

Open

Planning Committee

Agenda

**6pm
Tuesday, 20 June 2023
Council Chamber
Wyre Forest House
Finepoint Way
Kidderminster**



Planning Committee

Members of Committee:

Chairman: Councillor R Drew
Vice-Chairman: Councillor D Little

Councillor J Aston

Councillor L Carroll

Councillor P Harrison

Councillor N Martin

Councillor C Rogers

Councillor B Brookes

Councillor H E Dyke

Councillor M J Hart

Councillor F M Oborski MBE

Councillor D Ross

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, Wyre Forest House, Finepoint Way, Kidderminster, DY11 7WF. Telephone: 01562 732763 or email louisa.bright@wyreforestdc.gov.uk

Disclosure of Interests

Members and co-opted Members of the Council are reminded that, in accordance with the Council's Code of Conduct and the statutory provisions of the Localism Act, they are

required to consider in advance of each meeting whether they have a disclosable pecuniary interest (DPI), an other registrable interest (ORI) or a non-registrable interest (NRI) in relation to any matter on the agenda. If advice is needed, Members should contact the Monitoring Officer in good time before the meeting.

If any Member or co-opted Member of the Council identifies a DPI or ORI which they have not already registered on the Council's register of interests or which requires updating, they should complete the disclosure form which can be obtained from Democratic Services at any time, copies of which will be available at the meeting for return to the Monitoring Officer.

Members and co-opted Members are required to disclose any DPIs and ORIs at the meeting.

Where the matter relates to a DPI they may not participate in any discussion or vote on the matter and must not stay in the meeting unless granted a dispensation. Where the matter relates to an ORI they may not vote on the matter unless granted a dispensation.

Where a Member or co-opted Member has an NRI which directly relates to their financial interest or wellbeing, or that of a relative or close associate, they must disclose the interest at the meeting, may not take part in any discussion or vote on the matter and must not stay in the meeting unless granted a dispensation.

Where a matter affects the NRI of a Member or co-opted Member, the Code of Conduct sets out the test which must be applied by the Member to decide whether disclosure is required. Again please ensure you have spoken in advance to the relevant legal advisor.

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

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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, 20 June 2023

Council Chamber Wyre Forest House, Finepoint Way, Kidderminster

Part 1

Open to the press and public

Agenda item	Subject	Page Number
1.	Apologies for Absence	
2.	Appointment of Substitute Members To receive the name of any Councillor who is to act as a substitute, together with the name of the Councillor for whom he/she is acting.	
3.	Declarations of Interests by Members In accordance with the Code of Conduct, to invite Members to declare the existence and nature of any disclosable pecuniary interest (DPI), an other registrable interest (ORI) or a non-registrable interest (NRI) in relation to any matter on the agenda. Please see the Members' Code of Conduct as set out in Section 14 of the Council's Constitution for full details.	
4.	Minutes To confirm as a correct record the Minutes of the meeting held on the 18 May 2023.	7
5.	Applications to be Determined To consider the report of the Development Manager on planning and related applications to be determined.	13
6.	Planning Application 21/0672/FUL – Update Report To receive a report from the Planning Manager.	62
7.	To consider any other business, details of which have been communicated to the Solicitor to the Council before the commencement of the meeting, which the Chairman by reason of special circumstances considers to be of so urgent a nature that it cannot wait until the next meeting.	

8.	<p>Exclusion of the Press and Public</p> <p>To consider passing the following resolution:</p> <p>“That under Section 100A(4) of the Local Government Act 1972 the press and public be excluded from the meeting during the consideration of the following item of business on the grounds that it involves the likely disclosure of “exempt information” as defined in paragraph 3 of Part 1 of Schedule 12A to the Act”.</p>	
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Part 2

Not open to the Press and Public

9.	<p>To consider any other business, details of which have been communicated to the Solicitor to the Council before the commencement of the meeting, which the Chairman by reason of special circumstances considers to be of so urgent a nature that it cannot wait until the next meeting.</p>	
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WYRE FOREST DISTRICT COUNCIL

PLANNING COMMITTEE

COUNCIL CHAMBER, WYRE FOREST HOUSE, FINEPOINT WAY,
KIDDERMINSTER

18 MAY 2023 (6.00 PM)

Present:

Councillors: R Drew (Chairman), D Little (Vice-Chairman), B Brookes, L Carroll, P Harrison, M J Hart, N Martin, F M Oborski MBE, M Rayner, C Rogers, D Ross, P W M Young.

Observers: Councillor J Byng

PL.01 Apologies for Absence

Apologies for absence were received from Councillors: J Aston and H E Dyke.

PL.02 Appointment of Substitutes

Councillor M Rayner was a substitute for Councillor H E Dyke.
Councillor P W M Young was a substitute for Councillor J Aston.

PL.03 Declarations of Interests by Members

Councillor P Harrison declared he was predetermined in opposition in respect of application 21/0672/FUL, and that he would leave the room when the application was being debated.

PL.04 Minutes

Decision: The minutes of the meeting held on 18th April 2023 be confirmed as a correct record and signed by the Chairman.

PL.05 Applications To Be Determined

The Committee considered those applications for determination (now incorporated in Development Control Schedule No. 609 attached).

Decision: The applications now submitted be determined, in accordance with the decisions set out in Development Control Schedule No. 609 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.

There being no further business, the meeting ended at 7.20 p.m.

WYRE FOREST DISTRICT COUNCIL

PLANNING COMMITTEE

18 May 2023 - Schedule 609 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.

Councillor P Harrison left the meeting at 6.03pm whilst application 21/0672/FUL was considered.

Councillor J Byng left the meeting at 6.35pm after he had spoken on application 21/0672/FUL before the matter was debated.

Application Reference: 21/0672/FUL
Site Address: Land On The South Side Of, Kidderminster Road, Bewdley, Worcestershire.
DELEGATED APPROVAL subject to:
<ul style="list-style-type: none"> a) The signing of a S.106 agreement as set out at paragraph 4.55; and b) The following conditions; <ul style="list-style-type: none"> 1. 3-year Time Limit 2. Require external materials and hard surfacing details 3. Require boundary treatment details including acoustic fence for the plots closest to the A456 in accordance with the recommendations set out in the submitted Noise Assessment. 4. Require site and finished floor levels, including details of any retaining walls 5. Implementation of Landscaping Scheme 6. Play Provision (LEAP) (minimum costs £40,000) Implementation and Management/Maintenance Plan 7. Maintenance of the Defibrillator 8. Retention of all identified retained trees and hedgerows 9. Construction Environmental Management Plan (Noise) 10. Electric Vehicle Charging Provision 11. Secure Cycle Storage 12. Prior to first occupation of each house, the air source heat pumps to be installed and in operation, in accordance with the details set out in the Sustainability Statement (dated January 2023). 13. Rainwater butts 14. Details of provision of PV Panels that accords with the recommendations set out in the submitted Sustainability Statement 15. Require water efficient measures 16. Provision of M4(2) dwellings 17. Construction Environmental Management Plan (CEMP - Biodiversity) to include: <ul style="list-style-type: none"> 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
- d. Mitigation measures to avoid harm to nearby SSSI
- 18. A walkover badger survey and scheme of mitigation if required
- 19. Scheme of ecological mitigation and enhancement measures (Bat, Otters, Reptiles, Great Crested Newts) including a revised BNG calculation and landscaping plan for land to west of application site
- 20. To require external lighting scheme
- 21. Landscape Environmental Management Plan (LEMP) including management/maintenance/monitoring of soft landscaping and on-site habitats and enhancement measures and biodiversity monitoring strategy for dormouse
- 22. Off-site Landscape Environmental Management Plan (LEMP) to cover land to the west of the application site, demarked by a blue boundary, and to include extent of land required to offset the biodiversity net gain from the development parcel and monitoring/management for a minimum period of 30 years and provision of a footpath through the site, connecting Wheatcroft Avenue to the existing PRoW.
- 23. Scheme for Surface Water Drainage Strategy
- 24. SuDS Management Plan
- 25. Construction Surface Water Management Plan
- 26. Details of disposal of foul and surface water
- 27. Written Scheme of Investigation for Archaeology implementation
- 28. To require highway lighting details
- 29. Construction Environmental Management Plan (Highways)
- 30. Access and Parking arrangements
- 31. Visibility Splays
- 32. Removal of Permitted Development Rights for future boundary treatment forward of the principal elevation of any dwellinghouse
- 33. To require details of screening for any substation or pumping station to be installed
- 34. A revised noise assessment / technical note to demonstrate that the glazing/ventilation products will meet the recommended sound insulation specifications of the originally submitted noise assessment for approval.
- 35. List of approved plans

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
- 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

During consideration of this item, the meeting was adjourned at 6.17pm and recommenced at 6.23pm whilst the Planning Manager obtained information requested by Members.

Councillor P Harrison re-entered the meeting at 6.45pm

Application Reference: 22/0153/FUL
Site Address: Old Bliss Farm Barns, Old Bliss Farm, Gorst Hill, Rock, Kidderminster, Worcestershire, DY14 9YG
APPROVED subject to the following conditions: <ol style="list-style-type: none">1) 3-year Time limit to commence development2) List of approved Plans3) Require material details4) Site clearance works will be undertaken outside of bird nesting (Feb to Aug) season or the services of an ecologist employed to prevent harm to nesting birds5) Require Landscaping Scheme6) Require Implementation of Landscaping Scheme7) 2 x Bird box provision to be delivered following the recommendations of Nov 2021 PEA8) Construction Environmental Management Plan (Biodiversity)9) Prevent new external lighting being installed10) Require visibility splays11) Require access, turning areas and parking facilities for both dwellings12) Require details of highway drainage13) Require existing vehicular access to be closed14) Require cycle storage15) Require electric vehicle charging points16) Scheme for foul and surface water drainage17) Removal of permitted development rights Class A and E (extensions and outbuildings) NOTES This permission does not authorise the applicant to carry out works within the publicly maintained highway since such works can only be carried out by the County Council's Approved Contractor, Ringway Infrastructure Service who can be contacted by email: worcestershirevehicle.crossing@ringway.co.uk and Tel: 01905 751651. Applications can also be made online via the Worcestershire County Council website. The applicant is solely responsible for all costs associated with construction of the access. Mud on the highway The attention of the applicant is drawn to the need to keep the highway free from any mud or other material emanating from the application site during the construction phase of the development.

Application Reference: 22/0635/FUL
Site Address: Aventine House And Innovation House, Edwin Avenue, Hoo Farm Industrial Estate, Kidderminster, Worcestershire, DY11 7RA
APPROVED subject to the following conditions:
<ol style="list-style-type: none"> 1. 3-year Time Limit 2. Materials 3. Bird/bat box provision 4. Precautionary approach to works to ensure protected species are safeguarded. 5. No external lighting without prior written approval from the LPA. 6. CEMP (Biodiversity) 7. Walkover Badger Survey 8. LEMP 9. Drainage 10. Access, Parking and turning details 11. Accessible parking and Electric Vehicle Charging Points 12. Cycle parking 13. Employment Travel Plan 14. CEMP (Highways) 15. Potential Contamination Study

Application Reference: 23/0144/RG3 & 23/0156/S19
Site Address: Former Worcester Cross Factory And Offices, Weaving Sheds & Worcester Cross, Worcester Street, Kidderminster, Worcestershire.
23/0144/RG3 APPROVED subject to the following conditions:
<ol style="list-style-type: none"> 1. Details of Materials 2. Brick or Stone Sample Panels as proposed 3. Implementation of Programme of Archaeology Work (as approved under 22/0643/CR) 5. Landscaping Scheme including Tree Pit Design 6. Implementation of Landscaping Scheme 7. Details of pedestrian access points 8. Highways – Cycle Parking 9. Highways – Travel Plan 10. Delivery and Servicing Plan 11. Highway Work Details 12. Adhere to the Construction Environmental Management Plan (as approved under 23/0168/CR) 13. Adhere to the Ecological Mitigation and Enhancement Measures (as approved under 22/0516/CR) 14. Heating provision to be Air Source Heat Pumps with boiler back up 15. Defibrillator 16. Lighting scheme for Coronation Gardens <p>Informative A. S.278 Works</p>

B. Provision of SuDS if possible
C. Archaeology

23/0156/S19 APPROVED subject to the following conditions:

1. 3-Year Time Limit
2. Details of Materials
3. Brick or Stone Sample Panels as proposed
4. Archaeology
5. Detailed Heritage Matters

EXECUTIVE SUMMARY TO REPORT OF DEVELOPMENT MANAGER

Planning Committee

Part A Applications

Ref:	Address of Site	Recommendation	Page No.
22/0464/OUT	Land At Os 388200 278800 Station Drive Blakedown Kidderminster Worcestershire	Delegated Approval	14
23/0107/FUL	Land At Callimore Farm Droitwich Road Rushock Droitwich Spa Worcestershire	Approval	46

Part B Applications

Ref:	Address of Site	Recommendation	Page No.
23/0254/LBC	1 & 2 Park Lane Harvington Kidderminster Worcestershire DY10 4LW	Approval	58

WYRE FOREST DISTRICT COUNCIL**PLANNING COMMITTEE****20 June 2023****PART A**

Application	22/0464/OUT	Date	22.06.2022
Reference:		Received:	
Ord Sheet:	388200 278800	Expiry	21.09.2022
		Date:	
Case Officer	Helen Hawkes	Ward:	Wyre Forest Rural

Proposal: Outline Application with Access (all other matters reserved) for Residential Development (including associated ancillary matters) and Reservation of Land for Railway Station Related Car Parking (subject to future need assessment)

Site Address: Land At Os 388200 278800, Station Drive, Blakedown, Kidderminster, Worcestershire, ,

Applicant: Marmaris Investments Ltd

Summary of Policy	SP.1, SP.2, SP.6, SP.9, SP.10, SP.12, SP.13, SP.16, SP.20, SP.21, SP.23, SP.27, SP.28, SP.29, SP.30, SP.31, SP.32, SP.33, SP.34, SP.35, SP.36, SP.37, DM.7, DM.8, DM.23, DM.24, DM.26, DM.32, SP.BLK2 of the Wyre Forest Local Plan (adopted April 2022) Churchill and Blakedown NDP WFDC Design Guidance SPD WFDC Planning Obligations SPD WFDC Affordable Housing SPD National Planning Policy Framework (NPPF) National Planning Practice Guidance (NPPG) National Design Guide
Recommendation	DELEGATED APPROVAL, SUBJECT TO S106 AGREEMENT
Reason for Referral to Committee	'Major' Planning Application

1.0 Planning History

1.1 The application site comprises an arable agricultural field and there is no previous planning history in respect of the application site.

2.0 Consultations and Representations

2.1 Churchill & Blakedown Parish Council (*First comment*) - Objects in principle to the removal of this piece of land from Green Belt status, and the following comments are aimed at mitigating the reality of the now adopted Local Plan.

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[Officer comment: The site was removed from the Green Belt and the site allocated for development through the Local Plan making process].

Although the revised outline application addresses to some extent the ecological impact of the proposed development, there remain serious concerns about the encroachment of the site into the small valley at the eastern edge of the plot, and onto the border of the stream. This area, rich in wildlife, is part of a connecting series of 4 pools which run from Broome down to the main Churchill and Blakedown water system and feed into the protected SSSI and wildlife sites at Hurcott and Podmore.

[Officer comment: In response, the Countryside and Technical Services Manager has commented that the land is recognised as a LWS (Local Wildlife Site) and harm to this will be avoided and an offset area from the LWS is being proposed, with the details determined at reserved matters].

There is already evidence at the northern edge of the site that building work has a severe adverse impact on the watercourse. Work in recent years on the culvert under the railway has left a large, stagnant and apparently polluted pool (inaccessible, but visible from the railway) where previously the stream ran clear into Coopers Pool. Further contamination of this particular water system must be avoided if the delicate ecological balance of the area is to be preserved, and it is recommended that the eastern border of the development be moved further back to the west so that it does not overlap onto the slope of the stream bank.

[Officer comment: In response, the North Worcestershire Water Management Officer comments that they are aware of the work that Network Rail undertook in relation to the culvert underneath the railway a number of years ago, for which they obtained the required land drainage consent. The flow in the watercourse is at this point largely controlled by the water level in Coopers Pool, set by the pool owner and something that is outside the Council's remit. This could potentially explain the stagnant water observed. Stagnant water itself is not necessarily a reason for concern. If there are any concerns regarding ongoing pollution of the watercourse, then such concerns should be shared with the Environment Agency].

The application shows the area of land retained for car parking as a condition of any approval, as originally planned by WCC. We would support this retention, and further recommend that this should be the preferred location for off road parking for the station, rather than Station Yard. This would reduce dangerous congestion in Lynwood Drive and at the junction of Lynwood and Station Drives. It should be a condition of development that any dwellings on the Field site should have at least two allocated parking spaces per dwelling.

[Officer comment – All car parking would be required to comply with the parking standards set out in the Adopted Streetscape Design Guide and parking provision would be considered as part of the subsequent reserved matters application concerning 'layout'].

The Parish Council object to the removal of TP1, a healthy oak tree which is over 100 years old, and (together with TP2) an important feature of the streetscape along Station Drive.

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[Officer comment: In response, the Arboricultural Officer comments that whilst TP1, it is a good tree with a high amenity value there are other trees within the street scene and in the nearby landscape. The loss of this Oak will be mitigated against by the planting of many more trees within the site, thereby increasing the overall canopy cover of the village].

Finally, in advance of a revised detailed application, the Parish Council wish to remind the developers that this site has been removed from Green Belt, and as such should be used for housing which is urgently needed – social / affordable housing in smaller units and bungalows / sheltered housing, in keeping with the policies of the Churchill and Blakedown Neighbourhood Plan.

[Officer comment – The submission of an affordable housing scheme as required through the Section 106 Agreement would be necessary to demonstrate that it meets an identified local housing need as per the site allocation requirements outlined in Policy SP.BLK2. In addition, a planning obligation has been secured to require 25% affordable housing to accord with Policy SP.10].

Churchill & Blakedown Parish Council (Second comment) - The Parish Council do not share the Arboricultural Officers evaluation of the removal of the TPI. The Parish Council's opinion is that there is no viable reason to remove a good tree with a high amenity value just to satisfy the aspirations of the Developer, their plans should take into account the environment in which they are working. There is growing anger that TPI's are being disregarded 'at a whim', defeating the purpose of the category. WFDC should learn from the debacle created by Plymouth City Council in their massacre of trees in Armada Way. In respect to North Worcestershire Water Management Officers comments, we are not convinced that the topography of the site has been adequately assessed. In respect to the Applicants comments, we would point out that the Development hardly represents the 'Housing Survey needs' The Car Park in the Local Plan is incorporated for potential future WCC Station Parking. The Parish Council as the legally elected representatives of the Community will continue to monitor all actions and comment/act accordingly.

- 2.2 Highway Authority (WCC) – No objection, subject to conditions and S106 obligations relating a Traffic Regulation Order to impose parking restrictions on Station Drive; Community Transport; Home to School Transport.

The requirement for parking restrictions along the site access road and at the access itself will be further considered through detailed design and any future S38 process. The Highway Authority has raised concerns about the presence of on-street parking along the north side of Station Drive, which may obstruct the site access visibility splay, be problematic for large vehicles exiting the site and may be contributing to the perceived vehicle queues on Station Drive. The Applicant has agreed to provide a S106 contribution of **£10,000** towards parking restrictions on Station Drive should future monitoring demonstrate that these are necessary to improve safe access and egress from the site.

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Layout

The Highway Authority notes that the proposed site layout is indicative only at this stage and as such, comments are provided with the aim of helping to inform any future reserved matters application. The Applicant's TA provides that the internal access road would measure 6m wide to the point intended to connect with the safeguarded rail station car parking area. To the north of this location, the carriageway width reduces 5.5m to serve the proposed dwellings. On each side of the carriageway, the Applicant intends to provide 2m wide footways. The Applicant notes that carriageways would be built to an adoptable standard and are at this stage anticipated to be offered up for adoption by the LHA. The Highway Authority notes that only the main spine road would be considered for adoption with design principles currently shown.

The Highway Authority notes that residential parking provision will be subject to a reserved matters application. The Applicant's intention to provide Ultra Low Emission Vehicles (ULEV) charging points is welcomed. It is noted that the application development description includes land safeguarded for up to 45 station related car parking spaces. The Applicant should provide parking in keeping with the provisions of the Streetscape Design Guide.

The Highway Authority is in receipt of the Applicant's Swept Path Assessment for a Phoenix 2 Duo Recycler refuse wagon, a fire appliance vehicle and pantechicon and is satisfied that these vehicles can undertake the necessary turning manoeuvres at the site access junction. The Applicant notes that new footpath connections are proposed, which will link the site directly with an existing bus stop on the A456 Birmingham Road and also the railway station platform in the west.

Trip Generation

The Applicant presented trip rates for the proposed development which were forecast using the traffic movements obtained from the MCC traffic survey for the Lynwood Drive junction – the 'donor survey'. The use of these trip rates has been agreed with the Highway Authority. Whilst the Applicant notes that the safeguarded rail parking proposed is not proposed to come forward at the same time as the residential development, to provide a robust assessment the Applicant has provided trip rates that could be associated with a Railway Station car park in this location. The Highway Authority accepts that the peak hour trip rates and resultant two-way vehicle movements are robust.

Highway Impact and Capacity

The Highway Authority has reviewed the submitted modelling and welcomes the Applicant's use of a one-hour profile and the modelling of Station Drive as one lane plus short flare. Highway capacity assessments have been undertaken for the Station Drive/A456 Birmingham Road junction and the Station Drive/Lynwood Drive junction using PICADY. The Highway Authority has audited the PICADY base models and is satisfied that they are suitably validated and calibrated.

The Highway Authority is aware of local concern regarding queuing vehicles on Station Drive extending from the Birmingham Road junction back through the level crossing. However, the November 2021 surveys demonstrated that minimal queuing occurs on Station Drive and that whilst a 'peak' queue of up to 6 vehicles can form when the level crossing reopens and vehicles discharge eastwards, the queue at the

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Birmingham Road junction typically does not exceed more than 1-2 vehicles. Average maximum vehicle queues at the Station Drive/Birmingham Road junction are not predicted to exceed more than 1-2 vehicles. However, critical to the capacity assessment is the assumption that the Station Drive approach provides one lane plus a flare at the Birmingham Road junction, which allows 2 vehicles to wait at the give-way line simultaneously (when one vehicle is making a left turn and the other, a right turn). On the basis of the impact and capacity assessments undertaken, the Highway Authority is satisfied with the Applicant's conclusion that "*the existing Station Drive and A456 Birmingham Road junction arrangement is suitable to accommodate the proposed development*" and that the proposed development is unlikely to result in a severe impact on the surrounding local highway network.

Public Transport

The Station Drive northbound bus stop is located on the A456 Birmingham Road approximately 100m walking distance from the proposed development's centre. The Station Drive southbound bus stop is approximately 200m walking distance from the proposed development's centre. The stop is located close to the Station Drive/ A456 Birmingham Road junction, on the eastern side of Birmingham Road. Both bus stops are equipped with a bus stop layby, shelter and seating facilities and flag poles and timetable information. The northbound and southbound stops are served by bus route number 192 which provides hourly services from Monday to Saturday.

The site is located immediately east of Blakedown Railway Station, operated by West Midlands Railway.

In accordance with the Council's obligations under the 1985 Transport Act and the 2010 Equalities Act and the Worcestershire County Council Passenger Transport Strategy 2019-2030 a contribution of **£4,158.00** is required towards Community Transport. The Council also requires a contribution of **£64,426.00** towards provision of home to school transport.

Travel Plan

The Highway Authority is in receipt of the Applicant's Framework Residential Travel Plan (RTP). The Applicant identifies that the Modeshift STARS system would be used. The Applicant notes that all dwellings would be provided with a Green Travel Voucher, provided for up to three tenures within the RTP period. This would provide the opportunity for sustainable travel use through the purchase of walking apparel, cycling equipment or towards the costs of bus tickets.

