

Open

# Planning Committee

## Agenda

6pm  
Tuesday, 21 June 2022  
Council Chamber  
Wyre Forest House  
Finepoint Way  
Kidderminster



## Planning Committee

### Members of Committee:

Chairman: Councillor A Coleman  
Vice-Chairman: Councillor C J Barnett

Councillor V Caulfield  
Councillor C Edginton-White  
Councillor M J Hart  
Councillor F M Oborski MBE  
Councillor D Ross

Councillor H E Dyke  
Councillor P Harrison  
Councillor L J Jones  
Councillor C Rogers  
Councillor L Whitehouse

### 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](mailto: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](http://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.**

\*Unless there are no reports in the open session.

## 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 Head of Strategic Growth 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 Head of Strategic Growth.
- 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, 21 June 2022

Council Chamber Wyre Forest House, Finepoint Way, Kidderminster

Part 1

Open to the press and public

<b>Agenda item</b>	<b>Subject</b>	<b>Page Number</b>
1.	<b>Apologies for Absence</b>	
2.	<b>Appointment of Substitute Members</b>  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.	<b>Declarations of Interests by Members</b>  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.	<b>Minutes</b>  To confirm as a correct record the Minutes of the meeting held on the 19 April 2022.	7
5.	<b>Applications to be Determined</b>  To consider the report of the Development Manager on planning and related applications to be determined.	13
6.	<b>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.</b>	—

7.	<p><b>Exclusion of the Press and Public</b></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>	—
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Part 2

Not open to the Press and Public

8.	<p><b>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.</b></p>	—
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WYRE FOREST DISTRICT COUNCIL

PLANNING COMMITTEE

COUNCIL CHAMBER, WYRE FOREST HOUSE, FINEPOINT WAY,  
KIDDERMINSTER

19 APRIL 2022 (6PM)

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**Present:**

Councillors: C Edginton-White (Chairman), C J Barnett (Vice-Chairman), V Caulfield, S J Chambers, A Coleman, P Dyke, P Harrison, M J Hart, L J Jones, F M Oborski MBE, C Rogers and L Whitehouse.

**Observers:**

Councillors: I Hardiman and N Martin.

**PL.59 Apologies for Absence**

Apologies for absence were received from Councillor J Aston.

**PL.60 Appointment of Substitutes**

Councillor P Dyke was a substitute for Councillor J Aston.

**PL.61 Declarations of Interests by Members**

Councillor M Hart declared, neither a disclosable pecuniary interest (DPI) or other disclosable interest (ODI) in relation to application 21/1154/HOU, that he had spoken with the applicant and saw him at his property almost two years ago. He gave the applicant general advice and advised him that he would not comment on which way he would vote if the application ever came to a committee as he was a member of the Planning Committee. He signposted the applicant to his ward colleague who was not a member of the committee.

**PL.62 Minutes**

**Decision: The minutes of the meeting held on 15 March 2022 be confirmed as a correct record and signed by the Chairman.**

**PL.63 Applications to Be Determined**

The Committee considered those applications for determination (now incorporated in Development Control Schedule No. 601 attached).

**Decision: The applications now submitted be determined, in accordance with the decisions set out in Development Control Schedule No. 601 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.64 Exclusion of Press and Public**

**Decision: "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 items of business on the grounds that they involve the likely disclosure of "exempt information" as defined in paragraphs of Part 1 of Schedule 12A to the Act.**

At 7.55pm the meeting was adjourned for a short comfort break and resumed at 7.59pm.

**PL.65 Enforcement Case**

The Committee received a report from the Head of Strategic Growth on an updated enforcement case.

**Decision: The Solicitor to the Council receive delegated authority to serve or withhold an Enforcement Notice for the reasons and including the requirements detailed in the confidential report to the Planning Committee.**

There being no further business, the meeting ended at 8.04pm.



**WYRE FOREST DISTRICT COUNCIL**

**PLANNING COMMITTEE**

**19 April 2022 - Schedule 601 Development Management**

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 Planning 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:** 21/0598/FUL

**Site Address:** Land To The Rear, 5 Mill Lane, Blakedown, Kidderminster, DY10 3NQ

**Refused** for the following reasons:

Notwithstanding the extant approval, the proposed development would create additional harm by virtue of the positioning of plot 2 in close proximity to boundaries of 14 and 16 Mill Close, adversely impacting on the amenity of these residents. In addition, by virtue of the increase size and scale of the development, over and above the extant permission, would represent an overdevelopment of the site. The harm created would be contrary to Policy SAL.UP7 of the Site Allocations and Policies Local Plan and Policy DM.24 of the emerging Wyre Forest Local Plan.

**Application Reference:** 21/1064/HYB

**Site Address:** Land At Os 381800 271300, Former Parsons Chain, Worcester Road, Stourport On Severn, Worcestershire

The Committee received representation from Councillor Tim Berry (Stourport Town Council) and Councillor Nicky Martin prior to a decision being made.

**Delegated APPROVAL** subject to;

- a. A Section106 agreement being completed; and
- b. The following conditions;
  - 1. Full Time Limit
  - 2. Reserved Matters details to be submitted
  - 3. Outline Time Limit
  - 4. To define the Outline development as being a Care Home (C2 or up to 16 dwellings
  - 5. To secure agreed external facing material and hard surfacing
  - 6. To secure agreed boundary treatment (except rear boundary to Plots 14-26)
  - 7. Require removal of existing Palisade fencing
  - 8. To secure agreed glazing and ventilation specifications
  - 9. Following submission of details relating to the acoustic fencing to be installed to the rear boundary of Plots 14 – 26, and approval of these details by WRS.
  - 10. To require updated noise survey for Outline development in Phase 2
  - 11. Removal of Permitted Development Rights to prevent rear extensions to Plots 8, 9, 12, 13, 61 and 62 due to gardens being less than 10 metres in depth
  - 12. Removal of Permitted Development Rights to prevent new fences/walls and

- gates being installed to front of dwelling houses in the future
13. Following submission and approval of the Sustainability Statement which states that the development would achieve water efficiency of 104.5 litres per person, in accordance with emerging policy 15A.
  14. To require provision of a defibrillator
  15. To secure agreed PV panels to 18 dwellings in Phase 1
  16. To require details of measures to incorporate energy from renewable or low carbon sources in Phase 2
  17. To require details of footpaths/cycleways within Phase 1
  18. To require details of public interpretation/information board within Phase 1
  19. To require details of refuse bins, recycling materials storage area and collection point if a Care Home (C2) is provided in Phase 2
  20. To require details of any commercial kitchen extraction system if a Care Home (C2) is provided in Phase 2
  21. To require a marketing strategy for the Care Home (C2) and marketing of the site for 12 months, before any reserved matters applications are submitted for dwellings on the Outline land (Phase 2)
  22. To secure agreed tree protection fencing
  23. To secure agreed tree works, including tree removals
  24. To prevent retained trees from being cut down, uprooted or destroyed
  25. To require implementation of agreed landscaping scheme
  26. To require a landscape and ecological management (LEMP) plan
  27. To secure agreed remediation strategy and to require a validation report
  28. To require further investigation, risk assessment and remediation if unexpected contamination is found
  29. To secure agreed Method Statement for Demolition
  30. To secure agreed Construction Environmental Management Plan in working hours and measures to mitigate potential nuisance from noise, vibration and dust emissions
  31. To require details for the disposal of foul and surface water drainage for Phase 2 of the development
  32. To require the development to implement the approved WSI prior to commencement of development.
  33. To secure badger mitigation strategy and require licence to be obtained from Natural England for all works within 50 metres of a badger sett
  34. To secure the agreed 6no. bat boxes
  35. To require a scheme for Biodiversity Enhancement Measures
  36. To require a further bat survey and mitigation measures prior to the felling of the Himalayan Birch tree (T4) on Worcester Road
  37. To require a lighting strategy to minimise harm to protected species
  38. To require electric vehicle charging points
  39. To require cycle storage provision
  40. To secure agreed access, parking and turning facilities
  41. To secure agreed vehicular visibility splays
  42. To require appropriate pedestrian visibility splays
  43. To require the first 5 metres of the access into the development to be surfaced in a bound material
  44. To secure agreed residential parking provision
  45. To require a residential travel plan
  46. Following submission of Construction Environmental Management Plan (CEMP) and approval of the CEMP by the Highway Authority.
  47. To require applicant to upgrade the existing crossing located on Worcester Road

- 48. To require a scheme for surface water drainage strategy
- 49. To require details of management of the SuDS assets
- 50. To require a construction surface water management plan
- 51. Details of heating to be submitted to the District Council for approval

Informative

Additional planning obligations to be secured by the Section 106 agreement, which includes:

- a. the requirement to pay £220 per dwelling to allow WCC Highway Authority to deliver the Residential Welcome Pack; and
- b. a financial contribution towards Community Transport Service to provide access for mobility impaired residents to essential services including Acute Health, which would be calculated at £4,000 for the 94 dwellings and either £12,000 for the care home or £680 for 16 dwellings.
- c. WCC Monitoring Fees
- d. WRS Best Practice Guidance for noise, vibration and dust emissions
- e. WFDC Waste and/or Recycling Bin Provision
- f. Alteration of highway to provide new or amended vehicle crossover
- g. Section 278 Agreement
- h. Section 38 Agreement Details
- i. Drainage Details for Section 38
- j. No Drainage to Discharge to Highway
- k. Protection of Visibility Splays
- l. Brightness of Illuminated Signs
- m. Affected Street Lighting / Illuminated Signs
- n. Common Land
- o. Extraordinary Maintenance
- p. Works Adjoining Highway
- q. Certificate of Lawfulness
- r. Section 115E Licence
- s. Temporary Direction Signs to Housing Developments
- t. Construction Environmental Management Plan (CEMP)
- u. Travel Plan Requirements
- v. Solar panel battery storage facilities

Councillor N Martin left the meeting at this point (7.20pm).

<b>Application Reference:</b> 21/1154/HOU
<b>Site Address:</b> Swallows Barn, The Holloway, Chaddesley Corbett, DY10 4QD
The Committee received representation from Councillor Ian Hardiman prior to a decision being made.
<b>Deferred</b> for site visit.

Councillor C Rogers left the meeting at this point (7.52pm).

<b>Application Reference:</b> 21/0604/FUL
<b>Site Address:</b> Heathlands, 16/18 Birmingham Road, Blakedown, Kidderminster, Worcestershire, DY10 3JE

**APPROVED** subject to the following conditions:

1. Implementation within 3 years
2. In accordance with the submitted drawings/details
3. Submission of material details
4. Arboricultural Method Statement and Watching Brief
5. Completion and implementation of proposed Highway Works
6. Pedestrian visibility, turning and parking implemented and retained
7. Cycle Storage
8. Travel Welcome Pack
9. Electric Vehicle charging Points
10. Construction Environmental Management Plan
11. Surface Water Drainage
12. Permeable Paving
13. Details of Bird and bat boxes on site
14. Retained ecologist to be present on site during all site clearance works
15. No trenches to be left open or uncovered overnight
16. Details of fenced buffer strip adjacent to the pools to be submitted and approved in writing prior to commencement.
17. Removal of PD rights for Extensions
18. Scheme for sustainable energy to be submitted
19. Occupation of 3no. Bungalows to be restricted to Local Connection Only

Notes

1. Section 278 Agreement
2. Section 38 Agreement
3. Water Pollution Potential

**Application Reference:** 22/0003/FUL

**Site Address:** Single storey rear extension to form consultation room

**APPROVED** subject to the following conditions;

1. A6 (Standard Time)
2. B3 (Finishing Materials to Match)
3. A11 (Approved Drawings)

Councillor C Rogers returned to the meeting at this point, (7.53pm)

**Application Reference:** 22/0079/HOU

**Site Address:** 9 Beauchamp Avenue, Kidderminster, Worcestershire, DY11 7AH

**APPROVED** subject to the following conditions;

1. A6 (Standard Time)
2. B6 (External Materials - Approved Plan)
3. A11 (Approved Plans)

Notes

- A. SN12 (Neighbours Rights)

## EXECUTIVE SUMMARY TO REPORT OF DEVELOPMENT MANAGER

## Planning Committee

## Part A Applications

Ref:	Address of Site	Recommendation	Page No.
21/0031/FUL	Land To The West Of Pearl Lane, Stourport -on- Severn (Ernleye Meadows) Land At Os 379658 269871 Pearl Lane Stourport On Severn Worcestershire	Delegated Approval	14
21/0097/OUT	Land At Os 379586 274992 Stourport Road Bewdley Worcestershire	Delegated Approval	64
22/0183/FUL	Stourport High School And Sixth Form Centre Coniston Crescent Stourport On Severn Worcestershire DY13 8JU	Delegated Approval	104

## Part B Applications

Ref:	Address of Site	Recommendation	Page No.
21/0850/FUL	Honeybrook Kennels Bridgnorth Road Kidderminster DY11 5RR	Approval	140
22/0242/HOU	83 Richmond Road Bewdley Worcestershire DY12 2BG	Approval	148
22/0279/HOU	6 Clee Avenue Kidderminster Worcestershire DY11 7BS	Approval	150

**WYRE FOREST DISTRICT COUNCIL**

**PLANNING COMMITTEE**

**21 June 2022**

**PART A**

<b>Application Reference:</b>	<b>21/0031/FUL</b>	<b>Date Received:</b>	<b>13.01.2021</b>
<b>Ord Sheet:</b>	<b>379658 269871</b>	<b>Expiry Date:</b>	<b>28.02.2022</b>
<b>Case Officer</b>	<b>Helen Hawkes</b>	<b>Ward:</b>	<b>Areley Kings And Riverside</b>

**Proposal:**       **Erection of 329 dwellings including 82 affordable units, together with associated infrastructure/works and public open space**

**Site Address:**   **Land To The West Of Pearl Lane, Stourport -on- Severn (Ernleye Meadows), Land At Os 379658 269871, Pearl Lane, Stourport On Severn, Worcestershire, ,**

**Applicant:**       **Barratt Homes West Midlands**

<b>Summary of Policy</b>	<p>SP.1, SP.2, SP.4, SP.5, SP.9, SP.10, SP.12, SP.13, SP.16, SP.20, SP.21, SP.22, SP.23, SP.26, SP.27, SP.28, SP.29, SP.30, SP.31, SP.32, SP.33, SP.34, SP.35, SP.37, DM.6, DM7, DM.8, DM.23, DM.24, DM.26, DM.32 and SA.S4 of the Wyre Forest Local Plan (Adopted April 2022)</p> <p>Design Guidance SPD            Planning Obligations SPD            Affordable Housing SPD            WCC Landscape Character Assessment            WCC Streetscape Design Guide            WCC Minerals Local Plan            Emerging WCC Minerals Local Plan            National Planning Policy Framework            National Planning Practice Guidance            National Design Guide            Building for a Healthy Life</p>
<b>Recommendation</b>	<b>DELEGATED APPROVAL SUBJECT TO S106 AGREEMENT</b>
<b>Reason for referral to Committee</b>	<b>‘Major’ Planning Application</b>

21/0031/FUL

## 1.0 Planning History

1.1 No planning history for this application site.

## 2.0 Consultation

2.1 Stourport Town Council – Recommend approval.

2.2 Highway Authority – A robust assessment of the planning application has been undertaken and based on the analysis of the information submitted, the Highway Authority is of the opinion there still remains a concern about the adoptability of the internal site layout, but this can be resolved through the S38 process. Hence, the Highway Authority concludes that there are no justifiable grounds on which an objection could be maintained and, therefore, it has no objection subject to conditions and a financial obligation.

The following comments have been made to the application:

Access - Vehicular access to the site will be provided via two separate points of access, one from Dunley Road to the north and one from Pearl Lane to the east. The Dunley Road access provides a 6.0m carriageway and 6.0m junction radii. In addition, a segregated right turning lane will be provided on Dunley Road for traffic turning into the site, along with revisions to the existing Pearl Lane/Dunley Road junction (Switchback Crossroads) to the immediate north-east, to remove the merge and diverge tapers and introduce right turning lanes. The Pearl Lane access will provide a conventional priority junction layout with 6.0m junction radii and a 5.5m internal carriageway. Speed surveys have been undertaken at the site access points, to understand the 85th percentile speeds of traffic in both directions. In accordance with the WCC Streetscape Design Guide (SDG) and DMRB guidelines, visibility splays of an 'x' distance of 2.4m and 'y' distance of 160m have been provided. These are considered acceptable. The Applicant has agreed to the relocation of the existing 40mph speed limit on Dunley Road, which is welcome. Relocation will need to be supported by a Traffic Regulation Order (TRO), with the Applicant funding the approximate £4,500 costs. This can be covered by a suitable legal agreement, should planning consent be granted. The Applicant has offered to provide splitter islands in Pearl Lane rather than a signalised pedestrian crossing. Whilst the Highway Authority accepts such a pedestrian crossing facility is unlikely to be justified by pedestrian flow, the development will lead to pedestrian activity travelling east-west, so refuge islands would improve highway safety. The Highway Authority has no objection to the principle of vehicular access being taken from Dunley Road and Pearl Lane, subject to agreed layouts being designed to the appropriate standards and subject to both the Road Safety Audit process and a S278 Agreement.

Internal Layout - The current proposed internal site layout is shown on submitted Drg. No. WM-20-07U and Drg. No. WM-20-08Y. A recent layout change is the closing of the proposed north-south spine road at the location of the east-west public right of way crossing and provision of two turning heads and a proposed emergency access, controlled by bollards. This change is welcome by the Highway Authority. The Applicant has previously intimated the internal layout would be put forward for adoption as public highways. However, the Highway Authority is of the opinion the

21/0031/FUL

current layout, as proposed, still does not fully confirm with the WCC SDG and, therefore, could not be considered for adoption. Whilst the layout is considered unsuitable for adoption, it is not deemed to be unsafe and, therefore, there is insufficient justification to recommend refusal. It would be preferable the Applicant submit revised plans, which can be approved through the planning process. The alternative is to agree a revised layout subsequently through the S38 process. The matter has been discussed with the Applicant. It should be noted that the granting of planning consent does not mean the Highway Authority is obliged to accept the associated road layout.

Lighting - At this time, it is unclear if the development is to have street lighting or not. If it is, then the lighting design shall comply with WCC lighting standards for those streets that are prospectively adoptable. The Applicant is advised that any shared surfaces or raised features that are not lit would not be adopted. In addition, there is a requirement to undertake a lighting assessment for the new junctions and impact on the public highway. Lighting requirements can be covered by a suitable condition, should planning consent subsequently be granted.

Car Parking - Whilst the Highway Authority is content with the number of car parking spaces, it usually prefers not to adopt on-street parking bays that are within the prospectively adoptable public highway. Dimensions for parking spaces has been provided but those directly behind footways should be increased in length to avoid potential vehicle overhang that would obstruct the footway. The WCC SDG requires ultra-low emission vehicle (ULEV) charging facilities be provided. Whilst the Applicant has advised such facilities will be provided, no details have been submitted. However, this can be covered by a suitable condition should planning consent be granted.

Cycle Parking The Highway Authority is content that all houses will have access to cycle stores, with capacity to house two bicycles. Cycle parking can also be provided within garages, where provided. With regard to the apartments, the Applicant has confirmed a communal cycle store is provided adjacent to the bin store. Details of the store, in terms of layout, capacity and security can be covered by a suitable condition should planning consent subsequently be granted.

Walking and Cycling - No footway is currently provided along Pearl Lane, with the exception of a short section on its eastern side, heading north from Cotswold Avenue to Dunley Road. Approximately halfway along Pearl Lane, the PROW from the site crosses the road and continues east through the existing residential estate to Abberley Avenue, which is signed for pedestrians only. Footways are currently provided on both sides of Red House Road, however these terminate at its junction with Pearl Lane. The Highway Authority previously intimated there are a number of required external improvements to ensure that the development connects directly and safely into the existing walking and cycling provision, as well as allowing safe crossing of Pearl Lane. It is appreciated the Applicant has now agreed to their provision. Delivery will be subject to a S278 Agreement and require appropriate Road Safety Audits to be undertaken. The Proposed Site Layout plans indicate the public right of way (PROW) SV-530 will be retained on its definitive line. Based on the information provided, the Highway Authority has no objection to the impact on the PROW provided the Applicant adheres to the following obligations:



21/0031/FUL

- No disturbance of, or change to, the surface of the path or part thereof is carried out without written consent of the Highway Authority;
- No diminution is made in the width of the PRow available for use by the public;
- No additional barriers are placed across the PRow. No stile, gate, fence or other structure should be created on or across the PRow without written consent of the Highway Authority;
- Building materials and equipment associated with the development must not be stored on the PRow and work undertaken to carry out the development should not obstruct the footpath at any time;
- Vehicle movements and parking must be arranged so as not to interfere with the public's use of the PRow;
- The safety of the public using the PRow is to be ensured at all times; and
- Where possible, the definitive line of any PRow should be kept open and available for use throughout the construction phase. However, if public safety requires a temporary closure of a PRow during works the appropriate application should be made to the Public Rights of Way Mapping Team at Worcestershire County Council at least eight weeks prior to the earliest requested closure date.

Local Amenities and Bus Infrastructure - The Highway Authority consider the location and provision of local amenities in proximity to the site to be within acceptable levels and consistent with many typical suburban locations. Realistic opportunities for travel by sustainable modes are available, assuming that the requested amendments to the internal layout and ped/cycle connections are provided. It is, therefore, important that the site maximises this potential, by promoting the infrastructure and sustainable travel options available, through a thorough and well publicised Travel Plan and Welcome Pack. With regard to bus stops, the Highway Authority previously requested provision of a new bus stop on the western side of Pearl Lane, to the north of Cotswold Avenue. This would be served by the No.3 bus and provide closer and safer access for residents of the new development. A new bus stop layby is now shown on Drg. No. WM-20-08U, which is welcome and its delivery will be included within the S278. There will need to be an agreement if the bus stop infrastructure (bus stop, flag, timetable board, shelter, etc) are delivered via the S278 or a financial contribution, as part of a suitable legal agreement. Whilst the Highway Authority welcomes the provision of the new bus stop on Pearl Lane, under the 1985 Transport Act, WCC has a duty to consider the transport needs of elderly and disabled residents. A service must be provided for all elderly and disabled residents where no suitable bus service exists for those unable to access a bus due to disability. There may be some residents who cannot manage to walk to the new bus stop. WCC analyses this using historic trip need, DfT mileage rates and census data (for population per dwelling, disabled population statistics and age data) based on five years' calculated cost. A community transport service provides access to vital services, particularly acute health where it is no longer policy to offer appointments at the nearest facility to the resident's home address. Having reviewed the proposals, the Highway Authority is of the opinion some residents of this development will require community transport assistance. Hence, a contribution of £22,680 towards community transport costs, to allow for disabled and

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elderly residents to be transported appropriately, is requested, which can be secured through a suitable legal agreement.

Highway Impact - Highway network impact, resulting from the proposed development, as been assessed using highway computer models. The results of the PICADY junction modelling show that all three junctions assessed will operate well within acceptable capacity during both the AM and PM peaks. Operating the two access junctions without any internal through link is unlikely to have any significant detrimental impact on the operating capacity of either junction. VISSIM modelling of the wider area has been subject to discussions and subsequent agreement. The Highway Authority is of the opinion that the assessment is sufficiently robust and, whilst the development will result in some detrimental impact on the local highway network, it is considered to be relatively minor and, therefore, generally acceptable.

S278 Agreement - As the proposals involve alterations to the existing public highway, there will be a requirement for the Applicant to enter into a suitable S278 Agreement with WCC. The Agreement will require a detailed design of the proposed improvements to be agreed, with all associated checking costs paid by the Applicant. A Stage 1 Road Safety Audit (RSA) has been submitted as supporting information. The Applicant is advised that Stage 2 and Stage 3 RSAs will also require to be undertaken, as part of the S278 Agreement. Thereafter, a follow-up Stage 4 RSA may also be requested, subject to discussion.

Travel Plan - A draft residential Travel Plan has been provided as part of the application. Whilst the Travel Plan is generally acceptable as a first draft, the Highway Authority would reiterate the previous comments made:

- The Smarter Travel Information Pack shall conform with the 'WCC Guidelines for Travel Welcome Packs' document, with a draft submitted for approval by WCC prior to being issued to new residents on or before first occupation;
- Residents who take up the offer of Personalised Travel Planning (PTP) must be offered an incentive, such as a voucher for a local bike shop or a monthly bus ticket. These incentives shall be included within the amended Travel Plan; and
- The results of traffic counts and monitoring reports shall also detail how many people have taken up PTP and what modal shift they have made. This should be sent to [travelplans@worcestershire.gov.uk](mailto:travelplans@worcestershire.gov.uk) and included within the amended Travel Plan. Alternatively, the Applicant can pay £220 per dwelling for WCC to deliver the Welcome Pack, undertake the Personalised Travel Planning and carry out any subsequent monitoring. Production of a revised Travel Plan would be a recommended condition if planning consent were subsequently granted.

Construction - A Construction Environmental Management Plan, setting out the proposed hours of operation, routing, access proposals, materials storage and site details will form a condition on any successful planning consent.

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2.3 North Worcestershire Water Management Officer – No objection subject to conditions and advises the following: The proposals would see the installation of a conveyance swale and associated attenuation basin west of the site boundary to intersect overland flow that could otherwise discharge onto the site and pose a flood risk to the development. An attenuated discharge of 2l/s is proposed from this attenuation basin into the to be diverted culverted watercourse. As part of the development proposal a new route is proposed for this watercourse which would in its current position discharge underneath a number of dwellings. The latest proposal would see the diverted watercourse largely under green open space, with the exception of the driveways of plots 80/81, the crossing of the spinal road (which will remain unadopted at this point) and the crossing of Pearl Lane (outside the site boundary). I believe that the detailed plan for this diversion should be such that private driveways are avoided altogether which means that within the site boundary the legal responsibility for the watercourse will entirely be with the developer / management company. Where the watercourse crosses Pearl Lane it will be WCC that is legally responsible for ongoing maintenance and upkeep. The plan details that the watercourse will outfall into the STW sewer system in the east verge of Pearl Lane, a small distance upstream of where the land drainage currently already discharges into the sewer system. It is detailed that over this distance the sewer will be upsized to accommodate the land drainage discharge (watercourse + additional 2l/s). Typical discharges for the existing watercourse have not been quantified but given its catchment it is likely to be substantially larger than 2l/s.

The swale with the associated attenuation basin and the (diverted) watercourse deal with the discharge emerging from outside the development. The discharge of surface water from the site itself will, as per previous proposals, be attenuated in a large, lined attenuation basin which will limit the discharge leaving the site to 5 l/s. The basin is to be adopted by STW and will discharge the attenuated discharge to the sewer system in the East verge of Pearl Lane downstream of the existing STW attenuation tank, into the sewer system near Redhouse Lane crossroads. STW have previously advised that they accept this 5l/s discharge into their sewer network and would be responsible to fund and complete any capacity upgrades if ongoing modelling would show that any upgrades were required in their network downstream.

Although it is currently not clear to me whether Highways are willing to allow the culverted watercourse to cross Pearl Lane (and therefore become the riparian owner for the section within the highway limits) nor whether STW is willing to accept the watercourse out falling into their network (MH7801) nor whether the proposed upgrade of the first length of the sewer system downstream of the watercourse outfall is acceptable or sufficient, I do think that these details alone would probably not be sufficient to withhold approval of this application on flood risk grounds. Somewhat reluctantly and definitely cautiously I am inclined to give a 'no objection' verdict, providing that a series of conditions can get attached that ensure that:

- the swale and associated attenuation will be constructed prior to first occupation (even though this is outside the red line boundary)
- the existing culverted watercourse will be diverted appropriately, with required approvals of Highways and STW as asset owners, and will avoid private owned land altogether
- the SuDS will be constructed and maintained in accordance with the details provided (including the liner to ensure no flood risk via seepage from the basin for existing properties on the estate)

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- a construction Surface Water Management Plan will be submitted and approved to ensure that the development does not exacerbate the existing flood risk during construction

2.4 Housing Enabling Officer - No objection.

2.5 Conservation Officer – Recommend refusal on insufficient information submitted. *The Archaeological desk-based assessment which also forms the heritage statement identifies, inter alia, at 4.3.9 Tudor Rose Cottage as Grade II: NHLE1082713. It then identifies Dunley Hall as Grade II, NHLE: 1349461 at 5.2.1 as a designated heritage asset directly affected by the development and there's quite a bit of analysis of that building and potential impact on it. However the site is 570m NE of Dunley Hall as per 5.2.4, and at 5.2.5 the assessment states: "The assessment undertaken in section 4 has identified no other known designated or non-designated heritage assets that would be directly affected by the proposed scheme. The distance between the site and the nearest listed buildings as well as the surrounding landscape including hedges and vegetation results in no intervisibility between designated heritage assets and the site". We are asked to accept this as a statement of fact but there appear to be no photographs or landscape visual assessments to confirm this, and Tudor Rose Cottage is much closer to the site, being only 200m SW from the nearest point. Please can you ask the applicant to explain how this assertion has come about and can they provide evidence to support it? I'd rather they explain this via photographs taken from the highest point of the northern part of the site looking towards Tudor Rose Cottage than me raise a formal objection on the lack of information provided".*

On 3<sup>rd</sup> February 2021 I provided further informal comments concerning potential additional viewpoints which could form the basis of an updated Landscape and Visual Assessment, including provision of a map extract illustrating these.

*"Suggested locations for views for an updated LVA? All from public footpaths or public domain.*

*View of site needs to have the 3 storey block superimposed to assess the impact, particularly from the NW, N and NE.*

*As the county landscape advisor suggested they ought to get access to the church tower as view from top could be heavily compromised by 3 storey development, and thus impact on setting. It could also be possible to get a camera on a drone at 10m above datum at the location of the 3 storey flats and see if the church is visible and if so how much of it, as this will be a reversible view".*

Despite the time which has elapsed since these informal comments were made, the applicant has not provided the additional information requested to permit me to establish whether the development causes harm or not to the element of significance of the designated heritage assets derived from their settings. Given that one of these heritage assets is a Grade II\* listed parish church whilst these questions remain unanswered my advice is that the requirements of the NPPF and the Local Plan are not satisfied in terms of heritage impacts and the application should be refused. Were such impacts to be properly identified and assessed then that intelligence could be used to enable the Council to form a conclusion as to whether any public benefits of the scheme outweighed heritage impacts as allowed for by the Framework.

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- 2.6 Natural England – Awaiting comments.
- 2.7 Public Rights of Way team - The Public Rights of Way Team has concern for the impact of the development on a public right of way, footpath Stourport on Severn SV-530. However, our comments will form part of a wider Worcestershire County Council response to the consultation.
- 2.8 WFDC Community Led Housing Co-ordinator – Supports the application and the provision of 8 custom build plots.
- 2.9 Worcestershire Children’s First – No objection subject to a financial contribution of £2,132,338 with £1,715,890 towards Primary school places (The contribution will be used to support improvements which may include additional or extended toilet accommodation, additional or extended classrooms, new or improved educational sports playing fields and/or infrastructure at any related primary school or new school serving the area) and £416,448 towards SEND (Primary and Secondary)(The contribution will be used to support improvements which may include additional or extended toilet accommodation, additional or extended classrooms, new or improved educational sports playing fields and/or infrastructure at Wyre Forest School or any other school in the area providing an SEND resourced base).  
 Early Years Phase - The Local Authority has a statutory duty to secure, as far as is reasonably possible, sufficient places for children aged 2,3 and 4 to claim their entitlement to funded nursery education. In addition, the Local Authority should secure sufficient childcare for working parents. The sufficiency of places is calculated each term and in Autumn 2020. The assessment showed a surplus of early years’ places in the Areley Kings and Riverside Ward for the next 3 terms. These places would be used to meet the early education needs of the children living in the new development. There is currently sufficient capacity within early years provision in the area to accommodate the number of pre-school pupils likely to be generated from this development.

Primary Phase - With regards to mainstream provision, the proposed development is likely to yield 15.83 pupils on average per year group in the primary phase of education. St Bartholomew’s CE Primary has some capacity but not sufficient to admit the number of pupils likely to be generated from extant permissions and this development. There are currently 215 pupils on roll at St Bartholomew’s CE Primary. The school has academy status and is part of the Severn Academies Educational Trust. The Academy Supplemental Funding 3 One bed dwellings have been excluded from this calculation Education Planning Obligation Assessment sets out a capacity of 315 in the age range 3 - 11. This is not in accord with the Published Admission Number of 50, which would give a capacity of 350. The local authority has taken the capacity of 350 to be the limit of the number of children that can reasonably be admitted to the school. The school was rated Good by Ofsted in November 2013. The school subsequently converted to Academy status in March 2017. It is anticipated there will be migration between schools to account for demographic movement and parental preference. Current analysis indicates that St Bartholomew’s CE Primary is a net exporter of pupils. As at October 2020, there were 422 pupils living in the St Bartholomew’s CE Primary catchment area who were on roll at a state funded school. 43.8% of pupils living in the catchment area attend the catchment area school. Of the

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pupils that attend St Bartholomew's CE Primary 86% of pupils live within the catchment area. Due to the high level of migration, further analysis of schools within the statutory walking distance has been undertaken. Reference has also been made to extant permissions and developments that will impact the area. Current extant windfall permissions are estimated to yield 2.6 primary aged pupils on average per year group. Larger extant permissions on Land at Baldwin Road, Midland Plastics and Astley Cross Triangle<sup>4</sup> are set to yield 11.2 primary age pupils on average per year group. In addition, the Carpets of Worth site is estimated to yield 5.8 pupils per year group and the development of Land at Pearl Lane is estimated to yield 15.8 pupils on average per year group. These assessments exclude one bed dwellings. In addition, current practice seeks to maintain a 5% operational surplus in an Education Planning Area (EPA). The combined estimated pupil yield including the operational surplus equates to 50.4 pupil places. Current analysis shows there are currently an average of 25.7 surplus places per year group in the related schools. This is reduced by 9.9 operational surplus places, extant permissions deriving 13.8 pupil places and, the yet to be determined site deriving 5.8 pupil places, leaving a deficit of places of 3.8 pupil places. In addition, to the proposed development site at Stourport High School, the development on Land at Pearl Lane has also been submitted. The two development sites now coming forward are set to yield 20.8 pupils on average per year group. There are insufficient places to accommodate the number of pupils estimated from these developments. Current forecasts indicate pupil numbers will be lower than recently experienced however, it is anticipated that there will be pushback from neighbouring EPAs and there will be insufficient places to accommodate the forecast number of pupils.

Secondary Phase - The proposed development is likely to yield 12.6 pupils on average per year group in the secondary phase of education. The Stourport High and Sixth Form Centre has some capacity but not sufficient to admit the number of pupils likely to be generated from extant permissions and this development. The Stourport High and Sixth Form Centre is the only high school serving the EPA. There are currently 999 pupils on roll in Years 7 - 11 at The Stourport High School. The Academy Supplemental Funding Agreement dated 25th August 2016 sets out a capacity of 1,500 in the age range 11 – 18, including a sixth form of 250 places. Since this date the Local Authority agreed with the school to increase the published Admission Number to 254 with effect from 1st September 2019. The local authority has taken the capacity of 1,520 to be the limit on the number of children that can reasonably be admitted to the school. The school was rated as Requiring Improvement by Ofsted in November 2018. It is anticipated there will be migration between schools to account for demographic movement and parental preference. Current analysis indicates that The Stourport High is a net exporter of pupils. More pupils live in the catchment area than those attending The Stourport High who were on roll at a state funded high school. Of the 1,118 pupils, 68.8% attend the catchment area school, 10.6% attend The Bewdley School, 8.4% attend schools in Kidderminster, 8.6% attend other schools across the County and 3.6% attend The Chantry. 4 Astley Cross Triangle is situated in the Martley EPA and is in the catchment area of Astley CE Primary School. However, the site is adjacent to St Bartholomew's catchment area and 58 of the 94 pupils (61.7%) on roll at Astley CE Primary School reside in the Stourport EPA. Astley CE Primary School is currently operating above PAN 13. It is anticipated that the new development will displace families living in the Stourport EPA. Due to the high level of migration, further analysis of schools within the statutory walking distance has been

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undertaken. Reference has also been made to extant permissions and developments that will impact the area. Current extant windfall permissions are estimated to yield 2.1 secondary aged pupils on average per year group. Larger extant permissions on Land at Baldwin Road, Midland Plastics and Astley Cross Triangle are set to yield 9 secondary age pupils on average per year group. In addition, the Carpets of Worth site is estimated to yield 4.6 pupils per year group and the development of Land at Pearl Lane is estimated to yield 12.6 pupils on average per year group. These assessments exclude one bed dwellings. In addition, current practice seeks to maintain a 5% operational surplus in an Education Planning Area (EPA). The combined estimated pupil yield including the operational surplus equates to 46 pupil places. Current analysis shows there are currently 50.2 surplus places on average per year group in the related school. This is reduced by 12.7 operational surplus places, extant permissions deriving 11.1 pupil places and, the yet to be determined site deriving 4.6 pupil places, leaving a balance of 21.8 pupil places. In addition, to the proposed development site on Land to West of Pearl Lane, the development on Land at The Stourport High and Sixth Form Centre has also been submitted. The two development sites now coming forward are set to yield 16.6 pupils on average per year group. Number on roll at the school are expected to continue to fall over the next several years, despite rising numbers in secondary schools across the County. In September 2021 a forecast 188 pupils will enter the school out of 254 available places. This is largely driven by parental preference but alternative schools can currently accommodate these additional pupils.

SEND - Wyre Forest School opened on its present site in September 2015, offering 220 places from Reception to Year 13. A further 5 places were added in 2017. The school is situated on the Habberley Campus and occupies the site alongside St Johns Primary School and Baxter College. The school is a popular school and serves families across the district. Pupil numbers continue to grow, and additional accommodation is required to support pupil numbers. Special schools offer specialist education and they do not operate a capacity as with mainstream schools. Due to the nature of the provision there is an expectation that the premises have to offer flexible provision. Additionally, the school does not consistently accommodate a set number of pupils per class, the number can vary to meet the needs of the individual pupils requiring specialist provision. Analysis of pupils on roll as at October 2020, shows that of 273 pupils in Reception to Year 11, 191 live in the Wyre Forest area. This equates to 80.9% with a further 3.66% residing in Bromsgrove which is a substantive level of in area pupils attending specialist provision. With regards to Special Education Needs and Disabilities (SEND) provision, the proposed development is likely to yield 3 SEND primary school place and 2 SEND secondary school place. Analysis of pupil numbers indicates that there is insufficient capacity in the area to admit the number of pupils that are likely to be generated from the proposed development who require a place at a SEND school. The information set out above demonstrates that Wyre Forest School has insufficient capacity to absorb the additional children likely to be generated and that the development cannot be considered acceptable unless appropriate mitigation is put in place. Planning Obligations Sought In response to the planning application it is calculated that an education contribution towards Primary and SEND infrastructure would be sought. The assessment above has taken into account the level of surplus places and operational surplus. The level of places required as a result of this development is set out below. A deduction of 54 dwellings including 6 one bed dwellings, has been made to account for affordable/social rent.

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2.10 WFDC Countryside and Parks Manager – No objection subject to the following conditions:

- Landscape and Environmental Management Plan (LEMP) which includes a biodiversity net gain plan
- Biodiversity Construction Environment Management Plan (CEMP)
- The measures included in the dormice mitigation strategy are implemented under the supervision of a suitably experienced ecologist then after 5 years a report submitted to the LPA. Detailing actions and the results of monitoring to provide ecological confirmation and commentary that the mitigation being offered are delivering the described level of mitigation for dormice. If during the period additional mitigation is needed to achieve this status this will be implemented and detailed in this report.
- A post clearance work dormice search strategy is produced and implemented, for a minimum of one year, to ensure dormice do not become trapped in isolated areas of habitat on site.

The March 22 Dormice mitigation strategy has helped with a lot of my queries and with the provision of some conditions listed above, I feel that appropriate mitigation would be undertaken to minimise the harm to dormouse and ensure the conservation of this protected species.

The ecological report states that farmland birds will be impacted on, but the site is located with abundant habitat around to absorb any displacement. The increase in tree / hedgerow planting and wildflower rich grassland will add to quality of available habitat. The CEMP will need to pick up time of work to not impact on any species that might be nesting. The displacement of birds to adjacent habitat, I feel, has limits and cumulative impact on farmland birds needs to be considered, if additional applications come in the locality.

The hole in the hedge for access will need to be mitigated as it is going to be important from a dormouse connectivity perspective. Lighting around boundary's (and possibly the open space) is also going to be important as there are highly light phobic bat species using the development site for commuting and consideration of property and road orientation might be needed to ensure the effectiveness of the sites dark corridors. It would be good to see these included on a plan.

2.11 Severn Trent Water - No objection. It is advised that Severn Trent Water are happy to approve the proposed residential road with our 800mm DI Transmission pipe running underneath its full length. This has also been agreed in principle with Developer site Engineers, taking Risk Factors and site proposals into consideration. It is also noted that Severn Trent Water understand that the access rights to the said main would be Covered under the Water Industries Act 1991.

Waste Water comments - We have reviewed the Flood Risk Assessment, Revision F (DDS, Dec 2020) and Drainage strategy drawings submitted with this application and have the following comments to make. Severn Trent has been working alongside Kirsten Huizer at North Worcestershire Water Management to conduct a hydraulic modelling study investigating the existing surface water flooding risk predominantly related to overland flow routes across the proposed development site which has unfortunately resulted in flooding incidents to properties in the vicinity of the site. The modelling so far indicates that there are opportunities for positive surface water



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management on the proposed development site to contribute to reducing this risk providing that the site surface water strategy is carefully developed.

Para 4.6 of the FRA indicates a proposed cut off drain to capture overland flow from the west of the proposed site and direct into ground infiltration. We are supportive of this and would recommend that the land drain extends along the entire western boundary of the site. We would recommend that from modelling conducted to date that improvement to land drainage is also likely required at the north of the site to capture overland flow which is identified from the north based on modelling of existing flow paths. It is recommended that further modelling is conducted to ensure that the cut off drain is sized appropriately and works alongside the wider site drainage strategy.

Para 5.17 The Foul Water Strategy proposes a connection to Manhole SO79699501 on Redhouse Road. It is likely that foul sewer upgrades will be required in the downstream network and hydraulic modelling is required to better understand the risk and determine if network reinforcements are required. Severn Trent will conduct modelling of this site once surveys of integral assets in the downstream network have been completed.

Para 6.3 To determine the impact of a 5l/s connection into Manhole SO79698501 on the surface water sewer network, hydraulic modelling of the proposed surface water drainage strategy connection is required. This will be done alongside the foul sewer modelling Sewer Capacity Assessment.

We have reviewed the revised drainage strategy and have undertaken hydraulic modelling to test the impact on the receiving network. The hydraulic modelling shows a medium increase in flood risk to the downstream surface water network in a location of existing flood risk. We would note that the drainage strategy proposed has the potential to have a positive impact on the flood risk and we are supportive of the inclusion of drainage ditches to the west of the site to intercept overland flow from the fields to the west which contribute to the existing flood risk. We would recommend that from modelling conducted to date that improvement to land drainage is also likely required at the north of the site to capture overland flow which is identified from the north based on modelling of existing flow paths. We are supportive of the site surface water connecting to the south of the site rather than at the point of the existing surface water connection structure as this has potential to reduce existing flood risk to Pearl Lane.

