph 17 is to recognise the intrinsic character and beauty of the countryside.

8. Turning to the second issue, the appellants propose to use the building for machinery and tool storage, hay and feed storage and livestock housing. The appellants state that the proposal encourages local food production and 5 letters of support for the enterprise have been submitted by local businesses. The intention is to graze sheep and goats, and to raise Dexter cattle. The appellants previously reared hens and goats on the land but this ceased due to the health of Mr Kent but they intend to manage the land as a smallholding to supplement their retirement income. The land was registered with the Rural Payments Agency in 2012.
9. Policies DSO4 and CP12 of the adopted Wyre Forest Core Strategy (adopted July 2013) relating to development supporting the rural economy broadly support the principle of the development. However, there is no special provision for small holdings or recreational agriculture but Policy SAL.PFSD1 indicates that there will be a presumption in favour of sustainable development unless material considerations indicate otherwise, taking into account whether any adverse impacts would significantly and demonstrably outweigh the benefits when assessed against policies in the Framework.
10. In these appeals I am concerned that small size of the smallholding and the nature of the appellant's intentions to rear livestock justify an agricultural building of the size constructed. There is disagreement between the parties on the amount of land required to keep Dexter cattle and goats although I accept that space requirements for Dexters are less than other cattle. I am not convinced that the height of the building is justified through the size of hay bales on the basis of the scale of operation proposed although I note that the height would assist ventilation. In short, the intentions of the appellants is vague and uncertain although there appears to be more detail provided in the current appeals than in the previous refusals where different business proposals were put forward.
11. I do not consider that the appellants' reasons for the building outweigh the harm that I have identified in the first issue. Similarly, the support that the Framework gives to the development of a prosperous rural economy does not outweigh the harm identified. I conclude on the second issue that other considerations fail to justify an agricultural building of the size constructed on the smallholding.
12. The appellants consider that the Council's decision to refuse the application against the officer's recommendation to be politically motivated. However, I have determined this application against national and local planning policies and other material considerations.
13. My overall conclusion is that the development as currently constructed and as proposed to be completed would be contrary to Policy SAL.PFSD1 and to the Framework.
14. For these reasons and having taken account of all relevant considerations, including the representations received from local residents and the Parish Council, the absence of any highway objections and the absence of any significant detriment to amenities of local residents, the appeals fail.

Formal decisions

Appeal A Ref: APP/R1845/C/15/3009021

15. The appeal is dismissed and the enforcement notice is upheld and planning permission is refused on the application deemed to have been made under s177(5) of the 1990 Act as amended.

Appeal B Ref: APP/R1845/C/15/3009022

16. The appeal is dismissed and the enforcement notice is upheld and planning permission is refused on the application deemed to have been made under s177(5) of the 1990 Act as amended.

Appeal C Ref: APP/R1845/W/15/3009035

17. The appeal is dismissed.

P N Jarratt

INSPECTOR