Street Lighting

The Applicant should identify if the development would be lit. This information is required for the Highway Authority to determine if speed limit TROs may need to be processed. The principal access road shall be considered for highway lighting as an initial starting point, as shall any adopted pedestrian access routes to the train station and the bus stop. However, the side roads (where adopted) shall be assessed for lighting based on a dark baseline (i.e., highway lighting should only be proposed if there is clear requirement to include it). The site is considered to be environmentally sensitive and, therefore, should highway lighting not be considered appropriate for the spine road after assessment and consultation with WCC's Ecologist, liaison shall be undertaken with the Parish Council to establish their requirements to light, given that

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the adjacent roads have parish lighting. Liaison should also be undertaken with Network Rail regarding all lighting proposals given the proximity of the railway line, train station and level-crossing.

2.3 Arboricultural Officer – No objection subject to conditions.

In order to provide suitable access to the application site, tree T1, an Oak, will need to be removed. This tree is a good specimen and whilst its retention would be preferred, as the site is allocated for housing within the Local Plan, it is accepted that compromises need to be made. It is recognised that the site is large enough for additional tree planting to mitigate for the loss of this single TPO'd tree.

2.4 Worcestershire Children First – No objection.

A development of this type is likely to attract young families which will have an impact on education provision in the area.

Early Years Education

It has been confirmed that there are sufficient places within early years provision within the area of the proposed development. There will be no need for an early years' contribution.

Primary Education

With regards mainstream provision, the proposed development is likely to yield 2-3 pupils on average per year group in the primary phase of education, with pupils from the development expected to attend Blakedown CE Primary. Analysis of pupil numbers indicates that there is currently insufficient capacity within the catchment area school to admit the number of pupils that are likely to be generated from the proposed development and also maintain the 5% surplus needed for in year migration. Therefore, it is advised that there will be a need for a primary contribution, which is calculated as **£307,054**. This contribution will be used to provide additional education facilities at Blakedown C.E. Primary school.

Secondary Education

The proposed development is likely to yield 2-3 pupils on average per year group in the secondary phase of education. All catchment high/secondary schools are either full or near capacity in all year groups from year 7-11. As such, a secondary school contribution will be required which is calculated as **£299,556**. This contribution will be used to provide additional education facilities at Haybridge High and Sixth Form or another school serving the proposed development within a 3 miles radius of the development.

Special Needs Education

With regards to Special Education Needs and Disabilities (SEND) provision, the proposed development is likely to yield 1 SEND primary school place however a contribution for SEND will not be sought.

The total indicative Education Contribution being sought is **£606,610**, with contributions to be recalculated when tenures have been finalised at the Reserved Matters stage based on the standard formula.

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[Officer comment – The applicant has agreed to make a financial contribution towards Education based on a standard formula to be inserted into the S106 agreement to enable a calculation to be made based on the proposed housing number and tenure at Reserved Matters stage].

2.5 Countryside and Technical Services Manager (WFDC) – No objection subject to conditions.

Following the submission of additional protected species surveys and further clarification with regard the nature and extent of proposed biodiversity enhancements, it has been confirmed that there are no outstanding grounds for objection, subject to the imposition of suitable conditions relating to:

- Biodiversity Net Gain (BNG) calculation to be undertaken and submission of BNG Plan; the
- Submission of a Landscape Environment Management Plan (LEMP);
- Submission of a lighting plan;
- New walk over ecological survey;
- Submission of a Construction Environment Management Plan (CEMP).

2.6 Environment Agency – Confirm that they have no comments to make.

2.7 WMP Designing Out Crime Officer – No objection.

2.8 Housing Enabling (WFDC) – No objection.

The housing development proposed would help towards meeting future housing needs in Blakedown village. The mix and tenure of proposed properties should address identified local need.

2.9 Natural England – No objection.

Based on the plans submitted, the proposed development will not have significant adverse impacts on designated sites.

2.10 NHS CCG Primary Care Trust – No objection subject to a financial contribution of £37,673 to mitigate the impact arising from the development and to absorb the patient growth generated by the development proposed. It is commented that the development could generate approximately 137 residents and subsequently increase demand upon existing services and that funding towards new and additional premises or infrastructure, extension to, or reconfiguration of, existing premises, or improved digital infrastructure and telehealth facilities is necessary to make the development acceptable in planning terms.

[Officer comment – The CCG have been unable to confirm where the local deficiencies in provision are located within the district and whether the financial contribution would improve those deficiencies. As such, your officers have been unable to confirm that the planning obligation would meet the tests set out in Regulation 122(2) of the Community Infrastructure Levy Regulations 2010, in particular that the contribution would mitigate the impacts arising from the development on a local GP surgery in terms of both being necessary and directly related to the development. In the absence of where the contribution would be spent, this planning obligation cannot not be secured].

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- 2.11 Network Rail – No objection subject to mitigation.
A financial contribution of **£10,000** towards yellow box markings and changes to the level crossing ‘Ground Plan’.
- 2.12 Severn Trent Water – No objection subject to conditions to ensure the satisfactory disposal of surface and foul water.
- 2.13 Conservation Officer – No objection.
Following the submission of additional information the findings of the submitted Heritage Statement are agreed in that with appropriate mitigation methods, the development would preserve the setting of Harborough Hall, in accordance with the statutory duties set out in Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990, as well as the setting of the locally listed and non-designated assets at the railway station and culvert, in accordance with Paragraph 203 of the National Planning Policy Framework.
- 2.14 North Worcestershire Water Management Officer – No objection subject to conditions.
Following the submission of further details in response to earlier concerns, such matters have now been satisfactorily addressed. The updated Flood Risk Assessment and Drainage Strategy confirms that the site is not at risk of flooding from any source. It advises that preliminary soakaway testing has confirmed that the ground conditions are suitable for the discharge via infiltration. Permeable paving has been proposed within private driveways and car park areas.

The submitted information includes a short section on water quality treatment. The use of an oil interceptor for the outfall to the watercourse has been mentioned. No assessment has been submitted to show that an interceptor would provide sufficient treatment for suspended solids, heavy metals and hydrocarbons. For this assessment the simple index approach set out in the CIRIA SuDS Manual (2015) can be used unless regulators indicate that this would not be sufficient given the sensitivity of the receiving water environment. It has been detailed in the submitted information that all assets have been designed to cope with the 1 in 100 year + 40% climate change allowance event and calculations have been submitted.

It is noted that for foul drainage a gravity fed system is now proposed, which directly addresses previous comments which questioned the need for the previously proposed pumping station. In light of the above, it is concluded that there are no grounds to withhold approval of this outline application, providing that a suite of detailed conditions is imposed.

- 2.15 WCC Archive and Archaeology – No objection, subject to conditions.
The application site is judged to have the potential to impact heritage assets of archaeological interest and as such it is recommended that a programme of archaeological works should be secured and implemented by means of suitably worded conditions attached to any grant of planning permission. This would consist of an evaluation by trial trenching and geophysical survey to be carried out as a condition on any grant of outline consent. This might be followed by further mitigation or alteration of the design prior to the reserved matters application being submitted.

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2.16 Worcestershire Regulatory Services (Air Quality) – No objection, subject to conditions.

The following air quality mitigation measures are recommended to any planning permission given:

Air Quality - It is recommended that the applicant incorporate mitigation measures as part of the development to minimise impact from the development on local areas of poor air quality and assist in alleviating pollution creep arising in the general area.

Secure Cycle Parking - It is recommended that secure cycle storage is provided within the curtilage of each dwelling.

Electric Vehicle Charging.

Low Emission Boilers.

2.17 Worcestershire Regulatory Services (Nuisance Assessment) – No objection, subject to conditions.

The submitted noise and vibration assessment concludes that noise from both the railway and the A456 could be adequately mitigated internally with the installation of standard double glazing and alternative ventilation and boundary fencing for external amenity areas. Therefore, at the reserved matters stage, the applicant will need to submit a revised noise assessment for approval detailing the glazing and ventilation products to be installed and confirming that they will meet the required sound reduction to ensure that internal noise levels are in line with the recommendations of BS8233:2014.

In terms of external amenity areas, the revised noise assessment should detail the height / extent / surface density of any boundary fencing required to ensure that noise levels in all external amenity areas does not exceed 55dB, 16hr.

2.18 Worcestershire Regulatory Services (Contaminated Land) – No objection, subject to conditions.

Having reviewed the submitted documents and referred to historical maps for the site, the indication is that the site has been used for open fields/arable land, as is currently the case. No indication of previously agricultural buildings or storage tanks, or heavy/contaminative industry, has been identified in the vicinity. The applicant should report any unexpected contamination if encountered.

2.19 WF Cycle Forum – No objection.

The application does not identify safe cycle routes which pass nearby the application site, which is an oversight. Secure cycle parking should be provided within the curtilage of dwellings and at the railway station

[Officer comment: The suggestion of secure cycle parking at the railway station is not considered to be directly relevant to the application and to seek such a requirement would be unreasonable and would fail to meet the tests set out in Paragraph 56 of the National Planning Policy Framework].

2.20 Central Networks – No comments received.

2.21 Landscape Advisor (WCC) – From the landscape perspective, there is no apparent substantive change from the July 2022 submission, therefore, while I maintain no objection in principle, I would reiterate my previous comments and recommendations for conditions (these are: Landscape Environmental Management Plan, Tree and Root

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Protection and Construction Environmental Management Plan conditions), should you be minded to grant permission. It is noted that the eastern boundary is particularly notable in this regard, and is particularly important given this will form a new urban settlement edge adjacent to the A456. This also affects the scope within which to design a more feathered transition from urban to rural setting. The Design and Access Statement notes the scheme will deliver a net biodiversity gain. I recommend that you secure from the applicant detailed plans that set out how this will be achieved, including a quantification of the biodiversity uplift prior to determination.

2.22 Worcestershire Wildlife Trust – No comments received.

2.23 Sustainability Officer (WCC) – No comments received.

2.24 Cadent Gas Ltd – No comments received.

2.25 WCC (Health Protection) – No comments received.

2.26 Countryside Access Mapping Orders Officer – No comments received.

2.27 Neighbour/Site and Press Notice Representations

A total of 50 representations have been received, with 49 objections and 1 representation in support. The reasons for objection are summarised as follows (with Officer comments/clarification where necessary):

- Development encroaches into the Green Belt.
[Officer comment: This is incorrect. The site was removed from the Green Belt and the site allocated for development through the Local Plan making process].
- Impact on visual openness of the Green Belt.
- Site should not have been removed from the Green Belt.
- Extends settlement into open countryside.
- Overdevelopment - Density of development excessive and out of character with Blakedown village.
- No need for this level and amount of housing in Blakedown.
- Adverse impact on identified Green Zone and Wildlife Zone.
- Increase in traffic congestion on Station Drive and to and from Birmingham Road.
- Adverse impact on highway and pedestrian safety and the nearby level crossing.
- Increased demand on already inadequate local amenities and infrastructure, including shops and services (including doctors surgery).
- Local Primary School unable to accommodate additional demand for school spaces arising from the development.
[Officer comment: There is no objection to the development from Worcestershire Children First, subject to financial contributions to primary and secondary education facilities as detailed at Paragraph 2.4].
- Should be developing empty buildings/brownfield sites in Kidderminster and not destroying the countryside.
- Inadequate number of Affordable Housing proposed.
- Separate additional access from Birmingham Road should be provided to serve the site.
- Loss of protected trees.

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- Adverse cumulative impact of development in Blakedown and beyond (including Lea Castel and Husum Way) on wider highway safety.
- Inadequate consideration of pedestrian, and in particular child safety walking to and from the Primary School.
- Inappropriate location for car park to serve the railway station and should have its own access.
- Premature application in advance of Churchill and Blakedown Housing Needs Survey and associated analysis.
- Pollution impact upon future occupiers.
- Inadequate public open space.
- Noise impact upon future occupiers from the railway and the A456 (Birmingham Road).
- Scale of development out of keeping with Blakedown.
- Lack of consultation and engagement by applicants.
- Proposal not in accordance with Churchill and Blakedown NDP
- Inadequate provision made for wet woodland/marshland as required by Local Plan policy.
- Adverse impact on protected species and other wildlife.
- Adverse impact upon watercourse.
- Insufficient mitigation planting.
- Loss of rural/agricultural land.
- Landscape Visual Assessment inadequate and fails to sufficiently appraise impact of development, including Year 1 construction phase of development, and does not appraise landscape sensitivity of the site.
- Adverse impact of development on amenities and privacy of existing local residents.
- Adverse impact on property values of existing dwellings in the vicinity.
[Officer comment: Members will be aware that loss of value is not a material planning consideration]
- Development should facilitate a footbridge to the Station platform(s).

3.0 Site Location and Description

- 3.1 The application site is located at the northern extreme of Blakedown village, but clearly sits within the Blakedown Settlement Boundary as defined within the adopted Wyre Forest Local Plan (April 2022).
- 3.2 The site sits adjacent the telephone exchange building on Station Drive and is bounded by the A456 Birmingham Road to the east; Station Drive, and existing residential development opposite, to the south; and the Kidderminster to Stourbridge Junction railway line to the west, and beyond that existing residential development. To the north lies an area of deciduous woodland.
- 3.3 The site has an approximate overall area of some 2.7 hectares (6.5 acres) and currently consists of principally flat arable land, albeit with a fall in levels towards the north end of the site. The east boundary features an established hedgerow alongside the A456. There is an area of plantation woodland to the west, which runs parallel with the railway line and a denser area of woodland at the north end of the site.

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- 3.4 The site is currently accessed via a field gate on Station Drive, and a concrete access road is visible on site, which follows along the western boundary of the site. The Station Road frontage features 2 no. mature Oak trees, which are subject to a Tree Preservation Order (TPO) – Council ref: TPO 489, which also covers other individual trees and areas of woodland around the periphery of the application site.
- 3.5 This is a sustainable location, located within the defined Blakedown village boundary, and within walking distance of local shops and services, including public houses; post office/shop; primary school; and with immediate access to a choice of public transport (rail and bus services), and the cycle network.
- 3.6 To confirm, the application site fully corresponds with the mixed-use site allocation SP.BLK2 “Land off Station Drive, Blakedown” as included within the adopted Wyre Forest District Local Plan, which indicates that the site could provide for 50 dwellings and also safeguard future car parking needs (associated with the adjacent Blakedown Railway Station).
- 3.7 The application seeks outline planning permission, with all matters reserved for subsequent approval except site access, for residential development and the safeguarding of land for Blakedown railway station related car parking. Access, for which permission is sought, would be from the Station Drive only in accordance with the site allocation requirement.
- 3.8 The submitted Parameters Plan, amongst other things, confirms the overall site area, along with the net developable area (1.5 hectares) and the extent of the proposed green infrastructure (1.13 hectares) which equates to 40% in accordance with Policy SP.28.
- 3.9 Having originally been submitted proposing 57 dwellings, following negotiations with the applicants the proposal has been reduced down to a maximum of 52 dwellings which would thereby equate to a development density (of the developable area) of 35 dwellings per hectare. The application also includes land to be safeguarded for future car parking for the railway, subject to an updated needs assessment. A suitable planning condition is considered necessary to ensure such provision is safeguarded and provided if it is considered that additional railway parking is needed, in accordance with the site allocation policy.
- 3.10 The application is accompanied by a suite of supporting documents, and has been supplemented by additional submissions following the first round of consultations, as summarised below:
 - Landscape Assessment.
 - Design & Access Statement (and subsequent addendum).
 - Tree & Woodland Survey.
 - Flood Risk Assessment & Drainage Strategy.
 - Noise Assessment.
 - Transport Assessment.
 - Travel Plan.
 - Preliminary Ecological Assessment and Protected Species surveys.

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- Heritage Impact Assessment.

3.11 Members are advised that the originally submitted, and subsequently amended, indicative Masterplan and associated illustrative layout has been withdrawn from the application pack and as such no layout, illustrative or otherwise, is before Members for consideration.

3.12 Nevertheless, the Parameters Plan has been updated which includes the suggested route of the main spine road to serve the development; the extent of the green infrastructure areas including wildlife corridor adjacent to the railway line and the SuDS proposals; and the maximum build heights over a series of development blocks, which are indicated as being maximum build heights of 2 and 2.5 storey. A small proportion will be single storey bungalows.

4.0 Officer Comments

4.1 The main considerations for this application are:

- Policy Context and Principle of Development
- Affordable Housing and Housing Mix
- Safeguarded Car Parking
- Access and Highway Safety
- Noise, Vibration and Air Quality
- Landscape and Visual Impact
- Arboriculture, Ecology and Biodiversity
- Drainage and Flood Risk
- Loss of Agricultural Land
- Climate Change
- Other Matters
- Planning Obligations

BACKGROUND INFORMATION

4.2 At Planning Committee on 18 April 2023, Members resolved that consideration of the application should be deferred to allow Members to visit the site (6 June 2023). In addition, the applicant has undertaken a new traffic survey (dated May 2023) following concerns raised by Members that the submitted traffic survey may have been impacted by COVID-19 restrictions and your Officers have had further time to review the concerns raised by Members at the 18 April 2023 Planning Committee and attach additional planning conditions.

4.3 As set out in the original Committee Report, the application site is allocated for residential development in the Wyre Forest District Local Plan 2016-2036 and this outline application only relates to the principle of housing development on this allocated site and the consideration of the means of access. All other matters relating to Layout, Scale, Appearance and Landscaping are reserved for later consideration in a subsequent application.

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- 4.4 At the 18 June 2023 Planning Committee, concern was raised by Members regarding the outline application in respect of the following matters:
1. Loss of mature Oak tree, which is covered by a Tree Preservation Order (TPO 489).
 2. Traffic Survey may have been impacted by COVID-19 restrictions.
 3. Timing of financial contributions for future Traffic Regulation Order.
 4. Layout of the site in terms of whether all internal roads would be to adoptable standards and whether the development would provide acceptable privacy, amenity and parking provision.
 5. Type of houses proposed and whether bungalows, one and two bed properties are proposed.
 6. Further clarification as to whether the NHS Primary Health Care would meet the three tests set out in CIL 2010 to enable the financial contributions to be secured towards health services.

Loss of mature Oak tree

- 4.5 The submitted Tree Survey confirms that the Oak tree is Category B (which are trees of moderate quality and value but are downgraded because of impaired condition and it is suggested that these trees would continue to make a significant contribution to the public realm for a minimum of 20 years). The Tree Survey describes this particular Oak tree as being a ‘very large old tree, which completely overhangs the road and that there is potential risk from dead wood, and/ or branch failure’.
- 4.6 The Site Allocation Policy SP.BLK2 requires vehicular access to be taken from Station Drive (criteria (i)) and due to the current highway standards which requires a minimum visibility splay of at least 2.4m by 43 metres and the proximity to the Station Drive/Birmingham Road (A456) junction means that the access point cannot be repositioned in a different location along Station Drive. As the site allocation requires access to be on Station Drive, which is lined with mature trees along its road frontage, it was inevitable that there would be tree loss as part of any development of this site.
- 4.7 The Council’s Arboricultural Officer raises no objection to the loss of the Oak tree subject to suitable mitigation tree planting within the development. Within their comment they acknowledge that the Oak tree is of high amenity value but consider that due to the presence of other trees within the street scene and in the nearby landscape the loss of this one Oak tree would not have a significant adverse impact on the visual amenity of the area and that the loss can be mitigated by the planting of many more trees within the site, which would overall increase canopy cover of the site and within Blakedown village.
- 4.8 Also, the Site Allocation Policy SP.BLK2 states that any unavoidable tree loss should be replaced within the proposed development. As such, the site allocation policy accepted replacement tree planting as an appropriate form of mitigation for any tree loss. Furthermore, Paragraph 131 of the National Planning Policy Framework states that ‘planning decisions should ensure that existing trees are retained wherever possible’. As such, neither local nor national planning policy recommend refusal of applications where developments would result in the loss of trees.
- 4.9 Your Officers agree with the conclusions made by the Arboricultural Officer that due to the level of tree cover around the site boundary and within the context of the site, that the loss of one tree to facilitate the vehicular access would not have a significant

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adverse impact on the visual amenity of the area and that suitable mitigation can be secured by condition to offset the loss. Furthermore, it has been pointed out in the submitted Tree Survey that this tree is a category B tree and therefore not of the highest value and consists of deadwood and branches that overhang the public highway and pose a potential risk to highway safety. It is therefore considered that there are no justifiable grounds to refuse this application on loss of tree given that suitable mitigation can be secured by condition.

Traffic Survey

- 4.10 A further traffic survey has been undertaken (May) at the request of the Planning Committee to determine whether the original traffic survey (dated 2021) had been impacted by COVID-19 restrictions.
- 4.11 The automatic traffic counts were undertaken from 19 May 2023 to 25 May 2023 inclusive and the turning and queue counts were undertaken on Tuesday 23 May 2023. The Highway Authority have confirmed that the new surveys are valid as they were carried out on during a neutral month, on a neutral day and were not affected by a preceding bank holiday Monday or Friday. It should also be noted that there were no known road works, train strikes, teacher strikes or school holidays during this time.
- 4.12 The following comparisons have been made between the 2021 and 2023 surveys:
- Traffic flow surveys were undertaken from 19/05 to 25/05 inclusive with junction turning counts and queue counts undertaken on Tues 23 May. The May 2023 surveys are therefore considered to represent a neutral period and were not affected by any May Bank holiday. There were no known road works, train strikes, teacher strikes or school holidays.
 - The May 2023 surveys observed a reduction in traffic flow on the Station Drive approach to the A456 during the AM peak hour of c100 vehicles compared to the November 2021 surveys and a reduction of c40 vehicles from the 2018 surveys
 - The maximum queue recorded on the Station Drive approach to the A456 junction was 2 vehicles, compared to 6 vehicles recorded in the 2021 surveys
 - The total flows through the junction appear to be broadly similar between the 2021 and 2023 surveys, but with a reduction on Station Drive and small, proportionate increase on the A456 (c+100 vehicles travelling northbound on A456)
 - Updated capacity assessments have been undertaken, which show that with development, the Station Drive/A456 junction will operate with significant spare capacity during the network peak hours (operating at a maximum of 42% of junction capacity). Therefore, it's likely to be challenging to conclude that the development proposals resulted in either a severe congestion or unacceptable highway safety impact that necessitated a junction mitigation scheme.
- 4.13 The access to the site, traffic generation and impact of this development on nearby road junctions and the level railway crossing have all been considered by the Highway Authority and no objection has been raised subject to conditions and planning obligations. Your Officers agree with their view and find that the highway safety aspect of the development to be policy complaint and not a reason to justify a refusal of the application.

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Timing of financial contributions for future Traffic Regulation Order

- 4.14 A key question raised by Members at the previous Planning Committee meeting (18 April 2023) was whether the Traffic Regulation Order which is to be funded by the developer and secured through the Section 106 agreement could be required as part of the development as at present, it is up to the discretion of the Highway Authority to determine whether such parking restrictions would be necessary on Station Drive following approval of the application.
- 4.15 The Highway Authority do not wish to change their advice on this planning obligation since the original Planning committee. Members are advised that Planning Obligations can only be secured where it is necessary to make an unacceptable development acceptable in planning terms and in this instance, there is no evidence to justify that a TRO is necessary until further road assessments have been undertaken by the Highway Authority. The fact that the developer has agreed to make a financial contribution (£10,000) as part of the application would satisfactorily address any on-street parking issue should this be considered necessary by the Highway Authority.

Layout of the site in terms of whether all internal roads would be to adoptable standards and whether the development would provide acceptable privacy, amenity and parking provision.