Clean Water Comments - We have apparatus in the area of the planned development, the developer will need to contact Severn Trent Water, New Connections team to assess their proposed plans for diversion requirements.

- 2.12 NHS (CCG) – In its capacity as the primary healthcare commissioner, Herefordshire and Worcestershire CCG has identified that the development will give rise to a need for additional primary healthcare provision to mitigate impacts arising from the development. The capital required through developer contribution would form a proportion of the required funding for the provision of capacity to absorb the patient growth generated by this development. Herefordshire and Worcestershire CCG calculates the level of contribution required in this instance directly relating to the number of dwellings to be £125,235. Payment should be made before the development commences. Herefordshire and Worcestershire CCG therefore requests that this sum be secured through a planning obligation linked to any grant of planning permission, in the form of a Section 106 planning obligation.

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- 2.13 Worcestershire Regulatory Services (Air Quality) – No objection subject to conditions. It is advised that Worcestershire Regulatory Services (WRS) previously reviewed the report entitled ‘Air Quality Assessment: Ernleye Meadows, Stourport-on-Severn’ produced by Air Quality Consultants, dated December 2020, reference J3630A/1/F3, in relation to the proposed development. The report was generally found to be an appropriate air quality assessment in line with best practice and relevant guidance. The outcome of the report described the impacts at modelled receptors to be a largely ‘negligible’ impact with one receptor ‘slightly adverse’ (3% change) which equates to 1.1µg/m<sup>3</sup> increase and a highest concentration of 34.5µg/m<sup>3</sup> in 2022 with development scenario. WRS raised a number of points for clarification which have been answered by the further information provided. WRS are satisfied with the air quality assessment but consider that air quality mitigation measures (electrical vehicle charging points, low NOx boilers, secure cycle parking) should be incorporated as part of the development as referred to previously. This is to encourage the uptake of low emission modes of transport and to help alleviate pollution creep in the area. Please see the attached document for the recommended conditions.
- 2.14 Worcestershire Regulatory Services (Noise) – No objection as there are no noise sources of note such as railway lines, busy roads or commercial noise sources so the location for this proposal does not have these difficulties. In terms of the construction phase, there are a few isolated residents and the proposal extends to the edge of Stourport. There is the potential therefore for construction noise, dust and lighting to effect existing and proposed residents so I therefore recommend the following condition:  
A construction environmental management plan (CEMP) shall be submitted to and approved in writing by the Local Planning Authority prior to commencement of the development and also comply with the requirements of Worcestershire regulatory Services Code of Best Practice for demolition and Construction Sites 2nd Edition August 2020. Consideration shall be given to the impact that noise, vibration, dust and light will have on current and future residents. Applications for permit/variation of work patterns that deviate from general code requirements must be made and approved prior to commencement of activities by Worcestershire Regulatory Services
- 2.15 Worcestershire Regulatory Services (Contaminated Land) – No objection subject to conditions to require site investigation, remediation and validation report to be submitted for potential contaminated land and to require further works if unexpected contamination is found during the construction phase.
- 2.16 WCC Archaeologist – No objection subject to conditions. It is advised that the proposed development area has been subject to several phases of archaeological investigation comprising monitoring of the topsoil strip for the pipeline in the 1990s, various episodes of metal detecting, field-walking, geophysical survey and archaeological evaluation. The result is that we have a clear picture of the archaeological potential of the site. The southern three quarters of the site appears to be devoid of any archaeological potential. In the north of the site at the top of the slope there is an enclosure containing Romano-British activity. A probable boundary ditch was encountered in both the 1990s excavation and the 2019 evaluation, and picked up on the geophysical survey. This runs east-west across the site, marking the top of the slope. It contained Romano-British pottery and appears to denote the southern edge of the archaeological potential. To the north of this ditch, an aisled

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agricultural building was uncovered in the 1990s. Finds from the excavation and episodes of metal-detecting indicate that there is settlement activity close by.

The 2019 evaluation did not pick up extensive remains and there is no reason to object to this development on archaeological grounds. The development will, however, destroy known archaeology within the northern part of the site. Should the LPA be minded to grant permission for this development, then a programme of archaeological work should undertaken as a condition on the grant of consent to offset the harm caused by the loss of this heritage asset. This will consist of topsoil strip and excavation of the areas in the north highlighted as containing Romano-British occupation.

- 2.17 Sport England – No objection to this application, subject to securing a s106 contribution of £757,763 towards built sports facilities and playing pitch investment in line the comments above and subject to any comments provided by your Sport and Leisure Officer regarding local priorities for investment.

It is advised that the population of the proposed development is estimated to be 741 persons based on an occupancy rate of 2.24 people per dwelling. This additional population will generate additional demand for sports facilities. If this demand is not adequately met then it may place additional pressure on existing sports facilities, thereby creating deficiencies in facility provision. In accordance with the NPPF, Sport England seeks to ensure that the development meets any new sports facility needs arising as a result of the development.

The Council's Indoor and Built Sports Facility Strategy Assessment Report (BFS) sets out that taking into account the current supply of facilities and the current and future levels of demand it can be ascertained that Wyre Forest has a sufficient supply of sports halls to meet current and future demand levels. This is on the basis that there are good levels of availability within all sports halls across the area and that there are no reports of clubs and organisations not being able to access facilities. However, the current supply falls short in relation to quality, with the majority of sports halls being identified as below average or poor. This not only affects the quality of experience for community users, but also from an educational perspective. The BFS identifies that with only nine of the fifty-one badminton courts falling within the leisure contract (three of which are below average condition at Bewdley LC), Wyre Forest DC has relatively little control over access, availability and programming of the district's sports hall stock. Consequently there is a reliance on the education sector to deliver a large proportion of community use in what are for the large part below average quality sports halls. Stourport High School is the exception, containing a good quality four court sports hall. The strategy also comments that Bewdley Leisure Centre is a dual use leisure centre with a three court sports hall within the Council's leisure management contract. Built in 1990 the facility is now in a below average condition, but will be subject to some investment in 2017 to improve its quality. The centre provides a home to Bewdley Colts badminton club and contains a strong disability sport offer. With a view to sustaining curricular and community use in the long term, there may be an opportunity to remodel the redundant space in the centre's former youth facility in order to provide a health and fitness or group fitness activity space. In respect of swimming provision, the BFS states that the Wyre Forest district stock has undergone recent rationalisation with the closure of Wyre Forest Glades Leisure

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Centre and Stourport Sports Centre. These have been replaced by the new six lane, 25m pool and teaching pool at Wyre Forest Leisure Centre which opened in 2016. Informed by a Facilities Planning Model study, the new facility is strategically located to pick up demand from the main areas of population and there are several pools in neighbouring authorities within an accessible drive time of Wyre Forest residents. Wyre Forest Leisure Centre is nevertheless the only pool within the district which is of good quality and fully accessible for community use. The BFS identifies that elsewhere the remaining two swimming pools in Wyre Forest are both on school sites and, whilst providing a vital role in catering for club usage, both were built over fifty years ago and their quality ratings reflect this. King Charles I School is rated as below average, meanwhile Holy Trinity School did not provide access for a site visit. Club use is effectively the only community use at these sites with access gained on a key holder basis. Whilst these sites cannot be relied upon to deliver a broad programme of community use, it remains important that they are sustained in the long term to provide a 'buffer' in terms of capacity for swimming lessons and club training. The strategy also identifies several other investment priorities including opportunities to undertake facility investment at Stourport Sports Club, where there are several projects including re-surfacing the older hockey pitch, refurbishment of the athletics track, additional changing and car parking provision etc. Therefore, taking this evidence into account, Sport England would make the case that a section 106 contribution of £240,526 towards investment in Built and Indoor Sports Facilities should be sought from this development to be spent on locally agreed priorities in line with the BFS.

In respect of playing pitches, the Council's Playing Pitch Strategy (PPS) identifies that there are shortfalls of provision of some pitch types in some parts of the District, and notably this includes in Stourport, to meet quantitative needs for football (including the need for additional match sessions on grass pitches and additional 3G artificial grass pitches). There are also pitch quality issues at some sites. For rugby union, the priorities are to alleviate overplay and to improve the quality of pitches, particularly at club sites. With quantitative provision for cricket and hockey currently meeting demand, the PPS reports that there are opportunities to undertake qualitative improvements to existing facilities. The PPS identifies several opportunities for investment in playing pitches, including the provision of two 3G artificial grass pitches. There are several opportunities to improve the quality of provision in the Stourport area. I have set out below some detailed comments from some NGB's regarding current priorities for investment that should be considered. Therefore, Sport England considers that a case can be made for seeking a section 106 contribution from this development towards playing pitch investment, to be invested in line with the priorities in the PPS. Whilst the overall population figure is lower for the planning application compared to the figures provided previously in relation to the pre-application enquiry, the demand is much the same; equating to one playing pitch (rounded up to the nearest whole pitch), together with contributions towards changing room provision and pitch maintenance.

The costs for new provision are marginally lower, reflecting the lower population figure. PPC identifies a capital sum of £104,421 for the pitch provision, which could be invested in providing new pitches, or alternatively to invest in improving the quality of existing pitches to build additional playing capacity. I'm not sure what the Council would normally require in terms of a maintenance term, but if this was applied over a 15 year period (15 x £15,472), the PPC then generates a suggested maintenance sum of £232,080. A sum of £180,736 is identified to provide ancillary facilities for changing,

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so based upon the PPC calculation, the overall playing pitch contribution would be £517,237. This provides a basis to discuss this further with the developer. I would add that the PPC calculation is based on the team numbers identified in the 2017 Playing Pitch Strategy, so any growth in team numbers since that time (for instance due to growth in participation rates) has not been captured in the calculations presented here. Also, since the PPS does not include hockey membership numbers these could not be included. As a result, the findings most likely underplay the demand for some facilities, particularly for hockey. Nonetheless, this remains the most up to date teams data that is available, and provides a reasonable basis to negotiate a suitable developer contribution.

Whilst I note the masterplan includes an area of open space, it is noted that no on-site playing pitch provision is proposed. The provision of a single pitch within the development is not seen as a priority as this is unlikely to be attractive facility for local clubs to use. Sport England would therefore support proposals that made appropriate provision for off-site investment in playing pitches, in accordance with the priorities in the PPS, such as investing in the existing Sports Hub at Stourport.

NGB comments - Sport England has consulted Football Foundation, ECB, RFU and England Hockey on this application, the following comments have been received:

Football Foundation Comments - Priorities for football locally are as follows:

- Stourport Sports Club – changing provision and potential 3G
- White Wickets Sports Field – Grass Pitch Improvements
- Habberley Sport Field – Grass Pitch Improvements
- Far Forest Society Pavilion & Sports Ground – Grass Pitch Improvements

Please note that Worcestershire FA and the Football Foundation are also proactively working on a project at Wolverley High School in the District, to improve natural grass pitches and provide changing accommodation for school and community use. This is circa. 8 miles away but we know that stakeholders involved in the project are actively seeking partnership funding with a view to making an application to the Football Foundation during 2021.

England Hockey comments - The priority for Hockey in the area is Stourport Hockey Club situated close to the school site. There is extensive use of the site by the school which has led to the increased wear of the surfaces with one pitch in particular needing a resurface imminently. This has been acknowledged within the PPS.

ECB Comments - There are two clubs in the Stourport area of Wyre Forest and both in need of investment.

Whilst the RFU have not commented as yet on this application, I am aware from comments on other proposals that they report the following investment needs: Stourport RFC – changing room improvements and Chaddesley Corbett RFC – changing room improvements. More generally, club sites would benefit from investment in sports lighting and enhanced pitch drainage/maintenance.

Active Design - Having reviewed the site layout, I would comment that whilst the proposed development provides good opportunities for the provision of high quality routes for walking and cycling within the development itself, connectivity for walking and cycling to and from the existing neighbourhood is hampered by a lack of footways along Pearl Lane and Dunley Road. At the location of the proposed access point on Dunley Road there is a footway on the northern side of the road, albeit this is very

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narrow, and unlit, and there are a lack of crossing facilities for pedestrians. On Pearl Lane, there is no footway presently, though there would appear to be space to provide pedestrian facilities within the grassed verges. In the absence of suitably designed safe pedestrian footways in the vicinity of the accesses to the site, residents are more likely to rely on motorised transport rather than to undertake local journeys by active means of travel. It is therefore recommended that the developer be invited to make appropriate provision for investment in pedestrian footways in the vicinity of the site on Dunley Road and Pearl Lane, to ensure the development integrates with the surrounding network of facilities for walking and cycling to the east of the site. My only other comment would be that whilst there is a good network of linear open spaces for walking and cycling, there seems to be little space dedicated to other recreation activities, such as a kickabout space for informal sports and physical activity? Has this been considered.

2.18 WCC Landscape Advisor - I previously provided headline comments for landscape on this site under its Local Plan allocation reference. AKR/14:

“This site will be a significant encroachment into rural landscape. The relatively flat topography does offer some potential for visual mitigation, which will need to deliver effective screening from receptors located nearby in Dunley (includes the setting of Listed Buildings), New Barns Farm and Astley Cross. The suburban/rural transition will need open space provision and functional buffering of boundaries.”

This provides a context within which to assess the current application. I note the application proposes 331 units against the allocated 250, which is significant in terms of development density, infrastructure and the overall impact to the site and its setting. One such problem is how to treat the transition from peri-urban to open countryside and the setting of existing dispersed settlement and dwellings. The development will be an encroachment into a previously undeveloped field and rural setting association with dispersed and low-density settlements. The measure of impact therefore must be weighted in terms of impact to open countryside and should not be seen simply as an extension of existing suburban settlement to the east, and thereby considered to be in character. The higher proposed density, therefore, is a cause for concern at the southern part of the site where the development is in block form and hard up against the southern boundary hedgerow. This impacts on the setting of New Barns Farm: an historic farmstead that has barns converted into residential dwellings. I would expect to see a larger buffer and design that creates a more distinctive, lower-density character area. The western side of the development benefits from a wide landscape buffer, however, the transition from built to open space would benefit from an increased variation in density and form. The lack of this is perhaps a result of the increased number of units which has resulted in tightly clustered blocks of development that also lack variation in terms of distinct character areas within the context of the scheme.

This raises a related matter concerning the relationship between the urban blocks and site green infrastructure. I note from the submitted drawings that a boundary rail will be installed around each urban block, demarcating public and private space. While this may seem a relatively low-key feature, is this considered a necessary feature of site management? I believe the development would benefit from less obvious division so that households are more connected and integrated with the landscaping scheme, and will also help to deliver better permeability.

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In terms of the landscaping scheme, I believe it would be beneficial, given the magnitude of the scheme, for the applicant to draw together the Landscape Management Plan with ecological measures and mitigation in the form of a single Landscape and Ecological Management Plan (LEMP). Landscape and ecological matters cannot be approached in isolation of one another given the importance of delivering a high quality scheme and net gains for biodiversity. This relationship, with its constraints, opportunities and methods would, therefore, be more effectively articulated within the context of a LEMP.

In terms of visual impact, I am concerned with the three storey buildings proposed for north-eastern corner of the site that will occupy a relatively high elevation within the context of the site topography. The visual impact of this needs to be articulated more fully within the context of the site setting and visual envelope, and visual relationship with heritage assets where there may be a setting issue. The LVA would benefit from some revision to address this and other matters. The document notes: The bowl-like topography is a distinctive feature of the local landscape and the site area. The landform creates a sense of openness in the northern portion of the site on the plateau area (paragraph 3.11). There are design opportunities that arise from this, but also sensitivities that are material in the context of the rural landscape. Consideration of winter views has been included, but would be best demonstrated with a set of winter photographs that present an evidence-based comparison between summer and winter views. The report would benefit from additional viewpoints from Bank House Farm (a receptor that is both elevated and close to the site) and the top of the tower at St Bartholomew's Church (setting). I believe also the LVA would benefit from the inclusion of one or more visualisations that present winter representations of the scheme; in particular, a visualisation of skyline/rooflines from viewpoint 8.

The visual impact of rooflines and roofing materials are a particular issue in the context of longer-range views, where the effect can be quite monolithic. Materials need to reference local vernacular and avoid the use of roof cladding that is contrary to the colour palate evident throughout the setting, which is dominated by brown roof tiles and Welsh Slate on historic buildings. Not only should colours aim to integrate the development within the context of local settlement character, but also assist in muting the overall visual impact of particularly (although not exclusively) the rooflines when viewed against existing and new landscaping and the wider landscape setting.

The transition really needs to be based around a more dispersed and lower density morphology. Also, street trees provide a number of benefits, not least a layered softening of a development when it's viewed from an elevated location. I also thought there was now a movement away from cul-de-sac street design in master planning so that communities are more connected through active travel networks. This also supports permeable GI through a development. Given its rural setting I would expect to see this principle applied at Pearl Lane.

In conclusion, while I acknowledge this is an allocated site, I am concerned with the proposal to develop 331 units, which greatly exceeds the allocated threshold. The landscape into which the development will encroach is sparsely settled with a distinctive and largely intact historic rural character, and therefore, is at risk of harm resulting from higher density development. The scheme, as submitted, has merit in its outline landscape design principles, but there remains a number of issues concerning elements of the design, evidence base and management planning, as set out above, that would benefit from revision. I recommend these matters are addressed by the applicant before you determine the application.

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2.19 WCC Sustainability Officer - There is not a Sustainability Statement included in the DAS as required by Policy CP01 of the Wyre Forest Core Strategy. The application lacks full details on how the development will meet any of the sustainability-related measures and policies in the Wyre Forest Core Strategy. Climate Change The National Planning Policy Framework (NPPF) requires new development to be planned for in ways that avoid increased vulnerability to the range of impacts arising from climate change, and that help to reduce greenhouse gas emissions, such as through its location, orientation and design. The UK Climate Change Act 2008 sets the legally binding target for the UK to reduce carbon emissions to net zero by 2050. Improving the energy performance of new buildings will help contribute to the overall emissions reduction. It is not clear from the application documents exactly how the development has been designed to address climate change as part of Policy CP01 of the Wyre Forest Core Strategy. We would expect the resilience of the buildings in relation to future climate change to have been fully considered. Taking into consideration the projected changes in Worcestershire's climate, the following measures are suggested to ensure the buildings are able to cope and remain operational in the future:

- Wide gutters with emergency overflow points to provide for periods of sudden intense rain;
- Outdoor shading for buildings in summer, to make the space usable in hotter weather and to provide flexible shading to windows to reduce internal temperature increases expected from direct sunlight;
- The provision of green space allowing for recreational space, providing health and societal benefits and more natural cooling of built-up areas;
- Water butts to enable rainwater harvesting for outdoor use/planting and growing; and
- Consideration of green/sedum roofs to help to slow/decrease run-off during times of heavy rain.

Energy - The applicant's Energy Report refers to the emerging Local Plan, rather than the adopted Core Strategy. The emerging Local Plan policy CP24B would require developments to "incorporate the energy from renewable or low carbon sources equivalent to at least 10% of predicted energy requirements, unless it has been demonstrated that this would make development unviable." The adopted Core Strategy policy CP01 includes a similar requirement, stating that "A minimum of 10% of the energy requirements of major new developments should be met onsite from low or zero-carbon energy sources." The applicant's Energy Report states that "It is the wish of Barratt West Midlands to achieve this reduction through a fabric first approach". This would fail to comply with either policy, which explicitly require the provision of renewable energy. We welcome the applicant's commitment to improved energy efficiency. Improving the thermal performance of buildings, over and above Building Regulations, will support the affordability of living in the homes and the thermal comfort for residents. This could help reduce the risk of fuel poverty and ultimately benefit the residents' health through warm and healthy homes. However, the energy efficiency improvements should not be at the expense of renewable energy; it should be the starting point from which to calculate the 10% of renewable energy required under the adopted policy. If energy efficiency is improved, then the 10% figure will be also be easier to achieve. If the 10% renewable energy requirement



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cannot be met, evidence-based justification should be provided to demonstrate why this is the case. The Core Strategy states that all new development proposals within the District must demonstrate how they reduce their impact on the environment. The design, layout, siting, orientation, construction method and materials used should seek to maximise energy conservation and efficiency. With the exception of the specific measures set out in the Energy Report, it is not clear from the application documents how the proposed development will achieve this.

Water Efficiency - The UK Climate Change Risk Assessment 2017 identifies the risks of shortage in public water supply as one of the top climate risks where more action is required to improve resilience. The Wyre Forest Core Strategy identifies in Policy CP01 that new residential development should include water efficiency measures to a minimum level of 105 litres per person per day. It is not clear from the application documents how the proposed development will achieve this.

Electric Vehicle (EV) Charging - There is no mention of provision for electric vehicle charging in the new development, although we encountered error messages when trying to view both the Design & Access Statement and the Planning Statement at the time of this response, so we apologise if they contain this information. As the Government will end the sale of new petrol and diesel cars and vans by 2030, any new development needs to have the charging infrastructure in place for the expected increase in EV ownership. We would suggest EV charge points should be included in the development in line with guidance under Local Transport Plan 4 Policy TCC2 – Ultra Low Emission Vehicles.

Waste - Consideration should be given to the provision of compost bins to reduce the amount of food waste going into residual waste bins.

Natural Play Area - We support the provision of a natural play area, and would encourage the use of sustainably sourced materials in its construction and equipment

- 2.20 Worcestershire Wildlife Trust - I note that this site is allocated for 250 dwellings in the emerging Wyre Forest Local Plan and that the application is supported by significant ecological information. In particular, we note the findings and recommendations set out in the Ecological Assessment by Tyler Grange and the Biodiversity Impact Assessment by Harris Lamb. While some of the detailed species surveys are now out of date the October 2020 phase one updates mean that we believe the findings can still be considered valid in this case. Given that the site is allocated in the emerging Local Plan we do not wish to object to the principle of development here and we welcome the proposals for Green Infrastructure and biodiversity net gain. However, we are concerned that increasing the number of dwellings above that allocated in the emerging Local Plan may require further consideration in relation to the Conservation of Habitats and Species Regulations 2017. The applicant will need to obtain a European Protected Species Licence covering impacts on dormice and, as part of this process (noted at para. 4.70 of the Ecological Assessment), the council will need to consider whether the application demonstrates overriding public need for the development. It seems to us that 'need' is related to the objectively assessed housing requirement set out during the local plan process and so the number of dwellings proposed here may need further thought. Any reduction in housing numbers could free up additional space for Green Infrastructure and biodiversity enhancement to benefit dormice, potentially leading to a 'lesser impact' as referenced in the Ecological

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Assessment. Finding an appropriate housing number is beyond our area of expertise but we recommend that you seek further comments from Natural England on this matter prior to determination so that you have a clear steer on the likely success of a licence application when taking your decision.

Assuming that this technical issue can be effectively dealt with we would not wish to object to the proposed development. However, we would recommend that you append a series of conditions covering the following matters to any permission you may be otherwise minded to grant.

1. CEMP – to include protection for retained ecological features and prevention of pollution during construction, especially in relation to any direct harm, runoff, noise, extraneous light or dust risks to mature trees, hedgerows and offsite habitats. Timing of works to avoid nesting birds and method statements to minimise risk to other protected species will also be needed, along with relevant licences for dormice and other species as required.
2. Lighting – To ensure that the development, both during construction and once operational, does not cause harm to dormice, bats, or other nocturnal wildlife within, and commuting to and from, the site.
3. SUDS – to ensure that long-term drainage of the site does not cause harm to receiving waterbodies and to maximise the biodiversity benefits of the chosen drainage solutions.
4. LEMP – to include biodiversity enhancement in line with the application submissions and planning policy, together with long term management of that enhancement. This should include delivery of sufficient open space so as to limit recreational pressure on the nearby Site of Special Scientific Interest at Areley Wood.

Appropriate model wording for ecological conditions can be found in Annex D of BS42020:2013 Biodiversity – Code of practice for planning and development.

- 2.21 Design Out Crime Officer - No objection to this application. The only area I don't like is the parking courtyard. There is very limited surveillance over it which makes parked vehicles vulnerable. There also appears to be an easy escape route at the opposite end to the entrance. The design and access statement (Buildings For Life Paragraph 10.02) ' One rear parking courtyard is proposed on the site because of an existing site constraint'. I can't find details of what that site constraint is. I would like to know what it is and does it really mean that the only option is a parking courtyard, a design feature that has been shown to increase the opportunity for crime. There are some instances where alleyways have been used to give access to the rear gardens, where this is the case a communal gate is required near to the front building line, an example is the alley between plots 49 and 50 where a communal gate is required in the gap between the two front fences. I note that much use is made of 060m Knee rail. This can be used to sit on and be the source of complaints of anti-social behaviour. The design of the top rail should be such that it is uncomfortable to sit on.
- 2.22 WCC Minerals – Objects to the application on mineral safeguarding grounds and advises that the submitted Minerals Resource Assessment fails to satisfy the requirements of the emerging Main Modification Minerals Local Plan policy MLP 41. The following comments have been made:

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The emerging Minerals Local Plan is now at an advanced stage of preparation. The Inspectors' Report was received on 6th May 2022. The Inspectors' Report concludes that, provided the Main Modifications which they have recommended are made to it, the MLP provides an appropriate basis for the planning of minerals for Worcestershire and is sound. Depending on when the application is determined, and subject to consideration by WCC's Cabinet on 26 May and full Council on 14 July, the applicant and decision-makers should be aware that the MLP may have been adopted prior to the determination of the application. Even if the MLP is not adopted when the decision is made, relevant MLP policies may carry weight in accordance with paragraph 48 of the National Planning Policy Framework. While the emerging Minerals Local Plan has not yet been adopted as part of the development plan, Worcestershire County Council considers that complying with policy MLP 41 as set out in the proposed Main Modifications to the emerging Minerals Local Plan and the advice in the supporting reasoned justification would enable the applicant to demonstrate that the national policy requirement for minerals safeguarding has been addressed, and this will ensure that the application is in accordance with the Development Plan should the Minerals Local Plan be adopted prior to the application being determined. The adopted Wyre Forest Local Plan (2016-2036) states, in paragraphs 15.36 and 15.37, that the developers of this site should undertake a minerals resource assessment to inform design and to optimise opportunities for the partial extraction or incidental recovery of the underlying mineral resource either in advance of development taking place or in phases alongside it. These elements of the Wyre Forest Local Plan reflect the outcome of discussions between WCC and Wyre Forest District Council regarding this site allocation and show that WCC has already allowed for some element of sterilisation to be considered acceptable, such as to allow for slope stability and a suitable landform for subsequent development. How much of the mineral resource the proposed development would sterilise the mineral resource.

It is the role of the MRA to assess how much of the mineral resource the proposed development would sterilise, both within and beyond the development site boundary. No attempt has been made to assess the quantity of the mineral resource. The MRA should provide an evidence-based figure for the amount of mineral resources that would be sterilised. If deductions are needed to account for standoffs from built development or any other constraints, then the MRA should apply evidence-based assumptions for these to arrive at a more refined figure. Even when taking into account stand-off distances from existing residential development, there would be extensive areas of unconstrained resources that could be sterilised (including those resources that extend beyond the site boundary). There is no evidence to suggest that the entire site area is wholly constrained and consideration should be given to whether some extraction might be able to take place within the context of the disturbance and amenity impacts likely to be caused by the proposed development.

The MRA should apply the same stand-off distance that has been applied in relation to existing residential development to inform the calculations of tonnages of material that would potentially be sterilised by new sensitive receptors proposed in the development, including resources beyond the site boundary. This would satisfy the requirement in policy MLP 41 to assess the potential impact "on sterilising mineral resources, both within and beyond the boundary of the proposed development". The applicant should note that the requirement regarding resources beyond the site boundary is now included in the policy wording of part (c)(iii) of policy MLP 41, but was

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not included in the former policy MLP 31 of the emerging MLP at Publication stage. As drafted, the MRA does not quantify the resource and fails to consider the impact on resources beyond the site boundary. The potential economic value of the mineral resource in terms of its type, depth, quality and extent and its potential for use in relation to standard specifications Paragraph 1.3 of the MRA states that “The site is located in a proposed Mineral Safeguarding Area for solid sand resources that has been identified by Worcestershire County Council, which is the local Mineral Planning Authority (MPA). In these circumstances, evidence is required in order to determine whether or not the minerals involved are of economic or potential value, or can be extracted prior to development or that the mineral is unlikely to be needed in the timescale of the proposed development.” Whether or not the mineral resources are likely to be needed in the timescale of the proposed development is not a definitive factor in safeguarding. The MLP is clear that “A lack of current interest from mineral operators to work the mineral resource will not be considered to be sufficient evidence that the resource is not of economic value for the future.”<sup>2</sup> Paragraph 4.34 of the MPA/POS guidance<sup>3</sup> states that “It must be borne in mind that safeguarding is about the long-term conservation of finite resources, and so current economic value and viability is only one consideration.” Paragraph 3.6 of the MRA refers to the wording of former draft policy MLP 31 of the MLP, concerning the economic value of the mineral resource.

The applicant should note that, under proposed Main Modifications to the MLP, the text of policy MLP 41 no longer refers to the economic value. The relevant part of policy MLP 41 now states that “Where the extraction and/or mitigation measures proposed are not considered sufficient, the potential for sterilisation of mineral resources will be weighed against the merits of the proposed non-mineral development and the proposed non-mineral development may be refused.” Paragraph 3.8 of the MRA states that “Solid sand resources usually require crushing prior to screening, and so they are typically larger workings.” Paragraph 2.41 of WCC’s ‘Sand and Gravel in Worcestershire’ background document states that “Solid sand deposits are usually worked dry, and may include a crushing stage prior to screening.” (our emphasis). Other workings, 2 Worcestershire Minerals Local Plan Main Modifications, paragraph 7.26. 3 Mineral Products Association and Planning Officers’ Society (April 2019) Minerals Safeguarding Practice Guidance boreholes and academic studies within the Wildmoor Sandstone formation have found that the resource is weakly cemented with a fine grain size. As such, large parts of this resource where these characteristics are met may not require crushing. The MRA should provide further evidence to confirm this. Paragraph 4.2 of the MRA states that “The Wildmoor Sandstone Member outcrops extensively across Worcestershire and is not in demand.” WCC disagrees with this conclusion. Demand for sand and gravel in the local area is set to remain high; the proposed development alone is for 331 dwellings and associated infrastructure, and the Wyre Forest District Local Plan provides for 5,520 dwellings, 487 institutional/care home bed spaces, and 29 hectares of employment land between 2016-2036. All of this development will require mineral resources. The emerging Minerals Local Plan policy MLP 14: Scale of Sand and Gravel Provision (which includes both terrace and glacial sand & gravel and solid sands) sets out that “The baseline production guideline for sand and gravel (as calculated in the “Worcestershire Local Aggregate Assessment (using data up to December 2017) is at least 0.572 million tonnes per year” and that “This means that the scale of provision required over the life of the plan is at least 14.872 million tonnes”.

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Paragraph 4.3 of the MRA states that “It is clear that solid sand mineral resources at the site do not represent an economically viable source of sandstone because of indirect sterilisation by residential development to the east and south. If the site were to be worked, then a 100m wide buffer zone around existing residential development would be needed to protect the amenity of occupiers, as shown on the attached drawing ST18724-001. A buffer zone of that size would cover almost half of the proposed development site.” If the MRA’s assumptions as to the 100m buffer around residential development are reasonable, then the drawing demonstrates that the majority of the site would not be constrained by existing residential development. Furthermore, WCC’s online minerals mapping suggests that the mineral resource extends beyond the site to the north, west and south. Much of the resource beyond the site would not be subject to the 100m buffer from residential development, as it is beneath more sparsely populated areas, but could be at risk from sterilisation by this development. Paragraph 4.4 of the MRA states that “Furthermore, processing of solid sand resources within the site boundary would require significant processing infrastructure (dry screening etc.). The site’s small size and proximity to residential development would make it unsuitable for such a plant.” There is no evidence to demonstrate that, should any minerals be extracted, they would need to be processed within the site boundary.

The off-site processing of mineral resources is an established feature of the minerals industry. Paragraph 4.5 of the MRA states that “Extraction of sandstone within the site boundary as part of a larger project would not be feasible as a result of its proximity to residential development and the lack of demand for solid sand resources in the region. The site is also bounded by roads to the north, east and south of the site, These constraints prevent the site from being worked as part of the larger overall formation.” As we have noted elsewhere, there is no evidence of a lack of demand for solid sand resources. The roads would not significantly restrict minerals extraction in the wider area. WCC request that the MRA is revised to properly address the requirements of policy MLP 41, paying particular attention to the steps in paragraphs 7.15–7.26 of the policy’s reasoned justification. Whilst discussions between WFDC and WCC in the development of the Wyre Forest Local Plan concluded that some element of sterilisation may be considered acceptable for this site, such as to allow for slope stability and a suitable landform for subsequent development, the MRA should follow the sequential approach set out in policy MLP 41 to determine how sterilisation of mineral resources could be avoided or minimised through partial or incidental extraction of the resource, including consideration of the extent of any extraction and/or mitigation measures necessary and the implications of these (such as for the phasing, design and layout of the proposed development) to demonstrate that proper consideration has been given to mineral safeguarding. The Local Planning Authority, in consultation with the Mineral Planning Authority, will then be able to properly consider whether any extraction and/or mitigation measures proposed are sufficient to address the potential for sterilisation of the mineral resource and therefore whether the proposed development should be permitted.

## 2.23 Neighbour/Site Notice Representations

240 objections have been received from nearby occupiers and the concerns can be summarised as follows:

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- The current infrastructure cannot cope with developments of this size
- Schools will struggle to cope with extra pupils
- Encroachment of the Green Belt, which conflicts with Government Policy
- Higher pollution levels - lead to a new Air Quality Management Area being declared in the centre of the town
- This site will be an eyesore on the local countryside
- Huge increase in traffic using Stourport High Street which can sometimes be horrendous
- Too high when combined with the proposals on the nearby Malvern District area
- The village of Areley Kings cannot sustain such a big development
- Already can take 20 - 30 minutes to travel by car from Pearl Lane and through Stourport – there is the potential for at least another 600 cars on the roads
- Car parking at the Londis store is minimal – at peak times the road is congested by cars parked on the roadside
- Increase traffic congestion
- Will increase the danger of road accidents
- Fields regularly flood over. Washes over Pearl Lane into the gardens (& sometimes inside) surrounding homes. The fields act as a sponge, any building on the field would impede soil permeability, making flooding worse.
- Services are currently stretched – Schools, doctors surgeries, dentists, etc will struggle to accommodate the new residents
- Will have a major impact on wildlife, flora and fauna, well-being, air quality, etc.
- Already treated as a cut through to Bewdley – speeds & noise is alarming
- Extra traffic with new doctors surgery and cutting through Cotswold & Abberley Avenue to access local shop/chemist – Traffic from Astley through Stourport over the bridge is often a nightmare
- Public transport is not adequate as this is a small rural village – ceasing around 20.00 hours
- The wear and tear on the bridge around 100 years old
- "hidden population" present in Stourport – large percentage of the residents live on caravan sites/holiday parks up to 11 months of the year but will not appear on any population survey. Are they taken into consideration when statistics are compiled?
- Site of archaeological importance, rumoured to contain traces of a Roman Settlement - is in the buffer protection zone for Areley Wood Site of Special Scientific Interest (SSSI)
- Harm wildlife, such as buzzards, badgers, bats
- Field opposite (when proposing the Vodafone phone mast) was found to be part of an area of outstanding natural beauty
- Known drainage issues
- Water pressure is already poor in area
- Sewerage
- Will encroach significantly into the green belt area
- Prevents the village of Dunley becoming an urban dormitory extension of Stourport, losing its historic character and impinging on the conservation area around Dunley Hall
- Good quality farmland – should be retained for future food production

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- The proposed 3 storey block is completely out of character and will create more problems than it will solve
- Everybody needs space and direct access to their own private outdoor area
- The majority of proposed affordable housing is grouped in the corner of the site, at the junction of Pearl Lane and Dunley Road, which is the least attractive area for such a high density of people in terms of noise and traffic pollution
- Dangerous cycling along Pearl Lane and A451 Dunley Road
- Field used by walkers for quality of life
- There are few jobs in the Areley Kings vicinity
- Insufficient capacity in the local telecoms and mobile device infrastructure
- Not in keeping with the surrounding area
- Will plummet the prices of surrounding homes
- Geophysical & Biodiversity reports, being partly "desk based", do not reflect the whole picture
- No colleges/no railway services for miles
- Grade 2 Very Good Quality Agricultural land
- The trees will not hide a 3-storey building on a plot higher than the adjacent bungalows
- Parking arrangements are impractical
- Already a total of 1,957 dwellings - well over the 1,302 dwellings required. The Pearl Lane site is therefore not required
- The transport assessment impact (18333-05) seems fundamentally flawed and incorrect
- Loss of much used footpaths
- Loss of village space in Astley Cross
- Bring antisocial behaviour and littering
- It will not encourage 1st time buyers as so quoted in political circles
- The quality of our lifestyles, not just for present, but future generations, will be greatly affected.
- It will put our Community Charges up to cover this
- Inaccurate bus route – has never been as marked
- Further reduces the likelihood of walking or cycling into Stourport
- Our carbon footprint will increase
- Try looking at current empty properties first
- Additional housing should be concentrated on brownfield sites - Parsons Chain, Chichester Caravans, around Tesco
- Should consider brownfield sites first and building opportunities on derelict waste land/ industrial estates in town
- Plenty of land available on the East side of the river – old TP toys and vinegar works
- Should be considering change of use of unoccupied shops and premises to town houses
- Air and Noise pollution
- Loss of biodiversity, animal habitat, pools
- Site is allocated for 250 homes not 331
- Loss of people's enjoyment and scenic views of the countryside

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- The development is not required for WFD housing needs
- Development will affect the adjacent SSSI sites
- Lack of a full ecology assessment
- Lack of jobs
- Development will cause a loss of the Historical Character of this site
- Travel Plan will not be effective given the long walking distance from the site to town
- Poor public transport provision/ no rail connection

*[Officer comments – The application site does not fall within the Green Belt]*

42 nearby occupiers have expressed support to the application and made the following comments:

- Will not affect anyone in the surrounding area
- Provide much needed housing for the younger generation and first time buyers and help people get on the property ladder
- Allow people to buy a home close to their existing family
- Reduce the stress of having to renovate an older property
- Good place to add some houses
- It is a perfect setting to be able to bring a family up
- New people will help to revitalise an ailing and ageing Areley Kings and Stourport population
- Application has been submitted with all the necessary investigations and test and therefore no reason to oppose this application
- Support many businesses in Stourport and Bewdley and would bring lots of trade for these dying towns
- Provide housing for our children and future generations
- Inject prosperity into the town and its amenities
- Increase contributions to council tax to WFDC
- Allows people to enjoy a partly rural lifestyle
- Provide investment to local schools
- Immediate financial contributions under section 106
- Places children of high school age in the catchment of Chantry High School
- It helps peoples living situations and opens up a broader place of living
- Development will help provide more affordable housing to Stourport, which is much needed
- A new house will also offer us the flexibility and reduce the worry of having to renovate an older property
- The wildlife will be as happy as the new residents with all the landscaping and gardens
- Traffic not an issue
- Impact on ecology and local infrastructure will be short lived and they will recover
- Wildlife will be in more abundance than with intensively farmed fields
- Development will make this a pleasure to be part of the green spaces and proposed pools, which will help with mental wellbeing
- Footpaths are kept to keep everyone happy



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1 neutral comment has been received from a local occupier stating that Areley Kings is already highly populated in comparison to traffic control and until the Council improves the traffic congestion and queuing over the bridge no more houses should be built on this side of the river.

### 3.0 Site Location and Description

- 3.1 The application site comprises 15.07 hectares located to the south of Dunley Road (A451) and west of Pearl Lane (A4194), adjacent to the suburb of Astley Cross on the edge of Stourport-on-Severn. The site is relatively flat, sloping down gently from the north-west corner to the south-east corner by approximately 18 metres (54.20m AOD to 36.30m AOD). It is predominantly agricultural land and is bisected by a public right of way which runs across the central part of the site east to west. The southern, eastern and northern boundaries consist of a 10-metre-wide mature tree belt and hedgerows. The western boundary is formed partly by a hedgerow and scattered trees, with agricultural land to the west. There are four mature trees within the application site, none of which are subject to a tree protection order. The site is wholly located within Flood Zone 1 although it is known that the southeast corner of the site acts as a floodplain in heavy rainfall. There is also a culverted watercourse that runs through the site in a west to east direction and the Blackstone to Astley aqueduct which runs north/south through the site. The site currently has a gated vehicular access off Pearl Lane.
- 3.2 The nearest residential properties are located immediately to the south of the site which includes residential barn conversions (known as New Barns Farm). To the east of the site, on the opposite side of Pearl Lane, is a residential area and there are further residential properties located to the north-west of the site, on the opposite side of Dunley Road. The site is adjoined by open countryside to the west and the town centre of Stourport-on-Severn lies approximately 4km from the site.
- 3.3 The application site is allocated for residential development under site allocation policy SA.S4 of the Wyre Forest District Local Plan.
- 3.4 This application seeks full planning permission for the erection of 329 dwellings (originally the application sought 331 dwellings), including 82 affordable dwellings (53 social rent and 29 shared ownership) and 8 custom build plots. Two vehicular access points are proposed with one from Pearl Lane and the second from Dunley Road and additional cycle access would be provided to access the site from Pearl Lane together with a new uncontrolled pedestrian crossing to link with existing pedestrian/cycleway provision on Cotswold Avenue. A bus lay-by is also proposed on Pearl Lane.
- 3.5 The proposals would provide 10 one-bed, 87 two-bed, 122 three-bed and 111 four-bed dwellings which would be mostly provided in two-storey detached, semi-detached and terrace properties with a small number of two-and-half-storey properties and a three-storey block of apartments. The dwellings would include traditional features with a combination of render and brickwork as materials to add character. The proposed site layout would include houses facing out towards the tree belt edge of the site, the open countryside to the west, the attenuation basins, children's play area and the internal roads to provide an attractive outlook and well overlooked streets and public spaces.

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The residential plots would be arranged in perimeter blocks to ensure all rear gardens are enclosed to provide private amenity space and all dwellings would have direct access to the internal roads. A series of cul-de-sac streets are proposed, and a primary spinal road would be provided over the existing aqueduct. The spinal road has been severed by bollards at the point where the Public Right of Way crosses the road and where it is intended to divert the existing culverted watercourse. The bollards would be demountable to allow emergency access. All properties would have on-plot car parking spaces and cycle storage provision in accordance with the adopted Streetscape Design Guide.