- 4.16 Layout details are not a matter for consideration under the current outline application, as this detail is reserved for later consideration as part of the subsequent Reserved Matters application. Therefore, matters relating to whether the roads would be to adoptable standards and whether the layout would provide adequate privacy, amenity and parking provision is not a legitimate ground for refusal of this outline application.
- 4.17 The applicant has provided a legal view confirming that the Council could reasonably reach the view that the parameters plan provides sufficient information for it to be satisfied that outline planning permission can be granted. If the Council considers that it needs to exert any further control over development at the outline permission stage, it may impose appropriate conditions.
- 4.18 Your Officers also highlight that Part 3, Paragraph 5(2) of the Town and Country Planning (Development Management Procedure)(England) Order 2015 states that reserved matters details can only be requested within 1 month from the date of receipt of the application.
- 4.19 Members are advised to accept this legal view and to address the concerns raised by Members of the 18 April 2023 Planning committee, the following additional planning conditions have been recommended:
- a) To require all internal roads and parking provision to be in conformity with the standards set out in Worcestershire County Council's adopted Streetscape Design Guide.
 - b) To require submission of a Scheme of House Types which includes bungalows, one and two bed properties and accords with the local housing need as set out in the Churchill and Blakedown Housing Needs Survey (adopted 2022).
 - c) To require details of Residential Amenity to ensure all of the plot sizes allow sufficient residential amenity and dwellings are sited appropriately to avoid overlooking of neighbouring properties.

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NHS Primary Health Care

- 4.20 During the 18 April 2023 Planning Committee, it was requested that NHS Primary Health Care should be given the opportunity to clarify the deficiency in health services would occur due to this development. Despite several attempts no further information has been forthcoming from NHS CCG and as such the request for a financial contribution towards health services fails to meet the tests in Regulation 122 of the Community Infrastructure Levy (CIL) Regulations 2010 and this planning obligation should not be sought.

POLICY CONTEXT AND PRINCIPLE OF DEVELOPMENT

- 4.21 S38(6) of the Planning and Compulsory Purchase Act 2004 requires that applications for planning permission under the planning Acts be determined in accordance with the development plan unless material considerations indicate otherwise.
- 4.22 The Development Plan for Wyre Forest comprises the Wyre Forest District Local Plan (adopted 2022), and, in this case given the location of the application site, the Churchill and Blakedown Neighbourhood Development Plan. The Development Plan is supplemented by further supplementary planning documents, which include the Planning Obligations SPD, Affordable Housing SPD and Design Guidance SPD.
- 4.23 The National Planning Policy Framework (the 'Framework') represents the most up-to-date Government planning policy and is a material consideration that must be taken into account where it is relevant to a planning application.
- 4.24 The Framework contains a presumption in favour of sustainable development and for decision making this means: Approving development proposals that accord with an up-to-date development plan without delay (paragraph 11c). The Framework also requires planning decisions to support the Government's objective of significantly boosting the supply of homes (paragraph 60). Paragraph 110 of the Framework also requires new developments to be in locations that can take up appropriate opportunities to promote sustainable transport modes and steer development to areas with the lowest risk of flooding from pluvial and fluvial sources (Paragraph 161).
- 4.25 Policies SP.1 and SP.2 of the adopted Wyre Forest District Local Plan sets out the spatial strategy for the district in directing how and where new development should be distributed. Read together, the policies provide a strategy for the distribution of development and require the scale and location of new development to take account of local circumstances and infrastructure capacity; actively managing patterns of growth so that significant development is focused upon locations which are or can be made sustainable. Policy SP.2 also states that the Spatial Development Strategy and the site allocations in (the) Plan are based upon the following principles (amongst others):
- *'Provide for and facilitate the delivery of sufficient accessible housing'* (bullet point 1(a))
 - *'Focus most development in and adjacent to the urban areas, where both housing needs and accessibility to more effective public service provision are greatest'* (bullet point 1(f))

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4.26 As confirmed above, the application site corresponds with site allocation under Policy SP.BLK2 within the adopted Wyre Forest District Local Plan (adopted 2022). The Wyre Forest District Local Plan suggests that the site would be capable of delivering 50 dwellings, as well as the future car parking need (to serve Blakedown Railway Station).

4.27 The reasoned justification (Paragraphs 31.4 and 31.5) for Policy SP.BLK2 states, inter alia:

“Development of this site would constitute a rounding off of the settlement of Blakedown and provide a strong and defensible Green Belt boundary using the stream, pools and woodland to the north and the A456 to the east. Blakedown is a well-served village with easy access to local shops, primary school, sports facilities and regular train services into Hagley and Kidderminster for other services. Housing development on this site would also help towards meeting future housing needs in Blakedown village.

Additional car parking may be needed in the Plan Period at Blakedown railway station to meet the demand for car parking spaces for rail users on the commuter line to the Black Country and Birmingham Although the northern end of the site falls within Flood Zones 2 or 3, this area will be left undeveloped as it is protected by its designation as a Local Wildlife Site.”

4.28 In addition, Members should note Local Plan Document (ED33) which was produced by the Council at the Examination of the Local Plan in response to a request made by the Inspector (following on from comments made by the Parish Council and others that there were insufficient reasons to remove the site from the green belt). This Paper concludes *“The Council therefore feels it can justify the need for new housing development within the Parish to meet local needs”*. In addition, the Inspector in their final report to the Local Plan Examination (March 22) concludes on these matters at paragraphs 189/190 stating,

“189. The allocation of 50 dwellings in the village is justified, given the overall level of housing need in the district and the sustainability of Blakedown as a settlement with a railway station, primary school, shop and other services and facilities within walking or cycling distance. Also, there is no evidence of significant environmental constraints that would outweigh the benefits of the proposed new homes on the site.

“190. While the Parish Council and others dispute the scale and nature of local housing needs, the housing register indicates that 70 households in the Parish need affordable housing. On balance of all the evidence, it is reasonable to expect that development of the allocation will help to meet a range of local and district-wide housing needs over the plan period”.

4.29 Policy SP.BLK2 itself sets out a series of development requirements (i. to ix). The site allocation policy requires development of the site to accord with the following site-specific criteria:

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- i. *Vehicular access should be taken from Station Drive.*
- ii. *The plantation woodland alongside the railway line should be retained and supplemented with additional planting where required.*
- iii. *The existing hedgerow along the A456 boundary should be retained and supplemented where required.*
- iv. *A pedestrian access onto the station platform and onto the A456 adjacent to the bus shelter should be incorporated into the development.*
- v. *Churchill and Blakedown Valleys Local Wildlife Site (LWS) partially overlaps the site to the north. The development should provide buffering for the LWS with the embankment and woodland retained as open space. The development should optimise the potential for SuDs and the creation of a mosaic of semi-natural marshland and wet woodland on the site. Much of the LWS falls within Flood Zones 2 or 3.*
- vi. *The development should be designed to retain and protect the mature trees on the Station Drive frontage with canopies kept free of lighting for ecological reasons. Where trees cannot be retained, full justification must be provided as part of a Tree Survey and Arboricultural Impact Assessment, and any unavoidable losses should be replaced within the proposed development.*
- vii. *Any potential adverse impacts on views from/of Harbrough Hall (Grade II Listed) should be mitigated for by additional planting along the eastern boundary where required, and by sensitive design of the development.*
- viii. *The new housing should be provided in accordance with policies elsewhere in Local Plan and also to meet any local housing need as shown in a Parish Housing Needs Survey and/or the Housing Register.*
- ix. *The car parking provision should be brought forward sequentially following the provision of car parking on the allocated site at Station Yard (Policy SP.BLK1) and only if future demand justifies it.*

- 4.30 Given the outline nature of the current application, whilst it is clear that the requirements of this listed criteria have been considered by the Applicants, in the absence of a fully detailed scheme full compliance cannot be achieved at this outline stage, rather certain matters (e.g. house types and detailed layout) will require the submission of suitable details at reserved matters.
- 4.31 As indicated at Paragraph 3.9 above, the current application is seeking permission for up to 52 dwellings (i.e. 2 additional dwellings over the suggested number of 50 dwellings indicated under Policy SP.BLK2. This equates to an extremely modest 4% increase in the total number of dwellings to be accommodated on this allocated site, and would result in a density of development (within the previously identified 1.5 hectare developable area) of 35 dwellings per hectare. This density would accord with the required housing density for new developments in the rural areas of the District, as set out under Policy SP.9 'Housing Density & Mix' of the adopted Wyre Forest District Local Plan.
- 4.32 Your officers do not consider that the application could or should be resisted on grounds of exceeding the indicative capacity stated within the Local Plan site allocation, which is an extremely modest increase in housing numbers.

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- 4.33 There is clear in principle planning policy support for the proposed development, which has been established through the plan-making process. Whilst it is acknowledged the site allocation is not included within the 'Made; Churchill and Blakedown NDP, it is the case that the NDP pre-dates the more recently adopted Local Plan, and as such in this regard the NDP must be viewed as being 'out-of-date'.
- 4.34 The proposal for up to a maximum of 52 dwellings is considered to be appropriate and acceptable in principle. This is an allocated site, for residential and safeguarded parking alike, within the adopted Local Plan. Any devil will lie in the future detail and will be assessed via the reserved matters and associated submission of details in order to satisfy the requirements of the suggested planning conditions.

AFFORDABLE HOUSING AND HOUSING MIX

- 4.35 Policy SP.10 of the Wyre Forest District Local Plan sets out the Council's Affordable Housing requirements from new major development sites, with a minimum level of on-site provision of 25% required, unless a submitted Viability Assessment indicates that such a level of provision cannot be supported. Members are advised that in this case, no such Viability Assessment has been submitted and as such the full 25% level of provision is to be expected and will be provided.
- 4.36 The required tenure split amounts to 65% rented (primarily social rent) and 35% affordable housing for sale tenure(s) (including shared ownership), as required by Policy SP.10. The Housing mix is to be agreed in writing by the Council, with particular regard to the identified housing needs as set out in the Churchill and Blakedown Parish Housing Needs Survey (adopted November 2022). The Churchill and Blakedown Parish Housing Needs Survey had a 21% response rate and in summary, it demonstrated a requirement for 53 homes over the next 10 years with smaller homes being the main requirement (with the overall requirement being for 26 2-bed, 18 3-bed, 4 1-bed and 1 4-bed dwellings).
- 4.37 Members will have noted from the Parish Council's formal response earlier in this report which suggests that locally there is demand for smaller dwellings and bungalows. Both Policies SP.6 and SP.9 of the Wyre Forest District Local Plan indicate that new housing developments must, inter alia, address local housing needs and incorporate a range of types, tenures and sizes of housing to create mixed communities. In addition, Policy SP.13 indicates, inter alia, that the Council will require major housing developments, such as is proposed, to consider and make provision for bungalows to meet the needs of older people. The aforementioned HNS will confirm the level of demand for housing, which will need to be reflected in any subsequent reserved matters application concerning layout and scale.
- 4.38 Additionally, the Applicants have indicated a willingness to provide 2 self-build/custom build plots within the development, which is to be welcomed. In that regard, the development would accord with Policy SP.12 of the Wyre Forest District Local Plan.
- 4.39 Furthermore, at the reserved matters, the details of the proposed design of the Affordable Housing must ensure that the Affordable Housing is materially indistinguishable (in terms of outward design and appearance) from the market housing of a similar size within the Development.

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- 4.40 The above requirements are to be secured via planning obligations set out within the Section 106 Agreement (as detailed elsewhere in this report).
- 4.41 In light of the above, it is considered that the outline planning application satisfies the Council's requirements with regard to Affordable Housing provision and will be capable of satisfying the local needs and is therefore in accordance with Policy SP.10 of the adopted Local Plan.

SAFEGUARDED CAR PARKING

- 4.42 The site allocation and associated Policy SP.BLK2 consists of two strands. The first being the housing provision, and the second relates to the safeguarding of the future car parking need to serve Blakedown Railway Station. In this regard, the application as submitted proposes the provision of a safeguarded area located at the south-west of the site, as indicated on the Parameters Plan marked as 'Area for future station car parking'.
- 4.43 Members are advised that the location of the proposed safeguarded car parking area has been confirmed as being acceptable by the Highway Authority. The retention and future provision of this area for car parking (associated with the Railway Station) can be secured by planning condition, Officers are satisfied that the proposals accord with Policy SP.BLK2 in terms of meeting future parking needs.

ACCESS AND HIGHWAY SAFETY

- 4.44 Whilst the planning application is made in outline, consent is sought with regard access to and from the development site. The application shows a single point of access from Station Drive for vehicles, which accords with criteria (i) of the site allocation policy (Policy SP.BLK2).
- 4.45 Paragraph 110 of the Framework, inter alia, requires that appropriate opportunities to promote sustainable transport modes be sought; that safe and suitable site access for all users be achieved; and that any significant impacts from development on the transport network (in terms of capacity and congestion), or highway safety, can be mitigated (to and acceptable and cost effective degree).
- 4.46 Members will have noted that objectors have expressed concern with regard the site access, and in particular the impact in terms of congestion along Station Drive and the knock-on impact of queuing traffic and the junction with Birmingham Road.
- 4.47 The application has been accompanied by a robust and comprehensive Transport Assessment (TA) which includes baseline traffic flow details and forecast trip generation for both the residential development and the safeguarded car park. The TA also considers the impact of traffic associated with committed development at East Kidderminster and Lea Castle in particular.
- 4.48 The TA concludes that suitable access arrangements for all modes can be achieved at Station Drive and that pedestrian access can be provided via new connections linking the scheme with the local bus stops to the south and to the railway platform to the north. Traffic impact assessment of traffic flow scenarios, which includes the traffic associated with the proposed development, the safeguarded parking in the site,

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committed development, and the nearby Station Yard development confirms that the Station Drive junction with the A456 will continue to operate within capacity.

- 4.49 As detailed at Paragraph 2.2, the Highway Authority concur with the findings and the submitted TA and raise no objections to the development, subject to suitable planning conditions and S106 contributions relating to parking restrictions on Station Drive and towards Community and Home-to-School transport.
- 4.50 The Highway Authority has fully considered and assessed matters of highway impact and capacity, being particularly mindful of local objections regarding queuing vehicles on Station Drive and knock-on implications for the junction with Birmingham Road but remains satisfied that there would be no adverse impact on the highway network.
- 4.51 In the absence of a detailed layout for the development at this outline application stage, the Highway Authority is unable to fully assess such matters as internal highway layout and parking provision, which would be considered at the submission of reserved matters.
- 4.52 Paragraph 111 of the Framework indicates that: *‘Development 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.’*
- 4.53 Officers are content that the information and evidence submitted in support of the application, together with the conclusions made by the Highway Authority, that this standalone application would not be detrimental to highway safety or capacity. Even factoring in the cumulative impacts of previously committed development beyond Blakedown the development is found to be acceptable, and in accordance with Policy SP.27 of the Wyre Forest District Local Plan and Paragraphs 110 and 111 of the Framework. That being the case, there are no grounds to resist the development on highway safety or capacity grounds.

NOISE, VIBRATION AND AIR QUALITY

- 4.54 The application site, as previously indicated, sits between the A456 Birmingham Road and the Kidderminster to Stourbridge Junction (and beyond) railway line. Consequently, a Noise and Vibration Assessment (NVA) accompanied the planning application.
- 4.55 A noise survey was conducted to characterise the noise climate of the site measuring both the ambient and maximum noise levels to ascertain if mitigation would be necessary to achieve reasonable internal and external noise levels.
- 4.56 The NVA indicates that due to noise levels the site is, at worst, a so-called “medium risk” site which would require some form of mitigation to ensure that future occupants are not adversely impacted upon by external noise sources.
- 4.57 The NVA illustrates that by using the guidance and calculation methods contained within BS 8233: 2014 *‘Guidance on sound insulation and noise reduction for buildings’*, it has been shown that the recommended maximum internal noise levels for each

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room use under BS 8233 can be achieved through the provision of a good quality window double glazed window unit, and it is recommended that suitable planning conditions should be imposed to ensure suitable internal and external noise levels. The NVA also suggests that as the proposed development meets the guidance contained within BS 8233: 2014, the proposed development adheres to the principles of the NPPF (Paragraph 170) with the new development not: *“put at risk from, or being adversely affected by unacceptable levels of noise pollution”*.

- 4.58 As confirmed at Paragraph 2.17, Worcestershire Regulatory Services (Nuisance Assessment) agree with the findings and recommendations of the submitted NVA and raise no objection, subject to conditions. Officers concur with this view, and it is considered that the noise environment of the site is not a constraint to the proposed residential development.

LANDSCAPE AND VISUAL IMPACT

- 4.59 The application is supported by a Landscape Assessment (LA). The site has been assessed in terms of the potential landscape, visual and character impacts of the proposed residential development on the existing site and the surrounding area. The LA indicates that it has been carried out in general accordance with the recommendations contained within the ‘The Guidelines for Landscape and Visual Impact’ 3rd Edition published jointly in 2013 by The Landscape Institute and The Institute of Environmental Management and Assessment Landscape Character.
- 4.60 The site has no National designation. The site is identified as falling within the Sandstone Landscape Type within the Worcestershire County Council’s Landscape Character Assessment (2012). The County study is extensive and further analysis at a finer scale is provided within Landscape Description Units (LDUs). The site falls within LDU KS22.1 which is described as The Churchill Sandstone Estate lands. The overall description states that it is: *‘An area of soft sandstone with intermediate, undulating topography and impoverished sandy soils. The land use is arable and the tree cover comprises an ordered pattern of larger plantations with parkland and belts of trees. The settlement pattern is one of small villages and hamlets, associated with a low level of dispersal and a sub-regular pattern of fields, derived mainly from arable fields.’*
- 4.61 Despite the above LDU characterisation, it is the case that the application site is somewhat enclosed, being so closely bounded by public highway (to the south and east, and the railway line (beyond an area of plantation planting) to the west. There is a mature hedgerow along the Station Drive and Birmingham Road boundaries which greatly screens views into the site from public vantage points.
- 4.62 The site has been assessed for the potential of causing landscape, character and visual impacts. In terms of landscape impacts, there would be the loss of one TPO’d tree on the Station Road frontage to facilitate access into the site, but this could be compensated by the planting of semi mature trees within the development as part of a comprehensive landscape scheme.

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- 4.63 In terms of character impact, the site is a somewhat isolated and largely enclosed parcel of land that has little relationship to the wider open countryside to the north and east. In terms of visual impact, the VA includes identified viewpoints into the site and it is considered that these are limited and that close views from the Birmingham Road can be mitigated by allowing the existing hedgerow boundary to grow higher.
- 4.64 There has been no objection or comment received from the WCC Landscape Advisor. Officers concur with the methodology and findings of the submitted VA and draw the conclusion that the development would not result in any unacceptable long-term harm to the wider character of the surrounding landscape. This is an allocated site which has been the subject of examination through the plan making process and will deliver an acceptable extension to the Blakedown settlement, which would be in accordance with Policy SP.22 of the Wyre Forest District Local Plan and Paragraph 174 of the Framework.

TREES, ECOLOGY AND BIODIVERSITY

- 4.65 The application site boundary features natural hedgerow species along the Station Drive and Birmingham Road frontages. Additionally, there are areas of plantation and woodland along the western boundary, and to the north of the site. A Tree Preservation Order (TPO) was confirmed in 2022 (Council ref TPO 489, which includes the aforementioned plantation and woodland trees; a group of trees alongside the telephone exchange site.
- 4.66 In order to accommodate access to serve the proposed development, and in line with Policy SP.BLK2, vehicular access is required from, and restricted to, the Station Drive frontage. The upshot of this requirement is that it is necessary to remove one of the protected (TPO'd) Oak trees (i.e. T1 as identified within the TPO). This is regrettable, but simply unavoidable, and has been accepted by the Council's Arboricultural Officer.
- 4.67 All other trees which are covered by TPO 489 will be protected and preserved within the development proposals. The existing mature hedgerow which fronts onto Station Drive and Birmingham Road will be preserved also.
- 4.68 As indicated previously, whilst the application site amounts to some 2.7 hectares in area, 1.5 hectares of the site is proposed for development, with some 1.1 hectares set aside for '*Green Infrastructure*'. The submitted Parameters Plan, indicates a wildlife zone at the north end of the site; the management of the plantation woodland (along the western boundary) for wildlife benefit and the creation of an ecological '*dark corridor*'.
- 4.69 The site includes a Wetland Local Wildlife Site (to the north) containing a UK priority habitat and the application proposes further protection and enhancement of this area. The application has been accompanied by a Preliminary Ecological Assessment and further suitable protected species surveys.
- 4.70 Following the submission of additional survey details, the Countryside & Technical Services Manager has withdrawn previous concerns and now raises no objections to the proposed development subject to suitable planning conditions requiring a Biodiversity Net Gain (BNG) calculation to be undertaken and resulting BNG Plan provided; the submission of a Landscape Environment Management Plan (LEMP); a

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lighting plan; a new walk over ecological survey; and a Construction Environment Management Plan (CEMP).

- 4.71 Officers consider that the imposition of the suggested conditions would deliver an appropriate level of mitigation and biodiversity enhancement in this location, and thereby ensure that the development accords with Policy SP.23 of the Wyre Forest District Local Plan and Paragraphs 174 and 180 of the Framework.

DRAINAGE AND FLOOD RISK

- 4.72 The majority of application site, and the entirety of the developable area, falls within Flood Zone 1. The northern section, which forms part of the 'Green Infrastructure' falls within Flood Zone 3. This area corresponds with the Wetland Local Wildlife Site referred to above.

- 4.73 The application has been accompanied by a Flood Risk Assessment (FRA) and Drainage Strategy which recommends the use of a SuDS scheme with individual soakaways within the rear gardens of the proposed dwellings. The Parameters Plan indicates the inclusion of a SuDS attenuation feature also.

- 4.74 The North Worcestershire Water Management Officer raises no objection to the development subject to conditions to secure the submitted drainage strategy and its construction. Officers concur with this view and suggest suitable conditions to this effect. In this regard, the proposed development accords with Policies SP.31 and SP.32 of the Wyre Forest District Local Plan and Paragraphs 159, 167 and 169 of the Framework.

LOSS OF AGRICULTURAL LAND

- 4.75 Policy DM.32 of the Local Plan advises that agricultural land, including best and most versatile agricultural land, will not be protected where the site has been allocated for development in the Local Plan, as is the case with this development site. Any concern about the loss of agricultural land is therefore not relevant as such matters have already been addressed through the Local Plan making process, and as such this is not a matter for consideration in the decision making on this application. The development accords with Policy DM.32 of the Wyre Forest District Local Plan and Paragraph 174 b) of the Framework.

CLIMATE CHANGE

- 4.76 Paragraph 152 of the Framework states that: *'The Planning system should support the transition to a low carbon future in a changing climate, taking full account of flood risk and coastal change. It should (inter alia) help to: shape places in ways that contribute to radical reductions in greenhouse gas emissions, minimise vulnerability and improve resilience; encourage the reuse of existing resources; and support renewable and low carbon energy and associated infrastructure'*.
- 4.77 Given the outline nature of the current application, the issues of detail design of the proposed properties are not submitted for consideration. Nevertheless, the submitted Design and Access Statement recognises the potential opportunities to reduce carbon, waste and water use from construction activities.

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- 4.78 Furthermore, the Design and Access Statement indicates that the proposed new homes will be built to a high standard, maximising energy efficiency through such measures as, but not restricted to: High levels of loft and cavity wall insulation; Energy efficient thermal double or triple glazed windows; Individual thermostatic room temperature control; Low water use plumbing; Class A condensing boiler or air source heat pumps; and Energy efficient lighting. It is also stated that consideration will also be given to the use of the following: Photovoltaic panels; Domestic solar hot water panels; and Mechanical ventilation with heat recovery. Such matters will become more apparent at the reserved matters.
- 4.79 Even at the current outline application stage, the development will include such elements as cycle storage; a residential welcome pack (as part of the Travel Plan proposals); new tree planting; biodiversity enhancements; SuDS drainage solutions. Officers are satisfied that on the basis of the current proposals the development accords with Section 14 *'Meeting the challenge of climate change, flooding and coastal change'* of the Framework, and specifically Paragraphs 152, 154, 155, 157 and 158 (Framework).

OTHER MATTERS

- 4.80 In the absence of a detailed layout, it is not possible to undertake a full assessment of matters of amenity and privacy in relation to existing neighbouring development and the future occupiers of the development. Such detailed matters fall to be considered at the reserved matters once a layout and detailed house designs are submitted for consideration. Even so given the site's location and relationship to existing development it is difficult to imagine that there would be any likely issues with separation distances between existing and the proposed development. Nevertheless, that remains a matter for further detailed review and consideration in due course.
- 4.81 As confirmed under Paragraphs 2.13 and 2.15 respectively, following the submission of a Heritage Impact Assessment there are no objections to the development on heritage grounds, subject to conditions. The application therefore accords with Policy DM.23 of the Wyre Forest District Local Plan and Paragraphs 194, 197, 202 and 203 of the Framework.

PLANNING OBLIGATIONS

- 4.82 The legal tests for when a s106 obligation can be used are set out in regulation 122 and 123 of the Community Infrastructure Levy (CIL) 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.
- 4.83 Through negotiation, the applicants have agreed to enter into a Section 106 Agreement to secure the following planning obligations to make the development acceptable in planning terms which meet the tests as set out in Paragraph 57 of the Framework and regulation 122(2) of the CIL Regulations, which are summarised as:
- Highways Infrastructure

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Financial contribution of **£10,000** for the preparation and implementation of **Traffic Regulation Order(s)** to provide on street parking restrictions on Station Drive, to be paid prior to first occupation of any dwellinghouse approved.

Financial contribution of **£4,158 for Community Transport**, to be paid prior to first occupation of any dwellinghouse approved.

Financial contribution of **£64,426 for Home to School Transport**, to be paid prior to first occupation of any dwellinghouse approved.

WCC Monitoring fees that are applicable at the time of the signing of the S.106 agreement.

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

- Network Rail

Financial contribution of £10,000, to be paid prior to first occupation of any dwellinghouse approved.

- Affordable Housing

a. The quantum, location and distribution and relevant tenures of the Affordable Housing within the Site, ensuring:

- i. A total of **25% affordable housing provision with 65% social rent and 35% shared ownership**, subject to local connection policy.
- ii. The size and type of Affordable Housing Units to be approved in writing by the LPA, which is to have regard to the identified housing needs within the Churchill and Blakedown Parish.

b. The details of how the proposed design of the Affordable Housing will ensure that the Affordable Housing is materially indistinguishable (in terms of outward design and appearance) from the market housing of a similar size within the Development.

These provisions accord with Policy SP.10 of the Local Plan.

- Off-site Public Open Space

A financial contribution to be calculated based on the number of child bedspaces to be created as per the formula set out in the adopted Planning Obligations SPD and to be paid prior to commencement. The contribution to be towards the provision, improvements and enhancements of Churchill and Blakedown Recreation Centre, including play area and pitches.

This provision accords entirely with Policies DM.7 and DM.8 of the Local Plan.

- Education

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Indicative Primary School contribution of £307,054 to provide additional education facilities at Blakedown C.E. Primary School; and **Indicative Secondary School contribution of £299,556** to provide additional education facilities at Haybridge High and 6th Form, or another school serving the proposed development within a 3 mile radius of the site. **Indicative total contribution £606,610.** (Figures based on rate applicable in April 2021 and final contribution to be based on a standard formula to enable calculation to be made based on number of applicable dwellings at the Reserved Matters stage). Contributions to be paid on or before occupation of 33% of dwellings.

WCC Monitoring fees based on a) the actual work undertaken to administer and ensure compliance with the agreement and b) the development size.

These provisions accord entirely with Policy DM.6 of the Local Plan.

- Management Company

A Management Company to be set up to cover the maintenance and management of the SuDS, Public Open Space (excluding residential plots), Local Wildlife Site/Woodland and unadopted footpaths, in line with the Landscape Environmental Management Plan (LEMP) to be secured through a planning condition.

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 Local Plan. of the Local Plan.

- WFDC Monitoring Fees

Monitoring fees to be applicable at the time of the signing of the S.106 agreement and to be in accordance with WFDC S106 Monitoring Fee Schedule.

4.84 Members will have noted the request for S106 contributions made by the NHS CCG Primary Care Trust (as summarised at Paragraph 2.10). A request is made for a financial contribution of £37,673 to mitigate the impact arising from the development and to absorb the patient growth generated by the development proposed.

4.85 Officers do not consider that this request can be supported or is necessary to make the development acceptable in planning terms, as the stated intended use would be used for the reconfiguration of existing premises and to improve digital infrastructure such as phones. It is considered that it would be unreasonable to refuse the application solely on the grounds that such work to GP Practices is not implemented. The CCG has not advised what GP Practices might benefit from such a contribution and no evidence has been presented as to how it would be directly related to the application site. Officers therefore do not consider that the requested financial contribution would meet the tests as set out in Paragraph 57 of the Framework and in Regulation 122(2) of the Community Infrastructure Levy (CIL) Regulations.

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5.0 Conclusion and Recommendations

- 5.1 The proposed development would deliver up to a maximum of 52 dwellings on an allocated site for housing, where the principle of residential development has been established through the plan-making process. The density and amount of development is acceptable and would not result in an overdevelopment of the site. It would have no detrimental impact on the landscape character and would deliver a policy compliant level of affordable dwellings on the site, as well as self/custom build opportunities. The development will also safeguard future car parking need to serve Blakedown Railway Station, as required by Policy SP.BLK2 of the Wyre Forest District Local Plan.
- 5.2 No objection has been raised by consultees in respect of impact on landscape character, trees, biodiversity, flood risk, heritage assets and highway safety and Worcestershire Regulatory Services are satisfied that an acceptable living environment can be achieved on this site for future occupiers, all subject to suitable planning conditions and the submission of further details at the reserved matters. The concerns expressed by the Parish Council are acknowledged, but Officers are satisfied that such concerns can, and will, be satisfied through the planning conditions and the subsequent reserved matters.
- 5.3 The development would be well-contained by existing landscaping around all boundaries, in particular along the highway frontages to the south and east. The development would deliver new homes which would help to address local housing needs, including the needs of older people in the form of single storey properties. Furthermore, the development will deliver significant on-site biodiversity enhancements.
- 5.4 The development site is located in a sustainable location with the proposed development making efficient use of the developable land. This proposal amounts to sustainable development that accords with the Development Plan, and Paragraph 11 of the National Planning Policy Framework.
- 5.5 Officers therefore recommend delegated **APPROVAL** subject to;
- a) The signing of a S.106 Agreement;
 - b) The following conditions;
 1. Outline Time Limit.
 2. Reserved Matters to be submitted.
 3. Approved Plans
 4. To define the permission in terms of number of dwellings including 2 Self or Custom Build Plots
 5. To define the permission in terms of safeguarded car parking land based on an updated needs assessment
 6. The extent of the built development, open spaces & structural landscaping shall be in accordance with the submitted Parameters Plan
 7. To secure external materials at Reserved Matters Stage
 8. To secure maximum building heights
 9. To secure tree protection measures

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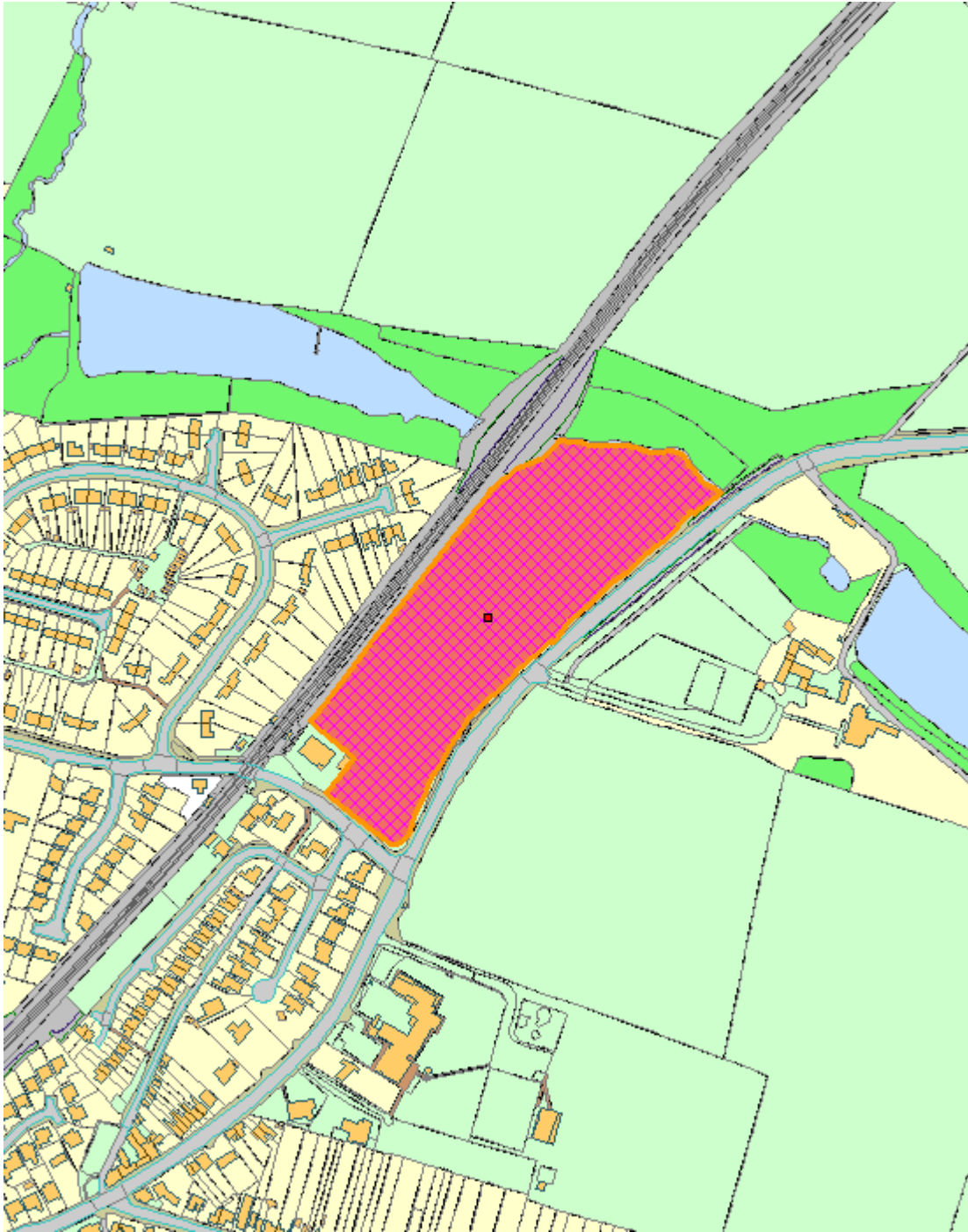
10. To secure Surface Water Drainage scheme
11. To secure Surface Water Drainage maintenance
12. To secure Surface Water Drainage management
13. To secure Foul and Surface Water scheme
14. To secure programme of Archaeological works
15. To secure Archaeological site investigation and post investigation assessments
16. To secure detailed site access design
17. To secure sheltered and secure cycle parking for future residents
18. To secure off road car parking provision
19. To secure Electric Vehicle Charging
20. To require the submission of a Travel Plan
21. To require the production of a Residential Travel Welcome Pack
22. To require the submission of scheme of street lighting
23. To require the use of Low Emission Boilers
24. To require the submission of soil and soil forming details
25. To require the reporting of any unexpected contamination
26. To require the submission of existing and proposed site levels
27. To secure Water Efficiency features to achieve adopted water efficiency targets
28. To require further detailed Noise Impact Assessment and ensure recommended ambient noise levels are achieved
29. To require that dwellings are accessible and adaptable
30. To require that dwellings incorporate suitable renewable and low carbon energy sources
31. To require the submission of a Construction Environmental Management Plan (CEMP)
32. To require details of a Refuse Storage and Collection
33. To require the submission of a Construction Environmental Management Plan for Biodiversity (CEMP: Biodiversity)
34. To require Biodiversity Net Gain (BNG) and Landscape Environmental Management Plan (LEMP)
35. To require the submission of a Biodiversity Lighting Plan
36. To require the undertaking of a new Protected Species Survey prior to commencement
37. To require layout of the site and parking provision to be in conformity with the adopted Streetscape Design Guide
38. To require a Scheme of House Types which shall include bungalows, one and two bed properties and show conformity with Churchill and Blakedown Housing Needs Survey 2022
39. To require details of Residential Amenity to ensure all of the plot sizes allow sufficient residential amenity and dwellinghouses are sited appropriately to avoid overlooking of neighbouring properties
40. To require suitable replacement Oak tree planting as part of the Reserved Matters application relating to landscaping details.

Informative:

- a. S106 Agreement
- b. Alteration of highway to provide new or amended vehicle crossover.
- c. Section 278 Agreement

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- d. Section 38 Agreement
- e. Drainage Details for Section 38
- f. No Drainage to Discharge to Highway
- g. Protection of Visibility Splays
- h. Extraordinary Maintenance
- i. Works Adjoining Highway
- j. Temporary Direction Signs to Housing Developments
- k. Construction Environmental Management Plan (CEMP)
- l. Travel Plan Requirements



Economic Prosperity and Place Directorate

Land At Os 388200 278800 Station Drive Blakedown Kidderminster Worcestershire

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PART A

Application Reference:	23/0107/FUL	Date Received:	15.02.2023
Ord Sheet:	387600 270584	Expiry Date:	17.05.2023
Case Officer:	Richard Jennings	Ward:	Wyre Forest Rural

Proposal: The demolition of some existing buildings and the change of use of land for the storage of agricultural machinery, use of retained agricultural buildings for storage and retention of commercial buildings for offices, with associated new access, drainage and hard and soft landscaping including planting, fencing and gates.

Site Address: Land At, Callimore Farm, Droitwich Road, Rushock, Droitwich Spa, Worcestershire, ,
Applicant: C/O Agent

Summary of Policy	<p>SP.1, SP.2 SP.6, DM.10, DM.11, SP.37, SP.29, SP.32 SP.27, DM.9, CP10, SP.19, SP.20, SP.22, SP.23, SP.2 DM.9, DM.10, SP.17, SP.27, SP.27, SP.31, SP.32, DM.22, SP.23, SP.24, SP.20, DM.26 of the Wyre Forest District Local Plan 2022 Design Guidance SPD WCC Landscape Character Assessment National Planning Policy Framework Planning Practice Guidance</p>
Recommendation	Approval
Reason for Referral to Committee	‘Major’ Planning Application Parish Council objects to the Application

1.0 Planning History

1.1 20/0856/FUL – Change of use land for the storage of agricultural machinery, use of agricultural buildings for storage and retention of commercial buildings for offices. Refused 9.09.2021. Subsequent appeal dismissed on 20.10.2022.

2.0 Consultations and Representations

2.1 Rushock Parish Council - As previously concluded by Wyre Forest District Council planners and the Planning Inspector there are no valid exceptional circumstances to justify this site being taken out of the Green Belt. This is an inappropriate development which will result in a loss of Green Belt land which is not designated for employment use in the current local plan. Even though the current application is for a smaller area than the previous, refused, application it would still represent a significant encroachment of development into the countryside and would harm the character and

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appearance of the local area. This is contrary to the aims of Policy SP.22 of the Local Plan which requires that new development must protect and enhance the unique character and appearance of the area. There is great concern that approval of change of use for this site will set a precedent for further erosion of the Green Belt and industrialisation of the local area. The contents of the open storage area in this current application will have an extremely detrimental visual impact on the site, the local area and the Green Belt as it will be on what is currently good quality agricultural land at the front of the proposed development and will be visible from a wide area.

New Access

The proposed new entrance is very close to other junctions with the A442 and will have limited visibility for large, slow-moving vehicles exiting and entering. Visibility along the A442 from Well Lane is poor and so it is rarely used by local residents. The new entrance and increased vehicle movements will only add to the problem.

If, despite the above, Wyre Forest District Council are minded to approve the application we would ask for the following two conditions to be imposed:

1) The site must be solely used for agricultural machinery sales. The recent sale catalogue (7th March 2023) listed 49 items, only 24 of which were agricultural machinery. Other items included articulated-lorry tractor units, very large tri-axle fridge trailers and pick-up truck bodies all of which would have a negative visual impact on the views of the site from local properties and lanes.

2) No vehicles can be stored on any land outside of the area designated on the planning application, even temporarily, as this will increase the visual impact of the site and cause damage to agricultural land graded as good quality by the Planning Inspector.

- 2.2 Highway Authority – Approval subject to conditions
- 2.3 Worcestershire Regulatory Services (Noise) – Recommend approval subject to conditions.
- 2.4 Worcestershire Regulatory Services (Contaminated Land) – No objection subject to conditions.
- 2.5 WFDC Arboricultural Officer – No objection, proposed landscaping is acceptable.
- 2.6 North Worcestershire Water Management – No objection.
- 2.7 Countryside and Technical Services Manager – No objection on ecological grounds, the proposal is policy compliant. Sufficient Biodiversity Net Gain proposed which will be secured by way of conditions to secure 10% Biodiversity Net Gain and long-term management.
- 2.8 WCC Landscape Advisor – Having reviewed this scheme in context with details of the previously refused applications, it clearly presents both a substantially reduced impact to landscape character in addition to enhancements towards habitat and landscape betterment. The introduction of the hard standing area adjacent to the retained

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buildings and laying of the new access trackway will represent an encroachment into previously agricultural land and, in this case, green belt. The reduction in scope of built development and shift towards open storage is, however, welcomed as this allow the scheme to integrate more effectively with the setting of Rushock Trading Estate. It's not clear to me what the predicted level of visual impact resulting from the open stored materials may be, however, I believe the applicant has developed a satisfactory landscaping scheme that, in addition to delivering enhancements appropriate to the baseline Landscape Character Type, will largely mitigate what in practice will amount to a limited area of encroachment. The site and it setting benefit from a relatively flat and low-lying topography, albeit this does facilitate a measure of openness to the surrounding landscape; with the exception of views from the north. Ensuring successful establishment and management of the proposed landscaping scheme will therefore be important to guarantee that visual mitigation measures, as set out in the LVA, are delivered and sustainably managed. I note the applicant has submitted a concept landscape plan and landscape specification as part of the LVA. I recommend that, should you be minded to grant permission, the proposed landscape scheme, it's delivery, aftercare and monitoring should be set out in a Landscape and Ecological Management Plan. This should also include further details of species selection, detailed specification and specific measures for aftercare set out in a timetable. The LEMP should be secured by condition and I offer the following wording for your consideration.

2.9 Neighbour/Site Notice – 2 objections received from nearby residents. The grounds for objection are as follows:

- Conflict with local plan
- Out of keeping with character of area
- Affect local ecology
- Inadequate access
- Increase in traffic
- Increase of pollution
- Loss of light
- Noise nuisance
- Out of keeping with character of area
- Over development
- Traffic or Highways

3.0 Site Location and Description

3.1 The site consists of existing agricultural buildings and vast areas of existing hard-standing. The proposal seeks consent to change the use of both the existing agricultural buildings, yard area and a small parcel of undeveloped land to a commercial use involving the storage of salvaged agricultural vehicles and machinery and ancillary office accommodation.

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- 3.2 The proposal follows a previous refusal and dismissed appeal, and represents an attempt by the applicant following careful consideration of the views of the Parish, Members, Officers and the Planning Inspectorate, to overcome the previous reasons for refusal and conclusions of the appeal.
- 3.3 The business currently operates from Harvington Manor where the business operations are restricted by the lawful operating area and its very close proximity to neighbouring residents. Previous attempts to develop the business at this location have been unsuccessful, hence the proposal to move the business in its entirety to this application site, known as Callimore Farm.
- 3.4 The proposal seeks consent for the use of the site as a storage facility for agricultural machinery and equipment which is deemed beyond financially viable repair by the National Farmers Union (NFU). The applicant holds the contract with the NFU to operate this function on behalf of the insurance company.
- 3.5 The development includes the removal and replacement of some existing agricultural buildings on site, re-use of other buildings in existence on site and utilisation of the existing hardstanding areas for the proposed storage use along with a slight expansion of this hardstanding area to ensure adequate area exists for the proposed use to operate adequately without further expansion and to ensure that the heights of external storage are limited.
- 3.6 The company employs 20 members of staff at the site, the majority who are local to the site. The applicant also confirms that local expenditure within the Wyre Forest District have been in the region of £1.4 Million per annum, the breakdown of these figures was previously provided for Officers.
- 3.7 Proposed operating and delivery hours for the site would be restricted to Monday to Friday 8AM - 6PM and Saturday 8AM- 12PM, with no working on Sundays or Bank Holidays.
- 3.8 The site makes provision for visiting vehicles and a loading and unloading area for HGV's delivering and collecting equipment. This includes a clear turning area incorporated.
- 3.9 A Transport statement, Landscape and Visual Impact Assessment including a further addendum, Planning and Design and Access Statement and an Ecological Report have been submitted in support of the application.

4.0 Officer Comments

BACKGROUND TO THE PROPOSAL.

- 4.1 Planning consent was previously sought on this site in 2020 for the change of use of agricultural land for the storage of agricultural machinery, use of agricultural buildings for storage and retention of commercial buildings for offices. The refusal notice was challenged at appeal ref: APP/R1845/W/21/3284779 and the appeal was dismissed on the 20th October 2022.

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4.2 The Planning Inspector in determining this appeal made the following key points which are material in the consideration of this current scheme:-

- * The site positively contributes to the Principal Timbered Farmlands landscape type, being typical of the local field pattern and comprising of an existing farmstead (Para 9)
- * The site is sensitive to change, being prominent in part along the A442 and public rights of way (PRoW) (Para 10)
- * While part of the site would be viewed against the backdrop of the Rushock Trading Estate, the scheme would extend deeper into the countryside and closer to the PRoW, leading to harm (Para 12)
- * The new access and road from the A442 would involve the removal of a section of a hedgerow and would result in commercial traffic being directed through open fields, having an urbanising impact (Para 13)
- * The compound, when considered in combination with the new access and service road, would reduce the spatial and visual openness of the Green Belt (Para 19)
- * In the absence of information to demonstrate otherwise, the quality of the land as Grade 2-3 agricultural land is worthy of protection (Para 24)
- * The development would not have an unacceptable effect upon the living conditions of neighbours in terms of noise, disturbance or outlook (Para 28)
- * Considerable weight should be given to the protection of existing and creation of new employment opportunities and the support the existing business offers to the local economy and other associations (Para 34)
- * There would be some visual and biodiversity enhancements arising from the proposed landscaping, however its primary purpose to screen the development and suppress noise would take time to establish (Para 36)
- * The proposal would utilise a redundant part of the farm and support diversification, as well as enable some farming activity on the wider holding (Para 37)

4.3 The planning history of a site is a material consideration. Given that this previous scheme similarly related to commercial development, and the appeal outcome is recent, it is prudent to assess whether this new scheme has overcome the reasons for dismissing APP/R1845/W/21/3284779 as well as any other material planning consideration that may carry weight in the considerations of this current application.

POLICY CONTEXT

4.4 The National Planning Policy Framework (the Framework) sets out three objectives to achieving sustainable development: economic, social and environmental. It advises that planning decisions should play an active role in guiding development towards sustainable development, but in doing so should take local circumstances into account, to reflect the character, needs and opportunities of each area.

4.5 At the heart of the Framework is a presumption in favour of sustainable development, which for the purposes of decision making means “approving development proposals that accord with an up to date development plan without delay” (paragraph 11).