- 3.6 The gross site area measures 15.07 hectares and the net developable area would be 8.88 hectares which would provide an overall density of 37.1 dwellings per net hectare. The remaining site area (5.93 hectares (39.3%)) would be provided as green and blue infrastructure (comprising SUDS; a children’s natural play area; recreational footpaths and cycleways; and retention of the tree belt and public right of way) and 0.25 hectares would be used for ancillary infrastructure.
- 3.7 The application has been accompanied by the following statements: Planning Statement, Statement of Community Involvement, Design and Access Statement including Building For Life (Part 2), New Farm Barns Heritage Statement, Transport Assessment, Travel Plan, Landscape and Visual Impact Assessment, Ecological Assessment, Biodiversity Impact Statement, Biodiversity Metric 2.0 Calculation Tool, Arboricultural Assessment, Landscape Management Plan, Minerals Resource Assessment, Flood Risk Assessment, Drainage Strategy, Dormouse Survey, Dormouse Mitigation Strategy, A Stage 1 Road Safety Audit (RSA), Air Quality Assessment, Environmental Noise Assessment, Geophysical Survey, Energy Report, Education Report, Archaeological Evaluation and Air Quality Assessment
- 3.8 The proposal has been screened in accordance with the Town and Country Planning (Environmental Impact Assessment) Regulations 2017 (the ‘Regulations’). Having regard to the Regulations and the Planning Practice Guidance, it was concluded that the proposal would not constitute development for which a full environmental impact assessment would be required.

#### **4.0 Officer Comments**

4.1 The main considerations for this application are:

- Principle of development
- Impact on Landscape Character
- Impact on Heritage Assets
- Density, Design and Proposed Residential Environment
- Flood Risk and Drainage
- Highway Safety and Access
- Biodiversity and Trees
- Other Matters
- Planning Balance

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- Planning Obligations

POLICY CONTEXT AND PRINCIPLE OF DEVELOPMENT

- 4.2 The National Planning Policy Framework (the ‘Framework’) 2021 sets out the Government’s planning policies for England and how these should be applied (para. 1) and is a material consideration in planning decisions (para. 2). It states that the purpose of the planning system is to contribute to the achievement of sustainable development (para. 7). So that sustainable development is pursued in a positive way at the heart of the Framework is a presumption in favour of sustainable development (paras. 10-11). It states that decision makers at every level should seek to approve applications for sustainable development where possible (para. 38). It also states that the planning system should be genuinely plan-led (para. 15). The Framework seeks to significantly boost the supply of housing (para. 60) and also requires the housing needs of different groups in the community including those seeking affordable housing to be addressed and people wishing to commission or build their own homes (para. 62).
- 4.3 The Framework sets national policies on the following issues which are relevant to this planning application:
- Achieving sustainable development (paras. 7, 8, 10, 11, 12)
  - Decision making (paras. 38, 39, 40, 41, 43, 47, 48, 54, 55, 56, 57, 58)
  - Delivering a sufficient supply of homes (paras. 60, 65)
  - Promoting healthy and safe communities (paras. 92, 93, 95, 96)
  - Promoting sustainable transport (paras. 110, 111, 112)
  - Achieving appropriate densities (paras. 124, 125)
  - Achieving well designed places (paras. 126-132)
  - Meeting the challenge of climate change (paras. 152, 154-157)
  - Planning and flood risk (paras. 159-169)
  - Conserving and enhancing the natural environment (including landscape character paras. 174b, biodiversity paras. 174d and 179-181, ground conditions and noise paras. 183-185)
  - Conserving and enhancing the historic environment (paras. 194-208)
  - Facilitating the sustainable use of minerals (paras. 209, 213-214)
  -
- 4.4 The Development Plan for Wyre Forest comprises the Wyre Forest District Local Plan, which was adopted in April 2022 and is supplemented by supplementary planning documents, these include the Planning Obligations SPD, Affordable Housing SPD and Design Guidance SPD.
- 4.5 Local Plan Policy SP.1 sets out the spatial development strategy for the plan period (up to 2036) and advises that the growth aspirations for the district will largely be directed towards the most sustainable larger settlements including Stourport-on-Severn as these are considered to be the best locations for delivering supporting infrastructure as well as active and sustainable travel choices. Policy SP.1 states that the Council will make provision for at least 5,520 additional homes in the period from 2016-2036, including a minimum of 1,155 homes in Stourport-on-Severn.

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- 4.6 Policy SP.5 advises that Stourport-on-Severn is expected to make an important contribution to meeting the District's requirements for new homes. The focus will be on existing brownfield sites within the urban area and sustainable, suitable greenfield sites such as the site at Pearl Lane (Site Allocation Policy SA.S4).
- 4.7 As the site has been allocated for housing under Policy SA.A4, the principle of development in terms of location and land use has been fully accepted by the Council.
- 4.8 In terms of the amount of development, it is noted that the proposed development for 329 dwellings exceeds the indicative capacity of 250 dwellings for this site allocation as set out in Policy SA.A4. However, it was acknowledged by the Inspector in her final report '*... that the indicative capacity of the site may be exceeded in certain circumstances.*' In addition, Policy SP.1 of the Local Plan provides the minimum number of dwellings required over the plan period and does not specify a maximum number. A higher number of dwellings can therefore be accepted, subject to further site specific considerations, in line with Paragraph 60 of the Framework which requires support to be given to the Government's objective of significantly boosting the supply of homes.
- 4.9 The site allocation policy sets out the following requirements for development on this site:
- i. Access should be taken from Dunley Road and Pearl Lane
  - ii. Additional boundary tree planting should be provided along the northern, western and southern boundaries in particular to mitigate the impact on the rural landscape and screen the development from the A451 and Redhouse Lane
  - iii. The design, layout and landscaping of the development should be sympathetic to the setting of the historic buildings in Dunley, especially Dunley Hall
  - iv. The proposed development should be informed by a full impact assessment on any below ground archaeological assets which should be included as part of a Heritage Statement at the planning application stage
  - v. The development scheme should take into account the Blackstone to Astley Aqueduct which runs north to south through the site
  - vi. The public footpath alongside the culverted watercourse should be further buffered from development to maintain the views out into the wider rural landscape
  - vii. No additional discharge must be made from the development as there are issues of surface water flooding on the estate opposite. This should be dealt with on site by SuDS and integrated into the wider green infrastructure provision.
- 4.10 I therefore consider that the principle of development, in terms of location, land use and amount of development is acceptable subject to whether the development would accord with the site-specific requirements set out in the above paragraph and all other relevant policies contained within the Development Plan.

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## IMPACT ON LANDSCAPE CHARACTER

- 4.11 Policy SP.22 of the Local Plan states that new development must protect and where possible enhance the unique character of the landscaping including individual settlements or hamlets located within it. Opportunities for landscape gain will be sought alongside all new development, in order that landscape character is strengthened and enhanced. The Framework in Paragraph 174 also states that planning decisions should contribute to and enhance the natural environment by recognising the intrinsic character and beauty of the countryside. Policy DM.24 of the Local Plan also states that Development at the urban edges should respect the rural setting.
- 4.12 The application site relates to two arable fields which slope gently from northwest to southeast and are bounded to the south, east and north by a linear mature tree belt and hedgerows. There are also scattered hedgerows and trees along the Public Right of Way that traverses through the site in a east to west direction and a small section of hedgerow in the southern part of the western boundary. The Landscape Character Assessment for Worcestershire identifies the site as falling within landscape character type 'Sandstone Estatelands'. Key characteristics of the area are described as gently rolling lowland topography, small to medium scale field patterns with tree cover comprising thinly scattered hedgerow and streamside trees. It is noted in the Supplementary Guidance for this character type that the area has already experienced localised high impact of urban development at Arley Kings and Astley.
- 4.13 The Inspectorate in their final report to the main modifications of the Local Plan review advised that the *"The rural character of the site contributes to the setting of Areley Kings. However, it is well-contained and screened from the adjoining roads by trees and hedgerows. On the balance of all the evidence, high-quality development of the site in accordance with the Plan's requirements is likely to mitigate satisfactorily any harmful impacts on the character and appearance of the area."*
- 4.14 The proposed development has followed a sensitive design approach which has been landscaped led and this is shown by the inclusion of a wide landscape buffer along the western margin of the site as well as a number of green corridors that run through the site. The taller buildings (at a height of 2.5 and 3 storey) have also been grouped together and located in the north-east corner of the site close to the existing housing development and away from the open countryside to the west of the site.
- 4.15 Amendments have been made to the landscaping provision and plot arrangements to address the WCC Landscape Advisor comments which has included additional tree planting and improvements to the layout and plot arrangement in the southern part of the site to help soften the proposed development adjacent to New Barns Farm and to address the concerns raised by the WCC Landscape Officer. Amendments have also been made to the boundary treatment to show a reduction in the amount of knee-high railing to retain openness and reduce the physical barrier between residential homes and open space to help integrate the proposed housing development into this semi-rural environment.
- 4.16 The site is well-contained by the existing 10-metre wide tree belt that extends the full length of the southern, eastern and northern boundaries of the site, which would be retained and enhanced with additional tree planting. The proposed development would

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comprise permeable green infrastructure throughout the site to help integrate the development into its surrounding rural landscape. Of the green infrastructure, 2.1 hectares of the existing woodland would be retained along with its adjoining hedgerows. Only a small area (approximately 0.1 hectares) of this woodland and hedgerow would be removed to facilitate road and cycle access into the site. The small areas of hedgerow to be removed and the woodland strip that requires removal have been compensated for by extensive new hedgerow planting and tree planting. The additional hedgerow planting would extend the full length of the western boundary where there currently is none, and thus, enhancing the key characteristics of this landscape character area (Sandstone Estatelands) and the additional boundary tree planting would accord with one of the site allocation requirements (Policy SA.S4(ii)) to mitigate the impact on the rural landscape, screen the development from Dunley Road (A451) and Redhouse Lane.

- 4.17 Overall, the proposed housing development would inevitably lead to moderate visual harm to the landscape character given that the site currently comprises open agricultural fields, however, the provision of an extensive landscaping buffer to the western boundary, together with additional tree planting across the site and clustering of the taller buildings in the north-eastern part of the site, away from the adjoining open countryside, would minimise the visual impact and on balance, the development would be acceptable in terms of its impact on landscape character. The development therefore accords with Policies SP.22 and DM.24 of the Local Plan and Paragraph 174 of the Framework.

#### IMPACT ON HERITAGE ASSETS

- 4.18 There is a statutory requirement on decision makers to have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses, as set out in sections 16 and 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990. In respect of the Development Plan requirements, Policy DM.23 of the Local Plan refers to 'Safeguarding the Historic Environment' and notes that *'Development proposals should avoid harm to or loss of heritage assets wherever possible' the highest level of harm should require very robust justification, including the demonstrable consideration of alternatives. Substantial harm to a designated heritage asset should only be allowed in exceptional circumstances'*.
- 4.19 The application site has been recorded as a Site of Roman Building on the County's Historic Environment Record and it is noted in the Wyre Forest District's Heritage Assessment 2019 that the significance of this non-designated heritage assets is because *'There are very few Roman agricultural sites in the county and in particular there is little evidence for aisled buildings in the West Midlands, hence the site has high historic value and evidential value, overall significance is high'*. The applicant commenced archaeological site work in July/August 2021 under the agreement of WCC Archaeologist where archaeology remains were found and it has been agreed with the applicant that further phase of works would be required and that an Archaeological Interpretation Board shall be provided as this would be a clear public benefit in sharing the heritage on the site with this and future generations.

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- 4.20 I note that an objection has been raised by the Conservation Officer on the grounds that insufficient evidence has been submitted to demonstrate that the development would not result in harm to heritage assets and in particular raises concern that no photomontages of the development have been submitted to demonstrate the degree of harm that the 3-storey building located in the northeast corner would have on the setting of the Grade II\* St Bartholomew Areley Kings Church. I acknowledge that the application site, consisting of open arable fields, makes a positive contribution to the wider rural setting of several heritage assets including St Bartholomew Areley Kings Church and that the significance of these heritage assets is partly derived from their rural setting.
- 4.21 St Bartholomew Areley Kings Church lies 500 metres northeast of the application site and it is understood that only views to and from the Church would be gained from the church tower and would be over rooftops of existing houses in Areley Kings. The applicant has made an attempt to reduce the visual prominence of the development on wider views by amending the scheme to have 2.5 storey buildings located in the northeast corner and the 3 storey building located further to the west along the Dunley Road frontage. Given the separation distance and the amendments made, I consider that the development would result in less than substantial harm on the setting of St Bartholomew Areley Kings Church.
- 4.22 With regards to the impact on other nearby heritage assets, it is noted that Grade II listed Dunley Hall lies 570 metres northwest of the site, Grade II listed Tudor Rose Cottage lies to the northwest of the site on the opposite side of Dunley Road and locally listed New Barns Farm lies immediately to the south of the site. The Wyre Forest District's Heritage Assessment 2019 advised that effective screening from receptors located nearby in Dunley, New Barns and Astley Cross together with a suburban/rural transition with open space provision and functional buffering of boundaries would mitigate and overcome the harm arising from the proposed development on the significance of nearby heritage assets. As the development includes open space along the western edge, additional boundary planting and retention of the dense tree belt, I agree with the Conservation Officer that the development would have a negligible impact on these nearby heritage assets.
- 4.23 Overall, the setting of a listed building benefits from protection and any harm to the setting of a listed building would fail to accord with both local and national planning policy as it would not conserve and enhance the significance of the heritage asset. I agree with the Conservation Officer that the proposed development would result in harm to the wider rural setting of the Grade II listed St Bartholomew Areley Kings Church and that the proposals would lead to less than substantial harm to the significance of this designated heritage asset.
- 4.24 Paragraph 202 of the Framework 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, where appropriate, securing its optimum viable use. The development would deliver a range of benefits including additional market and affordable housing, biodiversity net gain, a new children's play area and recreational walkways and a number of economic benefits would also arise from the development including investment in construction and related employment and expenditure by future residents in the local area. I

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consider that the overwhelming public benefits from this development would outweigh the less than substantial harm to the Grade II listed St Bartholomew Areley Kings Church. The Development therefore would accord with Policy DM.23 of the Local Plan and the Framework.

#### DENSITY, DESIGN AND PROPOSED RESIDENTIAL ENVIRONMENT

- 4.25 The site area measures 15.07 hectares and based on a net developable area (8.88 hectares) the density would equate to 37.1 dwellings per hectare. Policy SP.9 'Housing Density and Mix' anticipates new greenfield developments to have a minimum density of 35 dwellings per hectare and Policy SP.28 requires 40% green infrastructure on greenfield sites over 1 hectare. I therefore consider that the proposed development fully accords with the suggested density set out in the Policy SP.9 and would only be marginally short of the green infrastructure requirement set out in Policy SP.28.
- 4.26 Policy DM.24 of the Local Plan states that all development will be expected to be of a high design quality. It will need to integrate effectively with its surroundings, in terms of form and function, reinforce local distinctiveness and conserve, and where appropriate, enhance cultural and heritage assets, landmarks and their settings. The design objectives of the Local Plan are reflected in the Framework, which also requires high quality, beautiful and sustainable buildings and places and developments that are sympathetic to local character and history (paragraphs 126 and 130).
- 4.27 The design and external appearance of the houses being selected from Barratt Homes and David Wilson Homes portfolio, would provide variety, visual interest and well-designed houses. The proposed building and hard-surfacing materials, boundary treatment and layout of roads would also ensure the development creates a distinctive place and provides memorable streets to ensure people can navigate easily around the site.
- 4.28 The site layout provides acceptable perimeter development blocks, with all dwellings having a direct road frontage to ensure a high level of natural surveillance of the public realm, including the children's play area and the recreational footpaths and all rear gardens would be fully enclosed and secure. A mix of car parking layouts is proposed to ensure the street scene is not overly dominated by frontage parking. I note that there is a series of cul-de-sac roads provided and that Building for Healthy Life Design Toolkit (published by Urban Design Group) seeks to move away from developments that have entirely cul-de-sac arrangements. However, I do not consider that this choice of road layout would fail to provide a permeable development given that there are extensive recreational footpaths running through the site and each cul-de-sac turning head would provide views out towards the open countryside to the west and the existing tree belt to the east to help connect the development with the wider rural setting of the site. I therefore consider that the proposals would provide a well-designed development, in accordance with Policies SP.13, SP.29, SP.37, DM.24 of the Local Plan and Paragraphs 126 – 132 of the Framework.
- 4.29 The proposed development incorporates a mix of dwelling sizes and affordable housing provision that accords with Policy SP.10 of the Local Plan to ensure a well-balanced and inclusive community is created. The applicant has advised that the



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houses would accord with Policy SP.13 of the Local Plan which requires 20% of the total housing provision to be designed as accessible and adaptable dwellings (in accordance with Building Regulations Part M, Category 2 M4(2)) and 1% of the total affordable housing provision would be designed to wheelchair user standards (in accordance with Building Regulations Part M, Category 3 M4(3)). In addition, the proposed scheme includes the provision of PV panels on 34 plots to accord with Policy SP.37 which requires PV panels to be provided and for the development to source at least 10% of its predicted energy requirements from renewable or low carbon sources. Planning conditions are attached to secure this provision as well as a condition to ensure the development is designed to be water efficient in accordance with Policies SP.29 of the Local Plan.

- 4.30 Amendments have been made to ensure all residential dwellings would have a minimum garden depth of 10 metres to ensure adequate outdoor garden space is provided for all family size dwellings and whilst some one and two bed accommodation would not have any private garden space, I consider that this is acceptable in this instance given that residents of these properties would have access to high quality open space within the site. I also note that some properties are positioned immediately adjacent to neighbouring gardens and to protect the privacy of these gardens, a planning condition is attached to prevent side facing windows and rear facing windows (to two properties) being installed. Internally, all dwellings and apartments would have acceptable room sizes and internal layout and all habitable rooms would have a window for natural daylight. It is considered that the development would provide an acceptable living environment for future occupiers.

#### FLOOD RISK AND DRAINAGE

- 4.31 Local residents and the North Worcestershire Water Management Officer have highlighted that the existing properties to the east of the site, on the opposite side of Pearl Lane, have experienced surface water flooding and that there is a risk that this development could exacerbate the flood risk to these existing properties.
- 4.32 It is evident from speaking to the North Worcestershire Water Management Officer and photos that have been submitted, that the southeast corner of the site provides storage for surface water runoff from the elevated parts of the site and from the open fields to the west of the site. The submitted Flood Risk Assessment also advises that *'Surface water flooding is the flooding that occurs after heavy rainfall, when the volume of rainwater falling does not drain away quick enough through the existing drainage systems or through infiltration into the ground, but lies on or flows over the ground instead'*.
- 4.33 A large, lined attenuation basin is proposed in the southeast corner of the site, which would be designed with a flow control chamber to limit flows to 5.0l/s as required by Severn Trent Water and would cater for all discharge of surface water from the site itself.
- 4.34 A most recent revised drainage strategy (received May 2022) shows that the proposals would also see the installation of a swale that would extend next to the western boundary, on land within the applicant's ownership but outside the red line site boundary for this application. The swale would measure 250 metre long by minimum 3.5 metre wide and 0.6 metre deep and would be designed with an

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associated attenuation basin to capture overland flows from fields to the west of the site to ensure the proposed dwellings are not at risk to surface water flooding due to the topography of the site and to also capture surface water from 16 of the proposed dwellings. It is also proposed that the existing culverted watercourse (Dunley Brook) that crosses the site (west to east) would be diverted to ensure it does not traverse through private residential plots and a new surface water flow chamber (limited flows to 2.0l/s) would be provided to connect the swale with the diverted culverted watercourse. The diverted watercourse would egress the site from Pearl Lane into an existing Severn Trent Water sewer, which would require their pipe to be upsized.

- 4.35 The alignment of the proposed diverted watercourse now requires the spinal road to be closed to public vehicles at the point where the diverted watercourse crosses the road to retain this section of the road as unadopted highway as the developer would need to maintain the watercourse. Emergency vehicles would be allowed to cross the unadopted highway, and the management company responsible for the open space within the site would control the proposed bollards across the road to allow emergency access. To improve the visual amenity of this part of the site, where the two road ends would meet on the spinal road, the applicant has agreed to provide a pedestrian bench, an interpretation board for on-site archaeology remains and additional planting.
- 4.36 On the basis of the revised drainage strategy, and subject to conditions, North Worcestershire Water Management, the Highway Authority and Severn Trent Water raise no objection and are satisfied that the storage volume and rate of surface water runoff from the application site would not increase flood risk on the site and surrounding area.
- 4.37 I therefore consider that the proposed development would accord with Policy SP.31 and SP.32 of the Local Plan and the Framework. Planning conditions are recommended to require the swale and associated attenuation basin located outside of the site and within the control of Malvern Hills District Council to be constructed prior to first occupation and to require the existing culverted watercourse to be diverted appropriately and designed to avoid private owned land (as it currently passes through the private drives to plots 80/81) and finally, to require the SuDs to be constructed and maintained in accordance with the details submitted. A construction Surface Water Management Plan is also necessary to ensure the development does not exacerbate the existing flood risk during the construction phase.

#### BIODIVERSITY AND TREES

- 4.38 The application site is predominantly farmed agricultural land which is considered to be of low ecology value, although the site boundaries and the field boundaries do provide high quality ecological features including scrub, a dense tree belt and mature hedgerows.
- 4.39 An Ecological Assessment including an Extended Phase I Habitat Survey and Detailed Phase II Surveys have been undertaken which have considered the potential for amphibians, badgers, bats, birds, hazel dormouse, invertebrates and reptiles. Additional information was requested relating to dormouse mitigation.

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- 4.40 Policy SP.23 of the Local Plan requires the protection of legally protected species populations and the delivery of measurable net biodiversity gains. Paragraph 174 of the Framework states that development should minimise impacts on and provide net gains for biodiversity. Paragraph 180 of the Framework also advises that when determining planning applications, local planning authorities should apply the following principles: a) if significant harm to biodiversity resulting from a development cannot be avoided (through locating on an alternative site with less harmful impacts), adequately mitigated, or, as a last resort, compensated for, then planning permission should be refused.
- 4.41 The submitted survey reports concluded that the site has low suitability for common amphibians but recommended that a precautionary approach should be undertaken during vegetation and ground clearance works to avoid harm to individuals, should they be present. It also recommended that a further badger survey should be undertaken prior to any construction works commencing and to agree mitigation measures if any are found to be present with the Local Planning Authority.
- 4.42 The bat survey report advised that bat activity across the site is generally low, with small numbers of bats utilising commuting and foraging opportunities along site boundary hedgerows and treelines. To mitigate harm to protected bat species it has been recommended that further bat surveys are undertaken for any trees to be felled and sensitive lighting to be installed. Conditions are attached accordingly.
- 4.43 In terms of potential nesting birds, it was concluded in the assessment that the site is not considered to be important in maintaining local sub-populations of breeding birds and given the presence of other suitable foraging habitats and breeding opportunities within the adjacent farmland in the wider area, the potential loss of breeding opportunities for ground nesting birds, such as skylark, is unlikely to be significantly impacted by the development. However, to offset any impact on protected nesting birds, it is recommended that vegetation clearance is undertaken outside the nesting bird season (March to August) and confirmation to be provided to the Local Planning Authority that no active nests are present and if a nest is found, an appropriate buffer should be provided to ensure the nest is left undisturbed until the young have fledged the nest and that this is also confirmed by the ecologist (such measures to be included in the CEMP).
- 4.44 With regards to invertebrates the assessment advised that it is possible that notable invertebrates could use the site habitats, such as areas of scrub, treelines, hedgerows and grassland field margins. Given the presence of suitable habitats in the wider area, most of the invertebrate populations utilising the site would likely be of no more than site ecological importance.
- 4.45 The dormouse report has identified a small dormouse population throughout the boundary vegetation of the application site. Hazel dormice are designated and protected as European protected species (EPS), and are protected under the Conservation of Habitats and Species Regulations 2017. Hazel dormice are also listed as rare and most threatened species under Section 41 of the Natural Environment and Rural Communities Act (2006). Local Planning Authorities must have regard for the conservation of Section 41 species as part of your planning decision. The Natural

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England's 'standing advice' for dormouse is a material planning consideration for Local Planning Authorities.

- 4.46 The two vehicular access points (one of Pearl Lane and the other on Dunley Road) would require the removal of some 80 metres of hedgerow/tree belt which currently provides suitable dormouse habitat and there would also be two additional areas of clearance to facilitate cycle/pedestrian access from Pearl Lane. It is highly unlikely that dormouse connectivity would be able to be maintained given that each vehicular access would create a vegetation gap of around 40 metres and as a result, the dormouse habitat would become isolated between the two access points and this would lead to harm to the population of hazel dormouse. Mitigation measures for the dormouse habitat fragmentation includes: vegetation removal to take place outside of the hibernation season; use of hand tools to remove hedgerow vegetation; the creation of a new habitat by planting a new hedgerow along the western boundary of the site; strengthening the retained hedge and tree lines with understory planting comprising mostly thorn to deter cats and people; and translocation, involving capturing the hazel dormouse and moving them to a new site within their home range. I consider that these mitigation measures are acceptable given the low number of dormouse that have been found and I have also recommended planning conditions to require details of external lighting and a post clearance survey of the site for dormouse and to secure the implementation of the recommended mitigation strategy under the supervision of a suitably experienced ecologist. The applicant would also need to apply for a hazel dormouse mitigation licence from Natural England.
- 4.47 In addition, planning conditions requiring a biodiversity construction environmental management plan (CEMP) and a landscape and environmental management plan (LEMP) are recommended to ensure appropriate precautionary measures are taken during the construction phase and to ensure that the management body takes long term responsibility for the implementation of the LEMP (management of the ecological areas) on and off-site and that they adhered to all the details contained within the LEMP. The management body would be secured through the section 106 agreement.
- 4.48 The proposed development is unlikely to increase recreational pressure on the nearest Nature Reserve at Half Crown Wood located 740 metres East of the site and the Site of Special Scientific Interest at Areley Wood (770 metres to the north of the site) given that the development would provide sufficient public open space within the site including a children's play area.
- 4.49 Alongside the provision of open space and the opportunity for extensive landscaping, the submitted draft Biodiversity Impact Assessment has calculated a habitat biodiversity net gain of 14.78% and a hedgerow biodiversity net gain of 128.72%. This goes beyond the standard 10% biodiversity net gain and also the Local Plan Policy SP.23 which requires measurable biodiversity net gains to be achieved.
- 4.50 In terms of trees and hedgerows, the northern, southern and eastern boundaries of the site are comprised of a linear tree belt and the site's western boundary is partially covered by hedgerows with occasional individual trees and there are also a few mature trees (including 2 veteran English Oak trees) scattered along the field boundaries where the two fields meet. In total there are 5 hedgerows present on site comprising native species including blackthorn, hawthorn and elm. The proposed

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development would retain all 14 individual trees, including the 2 veteran oak trees which would be retained in the new areas of public open space. To facilitate the two vehicular access points (one on Pearl Lane and the other on the A451 Dunley Road) and the two cycle access points on Pearl Lane it would be necessary to remove a small number of trees and a short section of hedgerows. In addition, it was considered within the submitted Tree Survey Report that 3 trees (category 'U' - unsuitable for retention) would need to be removed due to their poor condition.

- 4.51 The proposed development would provide a significant area of new open space and the submitted Landscaping scheme shows extensive new tree planting as well as hedgerow planting. I am therefore satisfied that the harm to amenity arising from the loss of trees to the northern and eastern boundaries to facilitate the access points would be offset by the proposed new tree and hedgerow planting within the site.

#### ACCESS AND HIGHWAY SAFETY

- 4.52 The proposed development would have two separate access, one from Pearl Lane and the other from Dunley Road, in line with the site allocation requirement. Speed Surveys have been undertaken to ensure acceptable visibility splays are provided. A Stage 1 Road Safety Audit has also been carried out which identified 8 potential highway safety issues and a Response Report has been submitted to demonstrate how these issues would be addressed by the development. This includes the following measures: extending the 40mph speed limit on Pearl Lane; wider visibility splays for all vehicular and cycle access points and for the proposed bus layby near Cotswold Avenue; inclusion of a short section of footway at the bellmouth access point onto Dunley Road to avoid vehicular and pedestrian conflict; and updated and amended directional signage to be provided on Dunley Road. The Highway Authority has raised no objection to the principle of the proposed access arrangements, and I consider that the proposal would allow for safe vehicular movement in and out of the site subject to the final design being agreed by the Highway Authority at the S278 stage.
- 4.53 The Highway Authority have advised that the development would provide a safe internal road layout for all users, however that the current layout does not fully confirm with WCC Streetscape Design Guide and that further amendments would be required before the internal roads would be considered for adoption by the Highway Authority which could be done through the S38 process and is therefore not a reason to justify refusal of the application.
- 4.54 Paragraphs 110 and 112 of the Framework requires developments to be designed so that they give priority to pedestrian and cycle movements in order to promote sustainable travel modes. Policy SP.27 of the Wyre Forest District Local Plan also requires proposals to demonstrate that they offer viable sustainable transport choices, with a particular focus on active travel modes with attractive and well-designed walking and cycling networks. The proposed scheme includes extensive footpaths and cycleways throughout the site that would follow desired sightlines within and out of the site. The Highway Authority have also advised that the application could also provide a new bus stop on the western side of Pearl Lane, to the north of Cotswold Avenue, to provide close and safer access for residents of the development. The applicant has agreed to provide this provision through a financial contribution secured by the S106 agreement. In addition, the Highway Authority have requested that a financial contribution is provided for improvements to the community transport service, which I

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consider is necessary and directly related to this development as it would ensure all elderly and disabled residents of this development with transport needs can access local facilities and services.

- 4.55 The public right of way which crosses the site would not be impacted by the development and would be incorporated within one of the green infrastructure corridors that is proposed and would cross the spinal road where it is to be severed by two road turning ends. The development would therefore accord with Paragraph 100 of the Framework which requires public rights of ways to be protected and enhanced.
- 4.56 Concern has been raised by local residents about traffic congestion and that this development would exacerbate the existing highway issue, especially in the town centre. There is no doubt that this development for 329 dwellings would increase traffic movements on the local highway network given that the site is currently in agricultural land use. I recognise that within the town centre of Stourport-on-Severn including the Gilgal 'ring-road', at the roundabout junctions and the traffic bridge over the River Severn, experiences congestion during peak hours in the working week and especially during the weekends/school holidays when the town has an influx of visitors. However, the Highway Authority have carefully considered the transport assessment, including these factors, and have advised that *"Whilst the development will result in some detrimental impact on the local highway network, it is considered to be relatively minor and therefore, generally acceptable."*
- 4.57 The Transport Assessment has considered how the additional traffic generated by the proposed development would impact upon the operation of the site access junctions onto Dunley Road and Pearl Lane and at the existing Dunley Road/Pearl Lane junction. The assessment shows that the proposed and existing junctions would operate within capacity and that there would not be any significant detrimental impact on traffic movement or the likelihood that traffic queues would occur at these junctions following the development.
- 4.58 On balance, the proposed development has been designed to prioritise and encourage safe journeys by walking, cycling and public bus services and the traffic generated by the development together with the proposed access arrangements and internal layout would not result in a detrimental impact on the safety and operation of the road network. Paragraph 111 of the Framework requires that development should only be prevented or refused on highway grounds if there would be an unacceptable impact on highway safety, or if the residual cumulative impacts on the road network would be severe. I am satisfied that neither of these circumstances applies in this instance.

#### AIR QUALITY

- 4.59 Worcestershire Regulatory Services originally recommended a planning condition to require the developer to provide an Air Quality Assessment prior to the commencement of development. However, the applicant chose to submit an Air Quality Assessment prior to determination which has considered air quality at several receptors across the town centre and at nearby road junctions. It concluded that the impacts at modelled receptors would be 'negligible' impact with one receptor being 'slightly adverse' (3% change) which is considered to be acceptable by Worcestershire Regulatory Services. To mitigate air pollution arising in this local area because of the

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increased traffic generation caused by this development it is recommended by Worcestershire Regulatory Services that conditions should be attached to require electric vehicle charging points, low emission boilers and cycle storage facilities. The applicant has agreed that they will provide the air quality mitigation as recommended by Worcestershire Regulatory Services, which will be secured through planning conditions.

#### CUSTOM BUILD PLOTS

- 4.60 Under section 1 of the Self Build and Custom Housebuilding Act 2015, local authorities must keep a register of those seeking to acquire serviced plots in the area for their own self-build and custom house building. Local Planning Authorities are also subject to duties under sections 2 and 2A of the Act to have regard to this and to give enough suitable development permissions to meet the identified demand. Local Plan Policy SP.12 advises that all major developments of fifty or more units should take into consideration the demand shown in the Self-Build and Custom-Build Register and where possible provide suitable plots. Following discussions with the applicant, they have agreed to provide eight custom-build plots within the site and this level of provision has been agreed with the Community Led Housing Co-ordinator and would be secured through the Section 106 Agreement.

#### MINERALS PROVISION

- 4.61 A Minerals Resource Assessment (MRA) has been submitted in support of this application, which concludes that it is unlikely that planning permission would ever be granted for sandstone extraction at the site due to the proximity of residential dwellings adjacent to the northern and eastern boundary. Consequently, the mineral resource has no current or potential economic value. The report concludes that the mineral resource is not of sufficient economic value to outweigh the merits of the proposed non-mineral development in order, and the proposed development is therefore compatible with the County Council's mineral safeguarding policy. However, the WCC Minerals team have objected to the application on grounds that the MRA is insufficient.
- 4.62 Local Plan Policy SP.34 'Minerals' advises that *'Developers will be encouraged to reuse and recycle construction waste on-site and use substitute or secondary and recycled minerals within the development to reduce the use of primary materials' ... 'Planning permission will not be granted for non-mineral development that would lead to the unnecessary sterilisation of mineral resources ... unless (amongst other things):*
- i. *Where sterilisation of a locally or nationally important mineral resource could occur, opportunities for extraction of the resource will be optimised prior to any non-minerals development commencing;*
- 4.63 It is further advised in paragraph 15.17 under Policy SP.34 that *'Proposals which are in MSA should take a sequential approach to considering the following possible outcomes:*
- 1. *Extracting all of the resources within the proposed development site and in the area which would potentially be sterilised by the development, either in advance of development taking place or in phases alongside the development;*

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2. *Where extracting all of the resource would prevent establishment of a suitable landform for subsequent development, consider whether a proportion of the resource could be extracted; or*
3. *As a last resort if neither (1) nor (2) is possible, consider whether any opportunities exist for "incidental recovery of the mineral resource".*

- 4.64 In respect of the above sequential approach, I consider that the site is not appropriate for the extraction of all or a proportion of the mineral resource(s) given that this site is allocated for residential (i.e. non-mineral development) and any extraction of minerals that is not directly required by the development could change the landform of the site significantly and make the site unsuitable for housing, as well as increasing the risk of flooding to neighbouring residential properties. Furthermore, I consider that any removal of mineral resource off-site by large lorries would cause noise and disruption to neighbouring residents.
- 4.65 In terms of the third bullet point above, I consider that there would be opportunities to recover the minerals extracted during the construction phase especially due to the need to create large attenuation basins and a swale and that the extracted minerals could be used in the construction of the roads and foundations of the dwellings on-site.
- 4.66 Overall, whilst the application site is identified within the WCC Minerals Local Plan for safeguarding for minerals, given that this site is allocated for housing provision, I consider it only necessary to require the applicant to consider the recovery and reuse of minerals during the construction of the site which can be conditioned and I do not consider that any further information or subsequent consideration is required to determine this application.

#### OTHER MATTERS

- 4.67 The applicant has agreed to provide a defibrillator given that there is none in the vicinity of the site and this would ensure the health of future occupiers and benefit the local community.

#### PLANNING BALANCE

- 4.68 Section 38(6) of the Planning and Compulsory Purchase Act 2004 and section 70(2) of the Town and Country Planning Act 1990 require planning applications to be determined in accordance with the development plan, unless material considerations indicate otherwise.
- 4.69 The proposed development would not result in an unacceptable impact on highway safety and would provide an acceptable environment for future residents and satisfactory mitigation in relation to on-site biodiversity, flood risk and drainage and air quality can be achieved.
- 4.70 The site is allocated for housing and is situated in a sustainable location with access to a range of facilities by walking, cycling and by regular local buses. The benefits arising from the development would be significant including the provision of housing on an allocated site, together with 82 affordable dwellings and 8 custom build plots. The development would deliver public open space as well as a children's natural play area which would not only benefit future occupiers of the development but also the wider



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community. In addition, the proposed drainage strategy is likely to reduce the risk of flooding to existing properties adjacent to Pearl Lane, which is currently a regular occurrence during heavy rainfall. The development would also support the local economy during both the construction and operational phase and would deliver measurable gains to biodiversity.

- 4.71 The development would result in less than substantial harm to nearby heritage assets, namely Grade II listed St Bartholomew Areley Kings Church. However, due to the separation distance, the intervening built development and topography and proposed mitigation in the form of extensive boundary planting and tree planting within the site, I consider that the harm is reduced and that the public benefits arising from the development as described above would outweigh the less than substantial harm to the heritage significance of this asset.
- 4.72 There would be moderate net harm to the landscape character in the short-to-medium term however this impact would reduce over time as the planting matures, but some harm would still occur in the long-term arising from the permanent loss of countryside and the visual impact of the two-and-half and three-story buildings located in the northeast corner of the site. Given the retained tree belt and proposed public open space along the western boundary of the site, adjacent to the open countryside, I consider that the overall harm to the landscape character to be limited.
- 4.73 The development would be in conflict with WCC emerging Minerals Local Plan. However, I consider that only limited weight should be given to this conflict in terms of the sterilisation of a potential minerals resource, as the development would accord with Policy SP.34 as the applicant has agreed to a planning condition to submit a scheme of mineral recovery and reuse as part of the development. The site is also allocated for housing and would not be suitable as a minerals extraction site given its close proximity to existing residential properties. As such, I do not consider that the conflict with WCC emerging Minerals Local Plan to be a reason to warrant a refusal of the application.
- 4.74 I therefore consider that the proposed development would accord with the development plan as a whole.

#### PLANNING OBLIGATIONS

- 4.75 The legal tests for when a s106 obligation can be used are set out in regulation 122 and 123 of the Community Infrastructure Levy Regulations 2010 as amended and Paragraph 57 of the Framework. The tests are that an obligation must be:
- necessary to make the development acceptable in planning terms
  - directly related to the development; and
  - fairly and reasonably related in scale and kind to the development
- 4.76 The Council's Cabinet report, dated 16th September 2020, sets out the priorities for Section 106 planning obligations for sites where there is a shortfall in meeting the costs of all obligations following a viability assessment. It was agreed that the Council will prioritise in the following order:

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1. On and/or off site infrastructure necessary to make the development acceptable
2. Affordable housing
3. Open space and recreation
4. Education
5. Other stakeholder contribution requests such as infrastructure costs associated with health provision or the police

4.77 The applicant has agreed to enter into a Section 106 agreement to secure the following planning obligations to make the development acceptable in planning terms which also meet the tests as set out in Paragraph 55 of the Framework and Regulation 122(2), these are:

- Highways Infrastructure

- a) A financial contribution of £22,680 towards community transport costs to allow for disabled and elderly residents to be transported appropriately.
- b) £72,380 (220 per dwelling to WCC to deliver the Residential Travel Plan) Worcestershire County Council’s Highway Authority monitoring fee.

This planning obligation accords entirely with Policy SP.27 of the Wyre Forest District Local Plan.

- Affordable Housing Provision

- a. 82 (25%) dwellings would be provided as affordable with a tenure split of 53 (65%) social rent and 29 (35%) shared ownership.

This provision accords entirely with Policy SP.10 of the Wyre Forest District Local Plan.

- Education

- a. A financial contribution of £2,450,871 to mitigate the impacts of this proposal on school places, including an education monitoring fee.

PRIMARY	£1,715,890
SECONDARY AND 6 <sup>TH</sup>	£318,533
PRIMARY SEN	£216,744
SECONDARY SEN	£199,704
TOTAL	£2,450,871

This planning obligation accords entirely with Policy DM.6 of the Wyre Forest District Local Plan.

- Worcestershire Clinical Commissioning Group (CCG)

- a. A financial contribution of £125,235 to mitigate the impacts of this proposal and would provide funding for the provision of capacity to absorb the patient growth generated by this development.

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This planning obligation accords entirely with Policy DM.6 of the Wyre Forest District Local Plan.

- Sport Facilities

- a. A financial contribution of £757,763 towards improvements and provision at Stourport Sports Club.

This planning obligation accords entirely with Policies DM.6 and DM.8 of the Wyre Forest District Local Plan.

- Green Infrastructure management

- a. Requirement of a management body to be set up to maintain the soft and hard landscaped areas and equipment/features within the: public open space; children's natural play area (subject to condition) including defibrillator; archaeology interpretation board, pedestrian bench and emergency bollards adjacent to spinal road (subject to condition); the on-site and off-site SUDS (subject to conditions to secure LEMP and SUDS management plan); and ecological mitigation and enhancement features (subject to conditions). The management body also to control emergency access through the Spinal Road (which requires access to demountable bollards).

This provision accords entirely with Policies SP.21, SP.23, SP.27, SP.28, SP.31, SP.32, DM.7 and DM.8 of the Wyre Forest District Local Plan.

- 8no. Custom-build plots (Plots 98 – 105 on the Proposed Site Plan)

- a. As defined by the Self-Build and Custom Housebuilding Act 2015 (as amended by the Housing and Planning Act 2016)
- b. Subject to: Marketing Strategy giving priority to those on the Council's register for custom-build plots in the local area; Design Code with plot passports; Fully serviced plots to be provided; and requirement for the purchaser to occupy the plot for at least 3 years

This provision accords entirely with Policy SP.12 of the Wyre Forest District Local Plan.

- Monitoring Fees

The Community Infrastructure Levy (Amendment)(England)(No.2) Regulations ("the CIL Regs"), Regulation 122 (2A) allows Local Authorities to charge a fee in relation to section 106 agreements for the monitoring and reporting of planning obligations. Whilst the County Council have recently introduced monitoring fees, currently the District Council do not include monitoring fees with their obligations. The S.106 requirements include any monitoring fees that are applicable at the time of the signing of the S.106 agreement.