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- 4.6 Paragraph 81 of the Framework states that planning decisions should help create the conditions in which businesses can invest, expand and adapt. Significant weight should be placed on the need to support economic growth and productivity, taking into account both local business needs and wider opportunities for development.
- 4.7 Development within Green Belt is specifically restricted by the Framework. Chapter 13 of the Framework sets out the Government's guidance with respect to Green Belts. Paragraph 137 states that the essential characteristics of Green Belts are their openness and their permanence. Paragraph 148 advises that when considering any planning application, local planning authorities should ensure that substantial weight is given to any harm to the Green Belt.
- 4.8 The Framework also states that the presumption in favour of sustainable development does not change the statutory status of the development plan as the starting point for decision making (paragraph 12).
- 4.9 The application site is located in the countryside, outside of allocated areas for new employment development (as shown on the Policies Map) and is washed over by West Midlands Green Belt, where policies SP.2 and SP.17, DM.9, DM.10, DM.22 and SA.PDL apply.
- 4.10 The Wyre Forest District Local Plan advises that '*Proposals for economic development outside of the allocated areas will be assessed on their individual merits*'.
- 4.11 Due to the nature of the proposed business and the size of the machinery kept on site, it is considered that there are no alternative employment sites that could provide the scale of outside storage space that the use requires within the allocated employment areas of the district, and a very concise appraisal of the local market has been undertaken by the applicant to verify this.
- 4.12 Previously developed land is defined within the National Planning Policy Framework. Whilst the definition includes land which is or was occupied by a permanent structure and includes land within its curtilage, land occupied by agricultural buildings is excluded from the definition. Taking account of the history of the site, and the lawful nature of existing buildings, it is considered that the developed area where the use is now proposed is considered in the round as being previously developed land.
- 4.13 Policy DM.22 (*Green Belt*) permits development (amongst others) on previously developed land providing they are in accordance with site specific policies contained in Part B of the Adopted Site Allocations and Policies Local Plan.
- 4.14 Policy SA.PDL of the Local Plan refers to Previously Developed Sites in the Green Belt and states that in order to protect the openness of the Green Belt, windfall development proposals should:
- i. Contribute to the achievement of the objectives for the use of land in Green Belts.
 - ii. Not exceed the height of the existing buildings and other structures and trees.
 - iii. Not give rise to off-site infrastructure problems.

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Design and landscaping of development should seek to minimise the impact on the Green Belt through:

- a) Using sensitive materials and colours.
- b) Providing extensive landscaping and tree planting to screen boundaries, where appropriate.

For other previously developed sites in the Green Belt, applications for development will be considered against this policy framework and the rest of the policies in the plan'.

- 4.15 The aforementioned policies strongly reflect the Government's Guidance within the Framework.

WHETHER THE PROPOSED SCHEME WOULD BE APPROPRIATE DEVELOPMENT IN THE GREEN BELT AND WHETHER IT WOULD RESULT IN OFF-SITE INFRASTRUCTURE PROBLEMS

- 4.16 In applying the assessment on openness as advised within national and local Green Belt policies, the buildings used as part the business are existing and the physical change to the site is that of an increase in the number of vehicles and machinery stored externally. The height of storage is not proposed to exceed that of existing buildings on site, structures and proposed tree screening and a condition is recommended to secure the maximum storage height of machinery and vehicles to single vehicle height only, which is far lower than the existing buildings on site.
- 4.17 The proposed planting and overall reduction in the scale of the external storage area by comparison to the previous application is considered to result in a proposal which does not lead to a significant adverse impact on the openness of the Green Belt.
- 4.18 In terms of infrastructure, the Highways Authority have raised no objection to the road infrastructure and highway safety including the access to the site. The Transport Statement in support of the application highlights no technical issues over access or parking. These conclusions have been verified and accepted by the Highway Authority who raise no objection subject to a conditional approval.
- 4.19 As the majority of the company's business is dealt with by way of online auction it is unlikely that the flow of traffic to and from the site would be excessive and would involve intermittent deliveries and collections of no greater impact than that would be experienced by the use of the site as a large-scale farming enterprise.
- 4.20 The Transport Statement states that the traffic generation from the development is low. There is ample parking and manoeuvring area within the site, and the access to the site will benefit from good visibility. The number of vehicles movements and the times of deliveries can be fully controlled by conditions. The existing site access shall be closed off prior to the first use of the newly proposed access arrangements. Your Officers concur with the views of the Highway Authority and consider that the development would not result in any highway safety issues. No objection has been raised by the North Worcestershire Water Management Officer in respect of flooding and surface water runoff issues.

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- 4.21 Your Officers consider that the proposed development would involve the partial redevelopment of a previously developed site, and although some harm to the openness of the Green Belt would occur from an increase in activity, in terms of the intensity of the on site storage, this will be minimal as the proposed additional storage area is now greatly reduced and more sensitively located in terms of its surroundings and will be concealed by the nature of the site with and large scale proposed planting, landscaping and screening to ensure that the use has very little increase in harm to Openness above and beyond that experienced by its lawful use.
- 4.22 A planning condition restricting the storage height of machinery and vehicles to single vehicle height has been recommended to safeguard the visual amenity of the wider landscape character. This condition would also prevent vehicle stacking occurring on site. A further condition has been recommended to require the boundary of the proposed developable area to be defined by a post and rail fence and hedgerow planting to prevent uncontrolled expansion of the outdoor storage area and encroachment into the remaining agricultural fields.
- 4.23 Subject to these safeguarding conditions, the principle of use is considered acceptable, subject to further considerations on the impact on residential amenity and landscape character.

IMPACT ON RESIDENTIAL AMENITY

- 4.24 There are residential properties within the vicinity of the site, however, separation distances are considerable, with no objection raised by Worcestershire Regulatory Services in terms of the potential for noise and disturbance, subject to conditions to restrict working hours.
- 4.25 Your Officers concur with the views of the Worcestershire Regulatory Services and consider that the proposed scheme would not result in any adverse impact on residential amenity in terms of loss of outlook, privacy and noise nuisance, due to the extensive landscaping, adequate separation distances and conditional restrictions on working hours. As such there are no grounds on which to justify a refusal of the proposals impact on residential amenity.

IMPACT ON THE LANDSCAPE CHARACTER

- 4.26 Paragraph 174 of the Framework advises that planning decisions should contribute to and enhance the natural and local environment by recognising the intrinsic character and beauty of the countryside.
- 4.27 In terms of the visual impact, as previously mentioned above, the proposed site is well screened with the main visible elements in the form of structures already on site. The proposed planting scheme further assists in screening the site from both near and medium range views. The submitted plans show that sufficient space would be provided for soft landscaping to ensure the site is well screened on all sides. The WCC Landscape Advisor has commented that the proposal represents a vast improvement on the previous submission with very little harm now resulting in terms of short, medium and long-range views of the site.

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- 4.28 The impact of the revised scheme on openness and visual amenity is therefore diminished, and I therefore consider that the impact on the green belt in terms of openness and visual amenity from the perspective of short, medium and long-range views of the development site are no longer a justified reason for refusal and will be satisfactorily dealt with by way of planning condition. There would therefore be no grounds on which to substantiate an appeal against a refusal of planning permission on landscape or character grounds.

CONTAMINATION

- 4.29 Worcestershire Regulatory Services have no objection to the use. The site will require the benefit of an Environment Agency Permit for the processing and storage of waste materials. All vehicles which are damaged beyond repair and have the potential to continue to leak further contaminants will be placed on a specially formed concrete slab which drains to a collection sump. Worcestershire Regulatory Services request the imposition of a condition requiring the reporting of any unexpected historical contamination found during the construction phase.
- 4.30 Your Officers consider that contamination is not a justified reason for refusal, and will be dealt with by way of planning condition and future Environment Agency permits in an effective manner. There would be no grounds on which to substantiate an appeal against a refusal of planning permission.

PLANNING BALANCE

- 4.31 The applicant has made significant changes to this application and submitted additional supporting information to address the concerns raised by officers, local residents, the Parish Council, members of the Planning Committee and the Planning Inspectorate following the previously refused scheme and dismissed appeal, the changes include:
- Additional soft landscaping around the site boundaries, which included the relocation of the proposed boundary fence further into the site.
 - Reduction in the commercial area of the site and the relocation of the external storage area to the least visually sensitive area of the site in terms of neighbours and visual amenity of the Green Belt.
 - Amendments to access arrangements.
- 4.32 The adopted Local Plan does make provision for proposals for economic development outside of the allocated employment areas to be assessed on their merits'. Subject to appropriate mitigation, no harm has been identified on residential amenity and the landscape character.
- 4.33 The business currently employs 20 staff on site many of whom reside in the local area and contributes around £1,400,000 to the local and wider economy. By the very nature of the business and the area required for it to operate, it is very unlikely that the use could operate from a 'sustainable Location' on an allocated site, and lends itself to this type of redundant farm setting by its very nature, especially if storage is restricted in accordance with the Parish Council comments to agricultural machinery only.

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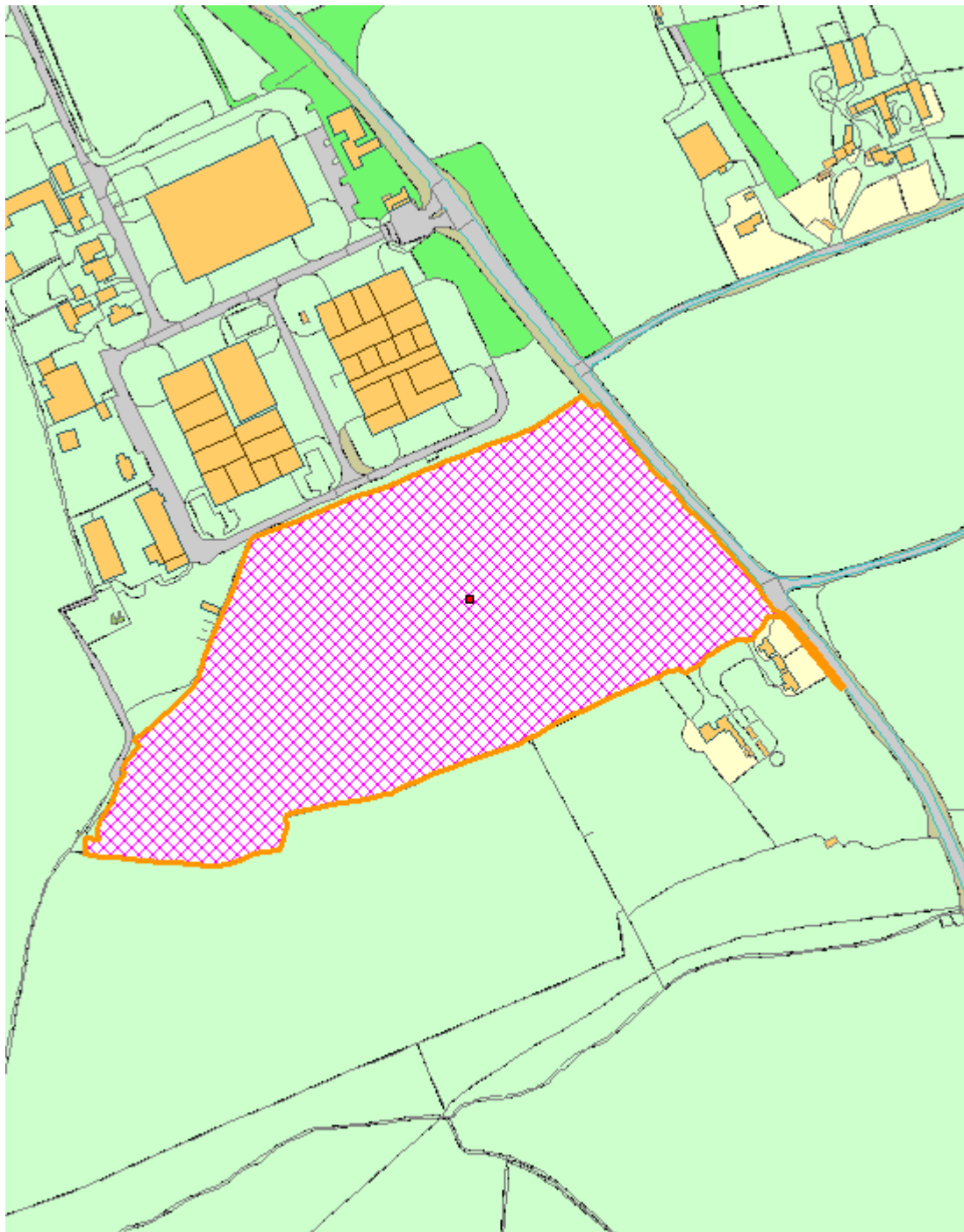
- 4.34 Approval of this application would see the continuation of what is clearly a thriving, successful business and local employer in what are difficult times, and the retention and security of the aforementioned jobs and economic benefits.
- 4.35 The proposed mitigation measures, restrictions and controls of the lands use by conditions, would overcome the perceived harm to openness of the Green Belt, residential amenity (in terms of disturbance) and it is considered that the economic and social benefits associated with the development outweigh what is now minimal harm caused by the unsustainable location of the site in terms of local and national planning policy which in the main seeks to ensure all jobs are accessible to all. The business model is highly unique and I agree that it does not fit in with these generic requirements.

5.0 Conclusions and Recommendations

- 5.1 The application has been carefully considered and taken into account the comments received from local representations and consultees and following additional information and significant changes being made to the previously refused proposal, your Officers now consider that the development constitutes an appropriate land use of what is in the main, a previously developed site already. The additional landscaping to improve and strengthen screening, ensures there is little harm to openness of the Green Belt. There would be minimal harm to highway safety, residential amenity, landscape character and the surrounding environment with the introduction of suggested mitigation and the reduction in site area above and beyond the previously refused scheme. No objection has been raised by the Highways Authority in relation to highway safety and capacity.
- 5.2 The Parish Councils suggested conditions, in the event of approval are considered wholly reasonable and relevant and are therefore included within the officer recommendation.
- 5.3 Your officers have balanced all issues and have concluded that there are economic, environmental and social benefits associated with the proposed development, which would outweigh any minimal harm which has been identified, and the benefits of the proposal are sufficient reasons to recommend approval of the application, and refusal of planning permission would be extremely difficult to defend at appeal when considering the arguments made within the report and giving significant weight to the professional opinions of the statutory consultees, none of whom would have any grounds on which to assist the Local Planning Authority in the defence of an appeal. The proposal provides an appropriate, viable use which results in minimal harm in this rural, yet developed site, adjoining existing commercial development, ensuring that successful business is retained whilst promoting and retaining much needed jobs within the Wyre Forest District.
- 5.4 It is therefore recommended delegated **APPROVAL** subject to;
 - a. The following conditions:

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1. Development in accordance with approved Plans
2. Standard Time Limit (3 years)
3. Maximum storage height of machinery and vehicles restricted to single vehicle height only.
4. Landscaping scheme
5. Landscape Scheme Implementation
6. Landscape Environmental Management Plan including Biodiversity Net Gain
7. Outdoor lighting scheme to be submitted and approved in writing
8. Visibility splays implemented in accordance with submitted details.
9. Access, layout and turning implemented in accordance with details.
10. Existing vehicular access on the A442 to be permanently closed.
11. Implementation of passing bays.
12. Submission of travel plan.
13. Electric Vehicle Charging Points
14. Reporting of unexpected contamination.
15. The site shall be open for working and deliveries Monday to Friday 8AM - 6PM and Saturday 8AM- 12PM. No working Sundays or Bank Holidays. These hours shall apply during the demolition of the existing structures and site works.
16. No burning of wastes or materials at any time.
17. The site shall be used strictly for the storage of agricultural related machinery only.
18. Prior to the first use of the site, a 1 metre high post and rail fence shall be erected, and native hedgerow shall be planted alongside the fencing to clearly define the approved storage area.
19. Scheme to deliver 10% on-site Biodiversity Net Gain



Economic Prosperity and Place Directorate

Land At Callimore Farm Droitwich Road Rushock Droitwich Spa Worcestershire

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PART B

Application Reference:	23/0254/LBC	Date Received:	06.04.2023
Ord Sheet:	387385 274713	Expiry Date:	30.06.2023
Case Officer:	Emily Timmins	Ward:	Wyre Forest Rural

Proposal: Internal and external alterations to recombine the properties currently known as 1 & 2 Park Lane Cottages back into a single residential dwelling house including construction of two new gabled dormer windows to the front elevation of the roof.

Site Address: 1 & 2 Park Lane, Harvington, Kidderminster, Worcestershire, DY10 4LW,

Applicant: Dr Maurice Hakkak

Summary of Policy	SP.21, DM.23 of the Wyre Forest Local Plan (Adopted April 2022) Design Guidance SPD National Planning Policy Framework Planning Practice Guidance
Recommendation	Approve
Reason for Referral to Committee	Parish Council objects to the Application

1.0 Planning History

- 23/0253/FUL Internal and external alterations to recombine the properties currently known as 1 & 2 Park Lane Cottages back into a single residential dwelling house including construction of two new gabled dormer windows to the front elevation of the roof.
- 23/0254/LBC Internal and external alterations to recombine the properties currently known as 1 & 2 Park Lane Cottages back into a single residential dwelling house including construction of two new gabled dormer windows to the front elevation of the roof.
- 23/0392/FUL Construction of two new dormer windows on forward facing elevation, replacement of existing porches, replacement windows and redecoration of external elevations.

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- | | |
|--------------|---|
| 19/0596/LIST | Internal and external alterations to Nos 1 and 2 Park lane (Grade II) to create a single dwelling, including 2no. dormer windows to front |
| 19/0595/FULL | Internal and external alterations to No. 1 and 2 Park Lane (Grade II) to create a single dwelling, including 2no. dormer windows to front |

2.0 Consultations and Representations

- 2.1 Chaddesley Corbett Parish Council – Chaddesley Corbett Neighbourhood Development Plan Policy H1 does not support losing smaller properties, and request that the Planning Committee makes the decision on the application
- 2.2 WCC Archaeological Officer – There was a recommendation on previous applications for an historic building record and watching brief by condition on any grant of consent. The applicant has satisfied the building recording element through the submission of photographs, drawings and descriptions to the archaeological advisor. Therefore, as long as the applicant is happy to confirm that this evidence can be included in the Worcestershire Historic Environment Record, there is no further requirement for archaeological recording. The applicant has also demonstrated that proposed alterations will not impact historic fabric and therefore the watching brief is not required. No objection or recommendation for conditions.
- 2.3 Neighbourhood/Site Notice Representations – No responses received.

3.0 Site Location and Description

- 3.1 The application relates to a pair of Grade II listed cottages, which lie in a terrace of three off Park Lane within the village of Harvington. The middle cottage at No. 2 Park Lane was constructed first, in the late 16th Century, and the building was extended in the 17th century to form what is now No. 1 Park Lane. Subsequent 18th century remodelling resulted in the three cottages which survive today. The cottages comprise of a timber frame faced in painted brick with a plain tile roof with gabled ends and front facing dormer windows to Nos.2 and 3 Park Lane.

4.0 Officer Comments

PRINCIPLE OF DEVELOPMENT

- 4.1 The application seeks listed building consent for works to the two properties, which will enable them to be amalgamated into one dwelling, with similar schemes having been granted consent in 2018 and 2019. The proposed works listed below received consent under the 2019 scheme, however this consent has now expired.
- Creation of new doorway between kitchen in N°2 and the dining room of N°1.

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- Lift quarry tiles currently installed within lounge and dining areas of N° 1, replacing with reconstituted stone flags.
- Strip back applied paint finishes to all exposed structural timbers and floors within N°1.
- Remove existing fireplace and chimney breast within lounge area of N° 1, making good the wall behind, but retaining the external chimney stack.
- Removal of wainscoting in lounge of N° 1 with investigation to deal with potential rising damp behind with other methods.
- Reconstruction of existing porch canopies to both N°s 1 and 2 on a like for like basis.
- Refitting of existing kitchen as utility and the bathroom within N° 1 to include for new stone flagged and ceramic tiled floors respectively, and removal of wainscoting as elsewhere.
- Removal of separating wall between bathroom and rear bedroom within N2 to create larger bathroom and subsequent refitting thereof together with closing up and making good of the existing bedroom door.
- All modern floorboards within N°s 1 & 2 to be carefully lifted and replaced with oak boards, making good to the underside where necessary.
- Replacement of 'modern' internal doors where they exist with doors to match those predominantly used in N°2.
- Introduction of two new front facing dormers to the main bedroom of N° 1 sized and spaced to continue rhythm of dormers already existing on N°2. This will allow the stripping and retention for re-use of the existing roof tiles, replacement of the existing impervious sarking felt with breathable semi-permeable membrane and safe introduction of insulation within build-up of roof structure to improve internal amenity and energy efficiency of the properties without potential for deterioration of structure due to generated condensation.
- Horizontal ceiling within smaller bedroom to N° 1 to be removed having been proven by intrusive investigation to be a modern intervention, along with creation of access hatch for inspection purposes in horizontal ceiling of larger bedroom.
- Replacement of non-original windows on sympathetic like for like basis improving resistance to heat loss with the use of slim line double glazed units.
- Redecoration of external walls to unify appearance of N°s 1&2, matching current appearance of N°2.
- Replacement of existing cement flashings with lead.
- Removal of existing fireplace and making good within dining room to N° 1 with existing unit being carefully removed and set aside.

HERITAGE IMPACT

- 4.2 The sole consideration of an application for listed building consent is the impact the works will have upon the designated heritage asset. As stated within the *Planning (Listed Buildings and Conservation Areas) Act 1990*, "In considering whether to grant listed building consent for any works the local planning authority or the Secretary of State shall 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." Furthermore, the National Planning Policy Framework (NPPF) at Paragraphs 199-200 states that when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation and any harm to, or loss of, the significance of a designated heritage asset should require clear and convincing justification.

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- 4.3 I note that all of the works listed above have been previously approved under the 2019 consent, in which the Conservation Officer commented, “overall I consider that the intrinsic significance of these historic cottages will be retained and the impact of the proposed works on their overall significance is negligible.” Notwithstanding this, the works have also been considered against Policy DM.23 of the Adopted Wyre Forest District Local Plan, “Safeguarding the Historic Environment,” which was adopted in 2022. In accordance with this policy, the proposed works will avoid harm to the heritage asset and will provide a sustainable future for the building. The repairs and alterations are sympathetically designed to respect the significance of the form, character and materials of the original heritage asset and its setting. Thus, the previously approved works are considered to accord with more recently adopted policy and the provisions of the NPPF.

RESPONSE TO PARISH COUNCIL COMMENTS

- 4.4 The Parish Council raise concern that the proposal would be in conflict with Policy H1 of the Chaddesley Corbett Neighbourhood Plan, which states that “where planning permission is required, the replacement of two or more smaller units with one, single, larger dwelling will not be supported.” The listed building consent application is a consideration of the physical works to the listed building only, and the degree of harm that is caused to its significance. Thus, Policy H1 is not a consideration in assessing the works to the listed building. Notwithstanding this, planning permission is not required for the amalgamation of two planning units into one, as the internal works to combine the dwellings are not considered to be ‘development’ under Section 55 of the Town and Country Planning Act (1990), and there is no ‘change of use’. The works proposed under this listed building consent would therefore facilitate a conversion which does not require the benefit of planning permission.

5.0 Conclusion and Recommendations

- 5.1 Whilst the works proposed under this application have been previously approved, they have been found to be consistent with more recently adopted policy. The works will ensure the future sustainability of a Grade II listed building and will cause no harm to its significance, in accordance with Policies SP.21 and DM.23 of the Adopted Wyre Forest District Local Plan.
- 5.2 It is therefore recommended **APPROVAL** subject to;
- a) The following conditions;
 1. 3 year time limit
 2. To require details of external materials to be submitted and agreed

21/0672/FUL

REPORT OF THE PLANNING MANAGER

Proposal: Proposed residential development comprising 79 dwellings, new vehicular access off Kidderminster Road, public open space, SUDS, associated landscaping and engineering works

Site Address: Land On The South Side Of, Kidderminster Road, Bewdley, Worcestershire.

Applicant: Persimmon

1.0 Reason for Report:

1.1 Planning Application 21/0672/FUL was resolved for delegated approval on the 18th May 2023, subject to a Section 106 Agreement and following a deferral recommendation made on the 13th December 2022.

1.2 During the consideration of the application at the 18th May Planning Committee it was highlighted by a Member that the updated Education Obligation Assessment (dated 20 December 2022) seeking a contribution of £216,744 as set out in the Addenda and Corrections Sheet was incorrect, as it referred to the application site falling within Bewdley and Rock, rather than Wribbenhall and Arley .

1.3 Previously an Education Assessment (dated 5th September 2022), sought a higher contribution of £632,170 for schools within the ward of Wribbenhall and Arley (It should be noted that the £632,170 is the correct figure as Worcestershire Children First had expressed that the 5th September 2022 contained a transposition on the primary contribution (£415, 426 rather than £415, 462).

1.4 It was resolved that the application be delegated approval subject to the signing of the Section 106 Agreement which contained a planning obligation to secure a financial contribution of £632,170 towards Education Provision within the education planning area of Bewdley.

1.5 Since the 18th May 2023 Planning Committee, a further updated Education Assessment (dated 31 May 2023) has been received which now refers to the site falling within the ward of Wribbenhall & Arley to ensure it meets the three tests set out in Regulation 122(2) of the Community Infrastructure Levy Regulations 2010.

1.6 This report is to provide an affirmation of the updated Education Assessment.

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2.0 Background Information

2.1 The updated Education Obligation Assessment (dated 31 May 2023) advises that the application site falls within the Wribbenhall & Arley ward and that the catchment school is Bewdley Primary School. St Anne's CE Primary School is a related school as it is within 2 miles of the development with a safe walking route.

2.2 With regards to 'Related Schools' – Worcestershire Children First [Education Planning Obligations Policy](#) states (section 5.20) that related schools are:

- Schools that operate a catchment area as part of their admission criteria which covers the area in which the development is situated or;
- Schools that are located within a two mile safe walking route that offer education for children who are eight years or younger or;
- Schools that are located within a three mile safe walking route that offer education for children who are nine years or older only or;
- Schools that can demonstrate a likely demand from families moving on to the development or;
- Where a development is of sufficient scale a new school is considered (see section seven).

2.3 Your Officers agree with Worcestershire Children First that both Bewdley Primary and St Anne's Primary are both related to this proposed development.

2.4 The difference between the 20 December 2022 Assessment and the 31 May 2023 Assessment is that St Anne's Primary School has reduced PAN and now has space within the school to increase the number of spaces within the year groups of PAN 30. In addition, Bewdley Primary has a high proportion of pupils on roll from outside of catchment area. This means that a primary education contribution from this development is no longer sought. Furthermore, the updated 31 May 2023 Assessment has concluded that over the last 5 years 49% of pupils entering year 7 came from Kidderminster catchments and that the additional secondary aged pupils from this development would displace Kidderminster pupils and that they would need to be placed in their catchment school, where there is places available. As such, secondary education contributions is also not being sought as part of the updated Assessment.

2.5 In terms of early years provision, the updated Education Obligation Assessment advises that the proposed development is forecast to yield 9 children who may need childcare places at an early years setting. Updated sufficiency figures for 2022 show there is currently insufficient space for early years children within this area therefore a contribution of £144,496 shall be sought to support early years provision. A SEND contribution of £72,248 would also be sought due to the nature of the high need across Worcestershire. The updated Education Obligations Assessment concludes that a total contribution of £216,744 should be sought for early years and SEND provision.

2.6 Members should note that the above total education contribution is only indicative at this stage and that the final contribution amount would be

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calculated at the time when the Section 106 Agreement is entered into and would be in line with the Worcestershire County Council Policy on S106 Education Contributions which includes a standard formula for calculating education contributions. Therefore, the final contributions may be higher or lower than the current total education contribution requirement of £216,744.

- 2.7 Worcestershire Children First have advised that the updated Education Obligations Assessment (dated 31 May 2023) is CIL test compliance in terms of:
- 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.

- 2.8 Your Officers advise that it would be unreasonable and inappropriate to seek a higher contribution as it would fail to meet the tests set out in Regulation 122(2) of the Community Infrastructure Levy Regulations 2010.

3.0 Recommendations

- 3.1 That the Committee agrees the updated Education Obligations Assessment which concludes that an indicative total education contribution required for this development is £216,744 towards Early Years Provision within a 2-mile radius of the development and SEND facilities either within mainstream schools or at stand-alone SEND settings within Worcestershire.
- 3.2 Also, that the final Education Contribution shall be calculated at the time when the Section 106 Agreement is entered into by interested parties and calculated from Worcestershire Children First's standard formula for all phases of education, in line with Worcestershire County Policy on S106 Education Contributions.

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<p>Summary of Policy</p>	<p>SP.1, SP.2, 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.35, SP 36, SP.37, DM7, DM.8, DM.23, DM.24, DM.26, and SA.B3 of the Wyre Forest Local Plan (Adopted April 2022) Design Guidance SPD Planning Obligations SPD Affordable Housing SPD National Planning Policy Framework Planning Practice Guidance</p>
<p>Recommendation</p>	<p>DELEGATED APPROVAL SUBJECT TO S106 AGREEMENT</p>
<p>Reason for Referral to Committee</p>	<p>Report Back following Deferral of Application “Major” Planning Application</p>

UPDATE

This planning application, for 80 residential dwellings, access, landscaping, and drainage to be located on land off Kidderminster Road, was considered by members of the planning committee in December 2022. The application was deferred by members for the following reason:

Deferred to enable the applicant to provide an up-to-date Traffic Assessment and to allow Bewdley Town Council to comment which the LPA will encourage them to do, and whilst acknowledging that it is not a requirement that an alternative boiler system to that proposed be provided that it should be explored with the applicant, and comments bought back when the application is bought back.

Bewdley Town Council recommended approval of this application, dated 6 October 2021, which had not been reported in the original Officer report and made available to the previous committee.

A Highway Technical Note prepared by PJA Consultants and an updated Sustainability Report by JSP Limited have been submitted by the applicant to address the matters above.

In terms of highways, the submitted Highway Technical Note has been reviewed by the Highway Authority and they have provided the following comment:

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Highway Authority – No highway objection. The Highways Technical Note (Document Reference: 06166-VD) provides sufficient responses and demonstrates that the proposed development is acceptable in highway terms.

The PJA submitted Technical Note (Document Reference: 06166VD), dated 11 April 2023, includes a further assessment of the following:

- Updated traffic surveys, and a comparison to those used within the submitted TA for the site; and
- Updated junction modelling for the site access, as well as the two adjacent junctions (as listed above).

1. Traffic Survey - As recommended the applicant has undertaken a second traffic survey, as the previous surveys that were undertaken on 31 March 2021 and may have been affected by COVID-19 restrictions applying at the time. An Automatic Traffic Count (ATC) was undertaken on Kidderminster Road in the vicinity of the proposed site access between 20 and 26 March 2023, and junction turning counts were undertaken on Tuesday 21 March 2023. The Department for Transport (DfT) notes that traffic surveys should be carried out within a neutral period. This is defined in Transport Assessment Guidance (TAG) Unit M1.2 (Data Sources and Surveys) as:

“Neutral periods are defined as Mondays to Thursdays from March through to November (excluding August), provided adequate lighting is available, and avoiding the weeks before/after Easter, the Thursday before and all of the week of a bank holiday, and the school holidays. Surveys may be carried out outside of these days/months, ensuring that the conditions being surveyed (e.g., traffic flow) are representative of the transport condition being analysed/modelled.”

The Technical Note then goes onto state that:

“During the survey period, it understood that there was an emergency road closure in operation on B4195 Stourport Road, between B4190 and Ricketts Place. It is considered that this may have increased the volume of traffic using the B4190 Kidderminster Road within the vicinity of the proposed development, as it formed part of the signposted diversion route. On this basis, it is considered that use of these traffic flows, with the road closure in place, provides an even more robust assessment than that which would have been undertaken without the road closure in place”.

The Highway Authority acknowledges the evidence and accepts that the surveys conform with DfT guidance and are suitable for modelling purposes.

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2. Traffic Flows - Using the updated two-way flows from the ATC data for Kidderminster Road, the average weekday network peak periods for the 2023 survey data were:

- AM Peak – 08:00-09:00
- PM peak – 16:00-17:00

PJA have then proceeded to replicate the previously agreed methodology used in the June 2022 TA with traffic flows growthed from 2023 to a 2026 base year using TEMPro v7.2c. To be consistent, traffic flows along Kidderminster Road have been derived using relevant approach and exit flows from the adjacent junction turning counts at the A456/B4190 Kidderminster Road and B4190 Kidderminster Road/Habberley Road junctions. The resultant traffic flows for a revised 2026 Base (using 2023 survey data) have been compared to the 2026 Base flows used within the TA (using 2021 survey data), excluding committed development.

The Applicant has provided a full report within the Appendix B of their Technical Note. The key findings are summarised in Table 1 below and show the traffic flows passing through each junction, in each flow scenario. Table 2 summarises these results. All flows illustrated below are presented in Passenger Car Units (PCUs).

Table 1

Difference in Traffic Flow (2026 Base) 2021 Surveys vs 2023 Surveys - Junction Total

Junction	2026 Base (based on 2021 surveys)		2026 Base (based on 2023 surveys)		Change	
	AM Peak	PM Peak	AM Peak	PM Peak	AM Peak	PM Peak
A456/B4190 Kidderminster Road	2,469	2,311	2,381	2,242	-88	-69
B4190 Kidderminster Road/Site Access	1,491	1,678	1,480	1,588	-11	-89
Habberley Road/B4190 Kidderminster Road	1,781	1,969	1,752	1,874	-30	-95

Table 2

Difference in Traffic Flow (2026 Base) 2021 Surveys vs 2023 Surveys

Junction	Arm	2026 Base (based on 2021 surveys)		2026 Base (based on 2023 surveys)		Difference in Traffic Flow	
		AM Peak	PM Peak	AM Peak	PM Peak	AM Peak	PM Peak

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B4190 Kidderminster Road / Site Access	B4190 Kidderminster Road	860	716	860	669	0	-46
	A456 Kidderminster Road (N)	747	966	717	907	-30	-59
	A456 (S)	862	629	803	665	-59	37
Junction Total		2,469	2,311	2,381	2,242	-88	-69
A456 / B4190 Kidderminster Road	B4190 Kidderminster Road (E)	654	896	627	903	-27	7
	B4190 Kidderminster Road (W)	837	782	853	686	16	-96
Junction Total		1,491	1,678	1,480	1,588	-11	-89
B4190 Kidderminster Road / Habberley Road	Habberley Road	461	506	470	419	10	-87
	B4190 Kidderminster Road (E)	654	896	631	893	-23	-3
	B4190 Kidderminster Road (W)	667	567	650	562	-17	-5
Junction Total		1,781	1,969	1,752	1,874	-30	-95

Table 2 demonstrates that for all movements at each junction, the 2021 flows provide higher traffic flows than those calculated using that of the revised 2023 base flows.

However, Table 2 does demonstrate that some individual turning movements are higher using the 2023 flows. The ATC data collected on Kidderminster Road has been used to demonstrate the level of daily variation in traffic flows on this section of the local highway network.

This is summarised in Figure 1 and 2, for eastbound and westbound movements, respectively. These show variations of approximately 100 vehicles per hour are recorded on the local network, during the peak periods, across an average, neutral week.

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Figure 1

Daily Traffic Variation – Kidderminster Road Eastbound

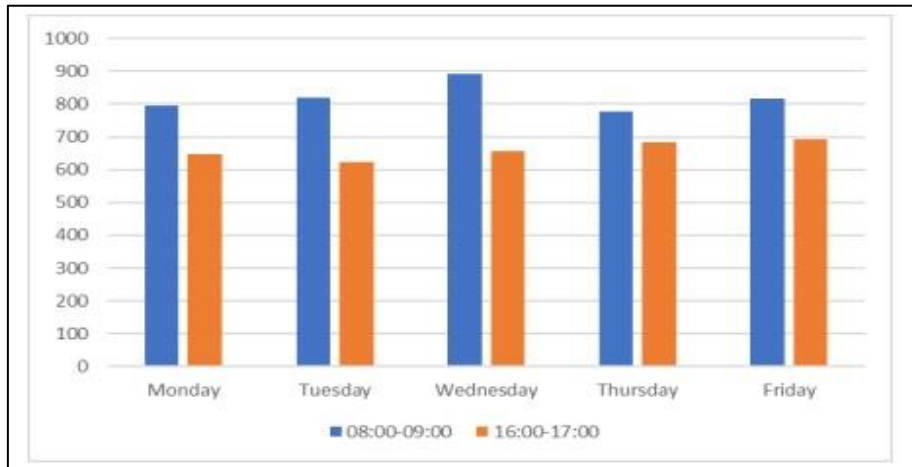
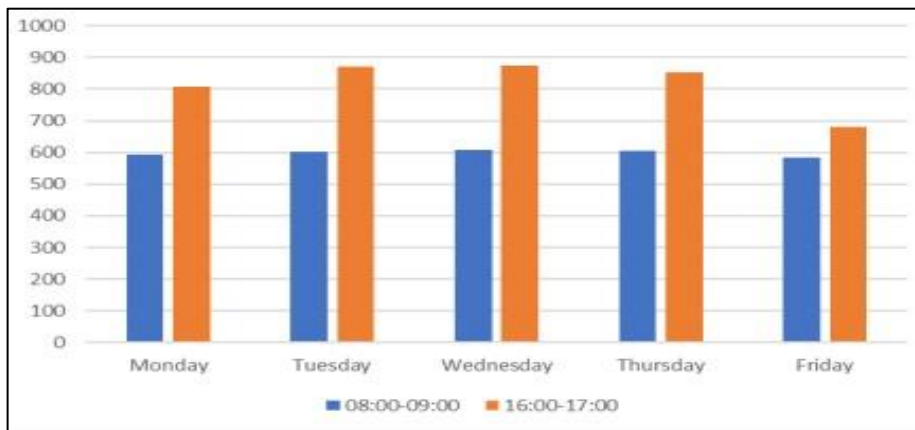


Figure 2

Daily Traffic Variation - Kidderminster Road Westbound



From the information provided above, the updated traffic flows are lower than those used within the original assessment presented within the submitted TA.

Minimal increases have been identified on individual movements, which are well within what would be expected as part of daily variation in traffic flows. Therefore, the previous conclusions included within the TA of off-site impact and site operation remain valid. The Highway Authority acknowledges and accepts this approach.

3. Junction Modelling - The remaining issue raised by BTC concerned the capacity of off-site junctions. The latest data reports the following key assessments:

- 2026 Base + Committed Development
- 2026 Base + Committed Development + Proposed Development

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Site Access/Kidderminster Road

Table 3 summarises the results of updated junction modelling and demonstrates that the proposed site access junction will operate well within capacity in a future year of 2026, with no queueing and minimal delay.

Table 3

Site Access / Kidderminster Road - Modelling Summary

Arm	AM Peak (08:00-09:00)			PM Peak (17:00-18:00)		
	RFC	Queue (PCU)	Delay (secs)	RFC	Queue (PCU)	Delay (secs)
Site Access (right, left)	0.13	0	16	0.07	0	19
Kidderminster Road (ahead, Right).	0.02	0	4	0.05	0	4

The Highway Authority are satisfied with the results and no further assessment is required for the Site Access/Kidderminster Road junction.

A456/ B4190 Kidderminster Road

Table 4 summarises the results for the updated junction modelling. The Applicant has demonstrated that the junction will continue to operate within capacity in a future year of 2026 following addition of the traffic generated by the proposed development, with minimal increases to queueing or delay.

Table 4

A456 / B4190 Kidderminster Road - Modelling Summary

Arm	AM Peak (08:00-09:00)			PM Peak (17:00-18:00)		
	RFC	Queue (PCU)	Delay (secs)	RFC	Queue (PCU)	Delay (secs)
2026 Base + Committed Development						
A456 Kidderminster Road (NE)	0.54	1	5	0.65	2	6
A456 (SW)	0.63	2	7	0.60	2	7
B4190 Kidderminster Road	0.78	4	14	0.55	1	6
2026 Base + Committed Development + Proposed Development						

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A456 Kidderminster Road (NE)	0.54	1	5	0.66	2	7
A456 (SW)	0.64	2	7	0.61	2	7
B4190 Kidderminster Road	0.80	4	15	0.56	1	6

The Highway Authority are satisfied with the results and that no further clarification is required for the A456/B4190 Kidderminster Road junction.

B4190 Kidderminster Road / Habberley Road

Table 5 summarises the results of the updated junction modelling as undertaken by PJA. The results demonstrate that the junction currently operates at capacity in the PM peak period, with existing queues of up to 22 PCUs on Kidderminster Road.

PJA then go onto state that in the 2026 Base + Committed Development scenario, without the addition of the Proposed development the junction is forecast to continue to operate at capacity in the PM Peak, with the maximum queue increasing to 35 PCUs. It should however be noted that once the RFC increases over 1, the queues and delays increase exponentially and in reality, this level of queuing and delay may well not occur.

In order to assess the impact of the development, a comparison of capacity results for the future year, with and without proposed development, has also been undertaken (Scenario 2 & 3). This comparison provides an indication of the impact of the development on queuing and delay at the junction. Any increase in queueing or delay between Scenario 1 (2023 Base) and Scenario 2 (2026 Base + Committed Development) will be due to background growth in traffic and that generated by committed development and may occur regardless of whether the proposed development comes forward, or not.

Table 5

B4190 Kidderminster Road / Habberley Road- Modelling Summary

Arm	AM Peak (08:00-09:00)			PM Peak (17:00-18:00)		
	RFC	Queue (PCU)	Delay (secs)	RFC	Queue (PCU)	Delay (secs)
2026 Base + Committed Development						
Habberley Road (left)	0.89	7	49	0.75	3	22

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Kidderminster Road (right, ahead)	0.64	3	13	1.03	35	116
2026 Base + Committed Development + Proposed Development						
Habberley Road (left)	0.89	7	49	0.76	3	23
Kidderminster Road (right, ahead)	0.66	7	12	1.03	37	121

Following introduction of the development traffic in 2026, there are imperceptible increases to queueing and delay during the AM and PM peaks. Moreover, the proposed development will generate just 13 two-way trips through this junction during the peak hours. As such, the impact of the development at this junction is not considered to be severe in the context of the NPPF.

As highlighted within our previous response to the Applicant in June 2022, WCC Highways accepted that the impact of the development at this junction, which was comparable to that results provided within Table 5 above were not severe and hence no objection were offered to the Application on this basis.

The Highway Authority are therefore satisfied with the results and no further clarification is required for that of the B4190 Kidderminster Road/Habberley Road junction.

Your Officers highlight that the main concern raised by Members during the committee meeting in December was that the Traffic Surveys contained in the Transport Assessment had been undertaken during COVID-19 when traffic levels were not normal due to the pandemic restrictions placed on households. It has been advised within the Technical Note that the recent Traffic Surveys have demonstrated that *'across all three junctions (site access, Kidderminster Road/Habberley Road, Kidderminster Road/A456) these revised traffic flows were lower than those used within the original assessment presented within the submitted TA. Across both off-site junctions, the traffic flows on some turning movements were marginally higher in the revised traffic flows compared to the original flows. However, these minimal increases and are well within the daily variation in traffic flows that would be expected on these roads, as demonstrated using traffic count data for Kidderminster Road also collected in March 2023'*. Your Officers therefore conclude that the Traffic Assessment undertaken for this proposed development is robust and accurate.

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It is noted that 1 additional letter of objection has been received from a neighbouring resident on grounds that the new traffic surveys were carried out during March and not April. The Highway Authority Officer had reported at the Committee that April would be the first neutral month for when the new traffic surveys could be carried out and also that there were a number of discrepancies in the new traffic assessment. For example the peak times are only over 1 hour (8-9am, 4-5pm) and should include the hours between 7-10am and 4-7pm and the assessment does not take into account the traffic lights/crossing and in terms of the Highway Authority comment in relation to the capacity of the Kidderminster Road/Habberley Road junction forecasts.

The comments received from the neighbouring resident have been carefully considered and fully taken into account by the Highway Authority and your Officers. The recent traffic surveys and updated junction capacity modelling have demonstrated that the revised traffic flows do not alter the impact the development on the local highway network. The proposal also accords with the latest national guidance on Transport Assessments and complies with Policy SP.27 of the Wyre Forest District Local Plan 2022 and the guidance contained within the National Planning Policy Framework.

Paragraph 111 of the National Planning Policy Framework advises that *"Development 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"*.

In the absence of any evidence to suggest otherwise, your Officers consider that the proposed development on this allocated site is acceptable in terms of highway matters and would accord with national and local planning policy.

In terms of heating, the applicant has submitted an updated Sustainability Report, which now states that every dwellinghouse within this development will have low carbon air source heat pumps that will provide 100% of each property's space heating and hot water requirements. In addition, 9no. dwellinghouses will have PV Panels to accord with Part L of the Building Regulations, installed. As such, 55.51% of the site's regulated energy requirements will be sourced from renewable technologies. Your Officers fully support the revised proposals to include air source heat pumps to help reduce climate change through the heating of homes by renewable and low carbon energy sources. The proposal therefore accords with Policy SP.37 of the Wyre Forest District Local Plan.

ORIGINAL REPORT

1.0 Planning History

1.1 There is no planning history for this site.

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2.0 Consultations and Representations

- 2.1 Bewdley Civic Society – Broadly support the WFDC plan in terms of its allocated sites in Bewdley but is surprised that the developers have increased the numbers of houses proposed. The site is on one of the major access roads into Bewdley and will be the first view for visitors – every effort therefore should be made to make this view as attractive as possible. It is suggested that the brick wall with old capping stones could be renovated/repared. It is in poor condition due to lack of maintenance. The coping stones are imprinted with the letters SKEY which shows that they were manufactured in Skey's Brickworks in Bewdley over 100 years ago and are therefore of historic importance. A condition on any approval is requested to ensure that this wall is restored and retained. No reference to greener forms of energy within the developers plans, which is disappointing.

[Officer comments – The site is allocated for housing under Policy SA.B3 of the Local Plan and the indicative capacity for the site allocation is 80 dwellings. The proposal has been amended during the course of the application from 88 to 79 dwellings. A structural report of the brick wall with old capping stones to Kidderminster Road frontage has been undertaken which has confirmed that the wall is generally in poor condition, leaning either towards the footpath or towards the site and that due to the trees along the boundary being planted very close to the wall they have exerted lateral pressure on the wall. It is advised that the wall is dangerous and should be removed and re-built immediately. The applicant has confirmed that the wall would be rebuilt with reclaimed bricks and the coping would be reinstated. A Sustainability Statement has been submitted which confirms that the proposed dwellings would be provided with electric vehicle charging points, photovoltaic (PV) panels to deliver a minimum 10% energy from renewables, high levels of insulation, energy efficient light fittings, high performance glazing and efficient gas condensing boilers with confirmed NOx emissions of 40mg/kWh and would accord with Policy SP.37 of the Local Plan]

- 2.2 Bewdley Town Council – Awaiting comments to the application.
- 2.3 WCC Sustainability, waste and minerals – Generally satisfied with Sustainability Statement but point out that statement is over 2 years old and Building Regulations changes in June 2022 to include more stringent energy efficient targets with the headline target requirement of new homes to produce around 30% less CO2 emissions. (Not applicable to building work provided it starts before 15 June 2023. No mention of EV charge points. To take in account the projected changes in climate, additional measures such as wide gutters with emergency overflow

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points, outdoor shading for buildings in summer, provision of flexible shading to windows to reduce internal temperatures expected for direct sunlight, water butts, consideration of green/sedum roofs to slow/decrease run off during heavy rain. Waste Core Strategy policy WCS 17 aims to ensure that the waste implications of development are considered. The provision of each property with storage for refuse bins within the curtilage of the property is welcomed. WCC satisfied that the development of the site would materially increase the risk to mineral safeguarding, as such no further evidence is required.