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## 5.0 Conclusion and Recommendations

- 5.1 The site is allocated for housing and the Inspectorate in their final report to the main modifications of the Local Plan Review advised that the indicative capacity for this site allocation may be exceeded in certain circumstances. It is evident from the support received to this application from local residents and occupiers that this development would help to provide much needed housing for this and future generation.
- 5.2 The proposed scheme would provide suitable drainage for the development and would help to alleviate the existing flood issues that occurs to properties located adjacent to Pearl Lane. The Highway Authority have undertaken a robust assessment of the application and have raised no objection in terms of highway safety and do not consider that the residual cumulative impact on the road network would be severe. Whilst the current internal road layout does not fully conform to WCC Streetscape Design Guide to be accepted by the County for adoption, it is considered that this does not justify a refusal of the application and on balance, the development would provide a safe environment for all road users. The new public open space including a new children's play area would not only benefit future occupiers but also the wider community. The development would retain all existing footpaths along with extensive new footpaths, cycleways and a new bus layby on Pearl Lane to promote active lifestyles and sustainable modes of travel.
- 5.3 The overwhelming public benefits of the development would outweigh the less than substantial harm to the historical significance of St Bartholomew Areley Kings Church. The loss of the open agricultural fields to housing development and the tall buildings located in the northeast corner of the site would result in moderate harm to landscape character, however, the degree of harm would be reduced in the long term when the new tree planting matures. Also, the conflict with the County's emerging Minerals Local Plan is not in itself a reason for refusal. It has also been accepted by consultees that suitable mitigation can be provided to reduce air pollution arising in this local area and that measurable biodiversity net gains can be achieved. The proposals therefore represent sustainable development and would accord with the Wyre Forest District Local Plan as a whole.
- 5.4 I therefore recommend delegated **APPROVAL** subject to;
- a) The signing of a S.106 agreement as set out at paragraph 4.79; and
  - b) The following conditions;
    1. 3 year Time Limit
    2. To require site and finished floor levels
    3. To secure external materials and hardsurfacing details
    4. To require amended Boundary Treatment details to show gaps for hedgehogs to pass through
    5. To secure implementation of Landscaping Scheme
    6. Play Provision Implementation and Management/Maintenance Plan
    7. Require details of Defibrillator
    8. To require recreation footpaths and cycleways to be provided

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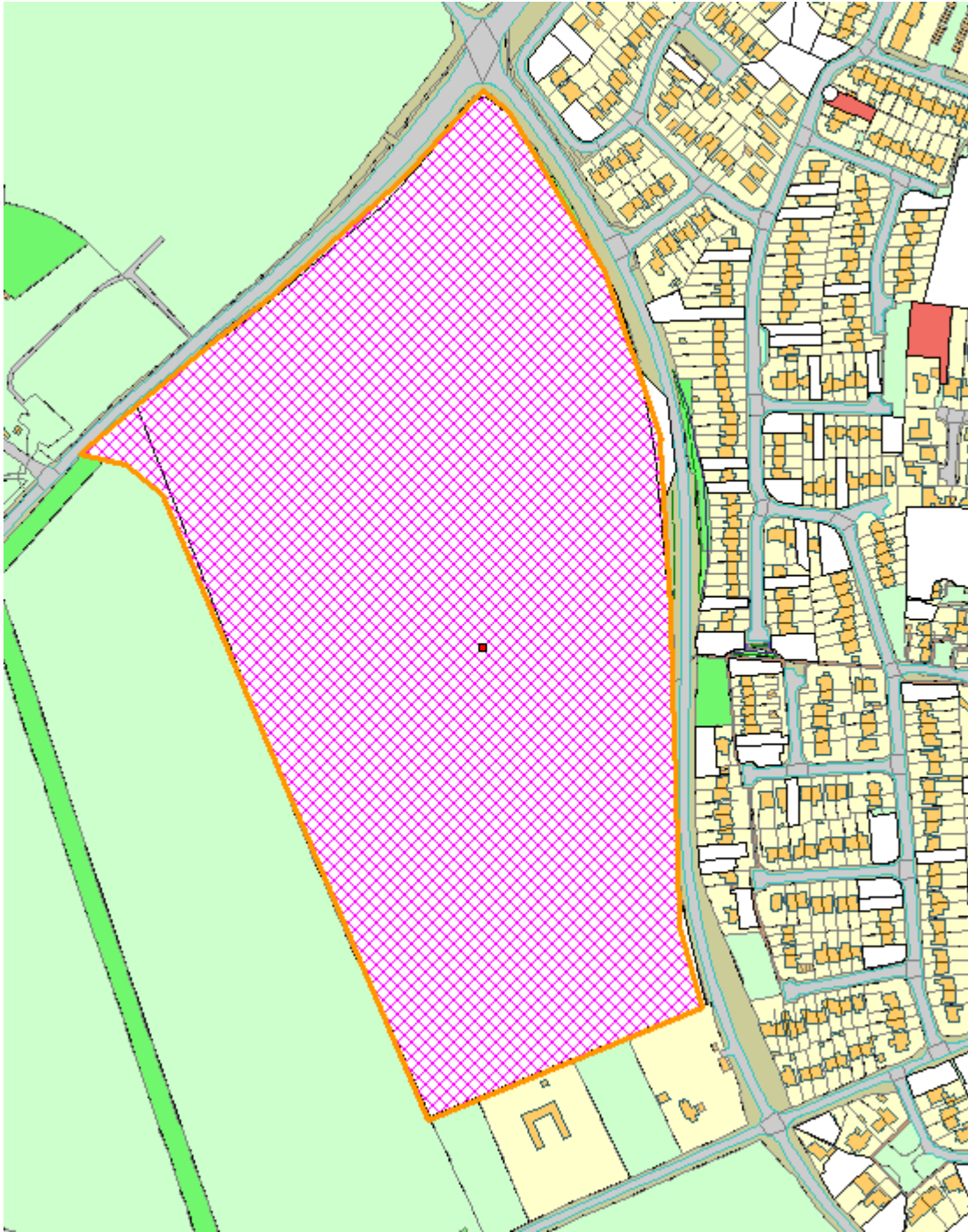
9. Retention of all identified retained trees and hedgerows
10. Site Investigation for Potential Contaminated Land and Remediation Strategy
11. Unexpected Contamination
12. Construction Environmental Management Plan (Noise)
13. Electric Vehicle Charging Provision
14. Secure Cycle Storage
15. Low Emission Boilers
16. Implementation of provision of PV Panels (34 Plots)
17. Require 66 Plots to be designed to higher access standards of Part M Building Regulations (2010) Category 2 M4(2) and 4 Plots designed to meet wheelchair user dwellings standards of Part M Building Regulations (2010) Category 3 M4(3).
18. Require water efficient measures
19. Scheme of Minerals Recovery
20. Archaeology – Written Scheme of Investigation
21. Archaeology – Archive WSI
22. Archaeology Interpretation Board
23. Method Statement for translocation of Dormouse
24. Construction Environmental Management Plan (CEMP - Biodiversity) to include:
  - a. Implementation of Tree Protection Fencing and Pre-start meeting with Council’s Arboricultural Officer
  - b. Amphibians survey prior to vegetation and ground clearance and relocation by hand if any are found during construction
  - c. Vegetation clearance to be undertaken outside of bird nesting season
25. A walkover badger survey and scheme of mitigation if required
26. Further bat survey of trees to be felled that have been identified as having potential roost features
27. To require an ecological enhancement scheme and a letter of compliance from a suitably qualified ecologist
28. To require external lighting scheme including letter from a suitably qualified ecologist to demonstrate that the proposed lighting scheme will create dark corridors
29. Landscape Environmental Management Plan (LEMP) including management/maintenance of soft landscaping and site habitats and enhancement measures and biodiversity monitoring strategy for dormouse
30. Off-site swale and associated attenuation basin to be constructed prior to first occupation
31. Existing culverted watercourse to be diverted appropriately, avoiding all residential plots including driveways
32. The SuDs to be constructed and maintained in accordance with the approved details
33. A Construction Surface Water Management Plan
34. To require highway lighting details
35. Construction Environmental Management Plan (Highways)
36. Access and Parking arrangements
37. Visibility Splays

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38. To prevent side facing windows within the dwelling on the following Plots that face opposing rear gardens: Plots 3, 10, 15, 16, 19, 21, 24, 25, 30, 34, 36, 42, 46, 52, 56, 64, 66, 72, 74, 75, 80, 81, 87, 90, 94, 98, 103, 107, 108, 109, 112, 114, 115, 119, 120, 128, 129, 130, 135, 138, 143, 150, 181, 191, 193, 197, 199, 205, 206, 208, 213, 216, 217, 219, 226, 244, 252, 274, 275, 279, 283, 304, 306, 307, 313, 315, 319, 321, 327
39. To prevent rear facing clear glazed windows with cill height less than 1.7metres within the dwelling on the following Plots 227 and 303
40. Removal of Permitted Development Rights for future boundary treatment forward of the principle elevation of any dwellinghouse

#### NOTES

- Section 106 Agreement
- Inform developer that battery storage is necessary for dwellings with PV solar panels
- Severn Trent Water – Aqueduct
- Public Right of Way obligations
- The revised Energy Report pursuant to condition 19 shall consider the inclusion of solar/photovoltaic panels, air source and ground source heat pumps including battery storage for PV panels
- No construction work outside the hours of 0800 and 1800 Mondays to Fridays and 0800 and 1300 hours on Saturdays
- No burning of any material during construction and site preparation works
- WFDC Waste and recycling collection
- Alteration of highway
- Section 278 Agreement
- Section 38 Agreement
- Drainage Details for Section 38
- Protection of Visibility Splays
- Works adjoining highway
- Temporary Direction Signs to housing developments
- Construction Environment Management Plan



Economic Prosperity and Place Directorate

Land To The West Of Pearl Lane, Stourport -on- Severn (Ernleye Meadows) Land At Os  
379658 269871 Pearl Lane Stourport On Severn Worcestershire



Crown Copyright 100018317

**PART A**

<b>Application Reference:</b>	<b>21/0097/OUT</b>	<b>Date Received:</b>	<b>11.02.2021</b>
<b>Ord Sheet:</b>	<b>379586 274992</b>	<b>Expiry Date:</b>	<b>21.12.2021</b>
<b>Case Officer:</b>	<b>Helen Hawkes</b>	<b>Ward:</b>	<b>Wribbenhall And Arley</b>

**Proposal:** Outline planning application for up to 100 dwellings with all matters reserved apart from access

**Site Address:** Land At Os 379586 274992, Stourport Road, Bewdley, Worcestershire, ,

**Applicant:** Euro Property Investments Ltd

<b>Summary of Policy</b>	<p>SP.1, SP.2, SP.6, SP.9, SP.10, SP.12, SP.16, SP.20, SP.21, SP.23, SP.27, SP.28, SP.29, SP.31, SP.32, SA.B2 of the Wyre Forest District Local Plan (2016-2036)</p> <p>Design Guidance SPD</p> <p>Planning Obligations SPD</p> <p>Affordable Housing SPD</p> <p>WCC Landscape Character Assessment</p> <p>WCC Streetscape Design Guide</p> <p>WCC Minerals Local Plan</p> <p>Emerging WCC Minerals Local Plan</p> <p>National Planning Policy Framework</p> <p>National Planning Practice Guidance</p> <p>National Design Guide</p> <p>Building for a Healthy Life</p>
<b>Recommendation</b>	<b>DELEGATED APPROVAL SUBJECT TO S106 AGREEMENT</b>
<b>Reason for referral to Committee</b>	<b>‘Major’ Planning Application</b>

**1.0 Planning History**

1.1 There is no planning history for this site.

**2.0 Consultee Responses/Neighbour/Site Notice Representations**

2.1 Bewdley Town Council – Recommend deferral until the Emerging Local Plan is formally adopted and request further clarification from the Highway Authority and the applicant, in regards to the timing of the traffic survey during the school holidays.



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Highway Authority response to BTC - Since March 2020, one of the effects of the Covid pandemic has been a significant reduction in traffic flows when compared to pre-Covid levels. Although these levels have begun to rise (and in some places we are seeing levels similar to previous pre-covid data), we are yet to officially confirm the suitability of new traffic counts, as well as a blanket agreement on the unsuitability of all data collected since March 2020.

During this interim period (since March 2020), WCC officers have been working with consultants to agree appropriate and suitable data sets, using professional judgement and experience.

For planning application 20/0097/OUT Stourport Road, Bewdley, it was agreed that previous traffic surveys could be used, as long as they were appropriately factored using established local growth rates, in order to estimate acceptable 2020 base traffic levels in the vicinity of the site. A range of surveys were used, which included traffic count data from:

- March 2013 (one day)
- November 2016 (over one week)
- March 2017 (over one week)
- October 2017 (over one month)

The data was reviewed to ensure that the counts did not clash with school holiday periods and, therefore, when allowing for appropriate growth, would provide traffic flows which are representative of average traffic flows in the vicinity of the site for assessment purposes.

It is acknowledged that a speed survey on Stourport Road was undertaken during August 2018. Whilst this occurred during the school holidays, as the purpose of the survey is to establish the speed of vehicles travelling under free-flow conditions, its collection during the school holiday period would have no bearing on the validity of the results.

Use of the above data is considered suitable to provide base traffic flows for the development, and we therefore do not consider it necessary to request additional traffic surveys in order to inform the assessment of the planning application.

b. Applicant's response to BTC - First off, the current pandemic has resulted in an unprecedented set of circumstances that has impacted on all facets of our lives for the last 16 or 17 months. On the whole, society has had to adjust to these and make the best of a bad situation unless life really will just close and stop for good.

I am, therefore, slightly disappointed that the Town Council feel the need to criticise the efforts that the both the Applicant and Highway Authority have made to arrive at a sensible basis for assessing the impact of the proposed development on the local highway network. Whilst clearly an up to date traffic count would have been submitted if circumstances had enabled this to be undertaken, as this would have been best practice, and which would have produced robust and reliable data. For obvious reasons that has not been possible and that is down to no fault of the applicant in this case. The Applicant has engaged on an ongoing basis with the Highway Authority to establish what the scope of any assessment should be and this was all agreed prior to

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*submission of the application. The Highway Authority have confirmed that they are satisfied with the scope of the assessment and have confirmed that they have no objection to the proposed development. As such, we do not agree that a further survey or traffic is necessary at this point. There are two reasons for this.*

*Firstly, whilst it has been suggested by the Town Council that a further traffic count would help verify our findings our Highway Consultant has advised that any traffic count undertaken now would still not necessarily be representative of actual or previous traffic levels as the whole country has still not returned to normal following the pandemic. As such, our consultant's view is that doing another survey may still not be representative of pre-pandemic traffic levels. We do not expect traffic levels to start returning to anything like they were previously for potentially another 12 – 18 months at least and even then that is not guaranteed as revised working patterns may still take time to work their through on travel choices, volumes of traffic etc.. It is, therefore, unreasonable to expect the Applicant to wait until this time to carry out such a count to prove our assumptions were right. We note that this situation is not unique to*

*Worcestershire and Highway Authorities across the country are all faced with having to deal with similar situations and on the whole they are grappling with this issue and still managing to assess the impacts of development and make judgements about whether these are acceptable or not.*

*Secondly, the site is a draft allocation in the emerging plan. It was identified as a draft allocation well before Covid-19 came about. As such, highway considerations were assessed under existing (pre-pandemic) conditions and were deemed appropriate to warrant the site being allocated. We do not see why there is now a need to revisit this point when the Local Plan Examination has now concluded and the Council are looking to go out to consultation on Proposed Modifications consultation in September. The Proposed Modifications do not propose to amend or delete Stourport Road, Bewdley allocation.*

*As such, we do not agree that a further survey is necessary. The Highway Authority agreed the scope of the assessment based on best available data at the time. Having used the agreed data, the Highway Authority have confirmed that they have no objection to proposed development. There is no definitive time of when traffic levels will return to pre-pandemic levels, if they ever will, and as such, the Applicant cannot reasonably be expected to carry out such a survey at some point in the future or wait until such time to have their application determined. If a survey was done there is no guarantee that it will represent or be representative of pre-covid conditions sufficient to confirm or otherwise whether our assessment is robust or not. Finally, the site has been a long standing allocation, which the development of has been considered and concluded that the local highway network is capable of accommodating. As such, the applicant does not agree that a further survey is needed and stands fully behind its submitted TA and conclusions set out within this and the consultation response from the Highway Authority who have acknowledged their agreement of the assessment].*

- 2.2 Bewdley Civic Society – You will recall that the Civic Society commented upon this proposed development at the time that the Local Plan (2016 -2036) went out for public consultation. The Society broadly supported the removal of this site from the Green Belt but had concerns regarding the conservation of the heritage wall which forms the

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boundary of Sandbourne Lane.

This issue was included in our written comments to the government appointed inspector December 2020 the BCS again gave qualified support for its use for housing and removal from the Green Belt. In particular the BCS welcomed 34.2.1 of the WFDC Local Plan.

"The northern part of the site adjacent to the Severn Valley Railway viaduct should remain as open space with no built development. This is the site of a former walled garden (non-designated heritage asset). The wall to the former walled garden of Sandbournr House is to remain intact with the existing gate used to provide pedestrian access into the site."

Please be advised that we continue to have concerns and therefore wish to lodge an objection to this application with regard to these specific concerns.

Our reasons for these specific objections however is as follows:

- the apparent lack of safeguarding in the proposals for the conservation and protection of the non listed heritage wall on the north west boundary of the site. Furthermore there appears to be no indication of the ownership of this structure in the plans.
- The plans put forward by the developers show houses of up to 2.5 storeys which we believe is contrary to iii above
- The plans do not define the boundary of the former walled garden and are therefore vague in this respect. We have asked the Bewdley Historical Research Group if they have a copy of the original plan and will advise the outcome shortly

*[Officer comments – The applicant has confirmed that the non-listed heritage wall on the north west boundary of the site does not fall within their land ownership. The Council’s solicitor has also reviewed the title deeds and confirmed that the wall is unregistered. It should be noted by Members that your Officers have historic mapping showing the outline of the former walled garden and that the applicant has submitted a revised indicative Masterplan to show how the layout of the proposed development could be achieved without developing over the former walled garden area. Lastly, as the application has only been submitted in Outline, details of layout and scale have not been submitted for consideration as part of this application and will be considered at the subsequent reserved matters stage.]*

- 2.3 WCC Sustainability Officer - The National Planning Policy Framework (NPPF) requires new development to be planned for in ways that avoid increased vulnerability to the range of impacts arising from climate change, and that help to reduce greenhouse gas emissions, such as through its location, orientation and design. The UK Climate Change Act 2008 sets the legally binding target for the UK to reduce carbon emissions to net zero by 2050. Improving the energy performance of new buildings will help contribute to the overall emissions reduction. We are encouraged to see the proposal in the Design and Access Statement for finished floor levels for properties in the vicinity of Riddings Brook to be raised sufficiently above the climate change flood level. In any subsequent reserved matters application, we would expect the resilience of the buildings in relation to future climate change to have been fully considered.

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Taking into consideration the projected changes in Worcestershire's climate, the following measures are suggested to ensure the buildings are able to cope and remain operational in the future:

- Wide gutters with emergency overflow points to provide for periods of sudden intense rain;
- Outdoor shading for buildings in summer, to make the space usable in hotter weather and to provide flexible shading to windows to reduce internal temperature increases expected from direct sunlight;
- The provision of green space allowing for recreational space, providing health and societal benefits and more natural cooling of built-up areas;
- Water butts to enable rainwater harvesting for outdoor use/planting and growing; and
- Consideration of green/sedum roofs to help to slow/decrease run-off during times of heavy rain.

The outline application includes an Energy Statement, in line with the Wyre Forest Core Strategy's requirement for the provision of energy from renewable sources on new developments. Policy CP01 requires that a minimum of 10% of the energy requirements for new developments should be met on-site from low or zero-carbon energy sources. Further detail on how this will be achieved will be expected in a subsequent reserved matters application. The Core Strategy states that all new development proposals within the District must demonstrate how they reduce their impact on the environment. The design, layout, siting, orientation, construction method and materials used should seek to maximise energy conservation and efficiency.

Further detail on how this will be achieved will be expected in a subsequent reserved matters application. We are encouraged to see in the Energy Statement that the development will be designed with high levels of energy efficiency, incorporating building fabric standards in excess of current Approved Part L1A 2013 compliance requirements and be future-proofed so that low-carbon heating systems can be used effectively, now or in the future. Improving the thermal performance of buildings, over and above Building Regulations, will support the affordability of living in the homes and the thermal comfort for residents. This could help reduce the risk of fuel poverty and ultimately benefit the residents' health through warm and healthy homes.

The UK Climate Change Risk Assessment 2017 identifies the risks of shortage in public water supply as one of the top climate risks where more action is required to improve resilience. The Wyre Forest Core Strategy identifies in Policy CP01 that new residential development should include water efficiency measures to a minimum level of 105 litres per person per day. Further detail on how this will be achieved will be expected in a subsequent full, reserved matters application.

There is no mention of provision for electric vehicle charging in the new development. The Government will end the sale of new petrol and diesel cars and vans by 2030, so any new development needs to have the charging infrastructure in place for the expected increase in EV ownership. We recommend that EV charge points should be included in the development in line with guidance under Local Transport Plan 4 Policy

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TCC2 – Ultra Low Emission Vehicles. Further detail on how this will be achieved will be expected in a subsequent reserved matters application.

Waste Consideration should be given to the provision of compost bins to reduce the amount of food waste going into residual waste bins. The planning application form states that waste storage and collection has not been considered. The plans do not incorporate areas to store and aid the collection of waste, nor any arrangements made for the separate storage and collection of recyclable waste. Further detail on how this will be achieved will be expected in a subsequent reserved matters application.

Play Area Consideration could be given to fitting the play area with sustainably sourced and natural play items.

- 2.4 Highway Authority - No objection subject to conditions and financial obligations. The Highway Authority has previously provided pre-application advice in relation to the proposals and has now undertaken a review of the planning application submission documents. WCC is in receipt of a Transport Assessment prepared by Edwards & Edwards Consultancy Ltd, dated January 2021, a Planning Statement (Harris Lamb) and a Design & Access Statement (Poole Phillips). Based on the supporting documentation, the Highway Authority has no objection to the principle of the development.

The TA advises Personal Injury Collision (PIC) data has been obtained from WCC for the most recently available five-year period between 1st July 2015 and 30th June 2020 (60 months). The study area comprises of the B4195 Stourport Road between its junctions with the A456 and its junction with the B4190 Kidderminster Road. In total, there were four PICs that occurred within the study area, all of which were recorded as being slight in severity. No collisions occurred at or near to the proposed site access.

Following review of the data, WCC are content that there are no existing highway design and/or road safety issues that are likely to be exacerbated by the proposed development.

Access to the site is proposed via a new priority T junction taken from the eastern side of the Stourport Road carriageway, approximately 60m south of the adjacent leisure centre priority junction. The junction, shown on dwg no. 1676/1 Rev A, will include a 5.5m wide carriageway and 7.5m kerb radii. This is seen to be in keeping with the WCC Streetscape Design Guide and is considered acceptable. Following comments made by the Highway Authority as part of TA Scoping discussions, access junction visibility has been provided, to include a 2.4m (X distance) and 73m southbound and 63m northbound (Y distance), based on 85th percentile vehicle speed survey results.

Access visibility is acceptable to the Highway Authority and a condition ensuring that access visibility is achieved and maintained forms part of this response. The access junction includes 2.0m wide footways that accord with the WCC Streetscape Design Guide and tie into existing footway provision on Stourport Road. The Highway Authority request that dropped kerbs with tactile paving are provided on the desire line of the new access road with Stourport Road. Dropped kerbs with tactile paving should also be provided at all internal junctions to aid pedestrian connectivity.

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The Highway Authority is aware that there is significant on-street parking, associated with the schools on Stourport Road, which can extend back towards the proposed site access. In the interests of road safety, the Applicant may need to consider the implication of necessary Traffic Regulation Orders (TRO) to ensure the access remains clear, safe and suitable for all network users at all times.

The TA recognises that, to encourage lower speeds and to inform drivers that they are entering a residential area, it is recommended that the existing 30mph speed limit is relocated to the south of the proposed access. The amended speed limit should be included within any TRO changes that are proposed to manage vehicle parking at and around the proposed site access on Stourport Road. The Highway Authority advises that, to achieve this, the Applicant should agree to provide a financial contribution via a suitable legal agreement, to enable the Highway Authority to undertake the necessary TRO process and scheme implementation.

The only buses that currently pass the site travel along Stourport Road, past the leisure centre and Bewdley High School. Whilst Google maps shows two pairs of bus stops between the A456 bypass and Bewdley High School, these are unmarked. There is only one marked stop in the vicinity, which is directly opposite the High School and marked with a pole and flag and a recently added bus cage, more to deter parking here than for bus use. The nearest pair of formal bus stops are near Station Road (leading to the SVR station), approximately 635m north of the new site access. It is desirable that public transport provision serve the site, although existing services are limited.

The Highway Authority can see the advantages of formalising bus stops near the site but has some concern about safety implications. It would be desirable for the Applicant to enter into discussions with the Highway Authority, with regard to a suitable location and appropriate design. If agreement were reached, there would be benefit in the Applicant commissioning a Stage 1 Road Safety Audit (RSA) to consider the provision of formal bus stops on Stourport Road, near the site. If deemed appropriate, provision would be agreed during the consideration of the RMA.

**Walking and Cycling** In the vicinity of the site, there is continuous footway provision on both sides of the B4195 Stourport Road. This provides pedestrian access from the site to the north (towards Bewdley) and to the south towards the A456. The footway on the western side of the B4195 along the site frontage is a joint use footway/cycleway. Cycle markings are provided on the northbound carriageway, to indicate cyclists use the road.

In order to improve pedestrian provision from the site to the town centre and surrounding local amenities, WCC request a financial contribution towards the installation of a number of dropped kerbs and tactile pavings within the locality of the site.

In addition, in order to enhance the link between the development site and Stourport High School, Sixth Form Centre, sporting facilities at Kingsway (Stourport) and the employment centres of Kidderminster and Stourport, a financial contribution of £6,000 is requested to improve the signage on the Active Travel Corridor which passes along the sites frontage. Public Rights of Way A Public Right of Way (Footpath BW-848) is

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situated adjacent to but outside of the Sandbourne Lane boundary of the application site.

The Applicant should note that where planting is proposed in the vicinity of the footpath, care must be taken to ensure that, once mature, it will not reduce the existing width of the footpath or block its definitive line. Internal Layout The supporting documents include dwg ref: 102L/A and 103L/E which show a suggested internal road layout and proposed Masterplan.

Whilst the Highway Authority accept that these drawings are indicative and that any future RMA may show a revised layout, the following comments are made to aid future design:

- All submitted drawings should include road dimensions, forward visibility checks and internal junction visibility splays;
- A S38 Adoption plan should be provided, setting out the extent of areas that are being put forward for adoption;
- The internal spine road should include curves and bends, to help achieve a 20mph design speed, without the need for vertical deflection/traffic calming;
- The internal road should have footways on both sides, with pedestrian dropped kerbs and tactile paving at all crossing points;
- There is a discrepancy between the Masterplan and the Development plans - plots 5-26 are shown with double access on the development plan but as a cul-de-sac on the Masterplan;
- A number of shared surfaces from the spine road are shown. These will require service strips on either side;
- Evidence is required to show that there is sufficient turning space for cars to move in and out of parking spaces;
- Vehicle tracking should be provided to confirm that a large vehicle can safely negotiate all the internal proposed roads;
- Confirmation is requested as to whether street lighting will be provided. WCC will not adopt shared surfaces that have no lighting;
- All shared pedestrian and cycle links to the external road network should be a minimum of 3.0m wide;
- Details of the number and dimensions of car parking spaces should be provided;

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- Details of the number of cycle parking spaces should be provided. These should be covered and secure;
- The WCC Streetscape Design Guide strongly encourages all properties to be equipped with Ultra Low Emission Vehicle (ULEV) charging points, including provision where communal parking is provided. This position is supported by the NPPF. Further details regarding the specification of the charging points can be found within the WCC Streetscape Design Guide; and
- Details of the proposed scheme drainage should be provided, along with any Section 104 Agreement with Severn Trent Water (STW). WCC raise a concern that the provision of swales may prevent STW involvement which, in turn, prevents highway adoption. Travel Planning It is understood that the Applicant will provide Travel Plans via WCC, at a cost of £220 per dwelling. With 100 dwellings proposed, this would amount to a total of £22,000 and will be subject to a suitable legal agreement. The Highway Authority welcomes the intention of the Applicant to pay for the Travel Plan service.

The Highway Authority has undertaken a review of the planning application submission documents, noting that these represent an Outline application at this stage. As such, comments regarding the internal site design are for guidance only at this stage and will be explored further following a later RMA submission. Based on the analysis of the information submitted, the Highway Authority conclude that there would not be a severe impact and, therefore, there are no justifiable grounds on which an objection could be maintained.

- 2.5 Worcestershire Wildlife Trust – No objection subject to conditions. It is noted that the site falls close to the complex of SSSI and other heathland habitats that include our nature reserve at The Devil's Spittleful and Blackstone Farm Fields. Given the proximity of these important features we have significant concerns about the risk of development here exacerbating existing recreational pressure on sensitive habitats. Accordingly, great care will be needed in designing the site so as to limit any adverse impacts. Accordingly, we recommend that significant attention is given to the layout and POS provision on site at the reserved matters stage so as to provide suitable areas for dog walking and informal recreation.

Nonetheless, in view of the fact that the site is allocated for development in the emerging Wyre Forest District local Plan and in light of the findings set out in the ecological report we do not wish to object to the application. There are however a number of other ecological issues that any development here will need to consider and so our non-objection position is contingent on the council being able to append conditions covering the following matters to any permission it may be otherwise minded to grant, so as to provide direction to future reserved matters proposals.



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5. CEMP – to include protection for retained ecological features and prevention of pollution during construction, especially in relation to any direct harm, runoff, noise, extraneous light or dust risks to the nearby nature reserves, mature trees, hedgerows and other offsite habitats (including the River Severn LWS, which is hydraulically connected to this site through the adjacent watercourse). Timing of works to avoid nesting birds and method statements to minimise risk to other protected species will also be needed.
6. Lighting – To ensure that the development, both during construction and once operational, does not cause harm to nocturnal wildlife within, and commuting to and from, the nearby habitats.
7. SUDS – to ensure that long-term drainage of the site does not cause harm to receiving waterbodies (including the River Severn LWS) or associated habitats, and to deliver biodiversity enhancement through SUDS in line with best practice guidance.
8. LEMP – to include biodiversity enhancement in line with planning policy and the recommendations set out in the PEA, together with long term management of that enhancement. Recreational considerations may overlap with the biodiversity enhancements proposed in the LEMP and an integrated approach to these elements will be needed here.

Appropriate model wording for such conditions can be found in Annex D of BS42020:2013 Biodiversity – Code of practice for planning and development.

- 2.6 Community Led Housing Co-ordinator – No objection to the application and it has been advised that the Self and Custom Build Register shows that there is an identified need for 10 serviced plots for DIY custom or self-build and 12 custom build dwellings. It is recommended that this development should provide at least 2% (2) plots.

*[Officer comment – The applicant has agreed to deliver 2 self-build or custom build plots with details to be submitted with first reserved matters application and the provision to be secured through the Section 106 agreement]*

- 2.7 Worcestershire Regulatory Services (Noise Nuisance) – No objection. It is advised that the submitted noise assessment predicts that noise in some external amenity areas, due to noise from the surrounding road network, is over 55dB during the daytime with some areas over 60dB. WRS considers noise levels above 55dB during the daytime to be a significant adverse impact and would recommend refusal. Therefore the applicant should consider revising the layout / number of dwellings in order to ensure noise in external amenity areas is generally below 55dB during the daytime.
- 2.8 Worcestershire Regulatory Services (Potential Contaminated Land) – No objection subject to a condition. The submitted report is appropriate and WRS agree with the methodology and conclusions, WRS recommend that part 1 to 3 of the condition is discharged. A remediation scheme for the investigation and removal of any Arsenic contaminated soil in area of WS10 should be submitted.

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- 2.9 WCC Archaeologist – The proposed development area does not include any known below ground archaeological remains, but it is located in an area, along the river terrace, which generally has good potential for such remains, particularly of the later prehistoric. The heritage assessment submitted with the application is detailed and comprehensive. It identifies the potential for archaeological remains of prehistoric to twentieth century within the Site. The pre-application advice from us indicated that an archaeological programme of works commencing with an evaluation by trial trenching as the first phase would be the appropriate solution to mitigate any harm caused by the development. This can be conditioned as part of the planning permission. The heritage assessment has confirmed that this approach is suitable based on the archaeological potential.

Above ground, the site is bounded by the Locally Listed red brick wall at the northern end of Sandbourne Lane, originally the wall to Sandbourne House. This is recorded in the County HER under WSM73632. It is welcome to see the proposal to retain the wall written into the Heritage Statement (6.1.6). Retention of this heritage asset should be secured through design at the reserved matters stage.

- 2.10 WCC Children First - An assumption has been made in respect of the number of one-bedroom dwellings to be provided as part of this development. Further clarification will be required if the masterplan or provision changes. The site plan layout 103L/E on page 13 of the masterplan indicates that there are a total of 32 one-bedroom flats/apartments of mixed tenure. These will be discounted from the overall impact calculation due to the low impact on education provision and the impact calculation will be assessed on 68 dwellings. Clarification on the split of affordable tenure is required as contributions are sought on affordable intermediate properties that attract a market element but not on affordable rent properties that are to be held in perpetuity.

The contributions will also be calculated on 68 dwellings until clarification is received. Early Years Phase - The Local Authority has a statutory duty to secure, as far as is reasonably possible, sufficient places for children aged 2,3 and 4 to claim their entitlement to funded nursery education. In addition, the Local Authority should secure sufficient childcare for working parents. The sufficiency of places is calculated each term and in Autumn 2020. The current assessment showed an insufficiency of early years' places in the Wribbenhall and Arley Ward throughout the academic year. A development of 68 dwellings is estimated to yield 8 pupils (full-time equivalent places) on average across the early years' phases of education. The proposed development will put additional pressure on early years provision in the area.

Primary Phase - With regards to mainstream primary school provision, 68 dwellings are estimated to yield 24 primary age pupils equating to 4 pupils on average per year group. The Bewdley Primary School is a popular school with families living in the area. In September 2020, the Published Admission Number (PAN) for the school increased from 45 to 60 thus increasing the capacity from 315 to 420. Currently, there are 415 pupils on roll at The Bewdley Primary School. The increased PAN is currently working through the school and at present there are more pupils on roll than the PAN that was published at the point of entry into Reception. The school was rated Good by Ofsted in May 2019. Bewdley Primary has very little capacity to admit the number of pupils likely to be generated from this development. Extant permissions and developments in the area are low and the impact on education provision in the EPA is minimal. It is

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anticipated there will be migration between schools to account for demographic movement and parental preference. Current analysis indicates that The Bewdley Primary School is a net importer of pupils. As at October 2020, there were 262 pupils living in The Bewdley Primary School catchment area who were on roll at a state funded school. 77% of pupils living in the catchment area attend the catchment area school. Of the pupils that attend The Bewdley Primary School, 88% of pupils live within the Education Planning Area (EPA). The school currently offer more pupil places than there is a requirement for and this provides opportunity for migration from outside the EPA. St Anne's CE Primary also serves the area and correspondingly from September 2021, St Anne's CE Primary School will reduce their PAN from 45 to 30; operationally and organisationally this is a better number for the school to manage and resource. Current pupil numbers and pupil forecasts support this move. The school was rated Good by Ofsted in February 2020. Current analysis indicates that St Anne's CE Primary School is a net exporter of pupils. As at October 2020, there were 284 pupils living in St Anne's CE Primary School catchment area who were on roll at a state funded school. 54% of pupils living in the catchment area attend the catchment area school. Of the pupils that attend St Anne's CE Primary School, 84% of pupils live within the EPA. The school currently Education Planning Obligation Assessment WF/20/0030/FUL [www.worcschildrenfirst.org.uk](http://www.worcschildrenfirst.org.uk) Page | 4 offer more places than there is a requirement for and provides opportunity for migration from outside the EPA. This is being addressed by publishing a lower PAN. Extant permissions and developments in the area are low and the impact on education provision in the EPA is minimal.

Secondary Phase - 68 dwellings are estimated to yield 16 pupils across the secondary phase of education, equating to 3 pupils on average per year group. The Bewdley School and Sixth Form is a Foundation School and is the only high school serving the EPA. There are currently 851 pupils on roll in Years 7 - 11 at The Bewdley School and Sixth Form. The school was rated as Good by Ofsted in September 2019. The Bewdley School and Sixth Form is a popular School which has very little capacity to admit any additional pupils likely to be generated from extant permissions and this development. However, current analysis indicates that The Bewdley School is a net importer of pupils. The school currently offer more pupil places than there is a requirement for and provides opportunity for inward migration from outside the EPA. 580 pupils live within the catchment area. 87% of pupils living in the catchment area attend The Bewdley School and Sixth Form. Of the 852 pupils on roll, 60% attend from within the catchment area, 24% attend from the Kidderminster area, 14% attend from the Stourport area, 1% attend from other schools across the County and 1% attend from out of County. The Bewdley School and Sixth Form has very little capacity to admit the number of pupils likely to be generated from this development. Extant permissions and developments in the area are low and the impact on education provision in the EPA is minimal.

SEND Wyre Forest School opened on its present site in September 2015, offering 220 places from Reception to Year 13. A further 5 places were added in 2017. The school is situated on the Habberley Campus and occupies the site alongside St Johns Primary School and Baxter College. The school is a popular school and serves families across the district. Pupil numbers continue to grow, and additional accommodation is required to support pupil numbers. Special schools offer specialist education and they do not operate a capacity as with mainstream schools. Due to the nature of the provision there is an expectation that the premises have to offer flexible

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provision. Additionally, the school does not consistently accommodate a set number of pupils per class, the number can vary to meet the needs of the individual pupils requiring specialist provision. Analysis of pupils on roll as at October 2020, shows that of 273 pupils in Reception to Year 11, 191 live in the Wyre Forest area. This equates to 80.9% with a further 3.66% residing in Bromsgrove which is a substantive level of in area pupils attending specialist provision. With regards to Special Education Needs and Disabilities (SEND) provision, the proposed development is likely to yield 1 SEND primary school place. Analysis of pupil numbers indicates that there is insufficient capacity in the area to admit the number of pupils that are likely to be generated from the proposed development who require a place at a SEND school. The information set out above demonstrates that Wyre Forest School has insufficient capacity to absorb the additional children likely to be generated and that the development cannot be considered acceptable unless appropriate mitigation is put in place.

Planning Obligations Sought - In response to the planning application it is calculated that an education contribution towards Early Years and SEND infrastructure would be sought. The assessment has taken into account the level of surplus places and operational surplus. The level of places required as a result of this development is set out below. A deduction has been made for one-bedroom dwellings as set out above. No deduction has been made to account for affordable/social rent. Total Contribution = £216,744

The contribution will be used to support improvements which may include additional or extended toilet accommodation, additional or extended classrooms, new or improved educational sports playing fields and/or infrastructure to support Early Years Provision within the Bewdley area and to support improvements which may include additional or extended toilet accommodation, additional or extended classrooms, new or improved educational sports playing fields and/or infrastructure at Wyre Forest School or any other school in the area providing an SEND resourced base.

- 2.11 North Worcestershire Water Management Officer – No objection subject to conditions. I accept that the existing watercourse is outside the redline site boundary which means that improvements to this corridor will unfortunately not form part of the development, and also that the maintenance responsibility for this asset is not going to be clarified. As this is a classified main river, if push comes to shove, the Environment Agency would need to step in. The application is accompanied by a site specific Flood Risk Assessment (FRA), which has assessed the flood risk for the site including the effects of climate change. The FRA recommends that for properties located within the vicinity of the watercourse, finished floor levels are to be raised a minimum of 600mm above the adjacent 1 in 100-year + 35% flood level. I note that the Environment Agency in their consultation response have requested a condition regarding the finished floor levels, which is welcomed. I also endorse the proposed condition regarding no raising of ground levels within Flood Zone 3, the 'high risk', 1% annual probability floodplain.

I appreciate that it appears that I asked a lot of detail for an outline application, however we do need to feel confident that the proposed SuDS basin is deliverable and that includes setting aside sufficient space in the development to provide sufficient storage and sufficient treatment. The calculations now submitted confirm that the size of the basin would roughly be the same whether it would be an infiltration basin or a

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detention basin (design flow 8.6 l/s). An infiltration basin would be preferred and a detention basin would only be acceptable if further groundwater monitoring reveals a high ground water level. A high ground water table would also need to inform the design of the detention basin as the storage volume would need to be found above that level. As the current design includes freeboard it is hoped that this can be accommodated. The email below includes “To provide more confidence on whether groundwater seepage is a risk, we suggest seasonal monitoring is undertaken moving forwards.” I believe this additional seasonal monitoring is indeed required and is something that we need to include in a condition.

I previously questioned whether sufficient water quality treatment can be provided by the proposed linear basin. The applicant has detailed that forebays can be added to all headwalls entering the basin and that this will be looked at further at the detailed design stage. As the current application is outline only I believe that this element of the design can be conditioned.

I conclude that in my opinion there would no reason to withhold approval of this application on flood risk or water management grounds, subject to conditions to secure details of a scheme for a surface water drainage strategy; a management plan detailing future maintenance responsibilities for SuDS assets; and to require a construction surface water management plan to agree how surface water will be managed during the construction phase, including site clearance and soil stripping.

- 2.12 WFDC Arboricultural Officer – No objections to the proposed development within this application as there are no trees directly impacted. I note the comments made about the attenuation pond in the AIA by Eden Arboriculture Ltd. I concur with these and would like to ensure the final location of the attenuation pond isn't with the RPAs of any trees or hedges, so the can be retained and add to the landscape character of the development. The finding and recommendations within the AIA should be adhered to especially the TPP.
- 2.13 WFDC Conservation Officer – No objection subject to a condition to restrict building height to no higher than two storeys. Following receipt of the updated visual assessment, and the WCC Landscape Advisor comments, I consider that the view from Maypole Piece (within the Conservation Area) clearly shows how views out of it have potential to be affected by building on the site and the taller the buildings the greater the impact on the views of the surrounding landscape to the south and southeast.

I agree that its difficult to visualise the impact of 9m high buildings without an actual visualisation. The applicant is seeking outline permission for all matters reserved and then effectively in addition permission in principle for something that they are not illustrating in an easily understandable form for the Planning Committee to endorse – the theoretical map-based work is clearly a useful supporting piece of evidence but until we have a site plan showing where “taller” buildings will be sited and until we have photomontages illustrating those its very difficult to say that these will or will not definitely have a detrimental impact. I would not support building heights over 2 storeys owing to the harm caused to the character of the landscape and its impact on the setting of the historic town when viewed from afar, more harmful closer to where tall buildings will mask views of the railway viaduct also.

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I note that if the proposed site plan includes development that builds over the former walled garden then I would object on the grounds that was not what was envisaged when the Local Plan was approved by PINS. This will build over an historic walled garden and there could well be evidence of this below ground which would require archaeological evaluation to establish its significance. However as this is an outline application we cannot ask the applicant to provide such a detailed proposal at this stage because we are only considering matters of access, however without it we cannot know for certain what damage to the significance of the remains of the walled garden development will cause. Building over the walled garden also loses the opportunity for green infrastructure which was envisaged in the Local Plan. Insofar as upstanding remains are concerned the surviving part of the walled garden, the wall boundary to the west of the site is included on the local heritage list and its significance should not be under-estimated as without it there would be no hint that there once was a walled garden on this parcel of land.

*[Officer comment – The requirements under the site allocation policy for this site (Policy SA.B2 of the Local Plan) advises that no development should be built over the former walled garden (non-designated heritage asset) and restricts the maximum building height of the development to equivalent to two-storeys. As matters relating to layout and scale will be considered at the subsequent reserved matters application(s) I consider it only necessary to attach an informative to advise that the visual impact of the development on the character and appearance of Bewdley Conservation Area and on the landscape character shall be carefully taken into consideration in the reserved matters details and that Officers suggest that single storey (bungalows) together with a landscape buffer should be provided to the eastern margin of the site where it is most elevated and to the southern corner]*

2.14 Severn Trent Water – No objection no objections to the proposals subject to conditions

Clean Water Comments - We have apparatus in the area of the planned development, the developer will need to contact Severn Trent Water, New Connections team as detailed below to assess their proposed plans for diversion requirements.