[Officer comment – A revised Sustainability Statement has been submitted which addresses the initial concerns raised by WCC Sustainability Team and concludes that the development would be designed to reduce waste and water consumption and that every dwelling would be provided with rainwater butts, electrical vehicle charging points, low emission boilers and would be constructed to robust standards of energy efficiency and PV arrays capable of generating 42,687.85kWh/year (i.e., 10% of the predictable energy requirement of the development) would be installed across the site]

- 2.4 Highway Authority – No objection subject to conditions and obligations. The justification for this can be summarised as follows:
 Following review of the submitted Transport Assessment the Highway Authority identified some areas of concern. A Technical Note seeking to address the concerns raised was received on 22nd June. In addition to this a Road Safety Audit (RSA) was provided which identified one minor issue involving the uncontrolled pedestrian crossing on Kidderminster Road. The comment highlighted the fact that *“due to the curvature of the carriageway, approaching road users from the east appear to be increasing speed. This may result in late/harsh braking resulting in rear end shunt type collisions should a road user fail to see a pedestrian in the carriageway using the crossing.”* The recommendation was to relocate the uncontrolled crossing closer to the development access. The site access and on-site crossing provision has been amended and visibility in both directions is achievable without obstruction.
 The Highway Authority are satisfied with the improvements proposed by the applicant. The Highway Authority is also satisfied that all vehicles can navigate safely within the site and that all tracking concerns have been dealt with.
 The Highway Authority no longer considers it necessary to implement parking restrictions (double yellow lines) within the vicinity of the proposed site access but as an alternative, some form of parking monitoring should take place 6 months after first occupation. If, after that survey it was decided that parking restrictions should be introduced, monies to process and sign and TRO’s may be required.

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The Highway Authority is satisfied with the internal layout of the site. In relation to the provision for cyclists, the applicant has confirmed that no specific cycle infrastructure is proposed, noting that Cycle Infrastructure Design Guidance LTN 1/20 states that roads with speed limits of 20mph and 24 hour traffic flow of less than 2,000 PCUs, cycling in mixed traffic will be suitable for most people. The applicant also highlights that all plots have cycle parking to meet standards set out within the WCC Streetscape Design Guide, in either the form of a garage or shed.

The development will not have a direct impact on the Public Right of Way. The revised masterplan shows the definitive line of Bewdley footpath BW-648 – the Highway Authority is satisfied. The Highway Authority has agreed to a lighting assessment being required by condition of the planning permission. It was also confirmed that this will also be dealt with via the S38/S278 applications.

The applicant has confirmed that a safe pedestrian crossing, suitable for disabled access will provide a direct route to bus stops on Kidderminster Road and Habberley Road. The design will be subject to RSA and once undertaken, the results along with a Designers Response will be submitted to the HA for review. The following financial contributions are requested:

£60,000 to fund extension of existing bus service from Kidderminster Bus Station to Bewdley on weekdays;

£4,500 to establish Community Transport service for residents with mobility impairments; and

£5,000 to improve bus stops on Habberley Road

The applicant has agreed to use the WCC Personalised Travel Planning Service, at a cost of £220 per dwelling.

The Highway Authority will require a CEMP to be prepared and submitted for approval, setting out the proposed hours of operation, routing, access proposals and site details via the imposition of a condition on the planning permission.

- 2.5 Worcestershire Wildlife Trust – No objections to the principle of development as the site is allocated in the Local Plan. However, concern is expressed that the proposals will fail to deliver biodiversity net gain to a level commensurate with policy expectations. Further work is required to demonstrate appropriate gains across the site – noting that there is the potential for biodiversity enhancement on the undeveloped western parcel. If this is an option, further work is recommended to demonstrate that this is both achievable and securable in the long term. Accordingly, a holding objection was placed pending the receipt and consideration of further information. If however, the council is minded to grant permission the following aspects should be secured by use of condition:
1. CEMP – to include protection for retained ecological features and prevention of pollution during construction, especially in relation to any

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direct harm, runoff, noise, extraneous light or dust risks to the nearby ecological assets, including watercourses, mature trees and hedgerows. Timing of works to avoid nesting birds and method statement or protected species licences to minimise risk to bats and other species;

2. 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 adjacent habitats;

3. SUDS – to ensure that a long-term drainage of the site does not cause harm to receiving waterbodies or nearby habitats. The drainage strategy should include overland conveyance features to provide additional biodiversity and visual enhancements and to ensure that the attenuation basin is designed and implemented in a way that delivers a strong multi-functional role within the POS.

4. LEMP – to include measurable biodiversity net gain in line with planning policy, together with long term management of habitats and features.

Applicant response to the comments (Aspect Ecology) – The LPA officer has confirmed that there are no issues in regard to protected species and that the remaining concerns are limited to Biodiversity Net Gain (BNG) calculations / considerations associated with the proposals. The information submitted included a formal BNG assessment using DEFRA metric (2.0) which demonstrated a net gain in habitat units (0.08%) and hedgerow units (25.36%) within the red line boundary. No specific issues were raised with the calculations; however, the comments suggest that a greater level of BNG should be required/demonstrated. How the BNG is to be achieved is demonstrated within the DEFRA metric tool and the associated proposed habitats are shown on drawing 5809/BIA2 rev A.

Current national and local policy for BNG is referred to, particularly SP.23 which identifies that developments should deliver measurable gains in biodiversity, the level of which should be proportionate to the type, scale and impact of the development – but with no specific set minimum threshold. It is envisaged that the development would deliver biodiversity net gain on the field to the west of the application site which falls within the applicant's ownership and that it is intended to establish a cherry orchard on this field with a new unadopted public footpath linking the application site with Wheatcroft Avenue that would follow the historic footpath route.

2.6 Community Led Housing Co-ordinator – No objection to the provision of two self custom build plots to be secured through the Section 106 agreement.

2.7 Worcestershire Regulatory Services (Noise Nuisance) – No objection to

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the application following a redesign of the scheme to reduce noise levels to below 55dB for the plots affects and an updated Noise Assessment which concludes that a 2.5 metre acoustic barrier on top of retaining wall to the rear boundary of plots 45 – 50, which would be set in from the boundary with the A456, and painted green to blend into the greenery along this boundary. A condition is recommended to secure the proposed mitigation and to require a revised noise assessment/technical note to demonstrate that the selected glazing and ventilation products meet the recommended sound insulation specifications of the originally submitted noise assessment for approval.

- 2.8 Worcestershire Regulatory Services (Contaminated Land) – No contamination issues have been identified – no objection.
- 2.9 Worcestershire Regulatory Services (Air Quality) - No objection but recommend the incorporation of mitigation measures as part of the development to minimise impact on local areas of poor air quality and assist in alleviating pollution creep arising in the general area such as – secure cycle parking, electric vehicle charging points, low emission boilers – all of which can be required by condition.
- 2.10 WCC Archaeologist – No objection. A desk-based assessment and written scheme of investigation for the recommended programme of works has been submitted. A condition is recommended to ensure the programme of works as detailed in the WSI is carried out.
- 2.11 WCC Children first – During the course of the application updated sufficiency figures for 2022 have been received which show that there is currently insufficient space for early years children within the Bewdley area and therefore request a financial contribution to support early years provision. A contribution toward all relevant phases of education is sought in line with the Worcestershire County Council Policy on S106 Education Contributions to provide additional education facilities within a 2 mile radius as follows:
£144,496 for early years;
£415,462 for primary;
£72,248 for SEND
- 2.12 Environment Agency – No comments to offer on this application. Whilst there is a small area of fluvial flood risk on the western portion of the site all built development is located in Flood Zone 1, the low risk Zone.
- 2.13 North Worcestershire Water Management Officer – No objection. Summary of comments as follows:

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I believe that based upon the information now provided there would be no reason to withhold approval of this application on water management or flood risk grounds and ask that the following conditions get attached:

"No works in relation to site drainage shall take place until a scheme for a surface water drainage strategy for the proposed development has been submitted to and approved in writing by the Local Planning Authority. The scheme shall include details of all surface water drainage measures and shall conform with the non-statutory technical standards for SuDS (Defra 2015) and the drainage strategy submitted with the application (Travis Baker, May 2021) and addendum (Travis Baker, RevA, May 2022). The detailed design of the basins shall be informed by the requirements to ensure sufficient treatment will be provided by the surface water drainage in accordance with the SuDS manual (Ciria C753). Flows resulting from rainfall in excess of the design event shall be managed in exceedance routes that minimise the risk to people and property. The approved surface water drainage scheme shall be implemented prior to the first use of the development and thereafter maintained in accordance with the agreed scheme."

"Prior to the first use of the approved development a management plan detailing future maintenance responsibility for SuDS assets shall be submitted to and approved in writing by the Local Planning Authority. The plan shall include proposals for informing future home owners or occupiers of the arrangements for maintenance of communal assets. The approved management plan shall be implemented prior to the first use of the development and thereafter maintained."

"No works or development shall take place until a construction surface water management plan has been submitted to and approved in writing by the Local Planning Authority. The plan shall include how surface water will be managed during the construction phase, including site clearance and soil stripping. The plan shall include drawings of any temporary drainage systems, a timeline of construction and measures to mitigate the risk of pollution (including silt) of the water environment and offsite flood risk. The plan shall detail how the approved permanent surface water drainage system shall be remediated during the construction phase. The approved construction surface water management plan shall be implemented as soon as works start on site thereafter maintained during the full duration of the construction phase."

- 2.14 WFDC Arboricultural Officer – No objection, satisfied with the design and AIA and can now support the application. Concern was originally expressed in relation to the impact of the original layout on the tree belt (running parallel with Kidderminster Road). Requested that the proposed

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building line be amended to behind the existing plough line to retain the longevity of the trees, ensure there is not pressure to fell them in the future and would also maintain good green infrastructure to the frontage of the site, which has a visual connection with the green open space in the eastern corner of the site. Amended plans were received to take on board these comments. An AIA was produced to show the protection of all retained trees and an AMS to show works close to or within the protected trees.

2.15 WFDC Conservation Officer – No objection – following the receipt of a Landscape Visual Impact Assessment which concluded:

"8.11. Overall, the Proposed Development would result in limited effects on landscape character and visual amenity, restricted to the Site and its immediate environs, and seen in the context of the existing settlement edge of Bewdley.

8.12. A range of landscape and visual receptors have been assessed and impacts have been identified for both landscape character and for visual receptors. This is part of an iterative process whereby potential impacts have informed the landscape strategy for the Site and mitigation has become integral to the Proposed Development. The residual impacts identified through this process highlight that the greatest effects would relate to the Site and to a very localised area immediately adjacent to the Site. The effect on potential receptor groups in the wider landscape context, including users of the wider PRow network, would be generally very limited. The existing trees and hedgerows which surround much the Site would also help to soften the appearance of new built form where this is visible.

8.13. Overall, the context provided by the existing settlement edge of Bewdley and the combined screening effects of topography, and existing vegetation and built form means that effects on landscape character and local visual amenity would be very limited in scale. Therefore, on balance, the Proposed Development is considered acceptable in landscape and visual terms".

The development will certainly impinge on views towards Maypole Piece from the east but not to the extent that this causes tangible harm to the Conservation Area. Similarly, whilst it might be possible to glimpse views of All Saints Church Wribbenhall from the same direction in reality there is again no tangible impact. Views from both Maypole Piece and All Saint's Church will inevitably include the proposed new development but it is somewhat distant and due to the topography does not interfere with the wider ranging views to the east towards the Safari Park and the former parkland around Spring Grove.

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- 2.16 Severn Trent Water – No objection subject to the inclusion of the following conditions:

The development hereby permitted should not commence until drainage plans for the disposal of foul and surface water flows have been submitted to and approved by the LPA. The scheme shall be implemented in accordance with the approved details before the development is first brought into use. This is to ensure that the development is provided with a satisfactory means of drainage as well as to prevent or to avoid exacerbating any flooding issues and to minimise the risk of pollution.

- 2.17 WFDC Countryside and Technical Services Manager – In relation to protected species; there are two bat roosts on site, both likely to be impacted upon by the development. The loss of these features is unlikely to have a strategic impact on bat populations and mitigation for the loss of these features can be covered by a condition which should require a bat mitigation strategy to be prepared by an experienced and licenced ecologist pre-commencement. A separate condition requiring a lighting report that has been reviewed and commented upon by an ecologist is also suggested to ensure that proposed lighting does not impact upon newly created features to support light sensitive wildlife. The report should also detail dark corridors across the development to allow light sensitive wildlife to cross the development. As there is badger activity in close proximity to the site, a condition is also required to secure a survey to take place prior to commencement of development. If badgers are found, a badger mitigation strategy should be produced. Otters are likely to be present off site, and although their presence on site is considered unlikely, a condition requiring a walkover survey is recommended prior to commencement. A condition is also required to ensure otters have not become involved in stored material and/or become trapped in the workings; Great Crested Newts are present in an offsite pool less than 250m from the site. An addendum survey was submitted in July 2022 which confirmed that no Great Crested Newts were identified during 2021 survey work, including within two waterbodies closest to the site. However, given the presence of GCN's within the more distant waterbody (P2), the report recommends that precautionary mitigation measures should be implemented to minimise the risk of harm; Reptiles – a population of three species of reptiles were found on site. Prior to approval details of reptile translocation off site or enhancement/landscaping plan for reptile population to remain on site. A reptile mitigation strategy (also appropriate for GCN) is then also required by condition detailing how the needs of the animals will be catered and mitigated for. All works on site should take place outside of the nesting season or in the presence of an experienced ecologist to ensure no harm

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to nesting birds.

With regard to habitats and biodiversity net gain, similar concerns to WWT raised. However, it is noted that an updated calculation brings the net gain to the desired 10%. A LEMP picking up on the measures identified by the applicant's ecologist is suggested.

The site is located 750m away from a statutory Devil's Spittleful SSSI whose principal habitat is highly susceptible to nutrient deposition. Principles should be agreed prior to approval that clearly demonstrate how the development can be realised without detrimentally impacting on the SSSI. Some concern also expressed in relation to the adjacent site which appears to be a wetland habitat/Priority Habitat. [Officer comment – A condition has been recommended to secure a scheme of ecological mitigation measures to minimise impacts from dust on the nearby Devil's Spittleful SSSI during the construction phase]

- 2.18 WCC Landscape Advisor– No objection providing the following matters are addressed and appropriate measures secured by condition. Need to secure the future management of boundary trees (including those that will become rear plot boundaries as part of the site GI provision) (to reduce any risk that shading caused by proximity of trees will remove in removal of non TPO trees); root protection measures secured by condition or within a CEMP that should also include all measures to protect existing landscape and habitat features present on the site during groundworks and build out of the scheme.
- 2.19 WFDC Landscape Officer – The planting is typical of a landscape shrub planting on most developments but some replacement species required to better enhance the scheme and to add to the biodiversity by attracting more pollinating insects and bees. Scheme amended to include detailed landscaping amendments made to satisfy comments – changed the proposed ornamental hedging of *Elaeagnus x ebbingei* to *Carpinus betulus* (Hornbeam), increase number of tree species to 5 flowering trees such as *Prunus* sp, and Liquidamber for additional autumn colour, replace proposed amenity seed mix areas with a flowering meadow mix and include a 1.5m amenity mowing margin. A condition should be attached to secure a programme of monitoring, aftercare and replacement planting for all soft landscaping included in the public open space areas and GI networks. Condition required to secure a LEMP and accompanying method statement detailing the creation and establishment of semi-natural habitats, public open space, trees, hedgerow and scrub planting.

The scheme was amended to include a LEAP to include the following:

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- 1 swing bay with 2 cradles has been shown however there also needs to be 1 bay with 2 flat seat swings for Juniors.
- The scheme is lacking in more dynamic play elements older children will require more risk, include a Basket swing for the older children
- The scheme is limited on inclusive items please change Item 2 for a floor mounted inclusive roundabout to accommodate a wheelchair as well as outer seating for able bodied children (DDA Inclusive Play))
- The scheme needs a slide to be included ideally a raised bank area with an embankment slide and steps up to it
- Combo 1 (4) Is very limited and offers limited play value it needs to include more elements (Stepping Stones, Wobble Bridge etc) and be twice as long

2.20 Natural England – No objection. The proposed development will not have a significant adverse impact on statutorily protected nature conservation sites or landscapes.

2.21 NHS Primary Care Trust - (Hereford and Worcestershire CCG). The development is likely to have an impact on the NHS funding programme for the delivery of primary healthcare provision within the area. The development could generate approximately 192 residents and subsequently increase demand upon existing services. It would have an impact on primary healthcare provision in the area and the proposed development must therefore, in order to be considered under the presumption in favour of development, provide appropriate levels of mitigation. The housing development falls within the boundary of a practice which is a member of Wyre Forest Health Partnership Primary Care Network (PCN), and as such, a number of services for these patients may be provided elsewhere within the PCN. The Capital Cost Calculation of additional primary healthcare services is £30,291. A financial contribution from the developer for that amount is therefore requested to mitigate the impacts arising from the development.

2.22 WFDC Cycle Forum - Motor vehicle congestion is above all the most frequent comment opposing the development. If this development was to progress further, it is yet another reason for facilitating a safe direct Active Travel Corridor from Bewdley, through Wribbenhall to Kidderminster: a virtually straight continuous travel corridor being the best option, and after all, we have the evidence already that the Catchems End to Kidderminster is already the most used Active Travel route for cyclists.

2.23 Neighbourhood/Site Notice Representations

234 objections received from nearby residents. They have all been taken into account in the consideration of this application and can be summarised as follows:

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- The entrance/exit to the site is far too close to the traffic island where queues form a peak times and during summer months (with tourists); traffic can be in gridlock; resultant impact on highway safety (for cars, cyclists and pedestrians) – traffic survey supporting the proposals was undertaken during Covid lockdown and therefore not representative of the situation;
- Danger to children crossing the road, despite pedestrian crossing
- Local doctor's surgeries cannot cope with additional people
- Increased parking pressure as a result of the development
- Location between 2 main roads will create noise environment for occupiers
- Change the character of Bewdley (for the worse) by visual impact on entering Bewdley, site forms an important backdrop to the church;
- Increase in pollution and dust
- Bus service inadequate
- Development of 100 dwellings within the Stourport Triangle for 100 dwellings has already been approved – no additional houses in Bewdley are needed
- Not enough school places in the area
- Site contains protected trees, Skylark nesting, Great Crested Newts and Slowworms
- Impact on hedgehogs and badger
- Loss of field for agriculture
- Density of proposed development is too high and no bungalows for the elderly included in the mix, there should be more larger house types to cater for housing market in Bewdley – not to just attract new people in;
- Impact of water drainage and sewage facilities; sewage pumping station in the vicinity of the site is already at capacity since new houses in Threfall Drive development;
- Council should be using brownfield land first – plenty to use in the area
- Adverse impact on ecology - bats nest in the area
- No jobs for new residents
- Climate change and flood risk around the Riddings brook
- Contamination to the river;
- Site should remain within the Green Belt
- What will the Town Council “do” with the western parcel
- Loss of privacy, open aspect on entering town;
- Loss of important green space – would adversely impact on people's mental wellbeing;
- Houses proposed not affordable – young people cannot afford to buy them;
- Proposals will result in Bewdley and Kidderminster being one town;
- Use as bridle path from the site will encourage new residents to take a short cut past existing houses;
- No site notices erected around the site to correctly advertise the planning application; queries/concerns that correct consultation periods are being followed;
- Loss of historic wall along Kidderminster Road;
- Conflict with NPPF, the Health Impact Assessment is just a wish list with no real evidence that the development will be beneficial for the town;

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- House design poor, not sustainable or energy/water efficient, large areas of hard paving adding to water run off issues;
- Applicant has a reputation for building poor quality houses.

7 comments of support acknowledging that new houses are needed to meet the needs of the growing population; that the government requires LPAs to set their own housing targets to deal with their own need; and that there is little incentive for developers to develop brownfield land. More houses will result in more people living in the town which will be good for local business; general economic benefits for retail and hospitality; the Parish and District Council will benefit in terms of revenue and affordable housing for the next generation. Ideal location near to commuter roads.

3.0 Site Location and Description

- 3.1 The application site is located in between the Kidderminster Road (B4190) and the main A456 to the southeast of the built- up edge of Bewdley, known as Catchem's End. The site comprises of two separate land parcels; referred to as the eastern and western parcels. The western parcel will remain undeveloped and be transferred to an appropriate body to be managed as public open space/community land. The western parcel is designated Green Belt. Both sites extend to approximately 5.61 hectares, while the developable parcel (the Site) extends to 3.53 hectares.
- 3.2 It is irregular in shape and comprises of one agriculturally managed field with trees and hedgerow along much of its perimeter. A brick wall forms the boundary to the site along Kidderminster Road along the northern boundary. The site is immediately adjacent and opposite to existing residential development (a mixture of 2 and 2 and half storey houses) along Kidderminster Road, along the site's northern boundary. A access lane (public footpath BW-648) leading to a house off Kidderminster Road runs along the western boundary of the site, beyond which lies residential development comprising 1970s bungalows and lodge style 2 storey houses. To the south, on the opposite side of the A456 is an area of public open space with the West Midlands Safari Park beyond.
- 3.3 The topography of the site varies, but generally rises from the north-eastern part of the site, southward to a localised highpoint in the southern corner. There are no water features on the site, however the lower ground on the western and southern boundaries include wet woodland areas and drainage ditches.

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- 3.4 The site is located to the east of the central conservation area of Bewdley, which contains the majority of the town's heritage assets. There are two Grade II listed buildings within 250m of the Site, both of which are screened from the site by existing housing on Kidderminster Road.
- 3.5 The Site is allocated for residential development under Policy SA. B3 of the Wyre Forest District Local Plan, which was released from the West Midlands Green Belt and which confirms that the site has an indicative capacity of 80 dwellings subject to several principles being met.
- 3.6 The application seeks full planning permission for the erection of residential development for 79 dwellings, (originally 80) new vehicular access off Kidderminster Road, public open space, SUDS, associated landscaping and engineering works.
- 3.7 Proposed house types will comprise of a range of sizes from one to four bedrooms predominantly in conventional two-storey houses in detached, semi-detached and terraced layouts. Two of the open market homes will be custom build (2x 3 beds). 25% of homes will be affordable providing 6 shared ownership dwellings and 16 for social rent local people.
- 3.8 The dwellings would be traditional in appearance utilising a mixture of render and brickwork to add to character. Each dwelling will have in plot parking, in a combination of garage with parking spaces to the side of the house or along the frontage. Garden sheds and space to store bins are provided for each dwelling. This would accord with the adopted Streetscape Design Guide.
- 3.9 The main access (serving vehicles and pedestrians) to the site will be from Kidderminster Road. The eastern most tip of the site will be laid out to public open space with housing development contained within 4 areas within the site on either side of the main access road through the site. Generally, houses are arranged to front on to the main road or off secondary roads to form perimeter blocks where dwellings front onto the road or areas of public open space with rear gardens enclosed. The area of public open space within the south-easter corner of the site will contain a children's play area which will be accessible via a path from the spine road. A pathway will also be provided through the public open space to the west of the site through to the public right of way which connects back up to Kidderminster Road.
- 3.10 The development density based upon a developable site area of 3.53 hectares equates to 23 dwellings per hectare.

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- 3.11 The application has been accompanied by a Design and Access Statement; Planning Statement; Acoustic Report; Affordable Housing Delivery Statement; Sustainability Statement; LVIA; Archaeology DBA; Arboricultural Assessment with AIA; Transport Assessment; Travel Plan, FRA, Drainage Strategy; Biodiversity Metric 2.0 Calculation Tool and Ecology Assessment.

4.0 Officer Comments

- 4.1 The main considerations for this application are:

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

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- 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.
- 4.7 The site is allocated for housing under site allocation policy SA.B3 of the Local Plan and therefore the principle of development in terms of land

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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 approximately 80 dwellings could be accommodated on this site and advised that the area nearest to the roundabout should be kept free of development to protect the openness of the landscape at this location; any development on this site should meet the following criteria:
- (i) Access will be taken from Kidderminster Road. This access should not obstruct or cause loss of the existing layby as this provides residential parking and a pull-in for bus services. Part of the existing boundary wall should only be removed in order to provide the required visibility splay and access into the site. Any trees that are removed to facilitate site access should be replaced by new tree planting on site.
 - (ii) The area nearest the roundabout should be left undeveloped with appropriate green and blue infrastructure to retain an open aspect and help soften the visual impact of the development from wider views within the Green Belt.
 - (iii) An appropriate play area should be provided as part of the open space provision.
 - (iv) The site boundaries should be buffered and enhanced to benefit Green Infrastructure connectivity. The mature broad-leaved trees along the site boundaries should be retained where possible to help screen the development.
 - (v) Building heights should be limited to 2-2.5 storeys to minimise any detrimental impact on the setting of All Saints Wribbenhall and Churchyard (Grade II Listed).
 - (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) The possibility of providing a footpath/cycle link to rear of Lodge Close through the wet woodland should be explored and facilitated through this development, if feasible. This would connect the new housing with the wider footpath network.

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 two fields (only the eastern parcel however, is to be developed for housing), which is currently agricultural land and the is well

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enclosed by existing vegetation/trees and hedgerows around the perimeter of the site. The site is bounded by the B190 (Kidderminster Road) to the north, the A456 to the south and residential development to the west. 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 “... *built development of the eastern parcel will limit openness at this edge of the town, but the surrounding road network, trees and hedgerows strongly bound the site, and will contain urban sprawl or encroachment into the countryside. Sensitive layout and design of the development will mitigate the visual impact.*”

- 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 landscape strategy shows that the existing boundary hedgerows would be retained, and your Officers 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 Landscape and Visual Impact Assessment (LVIA) has taken account of Heritage Assets such as Listed Buildings (those within the West Midlands Safari Park and along Kidderminster Road) and the nearby Conservation Areas in that they contribute to the overall present-day landscape character, context and setting of an area.
- 4.13 Having considered the surrounding landscape the layout of the site incorporates a strategy for green infrastructure and open space that responds to the landscape context. The approach provides a robust interface between the settlement edge and the wider countryside to the east which includes the retention of the existing hedgerow and trees along the south-eastern boundary (adjacent to the A456); retention of a set back to the Kidderminster Road, provision of a substantial area of public open space in the northern tip of the site to maintain a sense of openness with the inclusion of additional landscape and an attenuation basin, retaining a stand-off of built from to the route of the public footpath to the west, incorporating open space and landscape proposals in this area to create an interface with this route and providing a connection into the public footpath to the west to create local access and enhance connectivity.
- 4.14 The LVIA concludes that overall, the context provided by the existing settlement edge and the combined screening effects of topography, and existing vegetation and built form means that the effect on landscape

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character and local visual amenity would be very limited in scale and therefore, the proposed development is acceptable in landscape and visual terms.

- 4.15 The proposed development of 79 dwellings on this existing open field will no doubt result in change in the landscape due to the urbanising effect of the proposed development. The WCC Landscape Advisor raised no objection to the proposals providing the future management of the boundary trees is safeguarded (to reduce any risk that shading caused by the proximity of trees will removal of these trees in the future by new occupants). Discussions took place with the applicant following initial comments from the WFDC Landscape Officer which secured amendments to the proposed species (of hedgerows and trees) proposed on site. No objection was raised subject to a condition requiring a LEMP with accompanying method statement to detail the creation and establishment of semi-natural habitats, public open space, trees, hedgerow and scrub planting.
- 4.16 Your Conservation Officer raised no objection to the proposals, and generally agreed with the conclusions of the LVIA. The development will certainly impinge on views towards Maypole Piece from the east but not to the extent that this causes tangible harm to the Conservation Area. Similarly, whilst it might be possible to glimpse views of All Saints Church Wribbenhall from the same direction in reality there is again no tangible impact. Views from both Maypole Piece and All Saint's Church will inevitably include the proposed new development but it is somewhat distant and due to the topography does not interfere with the wider ranging views to the east towards the Safari Park and the former parkland around Spring Grove.
- 4.17 Your officers concur with the Conservation Officer views and are satisfied that the proposals, together with the imposition of conditions recommended above will ensure limited harm to the landscape character and setting of heritage assets, in accordance with Policies SP.22, DM 23 and SA.B3 of the Local Plan and the Framework.

DENSITY, DESIGN AND PROPOSED RESIDENTIAL AMENITY

- 4.18 The development density based upon a developable site area of 3.53 hectares equates to 23 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. The number of dwellings proposed on the site has been reduced to take account of the tree belt along the Kidderminster Road, and to provide an open aspect into the entrance into the town along the eastern most edge, close

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to the roundabout, as required by the allocation policy SA.B3, as well as being able to provide full amount of Green Infrastructure on site. Although the net density falls below the minimum set out in the Policy SP.9, your officers consider the proposals to be acceptable, with a well designed layout specifically taking account of its location at the entrance to the town and in order to respond to local character.

- 4.19 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).
- 4.20 Discussions have taken place with the applicant since September 2020, prior to the adoption of the Local Plan. A scheme for 88 dwellings was submitted as a pre-application enquiry for 88 dwellings. The applicants have taken on board comments made by officers during this process which has essentially resulted in a softer, more organic layout to better reflect the urban grain of the local area. The proposals have evolved to also take into account the specific requirements of the policy of the since, allocated site.
- 4.21 The design and external appearance of the houses proposed would provide variety, visual interest and well designed houses. The proposed building and hard-surfacing materials, boundary treatment and layout of roads would ensure that the development creates a distinctive place that people can navigate around easily and through the site.
- 4.22 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 are several 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, it is not considered that this choice of road layout would fail to provide a permeable development given that there are two recreational footpaths running through the site which allow pedestrian movement and which connect the site to the public footpath to the west. It is therefore

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considered 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.

- 4.23 Members should be aware that the brick wall along Kidderminster Road is unstable, and the applicant has advised that it has become a health and safety hazard. Whilst parts of the wall will be retained where possible, some parts may have to be removed prior to the determination of the proposals. The applicants will endeavour to save as much of the original wall as possible and will re-use the bricks to reinstate if this is practicable. It is recognised that the Bewdley Civic Society considers that this brick wall has historic value, however, it should be noted that this wall is not locally or statutory listed and could be removed at anytime. Notwithstanding this, the applicant agrees that the brick wall should be preserved and have agreed to a planning condition to require the brick wall to Kidderminster Road boundary to be reinstated in either reclaimed bricks or bricks of a close match in appearance and texture in order to preserve the visual amenity along this part of Kidderminster Road.
- 4.24 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. It would result in the provision of 22 affordable dwellings (6, shared ownership and 16 social rent), 2 custom build plots and 55 open market homes providing a mixture of 1,2,3 and 4 bedroom homes which will meet the need of the local population. The applicant has advised that 82% of the proposed dwellings would accord with Policy SP.13 of the Local Plan which requires at least 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)). The applicant has confirmed that electrical vehicle charging points, rainwater butts and efficient gas condensing boiler with confirmed NOx emissions of 40mg/kWh will be provided for every dwelling within the application site and that all dwellings without a garage would be provided with a garden shed for cycle storage. In addition, the proposed scheme includes the provision of PV panels capable of generating 10% of the predicted energy requirements, in line with Policy SP.37 requirements. Planning conditions are attached to secure this provision as well as conditions to ensure the development is designed to be water efficient in accordance with Policies SP.29 of the Local Plan and that all dwellings are provided with electric vehicle charging points and low emission boilers in accordance with Policy SP.37 of the Local Plan.
- 4.25 Amendments have been made to ensure all residential dwellings would have a minimum garden depth of 10 metres to ensure adequate outdoor

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garden space is provided for all family size dwellings, and to protect the amenity of occupiers of existing dwellings along Kidderminster Road. I note that the proposed dwelling on plot 32 is positioned immediately adjacent to neighbouring gardens and to protect the privacy of these gardens, a planning condition is attached to prevent side facing windows being installed. Internally, all dwellings 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.

- 4.26 A noise assessment was undertaken to support the planning proposals and it predicts that external noise levels in parts of the garden areas of plots 45-50, adjacent to the A456, would be above 55dB during the daytime which is considered to be a significant adverse impact. Further noise modelling was undertaken which has resulted in a redesign of the scheme and an updated noise assessment which now proposes to mitigate the noise levels to these 6 plots by installing a 2.5 metre acoustic barrier on top of retaining wall to the rear boundaries, which would be set back behind greenery and would be painted green to help minimise its visual impact on the A456. Worcestershire Regulatory Services raise no objection subject to conditions to secure the recommended mitigation. Your officers consider this mitigation to be acceptable to ensure an acceptable outdoor amenity space can be provided to plots 45-50 and subject to a requirement for the acoustic barrier to be painted green would not harm the wider landscape character. A condition to secure this mitigation measure is attached.

CUSTOM BUILD PLOTS

- 4.27 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 two 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.

BIODIVERSITY

- 4.28 Local Planning Authorities have a duty to have regard to conserving biodiversity as part of decision making of planning applications. Policy

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SP.23 'Protecting and Enhancing Biodiversity' and Paragraphs 174(d) and 180 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.

- 4.29 In terms of biodiversity net gains, following concerns raised by both the Wildlife Trust and your Countryside and Technical Services Manager that the original BNG was negligible a revised DEFRA biodiversity metric was submitted which demonstrates that the proposals would achieve Biodiversity Net Gain on the land to the west of the application site which falls within the applicant ownership and is intended to be landscaped with new tree planting. Your officers concur with the Countryside and Technical Services Manager that the proposed development has demonstrated that measurable net gain in biodiversity can be achieved and that agree that a LEMP can be required by condition as the most appropriate mechanism to secure the measures identified are realised on site. The proposals therefore comply with Policy SP.23.
- 4 30 With regards to potential harm to protected species, the application is supported by an Ecological Appraisal which assesses the likely impact of development of the site on Bats, Badger, Dormouse, Water Vole and Otter. Impacts on hedgehog, Wood Mouse and Fox were also considered.
- 4.31 In relation to bats, the assessment confirms that there are two bat roosts on site which will likely be impacted upon by the proposed development. The ecology report advises that a detailed mitigation strategy/method statement will be required prepared as part of the Natural England licence. Your Countryside and Services Technical Manager considers that the loss of these features is unlikely to have a strategic impact on bat populations and that mitigation for the loss of these features should require a bat mitigation strategy to be prepared pre-commencement. The report also identifies that light spill onto retained and newly created habitat will be minimised to reduce potential impacts on light sensitive bats and other nocturnal fauna (such as the badger). A condition is therefore considered appropriate to secure a lighting report to ensure light sensitive wildlife can cross the development.
- 4.32 Due to the fact that Badger are dynamic animals and levels of Badger activity can rapidly change it is recommended that an update survey is carried out prior to commencement of site works. The ecology report

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revealed no records of Water Vole or Otter within or adjacent to the site and it concludes that these species are likely to be absent from the site.

- 4.33 In relation to Great Crested Newts (GCN), original survey work undertaken in 2020 recorded the presence of GCNs in a single waterbody (P2) located approximately 205m south-east from the site. Further survey work was undertaken in 2021 for ponds P2, P5 and P6. In Summary the survey returned negative result within P2, P5 and P6 but a positive result for GCN from the offsite pond P2. However, as waterbody P2 is approximately 205 metres from the site at its closest point and is separated by substantial tracts of land within the safari park, the main Kidderminster Road is located along the entirety of the site boundary in this direction and likely to act as a significant barrier to newts accessing the site.
- 4.34 Slow Worm, Grass Snake and Common Lizard were also recorded within the wider survey area under the applicant's ownership. As such, the report recommends that mitigation measures will be implemented, to include a translocation of any reptiles utilising the site prior to works commencing. This precautionary mitigation strategy will also be appropriate for GCNs, should any be encountered during site works. The Countryside and Services Technical Manager is satisfied with this approach and conditions and your officers concur with this view.

TREES

- 4.35 The application has been submitted with an Arboricultural Impact Assessment (AIA) which advises that some of the trees on site are protected by an area TPO (TPO17). Sixteen trees, out of the 118 trees on site, will have to be removed to provide a suitable drainage and attenuation pond, appropriate road access into the site from Kidderminster Road and to reconcile the gradient of distribution roads within the proposed development. Other tree removals are necessary due to Ash Dieback (not to benefit the development). T1294 Sycamore was significantly damaged by Storm Arwen in early 2022 necessitating removal of the remnant parts. In recognition of the desire and requirement to retain trees, some works will take place close to or within root protection areas and so tree protection is considered crucial. New planting is proposed to mitigate tree loss and enhance the design in keeping with the existing landscape. Your Arboriculture officer raises no objection to the proposals and is satisfied with the AIA. Your officers concur with this view and have attached relevant conditions in relation to tree protection measures required.

HIGHWAY SAFETY

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- 4.36 Local residents have raised significant concern about the impact of this development on traffic congestion and free flow of traffic along Kidderminster Road and around the traffic island to the east of the site. Residents are concerned that the traffic generated by the proposals, in addition to existing traffic levels and recently approved development with the Triangle, would exacerbate the existing traffic and parking issues in the locality and potentially increase road accidents. Local residents believe the supporting information submitted with the application was undertaken at sub-optimal times of the year – some stating that surveys were conducted during recent Covid-19 lockdowns and so the information on traffic flows is incorrect.
- 4.37 The application is accompanied by a comprehensive Transport Assessment which provides details on accident data and a summary of the detailed junction capacity assessments which have been undertaken to understand the impact of the development proposals on the operation of the local highway network. Surveys of the A456/B4190 Kidderminster Road roundabout and B4190 Kidderminster Road/Habberley Road priority junction were carried out on 31st March 2021 during the network AM peak and PM peak. It is fully recognised that the results may have been affected by Covid-19 restrictions in place at the time of the survey and so it was agreed with the Highways Authority that historical traffic surveys on the approach to each junction in the survey area; growth historical traffic surveys to 2021 could be used to compare with the gathered surveys from 2021. Analysis showed that on some arms there had been a decline in traffic levels in 2021, however, on other arms there had been an increase. Traffic flows from all committed developments in the local area as well as any other allocated sites in the Local Plan were included in the assessment. The TA demonstrates that the proposed development will not have a severe impact on the operation of any of the junctions within the vicinity of the site. No mitigation is deemed necessary to make the development acceptable from a highways' standpoint.
- 4.38 The Highways Authority raise no objection to the proposals. A full review of the TA was undertaken where some concern was raised. This resulted in a Technical Note being provided by the applicant together with an RSA which identified one minor issue involving the uncontrolled pedestrian crossing on Kidderminster Road – this resulted in a recommendation to relocate the crossing closer to the development access. The site access and on-site crossing provision has been amended and visibility in both directions is achievable without obstruction. The Highway Authority is satisfied with the improvements made by the applicant and that all vehicles can navigate safely within the site and that all tracking concerns have been dealt with.

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- 4.39 All plots have cycle parking to meet standards set out within the WCC Streetscape Design Guide, in either the form of a garage or shed.
- 4.40 The applicant has confirmed that a safe pedestrian crossing, suitable for disabled access will provide a direct route to bus stops on Kidderminster Road and Habberley Road. The design will be subject to RSA and once undertaken, the results along with the Designer's Response will be submitted to the Highway Authority for review. Your officers concur with the views of the Highways Authority that there would be no cumulative residual severe impact on the impact of the local network.
- 4.41 In terms of accessibility, the Planning Inspector in her final report on the Local Plan stated at paragraph 175 that the site is "*in a sustainable location with reasonable access to services and facilities.*" The Transport Assessment demonstrates that the site is well connected to the existing pedestrian network; well located for travel by bus; that there is a variety of key amenities within preferred maximum walking and cycling distance.
- 4.42 In order to maximise the use of the public bus services the applicant has agreed to the financial contributions to fund an extension of the existing bus service from Kidderminster Bus Station to Bewdley on weekdays; to establish Community Transport service for residents with mobility impairments and towards improvements to bus stops on Habberley Road. In addition to the above, a condition is also recommended requiring a CEMP to be prepared and submitted for approval, setting out the proposed hours of operation, routing, access proposals and site details. 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 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.

FLOOD RISK AND DRAINAGE

- 4.43 Some concern has been raised by local residents in relation to flooding, and that the proposals will exacerbate flood risk around the Riddings Brook and that the additional dwellings proposed will impact upon water drainage and sewage facilities at the pumping station, which is already at capacity since new houses in the Threfall Drive development.
- 4.44 A Flood Risk Assessment, Drainage Strategy and Flood Risk Addendum were submitted with the planning application, the latter to address comments made from North Worcestershire Water Management. This document makes it clear that the Riddings Brook and its floodplain are located within the western parcel, which will remain undeveloped under

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these proposals. No flooding to new or existing properties within the area will occur as a result of the proposals. It confirms that the infiltration basin and cellular soakaway have been designed to technical standards for SuDS.

- 4.45 The North Worcestershire Water Management Officer raises no objections to the proposals based upon the new information received and there would be no reason to withhold approval of the application on water management or flood risk grounds, subject to the imposition of safeguarding conditions requiring the submission of a surface water drainage strategy, future maintenance plan, construction surface water management plan.
- 4.46 Severn Trent Water also raise no objection to the proposals but suggest a condition be imposed on any approval requiring the submission and approval of plans for the disposal of foul and surface water. The Environment Agency were consulted and did not wish to make any comment.
- 4.47 The development would accord with Policy SP.32 of the 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.

OTHER MATTERS

- 4.48 The applicant has agreed to provide and maintain a defibrillator in perpetuity on site and this would ensure the health of future occupiers and benefit the local community.

PLANNING BALANCE

- 4.49 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.
- 4.50 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 20 affordable dwellings and 2 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 community. The development would also support the local economy during both the construction and operational phase and would

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deliver measurable gains to biodiversity and include energy saving measures.

- 4.51 There would be limited 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-story buildings located in the site. Given the retained tree belt and proposed public open space along the eastern boundary, closest to the traffic roundabout, it is considered that the overall harm to the landscape character to be limited.
- 4.52 It is therefore considered that the proposed development would accord with the development plan as a whole.

PLANNING OBLIGATIONS

- 4.53 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

- 4.54 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:

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

- 4.55 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

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£60,000 to fund extension of existing bus service from Kidderminster Bus Station to Bewdley on weekdays;
£4,500 to establish Community Transport service for residents with mobility impairments; and
£5,000 to improve bus stops on Habberley Road
The applicant has agreed to use the WCC Personalised Travel Planning Service, at a cost of £220 per dwelling.

WCC Monitoring fees that are applicable at the time of the signing of the S.106 agreement.

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

- Affordable Housing Provision

20 dwellings would be provided as affordable with a tenure split of 14 social rent and 6 shared ownership

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

- Education

£144,496 for early years;
£415,462 for primary;
£72,248 for SEND

WCC Monitoring fees that are applicable at the time of the signing of the S.106 agreement.

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

- Worcestershire Clinical Commissioning Group (CCG)

£30,291 towards additional primary healthcare services

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

- Green Infrastructure and Biodiversity Management

A management company to maintain all landscaping areas outside of private residential plots, including the following:

a. SuDS subject to SuDS management plan

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- b. Defibrillator
- c. LEAP (local equipped area of play) subject to management plan
- d. Non-domestic boundary treatment including brick wall to Kidderminster Road and all other non-domestic boundary treatments and enclosures
- e. All landscaping areas outside of private residential plots including unadopted public footpaths and on-site habitat areas subject to on-site LEMP
- f. Land to be delivered as off-site biodiversity net gain and proposed unadopted public footpath located within the western parcel of land (which falls within the same ownership as the applicant and demarked by a blue line boundary) for the lifetime of the development subject to the off-site LEMP

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 Local Plan.

- 2no. Custom-build plots (Plots 43 and 44 of 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 Local Plan.

- Off-site Public Open Space

- a. £33,500 contribution towards improvements, enhancements and provision at Riverside Meadows (relating to the following three council owned areas: Hacketts Meadow and Gasworks Meadow on the town side of the river and Maggs Meadow), Bewdley

This provision accords entirely with Policies DM.7 and DM.8 of the Local Plan.

- Monitoring Fees

WFDC monitoring fees in accordance with the s.106 Monitoring Fees Schedule (adopted October 2022) that are applicable at the time of the signing of the S.106 agreement.

5.0 Conclusion and Recommendations

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- 5.1 The site is allocated for housing and the proposed layout has been informed by local character and context. It will provide a varied mix of open market, affordable and custom build homes to meet the housing needs of this and the future generation.
- 5.2 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. The internal road layout complies fully conform with the WCC Streetscape Design Guide and will be adopted by the County. It would provide a safe environment for all road users and the vehicular access is off Kidderminster Road in accordance with the site allocation requirement (Policy SA.B3). 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 connect into the adjoining public right of way and promote active lifestyles and sustainable modes of travel.
- 5.3 The overwhelming public benefits of the development would outweigh the minor impact on landscape character. The loss of the open agricultural fields to housing development would result in minimal harm to landscape character, however, the degree of harm would be reduced in the long term when the new tree planting matures. It has also been accepted by consultees that suitable mitigation can be provided to ensure residential amenity to future occupiers can be safeguarded by the provision of an acoustic fence, and that measurable biodiversity net gains can be achieved. The planning system should be genuinely plan-led and as the application relates to a site allocation for housing and would not result in any identified harm, it is considered that the proposals would represent sustainable development and would accord with the Wyre Forest District Local Plan as a whole.
- 5.4 It is therefore recommended delegated **APPROVAL** subject to;
- a) The signing of a S.106 agreement as set out at paragraph 4.55; and
 - b) The following conditions;
 - 1. 3-year Time Limit
 - 2. Require external materials and hardsurfacing details
 - 3. Require boundary treatment details including acoustic fence for the plots closest to the A456 in accordance with the recommendations set out in the submitted Noise Assessment and replacement brick boundary wall to Kidderminster Road
 - 4. Require site and finished floor levels, including details of any retaining walls
 - 5. Implementation of Landscaping Scheme
 - 6. Play Provision (LEAP)(minimum costs £40,000) Implementation and Management/Maintenance Plan
 - 7. Require details of Defibrillator

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8. Retention of all identified retained trees and hedgerows
9. Construction Environmental Management Plan (Noise)
10. Electric Vehicle Charging Provision
11. Secure Cycle Storage
12. Low Emission Boilers
13. Rainwater butts
14. Details of provision of PV Panels that accords with the recommendations set out in the submitted Sustainability Statement
15. Require water efficient measures
16. Provision of M4(2) dwellings
17. 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
 - d. Mitigation measures to avoid harm to nearby SSSI
18. A walkover badger survey and scheme of mitigation if required
19. Scheme of ecological mitigation and enhancement measures (Bat, Otters, Reptiles, Great Crested Newts) including a revised BNG calculation and landscaping plan for land to west of application site
20. To require external lighting scheme
21. Landscape Environmental Management Plan (LEMP) including management/maintenance/monitoring of soft landscaping and on-site habitats and enhancement measures and biodiversity monitoring strategy for dormouse
22. Off-site Landscape Environmental Management Plan (LEMP) to cover land to the west of the application site, demarked by a blue boundary, and to include extent of land required to offset the biodiversity net gain from the development parcel and monitoring/management for a minimum period of 30 years and provision of a footpath through the site, connecting Wheatcroft Avenue to the existing PRoW.
23. Scheme for Surface Water Drainage Strategy
24. SuDS Management Plan
25. Construction Surface Water Management Plan
26. Details of disposal of foul and surface water
27. Written Scheme of Investigation for Archaeology implementation
28. To require highway lighting details
29. Construction Environmental Management Plan (Highways)
30. Access and Parking arrangements
31. Visibility Splays
32. Removal of Permitted Development Rights for future boundary treatment forward of the principle elevation of any dwellinghouse

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33. To require details of screening for any substation or pumping station to be installed
34. A revised noise assessment / technical note to demonstrate that the glazing/ventilation products will meet the recommended sound insulation specifications of the originally submitted noise assessment for approval.
35. List of approved plans

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
- 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