Catchment Team Comments - Located within SPZ 2 of active groundwater source. It is suspected that the full scale of the development will take up the full area of land which directly borders the SPZ 1. We recommend that SUDS infiltration should not be allowed in SPZ 2 areas for residential developments such as this. If this is not possible then we strongly advise that developers adopt suitable control measures and best industry practice when locating and designing SUDS in the SPZ2 areas. A suitable train of treatment should be implemented where infiltration SUDS are designed in SPZ2.

2.15 WFDC Countryside and Technical Manager – No objection subject to conditions. It is noted that the application has come with an amended ecological reports and Biological Net Gain assessment. The application will be good to proceed from a biodiversity perspective providing the following conditions are applied. In order not to separate Otter from existing upstream and downstream habitat. the hedge along the Sandbourne Lane boundary is retained and protected with a physical barrier; additional thicket style planting is incorporated between the brook and the development, to provide cover for otter but also discourage people and their pets

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access into brook corridor. The site path and recreational lay out should discourage people and dogs away from the brook corridor.

A lighting plan is produced in consultation with an Ecologist. this then to be submitted along with the ecological commentary confirming that the proposed lighting will not impact on habitat used but light sensitive species. Once approved this scheme being implemented. No construction lighting being used unless confirmation from a suitably qualified ecologist that the lighting to be deployed will throughout its period of use not impact on light sensitive wildlife receptors is submitted and then approved by the LPA

Prior to reserved matters and following any subsequent revisions to the planning application and pre vegetation clearance and pre construction, if this is not within a month, survey carried out by a suitably qualified and experienced Ecologist to ensure otter have not begun to use the development site in a manner other than as a conduit to habitat either side. If the findings of this survey find otter using the site in other manners a report should be submitted to the local authority confirming what additional measures will be put in place to ensure that no harm occurs to otter or the habitat it is using, and a Natural England license applied before any further work on the development takes place.

A CEMP is produced to ensure the effects of pollution are kept away from the brook, otter and other itinerant animals are protected for the effects of the development. This is to include fencing along the brook boundary and measures to prevent animals becoming trapped in the site development workings.

Prior to Vegetation clearance a botanical survey of the site is undertaken by a suitably qualified ecologist. This survey should be timed and be extensive enough to rule out the presence of tower mustard. The survey results being sent through to the LPA. If the survey identifies the presence of Tower Mustard or other critically endangered species then all works will stop and a mitigation plan will need to be produced, approved by the LPA prior to being implemented.

Note, if tower mustard is found I do not feel that a simple translocation project will be viable as I do not feel sufficient information on the conditions this plant needs to grow are properly understood. The plant propagates easily yet is only found in a few specific sites. Suggesting the plant has very niche and poorly understood requirements for habitat to thrive.

The principles of the submitted LEMP and Biodiversity Net Gain BNG calculation are brought forward to more detail at the reserved matters stage. They can be in the form of an enhanced LEMP and a Biodiversity Net Gain Plan. It should include details of the nature location, timings and methodology for implementation of all the ecological mitigation, enhancement and the creation and subsequent management of the habitat being created to achieve BNG. It should include timings, details and expectations to be met at key monitoring, and reporting times to the LPA. It should also include commentary on what additional action may be needed if BNG targets are not being met. This being approved by the LPA prior to implementation.

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- Bats - will need to be provided with a lighting scheme that has been guided and explained by an ecologist. That clearly demonstrated how commuting routes and roosts sites / boxes are protected for light spill. We will need an additional bat survey looking at potential roosts in sites boundary trees.
- Badger – there is potential for this site to return to the site hence there will need to be renewed survey effort prior to any work and if the site remains dormant for more than a year.
- Hedgehog - strategy should be incorporated
- Slow worm mitigation.

2.16 WCC Landscape Advisor – No objection and advises that the additional viewpoints assessments submitted during the course of this application has been a useful exercise to set the development in a more detailed visual framework and, to some extent, articulate the visual envelope likely to be experienced depending on building heights. It's instructive when you consider how the view from Maypole Piece (VP1) illustrates how this scheme will encroach into open countryside because it's looking outwards from (or across) the site. I realise it's not the point of this particular exercise, but I think it's worth noting how this does offer a different, and all too rare, perspective on impact. The phrase in the LVA summary stating the development will "be seen as a continuation of the existing built form" is frequently used as justification for urban extensions. This site is an example of where the outward looking perspective of VP1 shows the dominant rural context, and it highlights how development of the parcel will be much more impactful than the statement suggests.

This comes back to my previous submitted comments, as stressed in subsequent meeting. The approach towards Wribbenhall from the south is through a very rural landscape and the existing vegetation means that the first visual encounter with residential development along the B4195 is at the point where Sandbourne Lane joins the main road. The Leisure Centre is visible from a point further to the south, but this is well set back from the B4195 and therefore its mass is less intrusive. The A456 is currently free of views connected to built form. My concern is that taller buildings might be visible within the setting I've described, and thereby will create a new urban skyline in a landscape that is not currently possessed of one. This, I believe, in terms of landscape, is more of an adverse impact than a glimpsed view from further out, although I must stress that is not in any way meant to dismiss the visual impacts raised by the Conservation Officer because heritage setting has its own principles for assessment. One way to assess the potential impact of rooflines would be to produce a visualisation based on the southern approach. Something I raised at the meeting.

I believe, given the dominant rural landscape context, the development should not result in a visual continuation of built form, because at present there is clearly a very soft, non-urban edge to the existing suburb. Therefore, the matter comes down to appropriate mitigation, both in terms of urban design and landscaping. I was reassured at the meeting you chaired by the willingness of the applicant to address the issue. Again, to return to the Maypole Piece view, this illustrates what we know from map contours that the eastern part of the site is elevated compared with the western and northern parts. Therefore, I would recommend that an appropriate landscape buffer is designed for the eastern boundary, accompanied by lower building heights (bungalows would be well suited along that margin) on the adjoining parts of the



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scheme. This may not entirely mitigate visual impact onto the A456, but I believe it would assist in preserving the rural backdrop of the southern approach. Of course, this will also need to be enhanced with soft landscaping to add further screening although I do recognise there is a balance to strike in order to deliver some visual connectivity out from the scheme into the rural landscape – presumably this will be a marketing point for the scheme. The lower-lying parts of the site may be more suited to higher buildings. I cannot comment on the suitability or otherwise of 9.3 m high buildings because it's difficult to visualise (without an actual visualisation) how this will appear. However, once again there is some scope to set back properties and enhance the existing soft landscaping. The hedgerow along the western boundary of the site would certainly need to be enhanced (with e.g. hedgerow trees) and be managed to be much taller. This would be consistent with other, established landscape features in the wider site setting.

In summary, I believe the additional LVA has been useful both in terms of screening out some potential points of visual impact, but also in its illustration of how sensitive the immediate environ of the site is. If some 2.5 storey properties can be located and screened in such a way to prevent visual intrusion then I have no objection to their inclusion. However, this will need to be addressed in detailed design. Also, appreciate that the Conservation Officer may conclude there are other matters of setting that are outstanding, and in that case, I will defer to his comments. Perhaps appropriate building heights and certainly the landscaping scheme should be secured as conditions.

- 2.17 Environment Agency - No objection to the proposed development and would recommend the following comments and conditions be applied to any permission granted.

**Flood Risk:** This site is (partially) located in Flood Zone 3, which is the high risk zone and is defined for mapping purposes by the Agency's Flood Zone Map. In accordance with Table 1: Flood Zones (Reference ID: 7-065-201-20140306) within the National Planning Practice Guidance (NPPG) Flood Zone 3 is considered 'high probability' of fluvial flooding and comprises land assessed as having a 1 in 100 year, or greater, annual probability of river flooding. Flood risk to the site is associated with the Riddings Brook, designated Main River, which lies to the immediate north-west of the site. It is noted that all built development lies within Flood Zone 1, the low risk Zone.

**Sequential Test:** The NPPF details the requirement for a risk-based ST in determining planning applications. See paragraphs 157-158 of the NPPF and the advice within the Flood Risk and Coastal Change Section of the government's NPPG. The 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'. Further detail is provided in the NPPG; 'Only where there are no reasonably available sites in Flood Zones 1 or 2 should the suitability of sites in Flood Zone 3 be considered, taking into account the flood risk vulnerability of land uses and applying the Exception Test (ET) if required. We would not make any bespoke comments on the ST, in this instance at the planning application stage. The fact that we are not providing comments does not mean that there are no ST issues, but we would leave this for the LPA to consider. However it is

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noted that the site is to be considered for allocation within the forthcoming Local Plan and that a Sequential Approach to the site has been undertaken by ensuring that all development is located on land at the lowest risk of flooding i.e. Flood Zone 1.

Flood Risk Assessment (FRA): The FRA, as undertaken by BWB Consulting, dated January 2021, has sought to address the abovementioned flood risk constraints on the site. The design flood (1% flood level fluvial, plus climate change allowance) should be used to inform the consideration of flood risk impacts, mitigation/enhancement and ensure 'safe' development. For 'more vulnerable' development (as defined within Table 2 - Flood Risk Vulnerability Classification, Paragraph: 066 Reference ID: 7-066-20140306 of the NPPG) e.g. housing, the FRA should use the 'higher central' climate change allowance (35%) as a minimum to inform built in resilience; but aim to incorporate managed adaptive approaches/measures for the 'upper end' allowance (70%) where feasible. Design flood level: In this instance, the FRA has derived a set of 1 in 100 year plus climate change (35%) levels, ranging from between 22.36 to 23.54mAOD. A level for the 1% with 70% climate change has also been provided within the FRA.

As confirmed within the FRA finished floor levels (FFL) are required to be a minimum of 600mm above the 1 in 100 year plus climate change (35%) flood level which will mean FFL's ranging from 22.96 to 24.14mAOD. Comparing the flood levels to the topographic information within the FRA this would appear to be an achievable FFL but we would expect to see this confirmed at the detailed design stage.

2.18 WCC Public Rights of Way team - The definitive line of Bewdley footpath BW-648 is adjacent to but outside of the northern boundary of the application site; please see the attached illustrative map. We recommend that any public right of way is shown in its correct location on any plans accompanying an application, as per DEFRA's Rights of Way circular (1/09) (part 7), to demonstrate that the applicant is aware of its existence. The applicant should note that where planting is proposed in the vicinity of the footpath, care must be taken to ensure that, once mature, it will not reduce the existing width of the footpath or block its definitive line.

2.19 Natural England – No comments received.

2.20 Neighbour/Site Notice Representations

110 objections received from nearby occupiers including photographs of Riddings Brook when in flood and traffic congestion along Stourport Road associated with the nearby school. A letter has also been received from a planning agent on behalf of nearby residents. All objections have been taken into account in the consideration of this application and can be summarised as follows:

- Far too high a build density
- Development is mostly two-and-half storeys high, contrary to the site allocation policy which restricts building heights to two-storeys or equivalent.
- Plans fail to indicate the ownership of the historic wall.

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- Plans fail to show the extent of the historic former walled garden and ownership of this boundary wall, as such there is doubt that the red line site boundary is accurate. It has also been requested that the Council serves a Building Preservation Notice under Section 3 of the Planning (Listed Buildings and Conservation Areas) Act 1990 (as amended), in respect of the heritage wall bounding the site.
- Over-development and out of keeping with the character of the area.
- General dislike of proposal.
- Application should not be determined until after the Emerging Local Plan is adopted and this part of the Green Belt is released.
- The Green Infrastructure would need to be considered in line with the Emerging Local Plan and therefore the final planning judgement cannot be made until after the Plan is adopted.
- The red line site boundary fails to include the locally designated heritage asset wall along Sandbourne Drive which is considered to fall within the ownership of the applicant or possibly the County Highways.
- The building heights should reflect and be more sympathetic to the changes in site levels, as two-storey properties on the higher slopes would be more susceptible to road noise and highly visible from outside the site.
- Indicative Masterplan should have a much more transitional design given the site being on the edge of town with open countryside beyond.
- Development too high and building above one storey would reduce countryside views.
- Inadequate access.
- Increase in traffic and cause congestion, especially as the surrounding roads are already congested due to traffic and parking associated with the nearby two schools and the leisure centre.
- Additional traffic would make it extremely difficult for emergency services to get through on Stourport Road and would put young lives at greater risk.
- The Transport assessment included traffic surveys that were based on non-school days or hours and claims that traffic impact will be minimal. Additional surveys should be completed when schools are back to normal.
- Development will cause congestion at the traffic lights.
- Inadequate public transport provisions.
- Insufficient car parking as extra should be provided next to Stourport Road to compensate for extra school traffic and inadequacy in Stourport Road.
- Loss of parking.
- Increase danger of flooding as the site already gets flooded during times of the year when the river floods the Ridding Brook.
- Local drainage is already poor.
- Increase of pollution due to additional traffic, which will also be harmful to those with certain health conditions, such as Asthma.
- Impact property values.
- Information missing from plans.
- Not enough information given on application.

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- Strain on existing community facilities. It is already a problem to see a Doctor at the medical centre and the High School and Primary School are already full to capacity.
- Strain on local services such as broadband, electricity.
- Close to adjoining properties, loss of privacy, loss of light and residential amenity.
- Noise nuisance.
- Affect local ecology, which are all protected by the Wildlife and Countryside Act.
- Destroying Green Belt between Bewdley and Kidderminster.
- Loss of green space and impact on environment would be detrimental to the area and would turn Bewdley into an urban sprawl.
- More open space needed on development.
- There are many Brownfield sites in Wyre Forest and other more suitable locations that should be developed first.
- Conflict with local plan.
- Harm to heritage assets, in particular the adjoining locally listed wall to Sandbourne Lane.
- Potentially contaminated land.
- Increase in crime.
- No provision for older disabled people such as bungalows.
- Concerned about the condition and future maintenance of this important locally listed feature.
- Lack of information to suggest that the proposed properties will aid the UK in becoming carbon neutral by 2050.
- Conflict with the adjacent Sandbourne estate, as the proposed "hundred dwellings" are, literally, crammed into a small space, where "some" are more than "two storeys high".
- It is requested that the Council makes a Tree Preservation Order under Section 198 of the Town and Country Planning Act 1990 (as amended) on the large Sycamore (*Acer pseudoplatanus*), located in the northern corner of the site, adjacent to the heritage asset wall, in order to protect this fine tree, which makes a valuable contribution to the local scene from any possible damage during the future programme of building and landscaping works.

4 letters of support from nearby occupiers advising that Bewdley needs more and different housing or it risks becoming a retirement village; its businesses need more local customers; and it would benefit from more family homes that allow children to walk to school as well as affordable homes. It is also advised that the existing traffic issue is only around the school drop off and pick up times and that this development is unlikely to have any effect on the existing traffic problem given that it will have perfect access to the bypass, away from the schools and residential section of Stourport Road.

2 comments received from a nearby occupier and a planning agent on behalf of nearby residents advising that the locally designated heritage wall must belong to the applicant and that this contradicts the comments made by the landowners agent in the recent Local Plan Examination hearings. Also, that it will be very important to ensure

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that the design of the houses are modern in style with plenty of light and space and that they are designed as a 'good lifestyle' modern group of dwellings, looked upon as an enviable place to live, on the road leading into the Georgian market town, Bewdley.

### **3.0 Site Location and Description**

- 3.1 The application site lies adjacent to the eastern edge of the built-up area of Bewdley and comprises an existing agricultural field that has been used for the grazing of animals and includes a small animal shelter. The total site area is 3.4 hectares and the site is broadly triangular in shape, with access off Stourport Road. It is bounded to the southwest by Stourport Road (B4195) with Bewdley Leisure Centre and the River Severn beyond. To the east, the site is adjoined by the A456 and to the northwest by the Riddings Brook with Sandbourne Road beyond that contains dwellings. The site gently rises from 22 metres above Ordnance Datum in the south to 28 metres above Ordnance Datum in the north, with a raised bank along the eastern boundary. Beyond this the A456 lies within a cutting, approximately 3 metres lower in height than the site. The southern corner of the site lies adjacent to the traffic light-controlled junction between the B4195 and A456 and opposite this junction is a field that has been planted out in trees and Blackstone Picnic site beyond.
- 3.2 The application site lies within the setting of several heritage assets. These include in locally listed residential conversions at 18 to 20 and 22 to 24 Sandbourne Drive as mentioned above. The Severn Valley Railway which includes the locally listed Sandbourne Viaduct, located to the north of the site. The viaduct forms an important feature of the local landscape. The Grade II\* listed Winterdyne House is situated around 450 metres to the southwest of the site and due to the elevated position of Winterdyne House, there is a degree of intervisibility between the site and listed building. The Bewdley Conservation Area is also situated approximately 250 metres northwest of the site, and views of the site can be gained to and from Maypole Piece, a largely undeveloped hill, located within the conservation area. The Bewdley Conservation Area Character Appraisal advises that one of the important components to the conservation area is its rural setting of the town and at present, this site makes a positive contribution to the rural open countryside and rural setting of the town.
- 3.3 The Devil's Spittleful and Blackstone Farm Fields (Site of Special Scientific (SSSI) with national importance to nature conservation) are located approximately 516 metres east of the site. The site lies mainly in Flood Zone 1 with a small area along the western boundary adjacent to an existing watercourse (Riddings Brook) that falls within Flood Zone 3. The River Severn lies approximately 250 metres to the west of the site. The wider area to the east, south and west comprises agricultural fields and open countryside.
- 3.4 The site is allocated for residential development under Policy SA.B2 of the Wyre Forest District Local Plan, which released the site from the West Midlands Green Belt and confirmed that the site has an indicative capacity of 100 dwellings subject to several principles being met.

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- 3.5 The application is submitted in outline with all matters reserved except for the principal means of access. The development would provide up to 100 dwellinghouses, of which 25% would be affordable housing, 2% self and/or custom build plots and 40% of Green Infrastructure including public open space with a children’s play area. Vehicular access would be provided from Stourport Road and would require the removal of some hedgerow.
- 3.6 Two indicative Masterplans have been submitted to show options on how the site could accommodate 100 dwellings including green infrastructure, an attenuation basin and a children’s play area. The proposal is in outline with only matters relating to access to be considered at this stage, the submitted plans have therefore been treated as illustrative.
- 3.7 The application has been supported with a Design and Access Statement, Landscape Strategy, Education Planning Obligation Assessment, Stage II Ground investigation report, Energy Statement, Heritage Assessment, Planning Statement, Statement of Community Involvement, Arboricultural Impact Assessment and Tree Protection Plan, Lighting Assessment, Environmental Noise Report, Health Impact Assessment, Transport Assessment, Flood Risk Assessment, Landscape and Visual Appraisal, indicative Landscape Strategy, Extended Phase 1 Habitat Survey and additional Ecological Statement.

#### 4.0 Officer Comments

4.1 The main considerations for this application are:

- Principle of development
- Impact on Landscape Character and Heritage Assets
- Biodiversity
- Trees
- Highway Safety and Access
- Flood Risk and drainage
- Residential Amenity
- Other Matters
- Planning Obligations

#### POLICY CONTEXT AND PRINCIPLE OF DEVELOPMENT

4.2 The National Planning Policy Framework (the ‘Framework’) 2021 sets out the Government’s planning policies for England and how these should be applied (para. 1) and is a material consideration in planning decisions (para. 2). It states that the purpose of the planning system is to contribute to the achievement of sustainable development (para. 7). So that sustainable development is pursued in a positive way at the heart of the Framework is a presumption in favour of sustainable development (paras. 10-11). It states that decision makers at every level should seek to approve applications for sustainable development where possible (para. 38). It also states that the planning system should be genuinely plan-led (para. 15). The Framework seeks to significantly boost the supply of housing (para. 60) and also requires the housing

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needs of different groups in the community including those seeking affordable housing to be addressed and people wishing to commission or build their own homes (para. 62).

4.3 The Framework sets national policies on the following issues which are relevant to this planning application:

- Achieving sustainable development (paras. 7, 8, 10, 11, 12)
- Decision making (paras. 38, 39, 40, 41, 43, 47, 48, 54, 55, 56, 57, 58)
- Delivering a sufficient supply of homes (paras. 60, 65)
- Promoting healthy and safe communities (paras. 92, 93, 95, 96)
- Promoting sustainable transport (paras. 110, 111, 112)
- Achieving appropriate densities (paras.124, 125)
- Achieving well designed places (paras. 126-132)
- Meeting the challenge of climate change (paras. 152, 154-157)
- Planning and flood risk (paras. 159-169)
- Conserving and enhancing the natural environment (including landscape character paras.174b, biodiversity paras. 174d and 179-181, ground conditions and noise paras. 183-185)
- Conserving and enhancing the historic environment (paras. 194-208)
- Facilitating the sustainable use of minerals (paras. 209, 213-214)

4.4 The Development Plan for Wyre Forest comprises the Wyre Forest District Local Plan (the 'Local Plan'), which was adopted in April 2022 and is supplemented by supplementary planning documents, these include the Planning Obligations SPD, Affordable Housing SPD and Design Guidance SPD.

4.5 The Wyre Forest District Local Plan sets out the vision and strategic context for managing and accommodating growth within the District up until 2036 and seeks to achieve sustainable development. The objectives of the Local Plan which are relevant to this application, include: addressing housing need to ensure the requirements of existing and future residents are met; maximising the opportunities for the inclusion of green infrastructure; safeguard and enhance biodiversity; conserve the significance of heritage assets; encourage healthier lifestyles; achieve more sustainable travel patterns and reduce the need to use the private car which will contribute to an improvement in air quality; and to protect the District's water supply and quality, and reduce the risk of flooding and climate change.

4.6 The application site is situated adjacent to the urban edge of Bewdley. The Wyre Forest District Local Plan, in Table 3.0.1 and Policy SP.5, seeks to retain Bewdley as a thriving market town which meets the needs of the local community whilst preserving the town's historic character. To preserve the character of the historic townscape and settlement of Bewdley town, the Local Plan resists further windfall developments in Bewdley and only permits new housing growth on three site allocations, with one being the subject of this application. It is therefore anticipated that the housing growth for Bewdley during this plan period would be around 227 additional homes.

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- 4.7 The site is allocated for housing under site allocation policy SA.B2 of the Local Plan and therefore the principle of development in terms of land use and location has already been accepted by the Council through the plan-making stage and cannot be questioned in this application.
- 4.8 The site allocation indicated 100 dwellings could be accommodated on this site and advised that any development on this site should meet the following criteria:
- i. Vehicular access should be taken from Stourport Road.
  - ii. The northern part of the site adjacent to the Severn Valley Railway viaduct should remain as open space with no built development as this is the site of the former walled garden (non-designated heritage asset).
  - iii. The development should respect the setting of the locally listed viaduct (northern boundary) and coach house and barn (to west of site).
  - iv. The development should be designed to minimise any adverse impact on both the Severn Valley Railway and Bewdley Conservation Area. Building heights should be restricted to the equivalent of 2 storeys to minimise impact on views from/to surrounding heritage assets
  - v. Enhanced green infrastructure should be provided alongside the Riddings Brook with a buffer strip provided alongside the brook.
  - vi. A noise survey should be undertaken to establish existing background noise levels across the site and to mitigate noise impact from road traffic. Should the findings of the survey indicate that these may adversely impact upon the amenity of new residents, then measures should be incorporated within the development to mitigate against this.
  - vii. Hedgerows should be protected and supplemented, especially along the northern boundary to promote connectivity to nearby woodland

#### IMPACT ON LANDSCAPE CHARACTER AND HERITAGE ASSETS

- 4.9 Paragraph 172 of the Framework advises that planning decisions should contribute to and enhance the local environment by amongst other things, recognising the intrinsic character and beauty of the countryside. Policy SP.22 'Landscape Character' of the Wyre Forest District Local Plan states that new development must protect and where possible enhance the unique character of the landscape.
- 4.10 The site comprises one field, which is currently pastureland and the is well enclosed by existing vegetation and hedgerows around the perimeter of the site. The site is bounded by an embankment and then the A456 to the west, housing and the Severn Valley Railway line to the north and Stourport Road with the Bewdley Leisure Centre. As such, there is little appreciation of the surrounding countryside from within the site. The Inspector in her final report on the Local Plan also advised that due to "*... the site's position and strong boundaries, the contributions that it makes to openness and to protection of the countryside from urban sprawl or encroachment are limited.*"
- 4.11 The County's Landscape Character Type assessment advises that the application site falls within the 'Sandstone Estatelands' Character Type, which includes the following key characteristics: arable land use; hedgerow boundaries to fields; planned enclosure pattern with straight roads and field boundaries; and rolling topography. The submitted



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landscape strategy shows that the existing boundary hedgerows would be retained, and I also consider that there would be opportunities to include hedgerows within the application site as part of the reserved matters application for landscaping.

- 4.12 The submitted Heritage Statement and Landscape and Visual Impact Assessment both highlight that the wider historic setting to the Severn Valley Railway line, Sandbourne Viaduct, Winterdyne House and to Bewdley Conservation Area comprises open countryside and as such, the application site forms part of the setting to these heritage assets and makes a positive contribution to the historical significance of these assets.
- 4.13 The proposed development of up to 100 dwellings on this existing open field will no doubt result in a change to the setting of these heritage assets due to the urbanising effect of the proposed housing development and would, therefore, diminish the wider rural setting to the heritage assets. The WCC Landscape Advisor also raised concern that the development has the potential to result in harm to the landscape character especially from medium to long distant viewpoints that look out from Bewdley and/or across the site as the site currently makes a positive contribution to the dominant rural context and development of this magnitude will lead to encroachment into open countryside.
- 4.14 Discussions have taken place during the course of this application between the applicant, the WCC Landscape Advisor, Conservation Officer and your Officers, which resulted in an addendum being carried out to the Landscape and Visual Impact Assessment (LVIA) to assess the visual impact of buildings at 8 metres (two-storey), 9.3 metres (2.5 storeys) and 12 metres (three-storeys) at important viewpoints including at Maypole Piece (which is located within Bewdley Conservation Area), the Severn Hills (within West Midlands Safari Park), Devil's Spiteful, Burlish Top Nature Reserve and Geopark Way Long Distance Trail at A456 Crossing.
- 4.15 The LVIA addendum shows that the eastern margin of the site is highly visible from Maypole Piece, located within the Conservation Area, due to its elevated topography. To mitigate the impacts of the development, it is a requirement as part of the site allocation policy that any development on this site is restricted to the equivalent of 2 storeys in building height to minimise impact on views to and from nearby heritage assets. The WCC Landscape Advisor has also made suggestions for mitigation including the need to provide an appropriate landscape buffer for the eastern boundary, which is elevated compared with the western and northern parts of the site, together with lower building heights. It is further suggested by the WCC Landscape Advisor that bungalows would be well suited along the eastern margin of the site.
- 4.16 Whilst the proposal is in outline only with matters relating scale, site layout and landscaping reserved for future consideration, I see no reason why an acceptable scheme that includes appropriate mitigation could not be achieved on this site, which minimises the overall effect on the character and appearance of the landscape and on the setting of nearby heritage assets. I note that an indicative layout has been designed as part of this application, but that further amendments can be made to ensure the impacts of the development are minimised as part of the final layout to be submitted at reserved matters. Overall, I am satisfied that the development can be designed to ensure limited harm to the landscape character and setting of heritage

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assets, in accordance with Policies SP.22, DM.23 and SA.B2 of the Local Plan and the Framework. I have attached an informative to make the developer aware of the mitigation that has been recommended by WCC Landscape Advisor to ensure these measures are taken into consideration in the preparation of the reserved matters details.

- 4.17 There is a statutory requirement on decision makers to have special regard to the desirability of preserving Heritage Assets or their setting or any features of special architectural or historic interest which they possess, as set out in sections 16 and 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990. Concerns have been raised by the Conservation Officer, Bewdley Civic Society and nearby residents that the development has failed to take into account the site of the former walled garden and the associated red brick wall. The application site lies approximately 50 metres to the northwest of the site of a former 18th century Georgian country house (known as 'Sandbourne House') which was situated within its own estate and included extensive landscaped gardens including a walled garden. Sandbourne House was demolished in 1969-1971 and its associated stables, coach house and barn were converted into residential dwellings (now locally listed and relate to nos. 18 to 20 and 22 to 24 Sandbourne Drive, located immediately to the north of the site). The walled garden occupied the northern part of the application site and its layout is clearly shown on the 1884 Ordnance Survey. The walled garden remained until the early 18<sup>th</sup> century and the only tangible evidence of the former walled garden is the locally listed red brick wall which forms the western boundary of the site.
- 4.18 In response of the comments received about the former walled garden and associated locally listed red brick wall, the applicant has submitted a revised Masterplan to show that no built development with the exception of the children's play area would be provided over the site of the former walled garden. The applicant has also confirmed that the historic red brick wall that is the only remaining feature of the former walled garden does not fall within the applicant's ownership and therefore lies outside of the red line site boundary. The Council's solicitor has also checked the registered title to the application site and has confirmed that the historic red brick wall falls outside of the title deed.
- 4.19 Whilst the locally listed red brick wall does not fall within the red line site boundary nor within the applicant's ownership, I am satisfied that due to the location and extent of the red brick wall, that the proposed development would not result in any significant adverse effect on the wall during the construction phase and post development as all built development would be kept away from the north-western corner of the site to accord with the site allocation policy which requires the site of the former walled garden to have no development. Also, this part of the site provides habitat and commuting for protected Otters and would need to be protected during the construction phase.
- 4.20 I also note that one representative to this application has asked the Council to serve a Building Preservation Notice on the historic red brick wall, however, the Conservation Officer has advised that it is very unlikely that the wall would be designated for inclusion on the National Heritage List for England and that the notice would be upheld, given that there is only a fragment of the walled garden wall remains in situ. The Conservation Officer has further advised that to qualify for listing the wall would

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need to be in a very much more complete state (i.e. surrounding the garden it was constructed to serve).

#### BIODIVERSITY

- 4.21 Local Planning Authorities have a duty to have regard to conserving biodiversity as part of decision making of planning applications. Policy SP.23 'Protecting and Enhancing Biodiversity' and Paragraphs 172 and 177 of the Framework all require new developments to deliver measurable net gains in biodiversity through the promotion and re-creation of priority habitats, ecological networks and the protection and recovery of legally protected and priority species populations and to minimise, avoid or at the last resort compensate for the loss of biodiversity.
- 4.22 In terms of biodiversity net gains, a DEFRA biodiversity metric has been submitted which anticipates that the proposals could achieve 10.84% Biodiversity Net Gain, this is based on the attenuation pond being designed for wildlife with varied pond profile and native planting; the public open space comprising a native based grassland; existing hedgerows being strengthened with additional planting and 60no. medium native trees being planted around the site. I concur with the Countryside and Parks Manager that the proposed development has demonstrated that measurable net gains in biodiversity can be achieved in the final details, that will be provided as part of the reserved matters application(s) and through planning conditions, in accordance with Policy SP.23.
- 4.23 With regards to potential harm to protected species, the application has been accompanied with four Otter surveys with the last survey having been carried out in February 2022, which recorded no signs of any shelters for Otters (halts, couches) but noted that the watercourse (Riddings Brook) provides habitat connectivity for Otters as it links existing lakes to the northeast of the site with the River Severn to the southwest.
- 4.24 Otters are protected as European protected species (EPS) under the Conservation of Habitats and Species Regulations 2017. A revised Otter Mitigation Strategy has been submitted following a request made by the Countryside and Technical Manager and includes appropriate mitigation measures to protect the watercourse and ensure no harm to Otters during the construction and operational phases of the development.
- 4.25 The mitigation measures include a 10 metre no development zone along Sandbourne Lane/Riddings Brook that will be planted with an appropriate mix of scrub and conservation grassland to enhance the foraging/commuting area along Riddings Brook for Otters. Lighting is also to be minimised during construction and operation of the scheme and a 'dark corridor' would be maintained adjacent to the landscape buffer to Riddings Brook. The Countryside and Technical Manager is satisfied that a robust survey and mitigation strategy has been provided and that subject to the measures set out in the Otter Mitigation Strategy being updated at each reserved matters stage and being adhered to, there would be no adverse impacts to Otters throughout the construction and operational phases. I concur with this view and have attached a condition accordingly.

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- 4.26 Additional ecology surveys have also been carried out and conclude that the site is unlikely to support ground nesting birds due to it being dominated by tall ruderal and grassland. Although it was found to be favourable for other birds, including Peregrine Falcons, that use the mature hedgerows and trees. No bats were found present on site, but it was noted that the hedgerows were suitable for bat foraging/commuting habitat. Mitigation measures have been recommended which includes: a pre-commencement site survey of all trees/hedgerows to be removed for potential bird nesting; to ensure all outdoor lighting near to hedgerows and trees is less than 1 Lux in brightness; to carry out a pre-commencement badger survey; to ensure gaps are provided within boundary fences for hedgehogs and for hedgehog boxes to be provided; and for the Landscape and Environmental Management Plan (LEMP) to include a detailed Reasonable Avoidance Method (RAM) in relation to reptiles (for example to avoid harm to slow worms). A planning condition is attached to secure all of the recommended mitigation measures to minimise and avoid harm to protected species.
- 4.27 A botanical survey has been provided following concerns raised by the Countryside and Technical Manager in their initial response to the application and the findings of this survey identified no Tower Mustard on-site. Notwithstanding the survey results, the applicant has agreed to a planning condition to require the landscaping scheme to incorporate Tower Mustard in the planting mix, particularly on south facing slopes where a mosaic of open grassland may be achievable. The Countryside and Parks Manager is satisfied with this approach and condition. I have attached the condition accordingly.
- 4.28 I note concerns raised by the Worcestershire Wildlife Trust that the development could significantly increase recreational pressure on The Devil's Spittleful and Blackstone Farm Fields (SSSI) and other heathland habitats that include our nature reserve at The Devil's Spittleful and Blackstone Farm Fields. The indicative Masterplan includes a walking route within the site and a children's play area which would help to reduce recreational pressure on the sensitive habitats that have been identified by Worcestershire Wildlife Trust. However, it is inevitable that there is going to be increased recreational pressure on nearby nature reserves because of this development and this harm on sensitive habitats must be balanced in terms of the need for housing growth.

#### TREES

- 4.29 The application has been submitted with an Arboricultural Impact Assessment which advises that no trees would need to be removed to facilitate the proposed development but recommends that three trees (T3, 10 and T11) should be felled due to being either dangerous or diseased. The Council's Arboricultural Officer has carefully considered the development of this site for residential and has confirmed that subject to the three trees to be felled, all other trees can be retained and would not be adversely impacted by the proposed development. I concur with the Arboricultural Officer's view and also note that the submitted Landscape Strategy recommends 60 new trees to be planted as part of the landscaping scheme that will be submitted as part of the reserved matters stage.

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- 4.30 I note that one representative to this application has requested that the Council makes a tree preservation order on the existing mature sycamore tree located in the northern corner of the site. The Arboricultural Officer has made several visits to the application site and has confirmed that whilst the sycamore tree is a good specimen that can be seen clearly from the Public Right of Way, it is unlikely to be impacted by the proposed development and therefore it is not considered to be expedient to issue a TPO at this stage of the planning process. I agree with the views of the Arboricultural Officer and do not consider it is necessary to make a TPO on this tree at this outline stage without knowing the final site layout of the proposals.

#### ACCESS AND HIGHWAY SAFETY

- 4.31 Nearby residents have raised significant concern about the impact of this development on traffic congestion and free flow in Stourport Road and at the junction with the A456, and have expressed concern that the traffic generated by this development when taken together with the already high level of traffic associated with the nearby two schools would exacerbate the existing traffic and parking issues and make it more difficult to drive along Stourport Road and potentially increase road accidents or interfere with emergency vehicle access to residential properties.
- 4.32 The application has been accompanied by a comprehensive Transport Assessment which has highlighted that the existing parking situation associated with the two schools on Stourport Road already creates some temporary congestion for passing drivers. I also observed on several occasions when visiting the application site that parents of school pupils currently park on Stourport Road and in nearby residential roads/lanes for a period before the start and end of the school day, which results in parking congestion within the vicinity of the two school sites.
- 4.33 Members should note that this is the current situation and that it would be unreasonable of the Local Planning Authority to require this development proposals to rectify the existing parking congestion on Stourport Road associated with school drop off and pick up times. Instead, it is the responsibility of the two schools to promote sustainable travel through their school travel planning. Paragraph 111 of the Framework also advises that developments should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.
- 4.34 In terms of accessibility, the Planning Inspector in her final report on the Local Plan noted in paragraph 1.72 that *'The location of the site enables sustainable access to the town centre, schools, and other facilities'*. The Transport Assessment highlights that the site location would encourage future occupiers to walk and cycle to local shops and facilities including to schools given that there is a continuous footpath provision on both sides of Stourport Road which provides excellent pedestrian access from the site to the north (towards the two schools and Bewdley town centre) and to the south towards the A456. In addition, the footway on the west side of Stourport Road is a joint use footway/cycleway. Furthermore, to maximise the use of the public bus services, the applicant has agreed to contribute towards the provision of a bus stop (comprising new post and flag) along with provision of an uncontrolled pedestrian crossing point on Stourport Road near to the development. The development accords with Paragraphs 110(a) and 112(a) of the Framework which advise that developments should ensure that appropriate opportunities to promote sustainable transport modes

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are taken up, given the type of development and its location and to give priority first to pedestrians and cyclist and to ensure appropriate facilities are provided that encourages public transport use.

- 4.35 In terms of highway safety, the Highway Authority raise no objection to the proposed means of access and have advised that the development would not result in an unacceptable impact on highway safety subject to conditions and developer contributions to ensure the 30mph speed limit can be relocated to the south of the proposed access to make drivers aware that they are entering into a residential area and to provide Traffic Regulation Orders at and around the proposed site access on Stourport Road to manage on-road parking. A review of the personal injury collision data for the last 5 year period was also reviewed as part of the Transport Assessment and it was noted that there has been no collisions relating to road safety issues along this section of Stourport Road which could be exacerbated by the development proposals. I therefore consider that the development would not result in an unacceptable impact on highway safety.
- 4.36 With respect to the impacts on the local road network, I acknowledge that trip generation and traffic modelling was undertaken in 2020 during Covid-19 pandemic when nearby schools were closed and did not reflect the true traffic levels in the vicinity of the site. However, to rectify this, it was agreed with the Highway Authority that previous traffic surveys could be used, providing they were appropriately factored using established local growth rates and were not taken during school holidays. The Highway Authority are satisfied that the data used in the Transport Assessment represent accurate base traffic levels.
- 4.37 The Transport Assessment evidence that the development proposals would generate 9% traffic trips in the AM Peak Hours travel on Stourport Road to access Bewdley with all other traffic (91%) accessing the A456 to travel north or south. A review of the capacity levels at nearby junctions was carried out and was concluded within the Transport Assessment that the A456/Stourport Road junction would operate within capacity with the additional traffic generated by the proposals and that there would be a negligible impact on the B4190 Kidderminster Road/Stourport junction. Overall, the Transport Assessment demonstrates that the increase in peak hour vehicle trips due to the development proposals would not have a material effect on the operation of the surrounding network. I concur with the views of the Highway Authority that there would be no cumulative residual severe impact on the local network.

#### FLOOD RISK AND DRAINAGE

- 4.38 Concern has been raised together with photographic evidence from neighbouring residents to show that flooding from the Riddings Brook does occur adjacent and within the application site.
- 4.39 A Flood Risk Assessment and a robust surface water management strategy has been submitted in support of the application. It is acknowledged that the Riddings Brook to the north of the site is a high flood risk and I agree with the Environment Agency and the North Worcestershire Water Management Officer that majority of the development can be sited within Flood Zone 1 and a sufficient distance away from the watercourse. For all dwellings within Flood Zone 3 can have raised finished floor levels to ensure no flood risk to future occupiers.

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- 4.40 In addition, it has been demonstrated by the submitted Flood Risk Assessment and surface water management strategy that an appropriate and sustainable means of surface water drainage (such as an attenuation basin) can be delivered on site, to avoid runoff beyond the application boundary and I have attached a planning condition to prevent the raising of the site levels within Flood Zone 3 as recommended by the North Worcestershire Water Management Officer. Therefore, the development can be implemented without increasing the flood risk elsewhere.
- 4.41 The development would accord with Policy SP.32 of the Wyre Forest Local Plan and Paragraphs 152, 167 and 169 of the Framework, which require major developments to incorporate sustainable drainage systems and to ensure that vulnerable development is located in areas of lowest flood risk and that developments do not increase flood risk elsewhere.

#### RESIDENTIAL AMENITY

- 4.42 It is acknowledged that views from existing residential properties in Sandbourne Lane and Sandbourne Drive will experience a change from open fields to urban form. However, a right to a view is not a material planning consideration and any changes to the outlook from these properties will be through the trees that run along the entire length of Riddings Brook and the proposed development will be set behind a new landscape buffer to help soften the outlook from existing dwellings. Given the separation distance between existing dwellings and the proposed development, together with the intervening landscaping, I am satisfied that there would be no detrimental impact on the amenity of existing residents.
- 4.43 In terms of the amenity of future occupiers of the development, it is noted that the development would be sensitive to the existing noise environment caused by traffic on the bypass (A456), which is relatively high. Paragraph 185 of the Framework states that planning decisions should ensure that new developments should be appropriately located taking into account the likely effects of pollution on health and living conditions and in particular, seek to avoid noise giving rise to significant adverse impacts on health and the quality of life. The Noise Policy Statement for England (NPSE) (March 2010) states that the aims of the NPSE is to ensure that significant adverse effects on health and quality of life are avoided and secondly, that all reasonable steps are taken to mitigate and minimise adverse effects on health and quality of life while also taking into account the guiding principles of sustainable development.
- 4.44 The application has been submitted with a supporting Environmental Noise Report which has concluded that 'Through the use of suitable boundary mitigation measures and building massing, it is considered that noise levels within external amenity areas (such as gardens) in the most affected locations could be reduced to appropriate levels in all areas of the site'.
- 4.45 Initially, Worcestershire Regulatory Services recommended refusal of the application on the grounds that noise from the surrounding road network would result in significant adverse impact, It has now been agreed that a suitably worded condition can be imposed that requires a scheme of noise mitigation to be submitted to ensure that indoor ambient noise levels in living rooms and bedrooms meet the recommended standards within BS 8233:2014 and all outdoor amenity areas meet the 55dBA daytime WHO Community Noise Guideline Level. I consider that this condition would

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provide the necessary mitigation to ensure no future occupiers are at risk of noise pollution from the adjoining A456, and if the development cannot meet the required noise levels, then the layout would need to be amended to ensure no rear gardens face onto the A456 and dwellings are positioned a sufficient distance away from the A456.

- 4.46 The applicant has submitted the preliminary site investigations and remedial methodology for potential ground contamination, which has been found to be acceptable by Worcestershire Regulatory Services. A condition is therefore only required to secure the implementation of the remedial strategy and for a validation report to be agreed with Worcestershire Regulatory Services to ensure future occupiers are not at risk to potential ground contamination. Worcestershire Regulatory Services have also raised no objections relating to air quality, subject to conditions to reduce pollution including electric vehicle charging points, cycle storage and low emission boilers. I have attached conditions accordingly and consider that the development would not give rise or be at risk to noise, ground contamination or air pollution.
- 4.47 A suggested layout of the development has been shown on the indicative Masterplan to demonstrate how the residential plots could be arranged on site. I note that some of the rear gardens and separation distances between building faces appear to be substandard, However, I am of the opinion that an amended layout could be provided to show an acceptable standard of amenity for future occupiers and that the final layout of the proposed development would be considered at the subsequent reserved matters stage.

#### OTHER MATTERS

- 4.48 The applicant has agreed to provide a defibrillator given that there is none in the vicinity of the site in order to ensure the health of future occupiers and benefit the local community. I consider that it would be appropriate to locate the defibrillator adjacent to the proposed children's play area.
- 4.49 An Energy Statement has been submitted which advises that the development would be designed with high levels of energy efficiency incorporating building fabric standards in excess of the Approved Document Part L1A 2013 building regulation requirements and that at the final design stage, the applicant is prepared to submit a report to demonstrate compliance with Policy SP.37 to show that renewable or low carbon energy sources are used to provide at least 10% of the predicted energy requirements. The WCC Sustainability Officer raises no objection and considers that it is appropriate to seek further detail in the subsequent reserved matters application. The applicant has agreed to install electric vehicle charging points to promote the ownership of electric vehicles and cycle storage within every plot to encourage cycling to reduce the reliance of travelling by non-electric cars. A residential travel plan would also be secured by planning condition to make residents of this development aware of public transport services and a developer contribution would be provided to improve the nearby bus stop. New tree planting, multi-functional green infrastructure and pedestrian routes within and out of the development would also be proposed. Overall, I consider that the development would be designed to mitigate and adapt to climate change including a reduction in non-renewable energy and carbon emissions, in accordance with Policy and Paragraphs 8, 110 and 154 of the Framework.



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4.50 Under section 1 of the Self Build and Custom Housebuilding Act 2015, local authorities are required to keep a register of those seeking to acquire serviced plots in the area for their own self-build and custom house building. Local Planning Authorities are also subject to duties under sections 2 and 2A of the Act to have regard to this and to give enough suitable development permissions to meet the identified demand. The Council's Community Led Housing Co-Ordinator has advised that 22 households from the 37 that are on the Council's Self and Custom Build Register have requested a plot near Stourport Road, Bewdley. Following discussions with the applicant, they have agreed to provide 2 self-build plots within the site and this level of provision has been agreed with the Community Led Housing Co-Ordinator.

4.51 The site has been highlighted for mineral resource safeguarding under sub-paragraph 15.37 of Policy SP.37 of the Local Plan. I note that sites listed in 15.37 were only identified during the main modifications to the Local Plan Review in September 2021 and given that the application was submitted in January 2021 it was considered to be unreasonable to request a Minerals Resource Assessment. Furthermore, the site is located immediately adjacent to residential properties and any minerals extraction operation in this locality would have a direct impact on the amenity of existing residents in terms of noise, dust and air pollution. The site is also allocated for housing and therefore it was accepted through the plan-making stage that minerals on this site would be sterilised. However, to accord with Policy SP.34 I consider that it would be appropriate to attach a condition to require a scheme of incidental mineral recovery to be submitted and agreed in writing by the Local Planning Authority which would require any minerals extracted from the site during site preparation works to be recovered and reused in the construction phase of the development for roads, foundations etc.

#### PLANNING OBLIGATIONS

4.52 The legal tests for when a s106 obligation can be used are set out in regulation 122 and 123 of the Community Infrastructure Levy Regulations 2010 as amended and Paragraph 57 of the Framework. The tests are that an obligation must be:

- necessary to make the development acceptable in planning terms
- directly related to the development; and
- fairly and reasonably related in scale and kind to the development

4.53 The Council's Cabinet report, dated 16th September 2020, sets out the priorities for Section 106 planning obligations for sites where there is a shortfall in meeting the costs of all obligations following a viability assessment. It was agreed that the Council will prioritise in the following order:

6. On and/or off site infrastructure necessary to make the development acceptable
7. Affordable housing
8. Open space and recreation
9. Education
10. Other stakeholder contribution requests such as infrastructure costs associated with health provision or the police

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4.54 The applicant has agreed to enter into a Section 106 agreement to secure the following planning obligations to make the development acceptable in planning terms which also meet the tests as set out in Paragraph 55 of the Framework and Regulation 122(2), these are:

- HIGHWAYS - £50,500 towards highway improvements and infrastructure comprising of the following:
  - a. 4,500 for the provision of new post and flag signs along with provision of an uncontrolled pedestrian crossing point with tactile paving on the Stourport Road near to the development.
  - b. £8,000 for the introduction of a TRO, road markings and signage to prevent parking on Stourport Road in the vicinity of the access.
  - c. £10,000 towards installation of a number of dropped kerbs and tactile pavings within the locality of the site and to include:
    - Installation of tactile pavings at the junction of Stourport Road and Sandbourne Lane x2 - £1,000;
    - A dropped kerb and 2x tactile pavings at the entrance to Bewdley Leisure Centre - £1,500;
    - Installation of tactile pavings at the junction of Sandbourne Drive and Stourport Drive x 2 - £2,500;
    - Dropped kerbs and tactile pavings at the junction of Sandbourne Drive and Sandstone Road x2 - £2,500; and
    - Dropped kerbs and tactile pavings at the junction of Brook Vale and Sandstone Drive x2 - £2,500.
  - d. £6,000 to improve signage on the Active Travel Corridor to enhance the link between the development site and Stourport High School, Sixth Form Centre, sporting facilities at Kingsway (Stourport) and the employment centres of Kidderminster and Stourport.
  - e. £22,000 to provide Travel Plan via WCC, at a cost of £220 per dwelling.

AFFORDABLE HOUSING - 25% affordable housing provision with tenure split of 65% rented (primarily social rent) and 35% intermediate tenure (including sub-market private rent and shared ownership). This level of affordable housing provision accords with Policy of the Local Plan and would deliver a mixed and balanced community. This provision accords entirely with Policy SP.10 of the Wyre Forest District Local Plan.

SPORT FACILITIES - £32,514 towards Sporting Facilities at Bewdley Leisure Centre, to be paid on or before occupation of one third of dwellings. This planning obligation accords entirely with Policies DM.6 and DM.8 of the Wyre Forest District Local Plan.

EDUCATION - £216,744 towards Education (Early Years Provision within Bewdley area and SEND at Wyre Forest School), to be paid on or before occupation of one third of dwellings. Payment in instalments will be considered but first payment must be received before occupation of one third of the dwellings and full payment must be received before occupation of the final dwelling. The contribution will be used to support improvements which may include additional or extended toilet accommodation, additional or extended classrooms, new or improved educational sports playing fields and/or infrastructure to support Early Years Provision within the

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Bewdley area and to support improvements which may include additional or extended toilet accommodation, additional or extended classrooms, new or improved educational sports playing fields and/or infrastructure at Wyre Forest School or any other school in the area providing an SEND resourced base. This figure may be subject to change to reflect the up to date cost at the point the application is determined. Indexation may be charged as at the date of this assessment. This planning obligation accords entirely with Policy DM.6 of the Wyre Forest District Local Plan.

- PRIMARY HEALTH - £37,950 - Herefordshire and Worcestershire CCG has identified that the development will give rise to a need for additional primary healthcare provision to mitigate impacts arising from the development. The capital required through developer contribution would form a proportion of the required funding for the provision of capacity to absorb the patient growth generated by this development. A developer contribution will be required to mitigate the impacts of this proposal. Herefordshire and Worcestershire CCG calculates the level of contribution required in this instance directly relating to the number of dwellings to be £37,950. Payment should be made before the development commences. Herefordshire and Worcestershire CCG is satisfied that the basis and value of the developer contribution sought is consistent with the policy and tests for imposing planning obligations set out in the Framework. This planning obligation accords entirely with Policy DM.6 of the Wyre Forest District Local Plan.
- SELF-BUILD OR CUSTOM-BUILD PLOTS - As defined by the Self-Build and Custom Housebuilding Act 2015 (as amended by the Housing and Planning Act 2016)
  - c. Subject to: Marketing Strategy giving priority to those on the Council's register for custom-build plots in the local area; Design Code with plot passports; Fully serviced plots to be provided; and requirement for the purchaser to occupy the plot for at least 3 years

This provision accords entirely with Policy SP.12 of the Wyre Forest District Local Plan.

- MANAGEMENT COMPANY – A Management Company to be set up to maintain the Local Equipped Area of Play (LEAP, Sustainable Urban Drainage Systems (SUDS) and landscaping area as set out in the Landscape and Environmental Management Plan (LEMP).
- WCC MONITORING FEES – For the Highway Authority and Worcestershire Children's First.
- WFDC MONITORING FEES - The Community Infrastructure Levy (Amendment)(England)(No.2) Regulations ("the CIL Regs"), Regulation 122 (2A) allows Local Authorities to charge a fee in relation to section 106 agreements for the monitoring and reporting of planning obligations. Whilst the County Council have recently introduced monitoring fees, currently the District Council do not include monitoring fees with their obligations. The S.106 requirements include any monitoring fees that are applicable at the time of the signing of the S.106 agreement.

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## 5.0 Conclusion and Recommendations

- 5.1 The proposal is an outline application for up to 100 dwellings with all matters except for access reserved for subsequent approval. The principle of residential development on this site is entirely accepted by the site-specific allocation policy SA.B2 of the Local Plan and no objection has been raised by the Highway Authority in relation to the proposed access arrangements.
- 5.2 The application has been accompanied by two Masterplans to show how the development could be accommodated and whilst these plans are for illustrative purposes only, it is considered that the illustrative layout of the site would accord with the site allocation requirements in terms of retaining the northern part of the site as open space with no built development, as well as providing a satisfactory living environment, enhanced green infrastructure along the Riddings Brook and retention of the hedgerows. The application has also demonstrated that suitable drainage of the site can be achieved without resulting in flood risk to future occupiers of the development or increasing flood risk elsewhere. It is acknowledged that Stourport Road experiences parking and traffic congestion during the school drop off and collection times, however, it has been demonstrated by the transport assessment that this development would not exacerbate the existing highway issues nor would it result in an unacceptable impact on highway safety or that the residual cumulative impact would be severe. The impact on landscape character and upon the significance of nearby heritage assets has been carefully considered and concluded that subject to appropriate mitigation there would be limited harm. The development has also demonstrated that suitable ecology mitigation and enhancement measures can be provided to ensure no harm to protected species and that the development would deliver measurable biodiversity net gains.
- 5.3 Overall, the proposals would contribute to sustainable and planned housing growth including the provision of affordable homes in Bewdley and would benefit the wider community with a new children's play area, improvements to Bewdley Leisure Centre, bus stop and active travel provision. As such, the development would accord with the Development Plan and the Framework.
- 5.4 I therefore recommend **delegated** APPROVAL subject to;
- c) The signing of a S.106 agreement for the matters set out in paragraph 4.56; and
  - d) The following conditions;
    - 41. Time Limit for Reserved Matters
    - 42. Reserved Matters Details (scale, layout, appearance and landscaping)
    - 43. Require development to be in accordance with the Site Location Plan and Proposed Access to Serve Proposed Residential Development Plan
    - 44. Restrict development to 100 dwellings with at least 2 self-build plots
    - 45. Require details of materials, boundary treatment to include gaps in fences for hedgehogs, proposed site levels and finished floor levels

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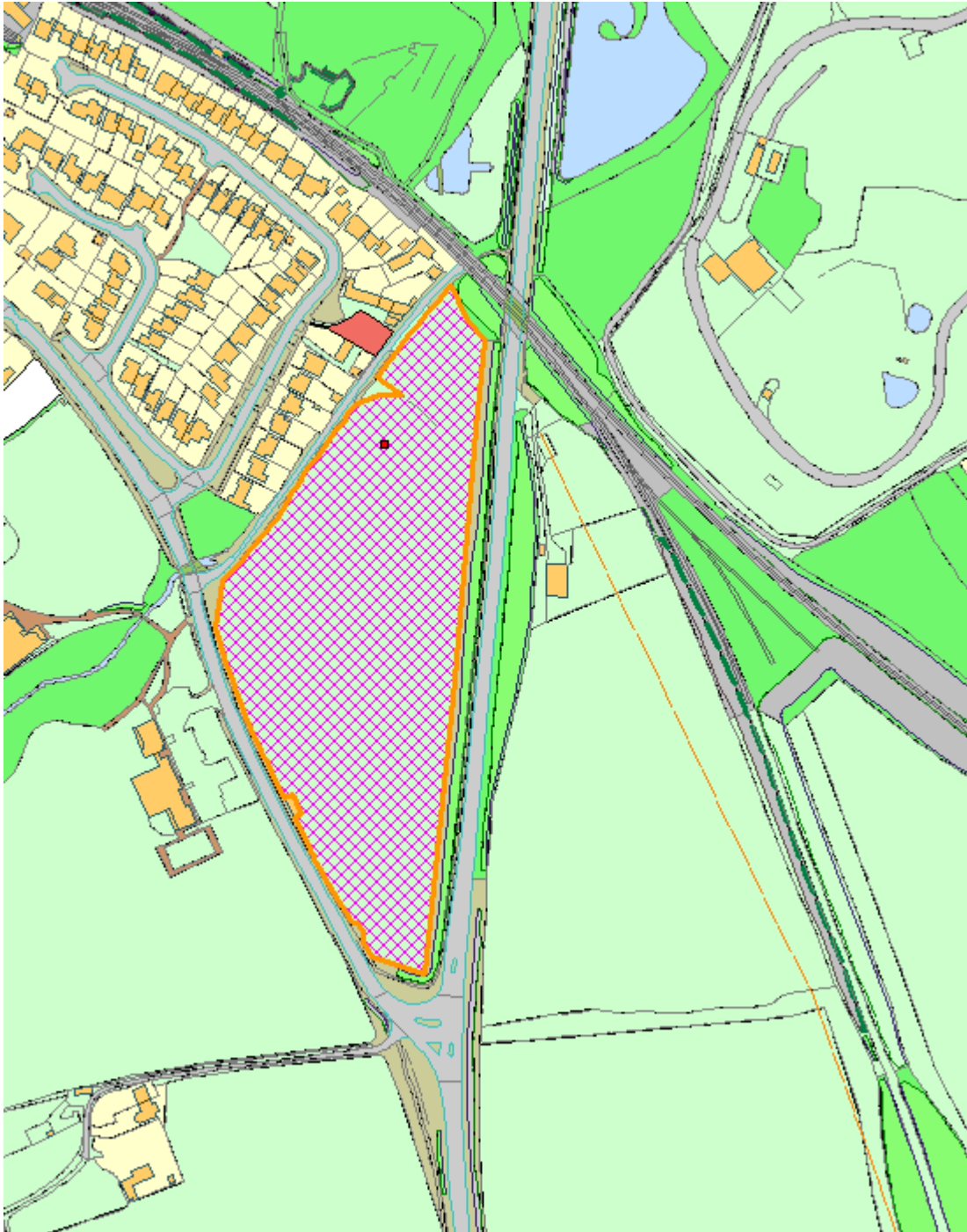
46. Require Accessible Housing Certification Table to identify 20% of dwellings to be accessible and adaptable (Part M(4) Category 3) and 1% of affordable provision to be wheelchair complaint (Part M(4) Category 3) of Building Regulations
47. Require development to achieve water efficiency standard of 110 litres per person per day
48. Require provision of defibrillator and long-term maintenance
49. Require revised Energy Report to demonstrate 10% of predicted energy requirements to be provided through renewable or low carbon sources
50. Secure implementation of Tree Protection Plan
51. Require details of Children's Play Area (LEAP), including management/maintenance plan
52. Require retention of hedgerows except for hedge to be removed to facilitate access
53. Require remediation scheme and validation report for potential ground contamination
54. Unexpected contamination
55. Require noise mitigation scheme
56. Require scheme for a surface water drainage strategy
57. Require management plan detailing future maintenance responsibilities for SuDS assets
58. Require construction surface water management plan
59. Require development to adhere to Flood Risk Assessment
60. Prevent raising of ground levels within Flood Zone 3, the 'high risk'
61. Require drainage plans for disposal of foul and surface water flows
62. Require Written Scheme of Investigation (WSI) for Archaeology
63. Require implementation of WSI
64. Require pre-commencement badger survey
65. Require Otter Mitigation Strategy to be implemented in accordance with Section 3.3 of the report during construction phase
66. Require updated Otter Survey to be undertaken and findings of Survey together with additional mitigation to be submitted and agreed
67. Require additional botanical survey
68. Construction Environmental Management Plan (Biodiversity)
69. Landscape and Ecological Management Plan (LEMP) to include hedgehog boxes and detailed Reasonable Avoidance Method (RAM in relation to reptiles)
70. Require details of External Lighting to demonstrate compliance with Lighting Assessment
71. Vehicular Access to be implemented in accordance with agreed details
72. Require visibility splays to be provided and retained
73. Construction Environmental Management Plan (Highways)
74. Require details of footpath within northwest corner of site
75. Electric vehicle charging points
76. Cycle storage facilities
77. Ultra-Low NOx boilers with maximum NOx Emissions less than 40 mg/kWh
78. Require scheme of Minerals Recovery

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79. The locally listed red brick boundary wall shall be retained and protected during the construction phase

NOTES

- Section 106 Agreement
- The submitted Masterplan (Drawing nos. 103L-I and 103L-J), Landscape Plan (Drawing No. 115A), Landscape Strategy (Drawing No. 11818/P16a), Landscape Strategy Parameter Plan (Drawing No. 11818\_P15) and Building Heights Parameter Plan (Drawing No. 11818\_P14) are indicative for the purposes of this application
- Reserved Matters relating to scale, layout and landscaping shall ensure a sensitive design approach is undertaken that considers landscape character and views from/to heritage assets and incorporates a robust landscape buffer and buildings comprising bungalows and/or low level two-storey dwellings (no higher than 8.5 metres) within southern corner and eastern margin of application site
- Inform developer that battery storage is necessary for dwellings with PV solar panels
- The revised Energy Report pursuant to condition 9 shall consider the inclusion of solar/photovoltaic panels, air source and ground source heat pumps including battery storage for PV panels
- Permit for Flood Risk Activity
- No construction work outside the hours of 0800 and 1800 Mondays to Fridays and 0800 and 1300 hours on Saturdays
- No burning of any material during construction and site preparation works
- WFDC Waste and recycling collection
- Alteration of highway
- Section 278 Agreement
- Section 38 Agreement
- Drainage Details for Section 38
- Protection of Visibility Splays
- Works adjoining highway
- Temporary Direction Signs to housing developments
- Construction Environment Management Plan



Economic Prosperity and Place Directorate

Land At Os 379586 274992 Stourport Road Bewdley Worcestershire

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**PART A**

<b>Application Reference:</b>	<b>22/0183/FUL</b>	<b>Date Received:</b>	<b>03.03.2022</b>
<b>Ord Sheet:</b>	<b>380938 272564</b>	<b>Expiry Date:</b>	<b>02.06.2022</b>
<b>Case Officer:</b>	<b>Helen Hawkes</b>	<b>Ward:</b>	<b>Mitton</b>

**Proposal:**           **Erection of 110 dwellings including 28 affordable units, together with associated infrastructure, access and public open space and demolition of caretaker's dwellinghouse and garage**

**Site Address:**   **Stourport High School And Sixth Form Centre, Coniston Crescent, Stourport On Severn, Worcestershire, DY13 8JU,**

**Applicant:**       **Taylor Wimpey And SAET**

<p><b>Summary of Policy</b></p>	<p><b>SP.1, SP.2, SP.4, SP.5, SP.9, SP.10, SP.12, SP.13, SP.16, SP.20, SP.21, SP.22, SP.23, SP.26, SP.27, SP.28, SP.29, SP.30, SP.31, SP.32, SP.33, SP.34, SP.35, SP.37, DM.1, DM.6, DM7, DM.8, DM.23, DM.24, DM.26, DM.32 and SA.S13 of the Wyre Forest District Local Plan (Adopted April 2022)</b>  <b>Design Guidance SPD</b>  <b>Planning Obligations SPD</b>  <b>Affordable Housing SPD</b>  <b>WCC Landscape Character Assessment</b>  <b>WCC Streetscape Design Guide</b>  <b>WCC Minerals Local Plan</b>  <b>Emerging WCC Minerals Local Plan</b>  <b>National Planning Policy Framework</b>  <b>National Planning Practice Guidance</b>  <b>National Design Guide</b>  <b>Building for a Healthy Life</b></p>
<p><b>Recommendation</b></p>	<p><b>DELEGATED APPROVAL SUBJECT TO S106 AGREEMENT</b></p>
<p><b>Reason for referral to Committee</b></p>	<p><b>‘Major’ Planning Application and Statutory Consultee Objection to Application</b></p>



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## 1.0 Planning History

21/0030/FUL	Erection of 110 dwellings including 28 affordable units, together with associated infrastructure, access and public open space and demolition of caretaker's dwellinghouse and garage: Refused 18.11.2021
21/0694/FUL	Demolition of former caretakers house, Awaiting decision.
19/2027/CR	Removal of Condition 4 of Planning Permission 18/0577/FULL, Awaiting decision.
18/0577/FULL	Erection of two storey Science Block: Approved.
18/0424/FULL	Single storey extension to dining hall: Approved.
15/7180/PAE	Extensions and alterations including demolition to Sixth Form Block and extension of car park: Approved.
14/0456/WCCR	Proposed maintenance access gate to external fencing due to be installed as part of Planning Approval Ref: 13/000047/REG3(13/0468/WCCR): Approved.

## 2.0 Consultations and Representations

- 2.1 Stourport-on-Severn Town Council – Recommend Refusal. Whilst Stourport Town Council are not against the housing development, access has to be via Kingsway and not Coniston Crescent for safety highway reasons.
- 2.2 Highway Authority – No objection subject to conditions and financial contribution. It has been advised that access to the site is currently via a gated access from Coniston Crescent, which used to serve the sixth form block. The Highway Authority has been clear that vehicular access from Kingsway would be preferred to serve the current proposal. It is understood the land required to construct a vehicular access via that route is owned by WFDC and the Applicant is currently unable to deliver the preferred route. However, the Highway Authority also accepts there is no technical reason why a vehicular access cannot be taken via Coniston Crescent. In addition, the Highway Authority have provided the following comments:
1. Access - The Applicant has submitted Drg No. A928-01/L 'Planning Layout' showing access via the currently redundant access to the site which is situated alongside the unoccupied former caretakers house on the north east side of Coniston Crescent. This would be upgraded to adoptable standards, comprising a 5.5m wide road with 6m junction radii, at its junction with Coniston Crescent and 2.0m footways on both sides of the carriageway. This complies with the WCC Streetscape Design Guide (SDG). The Applicant has also submitted Drg. No. 20-018\_04\_100-01/D 'General Arrangement Plan' that shows the provision of dropped

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kerbs and tactile paving at the mouth of the junction for pedestrians, also in accordance with SDG. The Highway Authority has also been in discussion with DTA regarding the junction layout and Drg. No. 19019-03/E has been provided separately, showing an acceptable layout, including a pedestrian crossing point, with dropped kerbs and tactile paving on Coniston Crescent, to the west of the access. Simple dropped kerbs are also provided on the east section of junction footway, being opposite a driveway crossing on the opposite side of the road, giving another informal crossing point for pedestrians. Submitted drawings show visibility splays of 2.4m by 24m and 30m based on the 85th percentile approach speeds of vehicles and this complies with current standards. The Highway Authority is of the opinion longer visibility splays are also deliverable, although not necessary. Submitted Drg. No. 19019-03-1/C shows the vehicle tracking of 12m long refuse lorry can safely negotiate the proposed site access. This is acceptable to the Highway Authority and there is no objection to the proposed site access layout, which meets the standards for serving a 110-unit residential development.

2. Internal Layout - The submitted Transport Assessment (TA), prepared by DTA and dated March 2022, states the internal road layout is designed to 20mph. Considering the internal layout shown on Drg No. A928-01/L, together with the more detailed internal layout shown on Drg. No. 20-018\_04\_100-01/D, the site layout is generally acceptable to the Highway Authority, subject to the following:
  - The layout is suitable for adoption by WCC under the terms of a S38 Agreement.
  - It is not the Highway Authority's intention to adopt the six parking spaces near the junction with Coniston Crescent nor any remote footpath or the 3.0m wide shared path running along the western boundary.
  - The proposed turning head adjacent to plot 64 is acceptable and the drawing shows it stopping short of the site boundary. However, the annotation with the words "possible future link" in adjacent land to the north of the site boundary should be deleted. Such a link could provide a rat run for traffic and would not be accepted by the highway authority.
  - Dimensions of car parking spaces to the rear of footways and carriageways to be confirmed, being at least 6.0m, to ensure vehicles do not overhang onto the potential public highway. • If street lighting is to be provided, any design must be approved by WCC Street Lighting.
  - Whilst street gully positions are shown, some may be subject to relocation during S38 discussions.

Agreement on these can be secured within the associated S38 process, as part of the highway adoption. They are relatively minor and, as such, do not justify either a recommendation of deferral or refusal. The Applicant has provided vehicle tracking drawings that show a refuse vehicle or a fine tender can both negotiate the turning areas in a safe manner. The analysis is acceptable to the Highway Authority.

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3. Car Parking - The TA advises car parking will be provided on site in accordance with the residential parking standards as set out in the SDG. This requires all 1-, 2- & 3-bedroom properties to have 2 car parking spaces and all 4- and 5-bedroom properties to have 3 car parking spaces. The proposed quantum of parking spaces is acceptable to the Highway Authority. The SDG strongly encourages all properties to be equipped with Ultra Low Emission Vehicle (ULEV) charging points, including provision where communal parking is provided. This is supported by the NPPF. The Highway Authority request confirmation that ULEV charging facilities will be provided for each dwelling. This can be covered by a suitable condition, should planning consent be granted. At the beginning and end of the school day, Coniston Crescent is used by parents and carers as a location to park when dropping off or picking up students, due to its proximity to the western gate to Burlish Park primary school. It is understood Coniston Crescent is also used informally as a one-way route from west to east by parents, at the request of the school. The location of the proposed site access will result in the loss of 5-6 informal car parking spaces on Coniston Crescent and an inevitable displacement of parking. To mitigate this and provide a betterment to the current situation, the development will provide a 6-space parking area to the north of the access junction, for use at school pick up and drop off time. This proposed arrangement is acceptable to the Highway Authority. In addition, a financial contribution is to be provided to the Highway Authority to formally line the current car parking area, helping formalise the parking arrangements and making more efficient use of the available space. This would be secured through a suitable legal agreement, should planning consent be granted. To discourage vehicles parking close to the proposed site and to ensure appropriate junction visibility, waiting restrictions, in the form of double yellow lines, should be provided. The Applicant will be expected to fund the cost of processing the associated Traffic Regulation Order (TRO), as well as laying the road markings. The cost of processing the TRO and associated legal processes is estimated at £5,000 and would be secured through a suitable legal agreement.
4. Cycle Parking - The Design and Access Statement advises that cycle parking will be provided within garages or where garages are unavailable, sheds will be provided within the rear gardens. Drg. No. A928/01/L shows sheds provided for those plots that do not have garages. This is acceptable to the Highway Authority.
5. Walking and Cycling - Coniston Crescent has 2.0m footways on either side of the carriageway with dropped kerbs provided. These footways are continuous from the site, with signalised pedestrian crossings and pedestrian refuges along the A451, into the town centre. In the vicinity of the site, the majority of cycle routes are on road. However, given the low traffic levels and the residential nature of the area, this is considered acceptable. Route 45 on the National Cycle Network (NCN) lies approximately 850m east of the site, which links Chester with Salisbury via Bridgnorth, Droitwich Spa, Worcester, Gloucester, Cirencester and Swindon. Route 54 of the NCN lies 1.2km east of the site and links Stourport with Parsley via Kidderminster, Dudley, Lichfield, Burton and Derby. To encourage more active travel from the development and increase the safety and accessibility of the

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proposed development for pedestrians and cyclists, the Highway Authority was initially minded to request a contribution towards a new Toucan crossing at the A451/Kingsway junction, given that no controlled crossing facilities are currently provided. However, subsequent considerations have focused on a contribution towards a new active travel corridor, proposed to run from Burlish Top (along Kingsway) to Stourport Road. This would have wider benefits to the development and the local community. It would be subject to a suitable legal agreement, should planning consent be granted.

6. Bus Services – The nearest bus stops are located approximately 200m from the site on Windermere Way, with a shelter and seating provided on the northern carriageway only. In addition, further stops are provided to the east of Burlish Park Primary School, with a flag and pole denoting the stops. All the stops are served by the Astons subsidised 15A (Westbound) and 15C (Eastbound) services, which run along Windermere Way every 2 hours Monday to Friday, and 5 journeys in each direction on Saturdays. Astons also operate the subsidised 294 service between Kidderminster and Worcester, scheduled at these stops Monday to Saturday 0715 and 1640 (towards Worcester) and 1723 and 1831 (towards Kidderminster). Whilst the locations of the bus stops are considered well within acceptable walking distances, the frequency of services is considered limited. The nearest frequent (20 minute) service is provided at the junction of Windermere Way/A451 Minster Road, approximately 400-500m from the site. These stops are served by the No. 3 bus and shelter and seating is provided. Whilst the Highways Authority consider the overall bus service provision reasonable for such an urban location, there is a case for Community Transport to cater for the needs of any residents who are mobility impaired, especially to access medical facilities. In order to comply with WCC's statutory duty to consider the transport needs of the elderly and disabled, a contribution of £4,500 is requested from the Applicant, based on predicted use and HMRC approved reimbursement rates. This would be secured through a suitable legal agreement, should planning consent subsequently be granted.
7. Local Amenities - The Manual for Streets (MfS) states that 'walkable neighbourhoods' should have a range of facilities within 800m. Guidance on the preferred maximum walking distances to amenities is given in the Chartered Institution of Highways and Transportation's (CIHT) Providing for Journeys on Foot (2000). This guidance prescribes that a walking distance of 400m is acceptable for trips to bus stops and local shops, with 800m being the preferred maximum. In addition, it is generally considered that for distances under 2km, walking offers the greatest potential to replace short car trips, whereas for distances under 5km, cycling is considered the preferred mode of travel. The nearest large supermarket is Lidl, located 1.3km south east of the site in the town centre. Other choices include Tesco and The Cooperative. Stourport town centre has all the retail outlets that would be expected in a town, including banks, markets and supermarkets. The centre is considered to be within a reasonable walking and cycling distance of the site. The nearest primary school to the site is Burlish Park which is located directly adjacent to the southern boundary of the site, fronting Windermere Way. However, it is acknowledged that parental choice is a consideration and Stourport Primary

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School and St Wulstans Catholic Primary School are located 1.7km and 1.9km respectively from the site. The nearest secondary school is Stourport-on-Severn High School. Its grounds are adjacent to the eastern boundary of the site with the main access being accessible through the allotments to the north or along Windermere Way and Kingsway. Given its location it is considered that the majority of pupils are likely to walk to school. Further secondary schools are also provided in Bewdley, including the Bewdley School and the Sixth Form Centre. There are a variety of employment opportunities within Stourport, including high street shops, independent retailers, public houses, banks, eateries and pharmacies. In addition, Foley Business Park (approximately 2.6km north of the site) and Wilden Industrial Estate (4.0km east of the site) provide further employment opportunities, which could be reached by cycle. The Highway Authority consider the location and level of local amenities to be within acceptable levels and consistent with many typical suburban locations. Realistic opportunities for travel by sustainable modes is considered possible, with the proposed improvements as part of the development likely to encourage such trips. It is, therefore, important that the site maximises this potential by promoting the infrastructure and sustainable travel options available, through a thorough and well publicised Travel Plan and Welcome Pack.

8. Network Safety - The TA advises an assessment of personal injury collisions (PICs) over the most recent five-year period (December 2015 – November 2020) within the vicinity of the site has been undertaken, using data obtained from WCC. The results show that, over the defined period, a total of 15 PICs were recorded. Ten PICs were recorded as 'slight' with five recorded as 'serious' accidents. The majority of collisions were due to driver error and lack of judgement rather than physical arrangement of the road network or its general operation. Ten of the PICs occurred along the A451, with six recorded near the A451/Kingsway junction. Most importantly, no PICs were recorded in the vicinity of the site access. Following review of the data, which also includes earlier data to January 2012, that is consistent with the above conclusions, the Highway Authority is satisfied that the number of PICs recorded does not constitute a serious safety issue, however it is requested that more recent data is provided to ensure that accident patterns have not changed since 2016.
9. Highway Impact - The Trip Rate Information Computer System (TRICS) database has been used by the applicant to predict vehicle trip rates for the development. The resulting trip rates have been based on a total of 118 dwellings, which are forecast to generate 53 two-way trips during the AM peak and 53 two-way trips during the PM peak. In addition, person trip rates and the 2011 Census data have been used to provide a comparison to the TRICS database. The results show a total of 92 two-way vehicle trips during the AM peak and 70 two-way vehicle trips during the PM peak. In order to provide a robust assessment, the higher trip rates have been used for junction assessment purposes. In addition, as the application is for a total of 110 dwellings, analysis based on 118 dwellings will provide a robust analysis. The forecast residential traffic generation has been distributed onto the surrounding highway network using 2011 Census Journey to Work data. The

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Highway Authority considers this acceptable. Traffic counts were undertaken in September 2017, during school term times but, due to Covid restrictions, no further counts have been possible. The 2017 traffic counts have been factored up to a new base year of 2021 and a future year of 2026, using local TEMPRO growth factors, which include all known committed development not captured by the traffic count data. This is an acceptable method of analysis. The impact of the development on the following junctions has been assessed: • Windermere Way/A451 Minster Road priority junction. • Burlish Crossing/Bewdley Road/Lickhill Road signalised crossroads. The results of the junction modelling show that, in all future year scenarios, the operation of both junctions, in terms of development impact, is generally acceptable and do not justify any proposed mitigation measures or give grounds for refusal of the application. Other local junctions, including the new site access, are considered to have relatively low background traffic flows and will continue to operate within theoretical capacity with the addition of the development traffic. No further assessment is considered necessary. It is acknowledged that use of Coniston Crescent is likely to generate objections from existing residents and the local community. Whilst Coniston Crescent will experience an increase in traffic flows, the highway is of an appropriate standard to accommodate the increased traffic during school drop off and pick up periods. All road users, but especially motorists, will be expected to exercise due care and attention at all times. This includes parking in appropriate locations and not preventing the clear and unobstructed flow of traffic along the street.

10. Travel Plan - A draft residential Travel Plan has already been provided for the proposed development and is acceptable by the Highway Authority. However, whilst the Travel Plan is generally acceptable, more information is required:
- Details of the Travel Plan Coordinator and the monitoring reports should be sent to [travelplans@worcestershire.gov.uk](mailto:travelplans@worcestershire.gov.uk).
  - the Smarter Travel Information Pack should conform with the 'WCC Guidelines for Travel Welcome Packs' document, with a draft submitted for approval by WCC prior to being issued to new residents.
  - Residents who take up the offer of Personalised Travel Planning (PTP) must be offered an incentive, such as a voucher for a local bike shop or taster tickets for buses. These usually amount to £50 per dwelling.
  - The results of traffic counts and monitoring reports should also detail how many people have taken up PTP and what modal shift they have made. This should be sent to [travelplans@worcestershire.gov.uk](mailto:travelplans@worcestershire.gov.uk). This can be covered by a suitable condition, should planning consent be granted. Alternatively, the Applicant can pay £220 per dwelling, for WCC to deliver the Welcome Packs, undertake the Personalised Travel Planning, and carry out any subsequent monitoring.
11. Construction Traffic - No details have been provided in respect of the construction stages of the development. A Construction Management Plan, setting out the proposed hours of operation, routing, access proposals and site details will form a condition as part of any successful planning consent.

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12. Public Rights of Way - Public Rights of Way (PRoW) are affected by the development. The Applicant is required to adhere to the following PRoW obligations:

- No disturbance of, or change to, the surface of the path or part thereof is carried out without written consent of the Highway Authority.
- No diminution is made in the width of the right of way available for use by the public.
- No additional barriers are placed across the right of way. No stile, gate, fence, or other structure should be created on or across the public right of way without written consent of the Highway Authority.
- Building materials and equipment associated with the development must not be stored on the right of way and work undertaken to carry out the development should not obstruct the footpath at any time.
- Vehicle movements and parking must be arranged so as not to interfere with the public's use of the right of way.
- The safety of the public using the right of way is to be always ensured. The Applicant should note that if it is necessary to divert a PRoW for permitted development to take place, the diversion application should be completed to confirmation stage before any development affecting the PRoW is started. Any impact will need to be agreed with the WCC PROW Team prior to construction and may require a separate approval process over and above the granting of planning consent. Where possible, the definitive line of all PRoWs should be kept open and available for use throughout the construction phase. However, if public safety requires a temporary closure or diversion of a public right of way during works, the appropriate application should be made to the Public Rights of Way Mapping Team at WCC at least eight weeks prior to the earliest requested closure date.

The Highway Authority have also made the following comments on general highway safety:

- Whilst the new development will result in more vehicular traffic using Coniston Crescent, no evidence has been presented that suggests there is an existing highway safety issue in the street. The PIC data suggests there have been no recorded PICs in Coniston Crescent and, therefore, school traffic, whilst causing some short-period congestion, is not generating injury accidents.
- No evidence has been presented that existing residential traffic is causing any highway safety concerns or conflicts with school traffic or pedestrians. Whilst there may be a perception of some highway safety issue, data does not support this.
- On this basis, no evidence has been presented to demonstrate the proposed development traffic would result in an unacceptable impact on highway safety.

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- All road users are required to use due care and attention when negotiating the highway network and give due respect to other road users. People travelling to and from the new residential development would be expected to comply with this requirement.
- The proposed site access complies with the WCC SDG, and appropriate visibility splays are to be provided. Hence, the access can be deemed to be suitable and of a safe design which complies with current standards.
- The volume of traffic expected to use the junction are deemed to be relatively low, such the junction will operate well within its theoretical capacity, without any safety concern.
- The traffic volume predicted to be generated by the development (discussed in the following section) is low, in comparison with existing flows on the surrounding highway network. Hence, there is no evidence that the cumulative traffic impact will be severe. Indeed, it is more likely to be modest.

The Applicant arranged for a Stage 1 Road Safety Audit (RSA) of the proposed site access to be undertaken. The audit raised three problems – (i) parked vehicles blocking visibility at the access, (ii) parked vehicles blocked visibility of the pedestrian crossing, and (iii) pedestrian access limited to the east. The Applicant has submitted the Designer’s Response, which acknowledges the three problems and proposes measures to address them. The Response is accepted by the Highway Authority as complying with best practice. Measures include the provision of waiting restrictions and pedestrian dropped kerbs.

In conclusion, the Highway Authority advise that they have undertaken a robust assessment of the planning application. Based on the analysis of the information submitted, the Highway Authority concludes that there would not be a severe impact and, therefore, there are no justifiable grounds on which an objection on Highway grounds could be maintained. **Consequently, subject to deletion of the words “possible future link” from plan A928 01 L there is no highway objection subject to the conditions and obligations set out in this advice.**

*[Officer comments – The Proposed Site Plan has been amended to remove the reference to a ‘possible future vehicle link’ to the allocated land to the northwest of the site]*

2.3 Countryside and Parks Manager – The application has come with additional Ecological data in the form of an updated Preliminary Ecological Study (March 2022). It also includes an Analysis of Biodiversity Net Gain in the form of a DEFRA matrix. I raise no objection subject to the imposition of the following conditions:

- Prior to works commencing A Bat Mitigation strategy will be produced and submitted to the local authority to approve. The strategy will include information where the bat boxes will be provided and their nature. The scheme forming the



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basis for an appropriate licence from Natural England. Once approved the scheme being implemented under the supervision of a qualified ecologist. After 1 year from the development completion the scheme will be reviewed by a qualified and experienced ecologist and amendments and improvements made if needed, prior to a report being submitted to the Local Planning Authority, that reviews the delivery and effectiveness of the mitigation being provided.

- If works to remove the building have not started by May 2022 then an additional bat survey will be undertaken, and the findings included in the Production of a Bat mitigation strategy that will be submitted to the local authority to approve.
- A lighting strategy is produced in conjunction with a qualified and experienced ecologist. This then being implemented and a certificate of compliance submitted to WFDC clearly demonstrating that the lighting scheme as built is not negatively impacting on the dark corridor to the North west as shown on the adapted plan BEA Landscape Design Ltd DETAILED\_LANDSCAPE\_PROPOSALS\_\_SHEET1\_-856808.
- Prior to works commencing a walk over badger survey is carried out by an ecologist to ensure Badgers have not taken up residency on the site. If present a Badger mitigation strategy being produced and submitted to the local Planning Authority for approval. Prior to being implemented.
- A reptile mitigation plan and RAMS strategy is produced prior to works commencing and this submitted to the local planning authority. This plan subsequently implemented under the supervision of a suitably qualified and experienced ecologist. A report being submitted to the local planning authority 1 year following the completion of the development demonstrating the effectiveness of the RAMs and any proposed mitigation and enhancement.
- Vegetation clearance should only be carried out between 1st September and 1st of March or under the guidance of a suitably qualified and experienced ecologist. To prevent harm to nesting birds.
- Prior to approval a plan showing the location and nature of 5 bird boxes suitable for various local species is produced and submitted to the Local Planning Authority for approval prior to implementation.
- Prior to approval, a plan showing the location and nature of hedgehog passes, that allow hedgehogs to pass freely through the development is produced and submitted to the Local Planning Authority for approval prior to implementation.
- Prior to works commencing a Net Gain implementation plan is produced. This clearly demonstrates the actions and timings needed to deliver the described Net Gain in the DEFRA Metric submitted with the planning application. The net Gain Plan should clearly describe the nature and timing of ecological milestones requiring monitoring and potentially remedial actions for the 5 years following the completion of the development. This being to ensure the development is delivering net biodiversity gain. Once approved the plan will be implemented and after a period of 5 years from the implementation of the plan a report produced by an experienced and qualified ecologist, submitted to the Local planning authority for approval, that details the completed action, the results of monitoring and confirmation that the development has or will shortly meet its net gain

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requirements.

- 2.4 North Worcestershire Water Management Officer – No objection subject to a condition to require the submitted drainage details, management, and maintenance of the drainage asset to be implemented in accordance with the approved details. The following comments have been made to the application:

I understand that this is a re-submission of application 21/0030/FUL (refused), upon which I commented originally on 2nd Feb 2021. After my initial response various emails were exchanged with the applicant regarding the proposed drainage strategy. In the end I was of the opinion that I was no longer able to uphold an objection on water management grounds, although I cannot deny that I was still disappointed that a more ambitious drainage system was not incorporated in the development. Ideally greener, above ground Sustainable Drainage Systems (SuDS) should have been incorporated but instead the strategy uses underground soakaways, of which quite a few are communal soakaways (serving multiple properties) stretching out over various back gardens. This in my opinion will complicate the future maintenance of these assets. The communal soakaways I am most concerned about are soakaway 2 (stretching over 4 back gardens, serving 12 properties), soakaway 18 (stretching over 7 back gardens, serving 16 properties), soakaway 19 (stretching over 4 back gardens, serving 10 properties) and soakaway 20 (stretching over 13 back gardens, serving 20 properties). Taylor Wimpey submitted a SuDS maintenance & management plan to try to alleviate some of the concerns. At least prospective buyers should be aware of the joint responsibility for the upkeep of these assets.

I have reviewed the information submitted for the current application, which with regards to drainage consists of:

- Flood Risk Assessment and Drainage Strategy Rev B (Travis Baker, Feb 2022)
- Drainage Strategy & FFL's ' Drawing 20-018\_04\_100\_01 Rev D (Allsop Avery, Feb 2022)
- 304 B Soakaway Location Plan (Taylor Wimpey, Sep 2021)
- 308 Permeable paving location plan (Taylor Wimpey, Sep 2021)
- 309 individual soakaways plan (Taylor Wimpey, Sep 2021)
- 310 communal soakaway plan (Taylor Wimpey, Sep 2021)
- SuDS maintenance & management plan (Taylor Wimpey, Sep 2021)
- Calculations for each of the 21 soakaways (DDS, June 2021, 21 files)

The only change to these documents, as far as I can tell, has been to reflect the change in planning layout (red line boundary), which has led to changes in the first two documents listed above. The drainage strategy or drainage details have not been revised.

As per my conclusion regarding 21/0030/FUL on the 6th Oct 2021 for 21/0031/FUL, I believe that based upon the submitted information there would be no reason to withhold approval of the current application (22/0183/FUL) on flood risk or water management grounds.

- 2.5 WFDC Arboricultural Officer – No objection and advises that they are satisfied with the landscaping. The change to the cycle route hasn't had any impact on the existing trees or new landscaping. I'm satisfied that the important arboricultural features within this

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application are suitably protected and will enhance the development without becoming a nuisance to the new home owners. A condition to ensure the adherence of the submitted TPP would be prudent to ensure its compliance. I'm also satisfied with the new arboricultural features proposed around the site. The Hornbeam hedge around the perimeter of the site along with suitable tree planting within the development, will ensure the development will add to the urban forest of Stourport. At least 3 years establishment and management of the proposed trees and hedges is required and should be detailed in a landscape management plan. If one has not yet been submitted a condition requesting one is required.

- 2.6 Worcestershire Regulatory Services (Air Quality) – No objection subject to conditions to secure Low Emission Boilers, Cycle Storage and Electric Vehicle Charging Points. It is also advised that the application has been submitted with 'Wardell Armstrong; Coniston Crescent, Stourport-On-Severn. Air Quality Assessment; Report ref: NT15436. 0001.V1.O; dated August 2021'. The report assessed the air quality impacts of the construction and operational phases of the proposed development.

Construction Phase - The sensitive receptors considered in the assessment were Stourport High School, Burlish Park Primary School, residential dwellings on Coniston Crescent and residential dwellings on Ullswater Avenue. There were no ecological receptors within 50m of the site and/or within 50m of the route(s) used by construction vehicles on the public highway, up to 500m from the site entrance(s). Therefore, ecological effects were not considered within the assessment.

The report assessed the Dust risk from Soiling as Medium for Demolition, High for Earthworks and Construction and Medium for Trackout. The risk to Human Health was assessed as Negligible for Demolition and Low for Earthworks, Construction and Trackout, therefore effective dust mitigation measures should be implemented in accordance with IAQM guidance.

Operational Phase - The assessment used ADMS-Roads (Version 5) dispersion model. model inputs included Defra's Emission Factor Toolkit (EFT v10.1), 2018 Meteorological data from the Pershore Meteorological Station, background concentrations from the Defra default concentration maps and traffic flow information for 2019 was provided by David Tucker Associates

Three Scenarios were modelled:

- Scenario 1: 2018 Verification and Base Year
- Scenario 2: 2024 Opening Year, without the proposed development
- Scenario 3: 2024 Opening Year, with the proposed development

Eight existing sensitive receptors (ESR 1 to ESR 8) and one proposed sensitive receptor location (PSR 1) within the development site boundary were selected based on their sensitivity and their proximity to roads which will be affected by development generated traffic.

- ES1 - Coniston Crescent
- ES2 - ES4 - Windermere Way
- ES5 - Lorne Street
- ES6 & ES8 - Minster Road
- ES7 - Stourport Road

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An overall adjustment factor of 3.6583 was applied to the modelled road-contribution NO<sub>x</sub> concentration and a Root Mean Square Error (RMSE) of 2.87 was calculated as part of the model verification for NO<sub>2</sub> concentrations. The results show that all predicted NO<sub>2</sub>, PM<sub>10</sub> and PM<sub>2.5</sub> concentrations are below their relevant air quality objectives and limit value.

In Conclusion - The assessment is appropriate and WRS agree with the methodology and conclusions, therefore WRS have no adverse comments to make for air quality for this development.

2.7 Worcestershire Regulatory Services (Contaminated Land Team) – No objection subject to a condition to ensure that the site is suitable for its proposed use and in accordance with the National Planning Policy Framework which requires sites to be suitable for its proposed use taking account of ground conditions, pollution arising from previous uses and any proposals for mitigation including land remediation. WRS advise that they have reviewed the Site Investigation Report ref 20088 (prepared by Travis Baker Geo Environmental for Taylor Wimpey West Midlands) and with reference to the contaminated soil removal and subsequent clean cover (minimum 600mm with hard / no dig barrier), WRS are in agreement with the report's methodology and outcomes. However, the gas monitoring has produced four results over a one month period and while some gas protection methods have been referred to, WRS would ideally like to see further gas monitoring (also referred to in the report) in line with BS8485.

2.8 Worcestershire Regulatory Services (Noise) – No objection subject to conditions to require the recommended acoustic fencing to be implemented and for the floodlight nearest to the development to be replaced with a suitable lighting. WRS have made the following comments:  
 Transport Noise: No objection to the application in terms of transport noise adversely impacting future residents.

Noise from the Existing Sports Field: While not formally objecting to the application, WRS consider, that due to the close proximity of the existing sports pitch to the proposed development, future residents could at times be adversely impacted by noise from the pitch which could result in complaints being made and theoretically restrictions being placed on its use. Should you decide to grant the planning permission in full then the proposed acoustic fencing, specified within the submitted noise assessment should be implemented.

Floodlighting: The submitted floodlighting assessments predicts that the floodlighting associated with the proposed new playing field will comply with the ILE Guidance for an E3 Environmental Zone (suburban) and is therefore acceptable. In terms of the existing floodlighting associated with the existing playing fields to the east / south east of the development site, the lighting assessment recommends the replacement of all of the luminaires in order to comply with the ILE Guidance. Therefore the applicant should submit a revised lighting assessment in order to demonstrate that the replacement luminaires will comply with the ILE Guidance.

Odour: No objection to the application in terms of odour from the school kitchen.

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2.9 WCC Public Health – It is advised that a Health Impact Assessment (HIA) is undertaken for this development, paying particular attention to NPPF guidance on promoting safe active travel. This includes “street layouts that allow for easy pedestrian and cycle connections” (paragraph 92a); “layouts that encourage walking and cycling” (paragraph 92c); “opportunities to promote walking, cycling and public transport use are identified and pursued” (paragraph 104c); and “provide for attractive and well-designed walking and cycling networks” (paragraph 104d).

Green space - This development of 110 homes takes away the school playing fields which were allocated to the now-closed middle school. The removal of green space could have a detrimental effect on children and adult health and wellbeing, including mental health. The benefit of green space and outdoor activity has been highlighted in a number of studies during the pandemic and Government policy increasingly recognises the importance of green space in people’s health and wellbeing for promoting good health, prevention of poor health and treatment and recovery from illness and injury. The UK Chief Medical Officer recommends that children do at least 60 minutes of moderate to vigorous physical activity every day. The HIA should monitor how this greenspace is currently used by the community and address what mitigation will be in place for the loss of this asset.

Travel - The benefits to health and wellbeing of active travel are well documented. It enhances health, quality of life and the environment and also reduces costs to the public purse. The cost to society of road transport is high. It can lead to:

- increased disease burden due to reduced levels of physical activity;
- road traffic collisions and injuries
- air pollution;
- noise; and
- reduced social cohesion and increased social isolation for many.

Public Health welcomes the inclusion of a Residential Travel Plan for the development and will work with partners to address mutual policy goals such as enhancing and promoting active travel and addressing air quality issues. As stated in the Design and Access Statement, existing walking routes should be protected and enhanced, and new pedestrian/cycling routes should connect to the wider open countryside and local schools. Examples of actions that would help to secure benefits include:

- Reallocation of existing footpaths as bridleways which would allow for cycling and walking, long-term health and economic benefits;
- Ensuring that new bridleways link with existing networks;
- Adequate road crossings that allow time for people who are slower walkers such as children and elderly people to cross; and
- Adapting the pedestrian environment to meet the needs of older people who are likely to be more vulnerable as pedestrians but need the ability to venture outside both for their physical and mental health and wellbeing.

This is something that the HIA should consider.

Air Quality - Poor air quality is the largest environmental risk to public health in the UK, as long-term exposure to air pollution can cause chronic conditions such as

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cardiovascular and respiratory diseases as well as lung cancer, leading to reduced life expectancy ('Health matters: air pollution' www.gov.uk). Studies have shown associations of NO<sub>2</sub> in outdoor air (caused largely by cars and vans) with reduced lung development, and respiratory infections in early childhood and effects on lung function in adulthood. Increased traffic from the development (potentially 200 vehicles) will affect air quality and potentially be detrimental to health and wellbeing. Public Health recommend that pedestrians, cyclists, and users of other modes of transport that involve physical activity need the highest priority when developing or maintaining streets and roads.

Some of these measures are mentioned in the Residential Travel Plan. The HIA should also address this issue and provide examples of positive steps to avoid adding to air pollution.

*[Officer comments – A revised Health Impact Assessment has been submitted but no further comments have been provided by WCC Public Health team.]*

- 2.10 WCC Landscape Advisor - No objection to the scheme, in principle, on landscape grounds. I do, however, have some concerns and comments, as below.

Boundary treatments - Overall, I welcome the retention and proposed enhancements of the northern and western boundaries. There is, however, a missed opportunity to enhance the southern and eastern boundaries that, from the submitted plans, appear to be fence lines. Adding a hedge to the eastern boundary would help to soften the division between the scheme and allotments, and would also deliver additional habitat for pollinators and birds. There is also a mature, linear woodland that separates the allotments from the all-weather pitch. Replacing the fence with a hedge along the southern boundary of the scheme would add a functional green infrastructure link between the linear woodland and vegetation near the boundary with Coniston Crescent, and again deliver additional habitat. I acknowledge that any hedgerow forming private boundaries would be vulnerable to fragmentation or differing management. However, it might be possible to secure management of the features through a suitably worded covenant.

Landscape scheme - Overall, with the exception of those boundary treatments discussed above, the scope and selection of species is acceptable to the landscape setting of the scheme. There are, however, details concerning habitat establishment, management and aftercare that are not included in the submitted landscape proposals: drawings 20-079-03 and 20-079-04, and Planning Notes (Soft Landscape) 20-079-05. It may be that these matters are dealt with in a separate document, but if that is the case I could not find it in the list of submitted documents attached to the application. I recommend, therefore, that a full landscaping scheme, that also includes details of ecological provision and net gain, should be secured by condition through a Landscape and Ecological Management Plan.

- 2.11 WCC Archaeology – No objection and advise that there are no archaeological concerns with this application. Information supplied at pre-application stage for a previous application (21/0030/FUL) showed that the site has been heavily truncated and disturbed. Any archaeology that might have been present is likely gone.

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2.12 Sport England – Objects to the planning application. Sport England’s policy is to oppose the granting of planning permission for any development which would lead to the loss of, or prejudice the use of, all/part of a playing field, unless one or more of the five exceptions stated in its policy apply.

Background - An application for planning consent for essentially the same scheme was submitted last year under application 21/0030/FUL. Sport England objected to the application on the basis that, in our view, the application would not meet Sport England’s Playing Fields Policy and Guidance, nor the guidance contained in the NPPF. We also commented on the proposed mitigation, where we raised various concerns regarding the indicative proposal for a new 3G artificial grass pitch to be constructed on the school’s remaining playing field.

Notwithstanding Sport England’s objection, officers recommended the application for approval, however, due to concerns on highways issues, the Council refused planning consent. It is understood that the applicant has recently submitted a planning appeal.

The policy context at the time of the last application was that the site was proposed to be allocated for housing development in the emerging Local Plan Review. Sport England raised objection to the proposed allocation seeking modifications to the plan policy wording (see attached), so as to ensure that development proposals be required to demonstrate that they accord with playing fields policy.

Since that time, the Council have consulted on the proposed Main Modifications and the Inspector has issued their report. Sport England understands that the Council do not propose to make the modifications sought by Sport England. It is understood that the Council propose to adopt the plan later this year. Depending on the timetable for determining the new planning application, it may be that by the time this application is considered the Local Plan Review has then been adopted?

This would be significant for this case because the Development Plan policies will then have changed :

- 1) Full weight should then be given the relevant policies in the Local Plan Review, including policy 20A (community facilities) which relates to the protection of community facilities, including sports pitches (see reasoned justification)
- 2) The Local Plan Review will then replace the existing adopted Core Strategy and the adopted Site Allocations and Policies Local Plan, including Policy SAL.UP4.

The Proposal and Impact on Playing Field - The proposal is as per the 2021 application, which results in the loss of approximately 3.4 hectares of school playing field. The applicant does not propose to provide a replacement area of playing field to mitigate this loss, rather they intend to install a 3G Artificial Grass Pitch on the existing school playing field that will remain. The applicant has submitted the same supporting documents that were submitted previously, including their playing fields assessment.

Sport England’s assessment of the case put forward by the applicant, and our assessment against Sport England’s Playing Fields Policy and Guidance, and the guidance in the NPPF is therefore as set out previously, and so rather than repeating all of those points again, I have attached our previous representations and request that these be considered for this new application. Notwithstanding the fuller responses attached, very briefly I have summarised the key points below, and considered the

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implications of the impending adoption of the Local Plan Review in respect of the relevant development plan policies.

The applicant contends, and the Council accepts their view, that the playing field is surplus to requirements, a point that is disputed by Sport England. The site has been declared surplus for education use and disposal of the land has been agreed by the Secretary of State for Education. However, Sport England considers that it has not been acceptably demonstrated that the site is surplus for sport which requires assessment through the planning process. In Sport England's view, the evidence in the Playing Pitch Strategy (which should be read as a whole, not simply extracting parts of the PPS Addendum) gives weight to protecting the site for sports use. The Council have previously signed a statement of common ground with Sport England in respect of the Local Plan Review where it has been agreed that i) there are shortfalls of match sessions for football across various pitch sizes in this sub-area and elsewhere in the District and ii) that the PPS identifies the aim is to protect and enhance the playing field.

The applicant also considers that the adopted policy SAL.UP4 does not require a scheme of mitigation, since they contend that the policy only applies to playing fields shown on the proposals map. Sport England have previously expressed the view that the proposals map fails to identify the playing field in error, and that it plainly is playing field for which the policy should apply. Notwithstanding this point, the guidance in the NPPF and Sport England's Planning Fields Policy still applies as a material consideration, and we contend that these are not met. We would also point to the attached appeal decision (Land North of Gunning Road, RM17 6UQ), in which notwithstanding the allocation of land for another purpose (in this case employment use), it was still necessary to appropriately apply the relevant open space policies, including the guidance in the NPPF. In Sport England's view this is relevant to the above point in respect of assessing the application against playing fields policy, irrespective of whether or not the site is allocated for another use, and regardless of whether or not the wording of the policy makes specific reference to complying with the relevant playing field policy tests.

In any event, even if the applicant's view is correct in respect of the application of policy SAL.UP4, this policy will soon fall away as it will no longer form part of the development plan when the Local Plan Review is adopted. It should be given no weight once the Local Plan Review is adopted since this policy would be replaced by policy 20A. Unlike policy SAL.UP4, policy 20A of the Local Plan Review does not contain wording to (only) protect those playing fields that are shown on the proposals map. It is a policy that protects community facilities (including playing fields) unless certain criteria are met, which are consistent with the criteria to the NPPF. Sport England contends for the reasons explained previously that these criteria are not met and so the proposal does not accord with this relevant development plan policy. The applicant may contend that policy 20B is also relevant where there is reference to protection of open space as shown on the proposals map. For the same reasons as explained above for existing policy SAL.UP4, even if this were considered to be a relevant policy, the protection of playing fields under policy 20A, the relevant guidance in the NPPF and Sport England's Playing Fields Policy still applies.



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Notwithstanding the Council's assessment of the determined application, we disagree that the playing field should be considered to be surplus to requirements for sport in accordance with para 99 (a) of the NPPF.

Without prejudice to the above comments, having re-consulted with the Football Foundation, they reiterate the concerns raised previously regarding the proposed 3G pitch, seeking clarification on several points including the AGP pitch dimensions and run-offs, location of changing room provision and their layouts to ensure these are appropriately FA compliant, clarification on parking provision as this would seem to be under-provided for at the school to support the use of a 3G pitch, to seek comfort that the AGP would not be subjected to reduced usage to protect residential amenity, seeking clarity on funding for the pitch including regular maintenance and an annual sinking fund for its replacement at end of life etc. These points still don't appear to have been adequately addressed? Sport England shares these concerns. A full size 3G pitch for football and rugby (with associated areas of hard surfacing for spectator viewing, goal storage etc) does not seem to fit the available space due to the restricted dimensions of the available space between fence boundaries, and so there are significant concerns that the terms of the Secretary of State for Education's decision (which the applicant and the Council rely heavily upon) to provide a full size AGP cannot be delivered in practice?

Furthermore, whilst Sport England notes that reference has been made to various section 106 contributions in the officers report to the determined application, the provision of the 3G AGP was not included. Whilst the provision of the 3G pitch forms part of the judgement of the Secretary of State for Education for the disposal of the site, this does not appropriately secure the delivery of this pitch in planning terms since this is a completely separate process. If the 3G pitch is to be accepted as mitigation in this case, we would expect its implementation to be secured as part of the section 106 agreement to an agreed specification of works and to include an appropriately worded 'Grampian' restriction to ensure that the playing field loss only takes place in accordance with a prescribed timetable for completion of construction of the AGP and being first made available for use etc.

In summary, Sport England wishes to raise its objection to this application because it is not considered to accord with any of the exceptions to Sport England's Playing Fields Policy or with Paragraph 99 of the NPPF. We also don't consider that the proposal accords with the relevant existing and emerging development plan policies for the reasons explained.

Should the local planning authority be minded to grant planning permission for the proposal, contrary to Sport England's objection then in accordance with The Town and Country Planning (Consultation) (England) Direction 2021, the application should be referred to the Secretary of State, via the Planning Casework Unit.

If this application is to be presented to a Planning Committee, we would like to be notified in advance of the publication of any committee agendas, report(s) and committee date(s). We would be grateful if you would advise us of the outcome of the application by sending us a copy of the decision notice.

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- 2.13 Severn Trent Water - No objection to the planning application subject to the inclusion of a condition to ensure the appropriate disposal of foul and surface water flows.

Catchment Team Comments: Located with SPZ3 of multiple active GWS. Ensure EA guidance and best industry practices are employed. Best practice construction methods and mitigation measures should be developed and presented in a Construction Environmental Management Plan for the Proposed Development, which should be agreed with the local planning authority in advance of construction commencing.

- 2.14 Natural England - No comments to make on this application.

- 2.15 Design Out Crime Officer - No objection or comments regarding this planning application.

- 2.16 Neighbour/Site Notice Representations

64 letters of objection received from nearby occupiers, and all comments have been fully taken into account in the consideration of this application and have been summarised as follows:

- Extra traffic on Coniston Crescent during school drop/pick up times would cause congestion on an already narrow and busy road
- Queuing is already an issue on nearby roads/junctions and this development would exacerbate the issue
- Parking issues which would have serious health and safety implications
- Dangerous for school children and parents
- Access should be Kingsway in accordance with the Local Plan (Policy 33.16)
- Object to access on Coniston Crescent as it is not safe due to its proximity to the school
- Lack of access for emergency vehicles
- There would be no one to police the 6 public car parking spaces
- Misleading transport assessment and road safety audit as the surveys were not taken during morning rush hour and after noon pick up times
- Construction vehicles will add mayhem and Windermere Way is subject to a HGV restriction order and therefore would preclude construction traffic
- Strain on schools and school bus already oversubscribed
- This is greenbelt land
- Loss of open view
- Loss of trees
- Loss of a substantial property, the caretaker's house, this should be refurbished not demolished
- Lack of community facilities (GPs and Dentists) in the local area
- Lack of power in this area for the development, especially as there has been a number of buildings built in Silverwoods and now the incinerator
- This development has already been refused
- Lack of parking for Burlish Park Primary school
- Impact on wildlife
- Loss of a field for dog-walking
- The money required for the 3G pitch should be used for refurbishment and maintenance works at the school

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- Loss of a playing field, which would cause a further shortfall of football pitches in Stourport
- Permission was only granted for the new sixth form on the basis that the old site was returned to greenbelt
- Fails to enhance landscape character
- Brownfield should be used first before using other sites like this
- Loss of amenity and resident's right to a peaceful life
- Substantial amount of the proposed houses are not affordable

### 3.0 Site Description

- 3.1 The application site extends to 4.1 hectares and comprises a rectangular shaped parcel of land with access off Coniston Crescent. It is relatively flat in ground levels and includes a row of trees within the centre of the site and around the periphery. The site is part brownfield having been previously developed for the former Sixth Form Centre, which has now been demolished to slab level and includes the vacant caretaker's house that fronts onto Coniston Crescent. The remaining part of the site is greenfield, which comprises unused school playing fields owned by Stourport High School. The site has one Tree Preservation Order (no. 441), which covers a group of trees fronting Coniston Crescent and 5 individual trees to the north-western boundary, all which are to be retained. The site falls within Flood Zone 1 and there are no watercourses in close proximity to the site.
- 3.2 The site lies adjacent to the urban edge of Stouport-on-Severn and approximately 4 miles south of Kidderminster. It is adjoined to the northeast by Kingsway allotments, with the Stourport Sports Club located beyond on the opposite side of the Kingsway. To the southeast of the site lies the existing playing fields and netball/hockey courts to the school. To the northwest of the site is the former Burlish Golf course and there is a public footpath that runs the length of the northern boundary of the site and provides access to the Kingsway Allotments. To the southwest, the site is adjoined by Burlish Park Primary School and to the west by Coniston Crescent, which includes a small number of detached dormer bungalows and two-storey dwellings. Coniston Crescent joins Windermere Way and heading east, links with the A451 Minster Road. The A451 is the main route from the north into the town centre of Stourport and south into Kidderminster. The Kingsway also provides access to the A451 Minster Road and to Burlish Crossing, where it meets Bewdley Road North and Lickhill Road North.
- 3.3 The site is allocated for residential development under Policy SA.S13 of the Wyre Forest District Local Plan, which released the site from the West Midlands Green Belt and confirmed that the site is surplus to education requirements. The site allocation policy indicates a capacity of 115 dwellings on this site subject to several principles being met including that vehicular access should be taken from the Kingsway adjacent to the allotments or from Coniston Crescent.
- 3.4 This application seeks full planning permission for the erection of 110 dwellings, the demolition of the former caretaker's house, a new vehicular access onto Coniston Crescent, children's play area, pedestrian links and associated works.

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- 3.5 The site access would be from Coniston Crescent via the gated access that previously served the sixth form block that has since been removed. The improvements would be made to the access to allow two-way traffic with pedestrian footpaths either side and satisfactory visibility splays. The proposed dwellings would be positioned around a series of cul-de-sac roads within the site to create perimeter blocks as well as dwellings that back onto the remaining school playing field and the adjoining allotments. A central green reserve would be provided with dwellings positioned in a crescent on either side of the reserve to create a sense of place and a distinctive character for the development that is memorable. A wide landscape buffer would be provided to the north and west boundaries with pedestrian/cycle links including links to the adjoining allotments from the site. The existing woodland area adjacent to Coniston Crescent would be retained and a children's natural play area is proposed adjacent to the woodland. The proposed scheme would include off-street parking for all residential properties together with six car parking spaces for public use, which would be available for school drop-off and collection purposes. The overall scheme would also provide extensive tree planting and soft landscaping throughout the site and would incorporate sustainable urban drainage (SUDS) features in the form of an underground storage system.
- 3.6 The application is a resubmission of a previously refused application 21/0030/FUL for an almost identical development with the only material changes to this application being the following:
- Amendment to the red line site boundary to omit council-owned land between the school site and the Kingsway;
  - Updated Transport Assessment;
  - Additional pedestrian links to allocated land to the northwest of the site (site allocation policy SA.S6);
  - A Stage 1 Road Safety Audit (RSA), including a Response Report to the RSA;
  - Developer's agreement to provide a financial contribution to the implementation of a Personalised Travel Plan for Burlish Park Primary School;
  - Flood Risk Assessment
  - Updated Preliminary Ecological Study (March 2022) including analysis of Biodiversity Net Gain in the form of a DEFRA matrix;
  - Additional drainage, boundary and external material details.
- 3.7 The application also includes the demolition of the vacant Caretaker's house, which fronts onto Coniston Crescent, but it is noted that a separate application (reference 21/0694/FUL) has been submitted to demolish this building and is awaiting determination.
- 3.8 The following documents have been submitted in support of this revised application: Design and Access Statement, Tree Survey Plan and Report, Tree Retention and Removal Plan, Arboricultural Impact Assessment, Tree Protection Plan, Drainage Strategy, Preliminary Ecological Assessment, Condition Report, Planning Statement, Financial Viability Assessment, Transport Assessment and Travel Plan, Site Investigation Report for Potential Contaminated Land, Lighting Assessment, Odour Assessment, Landscape Proposals, Sustainability Statement and a Flood Risk Assessment.

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## 4.0 Officer Considerations

### BACKGROUND INFORMATION

- 4.1 Members will recall that an almost identical planning application (21/0030/FUL) was submitted to the Council in January 2021 and was presented to the Planning Committee in November 2021 with an Officer recommendation for approval, subject to planning conditions, the signing of a S106 agreement and deferral to the Secretary of State (due to the objection raised by Sport England). Committee Members resolved, however, to refuse planning permission for the following reason:
1. *The proposed would significantly increase traffic movements via single point of access onto Coniston Crescent which would result in an unacceptable impact on highway safety to all users of the highway network, including pedestrians, particularly at peak school drop off and pick up times, and that the residual cumulative impacts of vehicle movements on the surrounding road network would be severe. As such a safe and suitable access cannot be provided to the development as required by paragraphs 110 and 111 of the National Planning Policy Framework. Significant weight is given to Policy 33.16 of the Emerging Wyre Forest Local Plan, which states that access for this development site should be provided from Kingsway. To approve the development with the proposed access in these circumstances would be contrary to Policy CC1 of the Site Allocations and Policies Local Plan, Policies 13 and 33.16 of the Emerging Wyre Forest Local Plan and Government advice in the National Planning Policy Framework*
- 4.2 The application was refused on 18 November 2021 and an appeal was lodged by the applicant in January 2022, however, no start date has yet been given for the appeal by the Secretary of State.
- 4.3 The proposed development is almost identical to the previous refused application with the only differences between the previous and current application being an amendment to the red line site boundary to omit the council-owned land up to the Kingsway and new pedestrian/cycle footways added to show future link to allocated land to the northwest of the site. Additional supporting information has also been submitted including an updated Transport Assessment prepared by David Tucker Associates; a Stage 1 Road Safety Audit (RSA) and Response report to the RSA; Flood Risk Assessment; updated Preliminary Ecological Study (March 2022) including an analysis of Biodiversity Net Gain in the form of a DEFRA matrix; and details relating to external materials, drainage and boundary treatment.
- 4.4 In terms of whether there have been any material changes to planning policy and to the site circumstances since the previous application was refused, it is noted that there has been a significant change to the Development Plan for Wyre Forest District following the adoption of the Wyre Forest District Local Plan in April 2022. Under this new Local Plan, the application site is allocated for residential development for up to 115 dwellings as outlined in site allocation policy SA.S13.
- 4.5 The adoption of the Wyre Forest District Local Plan changed the reference for this site allocation from 33.16 to SA.S13 and released the application site from the West Midlands Green Belt. The principle of residential development on this site has also been accepted through the plan-making process.

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4.6 Having regard to the previous refused application, the additional information submitted and the change in local planning policy, I consider that the main considerations for this application are whether the development would have an acceptable impact on the safety of users of the highway network and in terms of trip generation and whether the proposals accord with the site allocation requirements set out under Policy SA.S13 and all other relevant policies contained within the Wyre Forest District Local Plan relating to sport provision, design and layout, residential amenity, biodiversity and flood risk/drainage.

HIGHWAY SAFETY

4.7 The previous application 21/0030/FUL for an almost identical housing development on this site was refused planning permission on grounds that the proposed access arrangements off Coniston Crescent would be contrary to the emerging local plan policy 33.16 (now Policy SA.S13) which sought vehicular access from the Kingsway.

4.8 The site allocation policy was amended by the Inspector as part of her main modifications, accepted by the Council, to require vehicular access to be taken from the Kingsway or from Coniston Crescent.

4.9 The reason for this amendment was because the Inspector in her final report on the Local Plan Review advised that *"... robust evidence which informed the planning application (ref:21/0030/FUL) for development of the site ... makes clear that an access from Coniston Crescent is wholly acceptable on highways grounds, based on transport assessments by the applicant, the Highway Authority and an independent assessment on behalf of the Council."*

4.10 The Inspector also advised that *"I have taken full account of objections from local residents and others to highway access from Coniston Crescent as set out in the report on the planning application and also made during the Plan's preparation, but they do not justify precluding such access. Furthermore, access from Coniston Crescent would avoid any unnecessary loss of Green Belt land to gain access from the Kingsway, and it would improve the viability of the development to contribute to planning obligations, including the provision of much-needed affordable housing. Accordingly, for soundness, I have amended MM33.12 as published for consultation to allow vehicular access to be taken from the Kingsway or Coniston Crescent."*

4.11 As per the refused application, the current proposal includes a new access from Coniston Crescent and given that it meets the site allocation requirements it is considered that the proposed access arrangements accords with Policy SA.S13.

4.12 The previous application was also refused on the grounds that the proposed access arrangements would not provide a safe and suitable access as it would significantly increase traffic movements via a single point of access onto Coniston Crescent, which would result in an unacceptable impact on highway safety to all users of the highway network, including pedestrians, particularly at peak school drop off and pick up times, and that the residual cumulative impacts of vehicle movements on the surrounding road network would be severe. As such, it was considered that the development was contrary to emerging local plan policy 13 (now Policy SP.27) and paragraphs 110 and 111 of the Framework.

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- 4.13 Policy SP.27 requires proposals to demonstrate that they have addressed road safety issues and paragraph 110 of the Framework requires development proposals to (amongst other things) achieve safe and suitable access for all users; ensure that the design of street, parking areas and other transport elements reflect current national guidance; and ensure that any significant impacts from the development on the transport network (in terms of capacity and congestion), or on highway safety, can be cost effectively mitigated to an acceptable degree.
- 4.14 Paragraph 111 states that development should only be prevented or refused on highway grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on road network would be severe.
- 4.15 An updated Transport Assessment (TA), prepared by David Tucker Associates, has been submitted to support the planning application, which sets out a full assessment of the likely traffic impacts of the proposed development, using accepted traffic modelling methodology. The TA first considered whether there have been any recorded road collisions in the local area within the last 5 years and concluded that no collisions occurred in the vicinity of the site. It did note that serious collisions had been recorded at Burlish Crossing, Minster Road/Kingsway junction and on Minster Road but that the majority of these were due to driver error, lack of judgement and not due to the general operation or physical arrangement of the road network.
- 4.16 The TA then goes onto consider the existing on-street parking level and the likely impact of the proposed access onto Coniston Crescent. It notes that at the start and end of the school day Coniston Crescent is used by a number of parents and carers as a location to park given its close proximity to the western gate into Burlish Park Primary School and that the proposed site access would lead to the loss of approximately 5-6 on-street parking spaces. The proposals have mitigated the loss of these on-street parking spaces by providing a public car parking area within the site, adjacent to the access road, which can accommodate 6 cars.
- 4.17 The TA further advises that the site access has been designed to meet local and national standards including WCC Streetscape Design Guide. A Stage 1 Road Safety Audit (RSA) has also been carried out of the proposed access arrangements which has included a 'Response Report' to address the 3 highway safety issues that have been identified by the RSA. This has resulted in amendments to the site layout plan to include a new pedestrian link to provide a connection to the existing footway linking directly to the primary school; additional pedestrian crossing points at the site access to ensure no conflict between vehicles and pedestrians at the site access; and traffic regulation orders in the form of yellow lines to prevent on-street parking in proximity of the site access.
- 4.18 In terms of trip generation, the TA has considered the likely trip generation from the proposed development using the TRICS database, which is a nationally accepted database, containing observed generated traffic data at a large number of different development sites and can produce reliable trip rate information. The TA predicts that the proposed development would generate 53 trips in both the morning peak hour (0800-0900) and evening peak hour (1700-1800) with the majority of trips being towards Kidderminster. The TA has considered how the additional traffic generated by the proposed development would impact upon the operation of the site access junction

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onto Coniston Crescent and at nearby existing junctions, these being the Winderemere Way/A451 Minster Road junction and the Burlish Crossing/Bewdley Road/Lickhill Road junction. The assessment shows that the proposed and existing junctions would operate within their capacity and that the impact of the proposed development would not result in a detrimental impact on the free flow of traffic on the local road network or lead to unacceptable traffic queuing back through existing junctions. It has also been pointed out in the TA that the site was formerly occupied by the sixth form block which not only generated traffic to the site via an access off Coniston Crescent but also had two associated bus stops on Coniston Crescent which would have resulted in loss of on-street parking. The TA concludes that the additional traffic generated by this development would not have a material impact on the safety or operation on the local road network and that it can be concluded that the impact of the development will not be severe and overall that there are no reasons for refusal on highway grounds.

- 4.19 The Highway Authority offers no objection and whilst vehicular access from Kingsway is still their preference it is considered that there are no technical reasons why a vehicular access cannot be taken via Coniston Crescent on highway safety grounds. They have confirmed that the proposed site access is deemed to be suitable and of a safe design which complies with the County's Streetscape Design Guide. In addition, they agree with the submitted transport assessment that the school traffic is causing some short-term congestion in Coniston Crescent however that there is no data to suggest that this is causing road accidents. Furthermore, they state that whilst Coniston Crescent will experience an increase in traffic flows, the highway is of an appropriate standard to accommodate the increased traffic during school drop off and pick up periods. It is also noted that there is no evidence to demonstrate that the traffic generated by this development would result in an unacceptable impact on highway safety or that the cumulative traffic impact would be severe on the surrounding highway network. Lastly, the Highway Authority emphasis that they have undertaken a robust assessment of the planning application and that there are no justifiable grounds on which an objection on Highway grounds could be maintained.
- 4.20 The Council have appointed a further independent highways consultant (Vectos) to review the submitted transport documents (previously the Council had commissioned Hub Transport Planning (HTP) to review application 21/0030/FUL). Vectos have confirmed that the submitted transport documents including the transport assessment, road safety audit and the response report are thorough and that they provide a comprehensive commentary on the existing conditions of the local highway network, as well as a robust assessment of the development in terms of trip generation and highway safety. Vectos agrees with the findings of the transport assessment in that the development would have a negligible impact on the existing junctions at Winderemere Way/Minster Road and Burlish crossing/Bewdley Road/Lickhill Road and would not result in a detrimental impact on the Coniston Crescent/Winderemere Way junction. Vectos also agree with the conclusions of the Highway Authority that the proposed access would not lead to an impediment to highway safety and that the impacts cannot be considered severe. It was also advised by Vectos that a refusal decision on highway grounds would not be defensible at appeal.



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- 4.21 Vectos agree with the applicant's response report to the Stage 1 Road Safety Audit and that any significant impacts from the development on highway safety can be mitigated to an acceptable degree in accordance with Paragraph 110(d) of the Framework.
- 4.22 Vectos have also made a recommendation for the developer to enter into discussions with Burlish Park Primary School to set up or improve the School Travel Plan to help improve travel behaviour and mode shift associated with school travel. I have discussed this measure with WCC Travel Plan Co-ordinator and it has become apparent that Burlish Park Primary school do not currently have a travel plan encouraging sustainable modes of travel and reducing the reliance of school pupils and staff to travel to the school site by car. Following discussions with the applicant, it has been agreed that a financial contribution would be secured through the section 106 agreement to set up and implement a personalised school travel plan for 5 years. The exact amount of developer contribution will be reported in the Addenda & Corrections Sheet to the Planning Committee.
- 4.23 I consider that a comprehensive assessment has been undertaken by the applicant, the Highway Authority and Vectos consultants, as well as Hub Transport Planning on the previous application, of the proposed development and that they have all concluded that the proposed access arrangements on Coniston Crescent together with the additional traffic would not have a material impact on the safety or operation on the local road network.
- 4.24 I also consider that traffic/parking congestion in the vicinity of the site is already likely to be an issue in morning/evening peak times given the proximity of the site to Burlish Park Primary School and Stourport High School, however, given the evidence provided by the applicant in their transport assessment, I consider that this development will not cause 'severe' traffic conditions to the detriment of highway safety. Furthermore, no existing safety concerns have been identified in the vicinity of the site and there is no evidence to suggest that the proposed development would lead to a material worsening of safety for school children or any other pedestrians
- 4.25 As such, in the absence of any evidence to suggest otherwise, the development would not result in an unacceptable impact on highway safety and the residual cumulative impact would not be severe. The development would therefore accord with Policies SA.27 and SA.S13 of the Wyre Forest District Local Plan and Paragraphs 110 and 111 of the Framework.

#### SPORT PROVISION

- 4.26 Despite the objection still being pursued by Sport England, it was accepted by the Inspector of the Local Plan Review that the "... *allocation is unlikely to conflict with the objectives of national planning policy to secure access to high quality sports and recreation facilities.*" The reason given by the Inspector was because Stourport High school currently has access to extensive sports facilities at the adjacent Stourport Sports Club, as well as other sports and recreational facilities within the school complex.

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- 4.27 I therefore agree that the playing pitch is surplus to the school's sporting requirement and that Stourport High School would continue to have sufficient sport and recreation provision at the school and within Stourport-on-Severn including the sporting facilities at Stourport sports club and at the cricket club.
- 4.28 The proposed development would facilitate the provision of a 3G pitch as required by the Secretary of State for Education as part of the agreement to allow the disposal of the land by the school. A separate planning application would be required for the 3G pitch, however, the applicant has submitted an indicative layout to show that the remaining playing field could accommodate a 3G pitch and that any associated floodlighting would not result in unacceptable light pollution for the future residents of the proposed development. In addition, and in anticipation of the school gaining planning permission for the 3G pitch, an acoustic fence is shown to be erected to safeguard future residents from any noise nuisance.
- 4.29 I note the comments received from Sport England about the indicative layout of the 3G pitch not entirely providing sufficient information and that they are not convinced that the indicative 3G pitch including the necessary run-off area would be of a size that would accord with FA's standards. Also, no information has been given about the location and layout of changing rooms and parking provision. Notwithstanding these comments, I am of the view that there is scope to make amendments to the siting of the 3G pitch to rectify the size of the pitch and to ensure an appropriate rugby pitch is provided that is available to the community. This will be dealt with as part of the separate planning application for this provision.
- 4.30 I note concerns have been raised by local residents and by Sport England about the school being in breach of planning permission 15/0583/OUTL, which granted consent for the sixth form block to be re-built on another part of the school playing field subject to a planning condition to require the site of the former sixth form block to be laid out to provide a replacement area of playing field. To rectify this, an application was submitted in 2018 (reference 18/0352/S73) to remove this planning condition, however, the decision of this application has been pending on the outcome of the Local Plan Review and now on the decision of this current planning application. It is acknowledged that the school is currently in breach of the planning condition attached to 18/0352/S73 and that the development would result in the loss of approximately 3.4 hectares of a former playing field. Notwithstanding this, the site is allocated for housing and there is no requirement as part of the site allocation to retain or replace the former playing field. The playing field is therefore not safeguarded by the Wyre Forest District Local Plan and considered to be surplus to requirements for sport.
- 4.31 I further note that the adopted Wyre Forest District's Playing Pitch Strategy identifies that there is a shortfall of match sessions for football across various pitch sizes in this sub-area. I am satisfied that the proposed 3G pitch would be used to cater for the needs of the local community and that this new provision should be secured through the Section 106 agreement as part of this application. I also consider that there should be a default provided in the Section 106 agreement in the event that planning permission is refused for the 3G pitch to enable the contribution to be spent on other sporting facilities within Stourport-on-Severn.

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- 4.32 To conclude, I consider that Stourport High School would continue to have sufficient access to sport and recreational provision following the proposed development and the provision to provide a 3G pitch at the school would provide a betterment to the quality of rugby pitches available for use by the school. It would also help to meet the additional sporting demand generated by the new residents of this proposed development and would cater for the needs of the local community. I note that the application will need to be referred to the Secretary of State if Members were mindful to approve the application, given the objection raised by Sport England.

#### DESIGN AND LAYOUT

- 4.33 Policy SP.20 of the Local Plan emphasise that all developments within Wyre Forest will be expected to exhibit high quality design and the sub-text within this policy goes onto state that high quality design is considered to be essential for sustainable development and this is echoed in Chapter 12 of the Framework.
- 4.34 It is also highlighted in the sub-paragraph to Policy SP.20 that good design starts with the creation of a well-planned structure of streets and spaces. Paragraph 1.1.2 of Manual for Streets also advises that effectively connecting new streets and spaces into their surroundings will help to assimilate new developments. I note the concerns raised by nearby residents about having the site access off Coniston Crescent on highway grounds, but, in terms of placemaking, it is considered that the site access would help to 'assimilate' the development into its surroundings and create a well-integrated urban extension.
- 4.35 The development would deliver 110 dwellings including 28 affordable homes, which would provide a density of 26 dwellings per hectare. I note that the density of the development falls short of the required minimum density of 35 dwellings per hectare as required by Policy SP.9, however, in this case, the site lies on the urban fringe where a lower density would generally be expected, and the amount of development is appropriate to ensure the woodland can be retained as required by the site allocation policy. The proposed children's play area accords with Policy DM.8 of the Local Plan and details of the play equipment have been submitted to show that a high-quality play area would be provided that will benefit both future occupiers of the development and the wider community.
- 4.36 A mix of 2, 3 and 4 bedroom dwellings would be provided and all would be two storeys in height to respect the scale of the surrounding housing development in the area. The architectural style of the dwellings would also be compatible with the surrounding area and a variety of roof design, building widths, front porches and external materials is proposed to help add visual interest to the development. The submitted details include appropriate boundary treatment, external materials, and a mix of hardsurfacing for the on-plot car parking spaces to help provide a well-designed scheme.
- 4.37 The proposed dwellings would be arranged in perimeter blocks to provide enclosed streets that are well overlooked and attractive with high quality buildings being provided at key focal points and at road junctions. All plots would have secure rear gardens that are useable and private and only 13 (12%) plots would have gardens slightly less than 10 metres in depth which is generally expected in residential developments. Of these 13 plots, the shortest garden length would measure 8.5 metres which is still considered to be an acceptable outdoor garden space. I also note

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that 12 dwellings would be sited immediately adjacent to neighbouring rear gardens and to ensure no loss of privacy to the neighbouring properties, a condition is attached to prevent any side facing windows being installed to the 12 dwellings.

- 4.38 I note the amount of green infrastructure (GI) proposed would be 20% which falls short of the 40% requirement set by Policy SP.28 and that the development would be in conflict with this policy. However, I consider that the amount of green infrastructure proposed is acceptable and that it would be unreasonable to ask the applicant to conform with this policy since the site is not wholly greenfield and that it would be difficult to achieve 40% GI without having taller buildings, which would result in a development that is not in keeping with the character of the surrounding area, where the scale of properties is predominantly two-storeys.
- 4.39 Despite the conflict with Policy SP.28 in terms of Green Infrastructure provision, I consider that this in itself would not be a reason for refusal. Overall, the proposals would deliver a well-designed and attractive residential development, in accordance with the Development Plan as a whole, in particular with Policies SP.20, DM.8, DM.25 and DM.27 of the Local Plan and the Design Guide SPD.

#### RESIDENTIAL AMENITY

- 4.40 In respect of residential amenity, the proposed development includes an acoustic fence along the southern boundary to protect future occupiers in the event the 3G pitch gains planning permission in the future and the applicant has also agreed to replace the nearest floodlight to the school's netball court with a light fitting that avoids light spillage to the proposed residential development. It has also been confirmed by the applicant that there are no plant or equipment at Burlish Park Primary School that could give rise to noise nuisance. Worcestershire Regulatory Services raise no objection to the application subject to conditions to secure the noise and floodlight mitigation and to require the developer to undertake site investigations for any potential contaminated land and to provide remediation if any is found. I therefore consider that the proposed development would provide an acceptable standard of living for future occupiers subject to safeguarding conditions.

#### BIODIVERSITY

- 4.41 An updated Preliminary Ecological Appraisal has been undertaken for this application which has concluded that the habitats on site provides opportunities for common reptiles, nesting and foraging birds and for foraging and commuting bats. The vacant caretakers house was also surveyed and observed to have bat roost potential.
- 4.42 Given the potential for protected species a number of precautionary measures have been recommended to ensure any harm to protected species was either avoided or mitigated appropriately in line with Policy SP.23 of the Wyre Forest District Local Plan and Paragraphs 174 and 180 of the Framework. The precautionary measures include: the need to carry out vegetation removal outside of the bird nesting season (March-August); no construction work to commence until a Reptile Method Statement and a badger survey have been carried out and agreed by the Local Planning Authority; no demolition of the caretaker's house until a bat survey is undertaken. Also, to ensure measurable net gains to biodiversity can be achieved following the proposed development it has been recommended by the preliminary ecological appraisal that a scheme of ecological enhancement measures are provided which could include bird

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and bat boxes being installed on retained trees; boundary fences/walls to include gaps for hedgehogs; and for the landscaping to include wildlife friendly planting.

- 4.43 The Countryside and Parks Manager has reviewed the submitted details and has offered a no objection to the application subject to conditions to secure the recommended precautionary and enhancement measures and to require details of all external lighting that could adversely impact light-sensitive species.
- 4.44 I concur with the view of the Countryside and Parks Manager and have attached conditions accordingly. The development would therefore accord with Policy SP.23 of the Wyre Forest District Local Plan and Paragraphs 174 and 180 of the Framework which seek to minimise impacts on and provide net gains for biodiversity.

#### FLOOD RISK AND DRAINAGE

- 4.45 Policy SP.31 of the Local Plan seeks to steer new development to areas with the lowest probability of flooding and to ensure that developments do not increase flooding elsewhere. In addition, it is required that all developments have a suitably designed drainage system in order to mitigate the risk of surface water and overland flooding both on and off the site in accordance with Policy SP.32 of the Local Plan.
- 4.46 The application site falls within Flood Zone 1 and is therefore not at high risk to flooding. The proposed means of surface water drainage would be achieved by underground soakaways and the applicant has submitted a SuDs maintenance and management plan to demonstrate how they would require future occupiers of the dwellings to be joint responsible of the communal soakaways in terms of the upkeep of these assets.
- 4.47 No objection has been raised by the North Worcestershire Water Management Officer and by Severn Trent Water subject to conditions. I concur with the views of both consultees and consider that the development would have suitable drainage and that the development would not be at risk of flooding or lead to flooding elsewhere in accordance with Local Plan policies.

#### OTHER MATTERS

- 4.48 The applicant has agreed to provide an on-site defrillator in the interest of health and well-being.
- 4.49 To ensure the proposed development contributes to providing homes that are adaptable to the changing needs of their occupants and are designed to meet the higher access standards including wheelchair user dwellings as set out in Part M of Building Regulations, a planning condition has been attached to require a Accessible Housing Certification Table to be submitted to demonstrate that the development accords with the requirements set out in Policy SP.13 of the Local Plan.
- 4.50 To reduce the negative impacts the proposed development would have on air quality; help mitigate the impacts of climate change; and to reduce water consumption, planning conditions have been attached to secure cycle storage facilities, electric vehicle charging points, residential travel plan, low emission boilers and to incorporate measures to achieve water efficiency standard of 110 litres per person per day, in line with Policies SP.27, SP.29 and DM.37 of the Local Plan. I have also attached a

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condition to secure the provision of PV solar panels to 18 dwellings as proposed and a condition to require the developer to demonstrate that the development would obtain 10% of its energy requirement from renewable or low carbon energy sources in accordance with Policy DM.37 of the Local Plan.

- 4.51 In terms of minerals provision, the need for safeguarding of minerals resources has been ‘ruled out through the Duty to Cooperate process’ as part of the plan-making stage of the Local Plan as defined in sub-paragraph 15.38 under Policy SP.34 of the Local Plan and as such, the development does not need to provide a scheme for mineral recovery.

#### S106 PLANNING OBLIGATIONS INCLUDING AFFORDABLE HOUSING

- 4.52 The legal tests for when a s106 obligation can be used are set out in regulation 122 and 123 of the Community Infrastructure Levy Regulations 2010 as amended and Paragraph 57 of the Framework. The tests are that an obligation must be:

- necessary to make the development acceptable in planning terms
- directly related to the development; and
- fairly and reasonably related in scale and kind to the development

- 4.53 The Council’s Cabinet report, dated 16th September 2020, sets out the priorities for Section 106 planning obligations for sites where there is a shortfall in meeting the costs of all obligations following a viability assessment. It was agreed that the Council will prioritise in the following order:

11. On and/or off site infrastructure necessary to make the development acceptable
12. Affordable housing
13. Open space and recreation
14. Education
15. Other stakeholder contribution requests such as infrastructure costs associated with health provision or the police

- 4.54 Policy DM.1 of the Local Plan advises that all allocated sites have been assessed in terms of viability and states that where applications depart from the assumptions made in the Local Plan Viability Assessment, the applicant will be expected to justify the need for a viability assessment.

- 4.55 The applicant has advised that the disposal of the land, that is the subject of this application, is necessary to raise the significant capital funds for the essential repair works to Stourport High School and that there are no other options to fund this work. It is noted that the Severn Academy Education Trust receives the School Condition Allocation (“SCA”) and Developed Formula Capital (“DFC”) payments each year, however, that this sum of monies must be deployed strategically across seven schools within the Trust’s estate to address priority maintenance works and that the monies received is not sufficient to address the essential repair works to Stourport High School. Whilst the site no longer falls within the Green Belt and a case for very special circumstances is not required, it is acknowledged that the proposed development would help to fund essential repair works and would ensure that Stourport High School can continue to function and provide the best possible educational environment to its pupils and deliver a 3G artificial grass pitch.

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- 4.56 The Inspectorate in their final report to the Local Plan also advised that “In accordance with the agreement between the Severn Academy Education Trust and the Secretary of State, the proceeds from the sale of the land for development will fund the construction of an all-weather playing pitch, in addition to enabling urgent, essential repairs to the school buildings. The evidence makes clear that there are no alternative ways of funding the necessary repairs”.
- 4.57 I therefore accept the viability case that was put forward in the previous refused application and note that the previous viability assessment was reviewed by the Council’s independent Evaluation Officer (‘Cushman & Wakefield’). In the independent review it was concluded that the development would remain viable if it were to deliver 25% (28) affordable housing provision, comprising 9 units which are social rent and 19 shared ownership, the provision of a on site play area and financial contributions of £91,500 to be spent on other planning obligations in order to make the development acceptable in planning terms. It was also advised that a planning obligation that seeks a higher contribution would make the development unviable.
- 4.58 The Highway Authority have advised that in order to make the development acceptable in planning terms, a contribution exceeding £183,500 would be required to address all necessary off-site highway improvements. This includes provision of a TRO on Conniston Crescent, the lining of parking bays in proximity to the school and contributions to a active travel corridor to link Burlish Top and Stourport Road.
- 4.59 The provision of natural play space is included within the development which will include 5 areas of play which links with the wider footpath network into the site. The obligations within the agreement will ensure the provision of area and equipment (to a minimum value of £40,335) along with future maintenance. The applicant has agreed to provide the cost of the AGP as a contribution that will be paid to the Council and paid back to the school following planning permission being granted for the AGP or in the event that planning permission is refused, then the contribution will go towards improvements and provision of sporting facilities at Stourport Sports Club. In addition, it has been agreed that the applicant will provide a contribution to WCC to assist Burlish Park Primary School in the preparation, implementation and monitoring of a school travel plan including the provision of new scooter and cycle parking facilities, subject to further discussions being held with the school.
- 4.60 I therefore consider that a Section 106 Agreement to secure 25% affordable housing provision, play area provision and a total contribution of £91,500 towards highway improvements would meet the test set out in Regulation 122 and 123 of The Community Infrastructure Levy Regulations 2010 (as amended), and that a robust review of the viability of the development has been undertaken to evident that no other stakeholder contributions can be secured without making the development unviable. I do appreciate the request for education contributions, but it is considered that any additional costs will make the scheme unviable. In any event the proceeds of the sale of the land will directly be utilised for education purposes, far in excess of the requested amount.

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- 4.61 The Community Infrastructure Levy (Amendment)(England)(No.2) Regulations (“the CIL Regs”), Regulation 122 (2A) allows Local Authorities to charge a fee in relation to section 106 agreements for the monitoring and reporting of planning obligations. Whilst the County Council have recently introduced monitoring fees, currently the District Council do not include monitoring fees with their obligations. The S.106 requirements include any monitoring fees that are applicable at the time of the signing of the S.106 agreement.

## **5.0 Conclusion and Recommendations**

- 5.1 Section 38(6) of the Planning and Compulsory Purchase Act 2004 and section 70(2) of the Town and Country Planning Act 1990 require planning applications to be determined in accordance with the development plan, unless material considerations indicate otherwise. The Framework sets out the decision-taking process that should be adopted when considering planning applications and advises in Paragraph 11(c) of the Framework that development proposals that accord with an up-to-date development plan should be approved without delay. Furthermore, Paragraph 15 of the Framework states that the planning system should be genuinely plan-led.
- 5.2 The application site is allocated for housing in the Local Plan and it is specified within this site allocation policy that vehicular access can be taken from Coniston Crescent. The principle of development including the access arrangements are therefore entirely accepted by the Local Plan.
- 5.3 The Highway Authority have undertaken a robust assessment of the application and confirmed that there are no justifiable reasons to object to the application on highway grounds. In addition, Vectos, an independent highway consultant, have also reviewed the application and have reached the same conclusions as the Highway Authority. As such, in the absence of any other evidence to suggest otherwise, I consider that the proposed development would provide a suitable and safe access for all road users and would not result in an unacceptable impact on highway safety and I do not consider that the residual cumulative impact on the local road network in terms of traffic generation and capacity would be severe to justify a refusal on highway grounds.
- 5.4 The proposals would deliver 110 additional dwellings including 28 affordable homes on a site allocated for housing in the Local Plan and would provide a well-designed and coherent residential development. Subject to safeguarding conditions, a high-quality living environment would be provided for future occupiers and the development would secure measurable net gains in biodiversity and help to reduce and adapt to climate change in accordance with local and national planning policy. It is therefore considered that this application has overcome the previous refused application and would accord with the Wyre Forest District Local Plan and the National Planning Policy Framework.



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5.5 I therefore recommend **delegated APPROVAL** subject to;

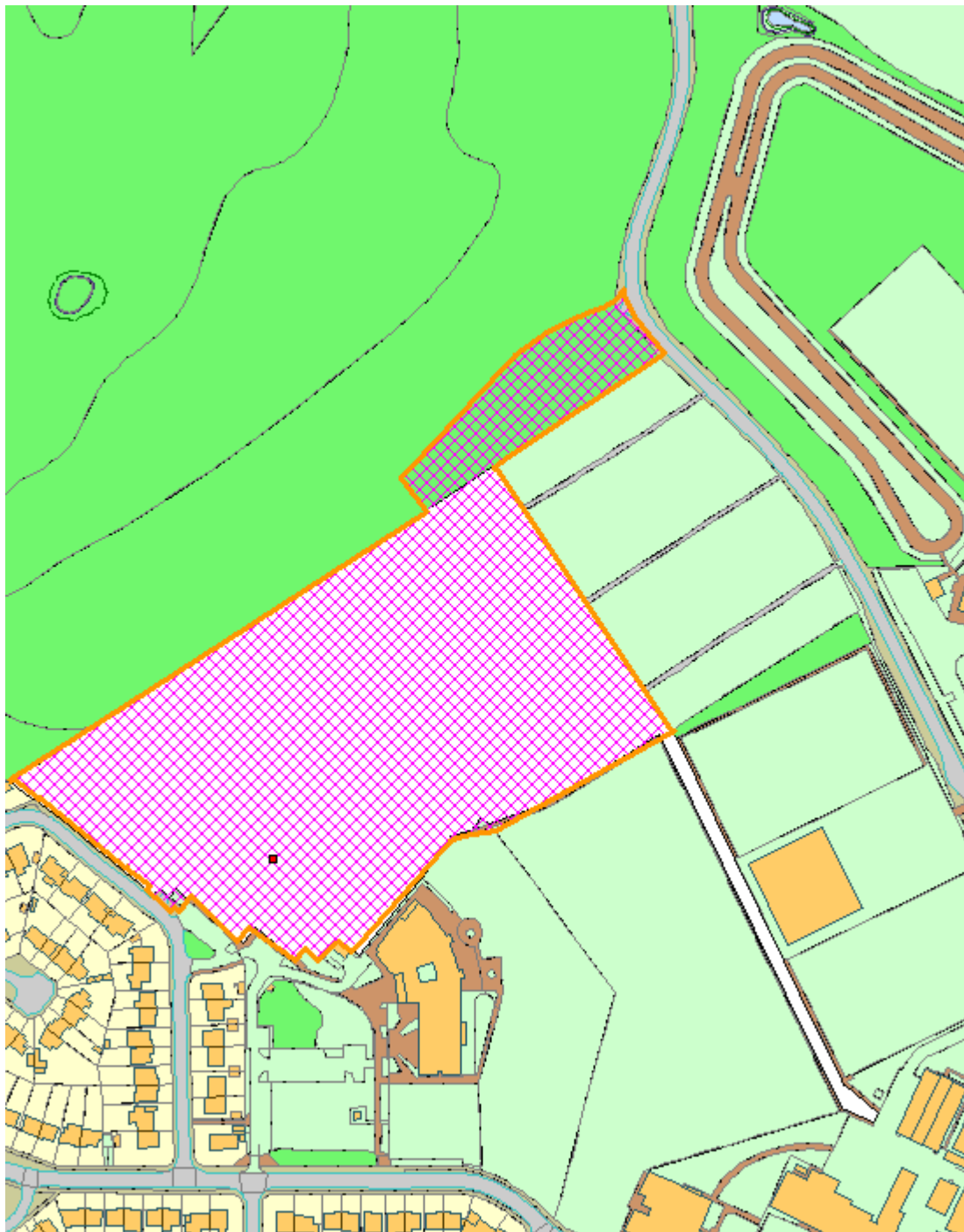
- a) Referral to the Secretary of State and notification being received that a decision has been made not to call in the application;
- b) Signing of S.106 to secure affordable housing, play area on site, highway contributions and 3G pitch provision, along with any monitoring fees; and
- c) The following conditions
  1. 3-year time limit
  2. To require details of external roof material for front canopies
  3. To secure all external materials (with the exception of canopy details) including hardsurfacing
  4. Implementation of agreed boundary treatment
  5. To require site and finished floor levels
  6. Retention of all identified retained trees
  7. Retention of all identified Allotment gates
  8. Implementation of Arboricultural Method Statement and Tree Protection Plan
  9. Arboricultural Pre-Start Meeting
  10. Implementation of Landscaping Scheme
  11. Replacement of any soft landscaping that dies or is damaged within first 5 years of planting
  12. Landscape and Environmental Management Plan
  13. Play Provision Implementation and Management/Maintenance Plan
  14. Replacement luminaires to the floodlights adjacent to plots 80 and 81 to comply with ILE Guidance and be replaced prior to the first occupation of these plots
  15. Implementation of the acoustic screening prior to first occupation
  16. Electric Vehicle Charging Provision
  17. Cycle Storage Facilities
  18. Low Emission Boilers
  19. Implementation of provision of PV Panels
  20. A reptile method statement and RAMS strategy
  21. A walkover badger survey
  22. An emergence bat survey of building 1 (caretaker's house)
  23. To require no removal of vegetation during bird nesting season
  24. To require an ecological enhancement scheme and a letter of compliance from a suitably qualified ecologist
  25. To require external lighting scheme including letter from a suitably qualified ecologist to demonstrate that the proposed lighting scheme will create dark corridors
  26. To require details of Foul Drainage
  27. To require details of Surface Water Drainage
  28. To require details of Defibrillator
  29. Access and parking arrangements
  30. Visibility Splays
  31. Travel Plan
  32. Construction Environmental Management Plan (Highways)

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33. To require water efficiency in each dwellinghouse
34. To require at least 10% of predicted energy requirements to be from renewable or low carbon sources
35. Implementation of unadopted public footways and cycleways to be provided
36. To require an Accessible Housing Certification Table
37. To require no side facing windows being installed to Plots 1, 4, 18, 26, 30, 36, 37, 44, 52, 56, 107 and 110
38. To remove Permitted Development Rights for any future boundary treatment to front of principle elevation adjacent to highway

#### NOTES

- Section 106 Agreement
- Inform developer that battery storage is necessary for dwellings with PV solar panels
- The revised Energy Report pursuant to condition 19 shall consider the inclusion of solar/photovoltaic panels, air source and ground source heat pumps
- No construction work outside the hours of 0800 and 1800 Mondays to Fridays and 0800 and 1300 hours on Saturdays
- No burning of any material during construction and site preparation works
- WFDC Waste and recycling collection
- Alteration of highway
- Section 278 Agreement
- Section 38 Agreement
- Drainage Details for Section 38
- Protection of Visibility Splays
- Works adjoining highway
- Temporary Direction Signs to housing developments
- Construction Environment Management Plan



Economic Prosperity and Place Directorate

Stourport High School And Sixth Form Centre  
Coniston Crescent  
Stourport On Severn  
Worcestershire DY13 8JU

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**PART B**

<b>Application Reference:</b>	<b>21/0850/FUL</b>	<b>Date Received:</b>	<b>27.08.2021</b>
<b>Ord Sheet:</b>	<b>380868 279294</b>	<b>Expiry Date:</b>	<b>30.04.2022</b>
<b>Case Officer:</b>	<b>Paul Round</b>	<b>Ward:</b>	<b>Wribbenhall And Arley</b>

**Proposal:** Demolition of existing buildings and erection of 4 new dwellings

**Site Address:** Honeybrook Kennels , Bridgnorth Road, Kidderminster, DY11 5RR

**Applicant:** Sarah Willson

<b>Summary of Policy</b>	<b>SP6 SP11 SP20 SP21 SP2 SP22 SP30 SP31 SP37 DM22 DM23 DM24 DM26 Design Guidance SPD National Planning Policy Framework Planning Practice Guidance</b>
<b>Recommendation</b>	<b>APPROVAL</b>
<b>Reason for referral to committee</b>	<b>Statutory Consultee Objects and the Application is Recommended for Approval</b>

**1.0 Planning History**

1.1 21/0794/FUL - Conversion of barn to one dwelling – Approved

**2.0 Consultation Responses**

2.1 Parish Council - On the whole, we would have no objections and feel it would tidy up the site. However, we would like to be assured that the footprint of the 4 new dwellings would not be larger than the footprint of the existing buildings which are being demolished.

2.2 Highway Authority – Recommend Refusal. Whilst the technical elements of the access have been fully resolved and there are no objections to the access or traffic generation, the recommendation of refusal is based grounds of the lack of locational sustainability which is contrary to Paragraphs 110 and 112 NPPF.

The length (600m+) and poor quality of the route on the private access track from the site to the highway would be refusal reason enough and future occupiers will inevitably drive. Once at the A442, the environment is not conducive to sustainable modes and even a very competent cyclist would be reluctant to cycle here. Distances to bus stops and schools are beyond the acceptable range and there's no lighting.

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However, if the Local Planning Authority is minded to approve the application, it is recommended that conditions are applied and consideration should be given to lighting provision, such as solar bollards, on the access track. Works in the highway to provide vehicular access in accordance with standards must be carried out via a S278 agreement with the Highway Authority.

2.3 Conservation Officer – No Objections

2.4 North Worcestershire Water Management – No Objection subject to conditions and note.

A tributary of the Honeybrook discharges diagonally through the application site in a culverted fashion. As the culverted section is about 400 m long and has no access manholes, the route is I understand marked indicative only on the proposed site plan. Hydraulic modelling was undertaken to better understand the flood risk to the proposed development site. The results from this exercise showed the development site to be at risk, with all the proposed properties at least partially inundated for the 1 in 100 year event and above. This is the equivalent of a flood zone 3 classification (the site was not included in the flood zone modelling due to its upstream location in the catchment). As the development site is shown to be at risk of flooding, it is my understanding that in accordance with the NPPF the Sequential and Exception Tests would need to be passed, but I leave this to the judgment of the planning case officer

The Flood Risk Assessment concludes that the flood risk is largely due to the relatively small diameter (450mm) of the culvert, and the culvert inlet being elevated significantly above the channel bed. This culvert inlet is upstream of the development, but in land in the applicant's ownership.

I would be happy for the detailed design of the surface and foul water drainage to be conditioned, providing that we would be assured that sufficient space is available to accommodate the relocation of the drainage assets. I believe that the comprehensive drainage drawing now submitted provides this assurance.

I welcome that the compensatory flood storage has been relocated. The comprehensive drainage drawing shows and FRA now show the area for the 300m<sup>3</sup> compensatory flood storage in the centre area of the race course. I feel that this location, which is in closer proximity to the development, is more likely to maximise the functionality of this storage. The FRA rightly stresses that it sets out the principles of storage provision only, with the expectation that the precise location and sizing of the storage feature will be determined in the detailed design stage. I am happy for these details to be conditioned.

2.5 Worcestershire County Council Archaeology - The development site lies at Honeybrook Farm, a non-designated heritage asset recorded on the county Historic Environment Record. Oddly the heritage statement submitted with the associated application is not submitted or uploaded with this application. That statement shows that the farmstead had a 17th century or earlier origin. The wider site contains the former farmhouse (WSM54155), which is of late 17th century origin, a building proposed for conversion under a separate application (WSM77683) and a range of buildings and structures associated with the complex's use as a dog training and

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racing ground from c.1958 until the early 2000s. The dog training complex is recorded on the HER as WSM59125 and it's history is recorded in the heritage statement.

There is no objection to the demolition of the kennel buildings, however, they represent a piece of 20th century heritage and it is recommended that their loss is partially mitigated through a photographic record. The buildings and structures earmarked for demolition should be subject to an enhanced Level 1 Photographic Record (as defined by Historic England) and submitted to the HER. The record should include the documentary research mentioned in the heritage statement. This is the most basic level of record and can be undertaken by the applicant or their agent with no specialist knowledge or interpretation required.

Any archaeological remains associated with the historic farmstead are likely to be centred around the farmhouse and plot 1 in particular is located where a former farm building of unknown, but potentially early, date is recorded on the 19th century mapping. There is potential for archaeological remains of 17th century or earlier date to survive below ground. The harm to these archaeological deposits should be off-set through an archaeological watching brief on the area around the farmhouse

- 2.5 Neighbour/Site Notice Representations – One neutral comment received “this site offers a chance to supply some affordable homes as well as market housing or self build”

### 3.0 Site Location and Description

- 3.1 Honeybrook Barn is located within a site consisting of over 62 acres including 44 acres of deciduous woodland and 16 acres of pastureland in the West Midlands Green Belt. The site consists of a 19<sup>th</sup> century former farmhouse, a brick built barn and a number of buildings left on the site from the former use a dog kennels / greyhound business. It is a non designated heritage asset recorded on the county Historic Record. Approval was given earlier in the year to allow the conversion of the barn to a residential dwelling.
- 3.2 The current application relates for the construction of 4 residential dwellings following the removal of a number of redundant buildings associated with the previous use.

### 4.0 Officer Comments

#### POLICY CONTEXT / PRINCIPLE OF DEVELOPMENT

- 4.1 The site lies within the Green Belt, where specific control is placed on development through the adopted Local Plan and the National Planning Policy Framework ('the Framework').
- 4.2 Paragraph 149 (g) of the Framework allows for the “...*limited infilling or the partial or complete redevelopment of previously developed land, whether redundant or in continuing use (excluding temporary buildings), which would not have a greater impact on the openness of the Green Belt than the existing*

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*development...".* This is reflected in Policy DM.22 (e) (Safeguarding the Green Belt) of the Local Plan, with Policy DM.PDL setting out the specific considerations in respect of impact on the Green Belt, requiring development to; contribute to the achievement of the objectives for the use of land in the Green Belt; not exceed the height of the existing buildings and other structures and trees; and not give rise to off-site infrastructure problems

- 4.3 It is clear that this site was previously in commercial use and the associated buildings, although now not in use, were associated with the wider use. Taking into account the definition of Previously Developed Land as set out in Appendix 2 of the Framework and the history of the site, it is concluded that the site is previously developed land and therefore can be considered for redevelopment within the Green Belt.
- 4.4 The Planning Agent has provided the following comparisons between the existing and proposed buildings and layout.

	Volume (m <sup>3</sup> )	Footprint (m <sup>2</sup> )
<b>Existing</b>	2,200	1,168
<b>Proposed</b>	2,439	502
<b>Difference (+/-)</b>	+239	-666

- 4.5 The above table demonstrates that whilst there will be a minor increase in the volume of buildings within the site, there will be a reduction in the footprint and sprawl of buildings. This specifically contributes to the increase in openness of the Green Belt and puts to specific use a redundant previously developed site. Although design will be discussed, later within this report, it is of necessity to highlight at this stage that proposed dwellings have been designed to be of an appropriate height and not exceed the height of existing buildings. Additionally, Members will also be aware that the removal of the existing use as kennels and greyhound track is an additional positive consideration for the amenity of the Green Belt and surrounding residents.
- 4.6 The proposal has been shown to be appropriate development in the Green Belt that contributes to the purposes of the Green Belt and has no greater physical impact on the Green Belt than the existing buildings.
- 4.7 In respect of the provision of residential development on the site the Local Plan is very clear in its approach to development in rural areas. Policies SP.6 and SP.11 set out a requirement that new housing development that is not specifically for rural workers, should be only allowed where it provides Local Needs Housing. This is confirmed within Policy DM.22 in respect of Green Belt Development, linking residential requirements back to Policy SP.11. Policy SP.1 sets out an expectation that the Rural Areas will provide minimum growth of 108 net additional dwellings. There is therefore policy support for rural housing that is specifically linked to a local need.

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4.8 There is no Housing Needs Survey for Kidderminster Foreign Parish at present. Whilst, in my view, that this does not indicate that there is no need, it does provide an absence of information of type and tenure of property requirements. Based on the information available I am satisfied that there is a need for rural housing that has been identified as part of the Local Plan process and it is a reasonable conclusion that additional housing within the Parish will be required. Taking these considerations along with the removal of a commercial use and the ability to provide a viable development within this location that is compatible with the approved residential use, it is concluded that residential development is suitable in this location. The Planning Agent has agreed that a local needs connection condition can be imposed on this permission, this will restrict the first occupation of the units to those who have a local connection with the Parish. This will be done through an agreed marketing plan, with unrestricted sales only being possible if there is no interest that meets this requirement and by agreement with the Local Planning Authority. This mechanism will allow opportunities for those within the Parish to purchase these properties to ensure that a natural churn of property sales continues. These will not be affordable housing and there is no indication that a financial restriction needs to be applied.

4.9 The opportunity to remove a commercial activity, increase the quality and openness of the Green Belt carries significant weight. The additional benefits of providing opportunity for rural housing for local needs and to contribute to the wider housing requirements of the Local Plan further add weight. The development is appropriate within the Green Belt and is accordance with the requirements for Rural Housing within the adopted Local Plan. The proposal is therefore in accordance with National and Local Policies for housing within the Green Belt.

#### HIGHWAY ACCESS AND LOCATION

4.10 The application has been subject to discussions with the Highway Authority in respect of the access and visibility splays on then the main A442 Bridgnorth Road. The proposals will provide an improved access for both this application and the pending application for residential development. In respect of the consideration of four dwellings as part of this application, which is considered alongside the additional approval for the barn conversion noted above, the access proposed is wholly acceptable in technical terms. The traffic generation associated with the development will not result in any harm to the adjacent or surrounding highway network.

4.11 The site is in a location which is considered by the Highway Authority as being not accessible by sustainable modes of travel as required by the Framework and therefore future occupiers will inevitably be reliant on private car use because there is no genuine choice of transport modes associated with the site.

4.12 It is noted that the site lies 1.2 miles from a Supermarket and Pharmacy, 1.5 miles from a Primary School, 3 miles from a Secondary School, 2.5 miles from the Hospital/Medical Centre and 2.5 miles from Kidderminster Town Centre. In view of this I take the view that the site is not isolated and is not divorced from local services. In addition, 250 metres to the south of the access track there is a continuous footway



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that leads from Honeybrook Stud to Franche where there are bus stops and local services. It is appreciated that this is not an ideal situation but on the basis of a 3 minute walk on a wide grass verge to reach this footway, it is considered there is a reasonable choice for the residents to utilise alternative means of transport.

- 4.13 The commercial operation has existed on the site for many years along with the adjacent residential property. This application for residential development in my view reduces the vehicle rates that would have been associated with the use, particularly during specific events or activities. This carries weight in favour of the application.
- 4.14 Taking these factors into account it is considered that the objection raised by the Highway Authority does not create sufficient harm to outweigh the benefits of the application in the provision of new dwellings and the removal of the commercial use within this locality.
- 4.15 Conditions are considered necessary to ensure the surface of the track and passing bays are provided prior to the development is occupied, along with parking and turning spaces shown on the proposed plan that are considered to be acceptable. Electric vehicle charging points also be secured through a suitable condition. On this basis it is concluded that highway safety, sustainability and parking are acceptable and in accordance with the relevant Local Plan policies.

#### DESIGN, LAYOUT AND SCALE

- 4.16 The layout of the properties has evolved since the submission of the application following discussions with the Planning Agent. The four properties are situated within a clustered form around the existing 'farmhouse' and barn, sited away from the culvert that runs along the access driveway. The form and layout provide a suitable design mimicking a rural farmstead. The design of the properties embraces this rural feel, but in a contemporary way. There are varying designs of these one and half storey properties, that take on rural architectural elements such as wooden cladding, large openings, faux breathe holes and lean to elements. When combined with modern box dormers and fenestration details, the resulting design is of high quality that is suitable for the specific location. The dwellings will sit discreetly within the landscape and work well with the surrounding buildings on the site. The design, scale and layout are wholly acceptable.
- 4.17 Indicative landscape design is shown which is acceptable with additional details being secured by way of an appropriate condition.

#### FLOOD RISK

- 4.18 A Flood Risk Assessment (FRA) has been submitted to support the application, due to a tributary of the Honeybrook discharging diagonally through the application site in a culverted fashion. Flood maps show the proposed development to lie within an area at risk of surface water flooding, which is assumed to be representative of flood risk from the Honeybrook watercourse, hydraulic modelling of the watercourse confirms that the site is inundated by the fluvial event and above, because of the surcharging of an upstream culvert. To make the site safe for residential development, following a review of options, ground reprofiling has been recommended for the site, which serves to remove the property footprints and driveway/access road from the most extreme flood event. Finished floor levels have been prescribed based upon levels taken from

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the 1.0% event plus climate change. A surface water drainage strategy has been developed which utilises a single piped network which discharges to an infiltration pond within the southern area of the site. A foul strategy has also been developed which utilises a package treatment plant serving all properties within the planned development, which discharges to a drainage field at the southern end of the site. A maintenance plan has been developed for both the surface water and foul systems. Flood depth changes as a result of the ground reprofiling do not affect existing dwellings and are contained to within the applicant's ownership boundary (no third parties are affected). Compensatory storage has though been proposed on a volume-for-volume basis, to account for floodplain storage loss by the ground reprofiling at the site.

- 4.19 The comprehensive drainage drawing shows and FRA now show the area for the 300m<sup>3</sup> compensatory flood storage in the centre area of the former racecourse. The FRA rightly stresses that it sets out the principles of storage provision only, with the expectation that the precise location and sizing of the storage feature will be determined in the detailed design stage. The dwellings are in the most appropriate location within the site to reduce any impact of pluvial flooding. I would agree with the assessment that in sequential terms, this is acceptable. The removal of the commercial operation and the opportunity of accessing local needs housing provides a wider community benefit that outweighs any harm that may exist through flooding, in accordance with paragraph 164 of the Framework. As such I take the view that viewing the application as a whole, the sequential and exception tests have been met. The assessment has been fully considered by North Worcestershire Water Management who have concluded that whilst the site may be at risk of flooding, subject to conditions and recommendations of the FRA being adhered to, they have no objection to the application.

#### OTHER MATTERS

- 4.20 Foul drainage will be dealt with through a suitable package treatment plant which will be provided prior to occupation. This can be suitably conditioned and is acceptable.
- 4.21 No protected species or habitat concerns have been raised as part of this application. However, it is considered that suitable enhancements can be included as part of a suitably worded condition.
- 4.22 In a similar form the sustainable energy requirement for the dwellings will also be secured through an appropriate condition attached to any permission provided.

## 5.0 Conclusion and Recommendations

- 5.1 The redevelopment of this previously developed site within the Green Belt is appropriate development that results in no greater physical impact than the existing buildings on the site. The provision of housing within the rural area meets the policy requirements and provides the opportunity for the local community to access new housing within the locality. The benefits of removing the existing commercial enterprise carries additional weight in favour of the development. The proposed dwellings are well designed and are positioned to enhance the visual appearance of the site, providing a high-quality development that will assimilate into the locality. The

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property can be accessed safely from the surrounding network and is suitably located to offer alternative modes of travel. Subject to suitable conditions the site can be developed without resulting in any risk to future occupiers from flood risk

5.2 I therefore recommend **APPROVAL** subject to the following conditions;

1. A6 (Standard Time)
2. Local Connection for First Occupation
3. J1 (Removal PD Rights)
4. J9 (Restriction of Fencing Forward of Dwellings)
5. B1a (Materials to be submitted)
6. Electric Vehicle Charging Points
7. Cycle Parking
8. Access Track surfacing
9. Passing Bays
10. Parking, access and turning for the dwellings
11. Access and Visibility Splays
12. Landscaping Details
13. Landscape Implementation
14. Floor levels
15. Surface and Foul Water drainage
16. Drainage Management Strategy
17. Compensatory Flood Storage
18. Details of ecological enhancement to be submitted
19. Energy Statement and Details of Sustainable Energy Provision
20. Archaeology Brief to be submitted
21. Deposit of Archaeology report/findings
22. Approved Drawings

Note

- A. Highways
- B. Non Mains Drainage
- C. Pollution Prevention
- D. Culverted Watercourse
- E. Removal of PD Rights
- F. Protected Species
- G. Building Control

**PART B**

<b>Application Reference:</b>	<b>22/0242/HOU</b>	<b>Date Received:</b>	<b>22.03.2022</b>
<b>Ord Sheet:</b>	<b>378176 275394</b>	<b>Expiry Date:</b>	<b>24.06.2022</b>
<b>Case Officer:</b>	<b>Emily Timmins</b>	<b>Ward:</b>	<b>Bewdley And Rock</b>

**Proposal:** Single storey rear extension

**Site Address:** 83 Richmond Road, Bewdley, Worcestershire, DY12 2BG

**Applicant:** MR & MRS POGGIANI

<b>Summary of Policy</b>	<b>SP.20, DM.24, DM.25 – Adopted Wyre Forest District Local Plan Design Guidance SPD National Planning Policy Framework Planning Practice Guidance</b>
<b>Recommendation</b>	<b>APPROVAL</b>
<b>Reason for referral to committee</b>	<b>The applicant is an officer of the Council</b>

**1.0 Planning History**

1.1 No planning history

**2.0 Consultation Responses**

2.1 Bewdley Town Council – Recommend Approval

2.2 Neighbour/Site Notice Representations - No representations received.

**3.0 Site Location and Description**

3.1 The application site is an end terrace dwelling off Richmond Road, in a residential area to the west of Bewdley and the River Severn.

3.2 The property forms part of a mid-20<sup>th</sup> Century terrace, with a gable end roof and single storey projections to the rears of the properties.

3.3 The application seeks permission for a single storey rear extension to replace the existing single storey extension, to create a study, utility and larger kitchen. The proposal measures some 6.8m in depth, 5.9m in width and 3.5m at its maximum height.

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#### 4.0 Officer Comments

- 4.1 Policy DM.25, 'Design of Extensions and Alterations', states that extensions should not have a serious adverse effect on the amenity of neighbouring residents or occupiers. Due to the rear single storey extension to the adjoining property, the proposed extension will accord with the 45 degree code, and will not have an adverse impact upon their natural daylight. The proposal will have no further impact upon the neighbouring property to the east as there is already a single storey extension at present, and there is a separation distance of some 8m.
- 4.2 The proposed side facing window to the new kitchen will look out onto the boundary fence, and will not overlook the neighbouring garden.
- 4.3 A further requirement of Policy DM.25 is that extensions and alterations are in keeping with the form, materials, architectural characteristics and detailing of the original building. The Policy does not support the development of flat roofed extensions. Thus, the proposed pitched roof will be policy compliant and will be sympathetic to the existing property, with the inclusion of similar window styles.
- 4.4 Finally, Policy DM.24, 'Quality Design and Local Distinctiveness', states that development should integrate well into the existing street scene. As the proposal is to the rear, it will be only partly visible from the street scene and will not result in an incongruous feature.

#### 5.0 Conclusions and Recommendations

- 5.1 The siting, scale, design and materials of the proposed extension to the dwelling are considered acceptable and will not detract from the appearance of the property or its setting in the street scene. In addition, the proposal will not have any serious adverse effect on the residential amenity of neighbouring properties. The proposal therefore complies with Policies SP.20, DM.24 and DM.25 of the Adopted Local Plan.
- 5.2 I therefore recommend that **APPROVAL** subject to the following conditions.
1. A6 (Full with no reserved matters)
  2. B3 (Finishing materials to match)
  3. A11 (Approved Plans)

**PART B**

<b>Application Reference:</b>	<b>22/0279/HOU</b>	<b>Date Received:</b>	<b>30.03.2022</b>
<b>Ord Sheet:</b>	<b>382162 274778</b>	<b>Expiry Date:</b>	<b>24.06.2022</b>
<b>Case Officer:</b>	<b>Megan Skelding</b>	<b>Ward:</b>	<b>Foley Park And Hoobrook</b>

**Proposal: Single Storey Rear Extension**

**Site Address: 6 Clee Avenue, Kidderminster, Worcestershire, DY11 7BS,**

**Applicant: Mr C Ford**

<b>Summary of Policy</b>	<b>SP.20, DM.24, DM.25 – Adopted Wyre Forest District Local Plan Design Guidance SPD National Planning Policy Framework Planning Practice Guidance</b>
<b>Recommendation</b>	<b>APPROVAL</b>
<b>Reason for referral to Committee</b>	<b>The applicant is an officer of the Council</b>

**1.0 Planning History**

22/0279/HOU Single Storey Rear Extension

17/0559/FULL New dormers to roof and conversion of loft to bedrooms and en-suite

WF700/03 Town and Country Planning Act 1990  
Town and Country Planning General Development Procedure Order 1995  
WF700/03 dated 5<sup>th</sup> September 2004  
Erection of extension to form granny flat at 6 Clee Avenue, Kidderminster

WF335/78 Town and Country Planning Act 1971  
WF335/78 dated 10<sup>th</sup> May 1978. Garage, kitchen and dining room extensions and new W.C at 6 Clee Avenue, Kidderminster

**2.0 Consultation Responses**

2.1 Neighbour/Site Notice Representations - No representations received.

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### 3.0 Site Location and Description

- 3.1 The application site is a semi-detached dwelling off Clee Avenue, a residential area in Kidderminster.
- 3.2 The application seeks permission for a single storey rear extension to replace the existing single storey extension, to create a large open plan kitchen diner at the rear of the property.

### 4.0 Officer Comments

- 4.1 Policy DM.25, 'Design of Extensions and Alterations', states that extensions should not have a significant adverse effect on the amenity of neighbouring residents or any surrounding properties. The proposed single storey rear extension will be in accordance with the 45-degree code and will not have any adverse impacts on any neighbouring properties. The rear extension will not consist of any changes to windows of the existing property and will not impact on any neighbouring properties.
- 4.2 An additional obligation of DM.25 is that extensions and any alterations to the property are in keeping with the original characteristics, materials, form, and detailing of the property. The rear extension is therefore proposed to be in keeping with the original dwelling house, and will be subservient to the existing property, constructed from materials to match those of the existing dwelling house. A condition is attached to further ensure this.
- 4.3 Policy DM.24, 'Quality Design and Local Distinctiveness', also states that the proposed development should integrate positively into the existing street scene. As the proposal is to the rear of the property, it will only be partially visible from the street scene, therefore will not result in an unsuitable feature.

### 5.0 Conclusions and Recommendations

- 5.1 The siting, scale, design, and materials of the proposed extension to the dwelling are considered acceptable and will not detract from the appearance of the property or its setting in the street scene. In addition, the proposal will not have any serious adverse effect on the residential amenity of neighbouring properties. The proposal therefore complies with Policies SP.20, DM.24 and DM.25 of the Adopted Local Plan.
- 5.2 I therefore recommend that **APPROVAL** subject to the following conditions.
  - 4. A6 (Full with no reserved matters)
  - 5. B3 (Finishing materials to match)
  - 6. A11 (Approved Plans)