



The Planning
Inspectorate

Report to Wyre Forest District Council

by **Claire Sherratt DipURP**

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

Date: 20th May 2013

PLANNING AND COMPULSORY PURCHASE ACT 2004 (AS AMENDED)
SECTION 20

**REPORT ON THE EXAMINATION INTO WYRE FOREST SITE ALLOCATIONS AND
POLICIES LOCAL PLAN
AND
KIDDERMINSTER CENTRAL AREA ACTION PLAN**

Documents submitted for examination on 24 October 2012

Examination hearings held on 29, 30 January and 1 February 2013.

File Refs: PINS/R1845/429/7 & PINS/R1845/429/8

Abbreviations Used in this Report

AA	Appropriate Assessment
SAPLP	Site Allocations & Policies Local Plan
KCAAP	Kidderminster Central Area Action Plan
CS	Core Strategy
HMA	Housing Market Area
LDS	Local Development Scheme
LP	Local Plan
MM	Main Modification
LNP	Local Nature Partnership
RS	Regional Strategy
SA	Sustainability Appraisal
SCI	Statement of Community Involvement
SCS	Sustainable Community Strategy
GTAA	Gypsy Traveller Accommodation Assessment
SHLAA	Strategic Housing Land Availability Assessment
SHMA	Strategic Housing Market Assessment
LEPs	Local Enterprise Partnerships
WCS	Waste Core Strategy
CIL	Community Infrastructure Levy
PRDF	Public Realm Development Framework
FAS	Flood Alleviation Scheme
NWEDR	North Worcestershire Economic Development & Regeneration

Non-Technical Summary

This report concludes that the Site Allocations and Policies Local Plan and Kidderminster Central Area Action Plan provide an appropriate basis for the planning of the District and Kidderminster Area over the next 15 years providing a number of modifications are made to the Plans. The Council has specifically requested that I recommend any modifications necessary to enable them to adopt the Plans. All of the modifications to address this were proposed by the LPA, and I have recommended their inclusion after full consideration of the representations from other parties on these issues.

The modifications can be summarised as follows:

Site Allocations and Policies Local Plan

- To permit open market residential development in Bewdley on sites comprising 5 or less dwellings;
- Widening the definition of housing permitted in rural areas and in Bewdley to meet identified local need;
- An undertaking to produce a separate Local Plan relating to the provision of gypsy and traveller sites following an up-to-date Gypsy and Traveller Accommodation Assessment;
- Support for live / work units;
- Clarification that waste developments will be considered favourably in employment locations;
- Minor change to the floor space threshold for retail units in neighbourhood or village centres and the definition of 'small' retail units to 280 sq m;
- Incorporation of policies relating to flood risk management and water quality;
- Modifications to ensure policies are consistent with the National Planning Policy Framework in relation to Heritage matters and the Community Right to Build Order;
- Deletion of references that seek to safeguard a freight connection between the Former British Sugar site and the Severn Valley Railway;
- Inclusion of an element of C3 (Dwelling houses) as development considered acceptable on the Lea Castle Hospital Site;
- Alterations to the plan identifying the area of previously developed land in the West Midlands Safari and Leisure Park tourist attraction; and
- Alterations to the plan identifying the area of previously developed land at the former Lea Castle Hospital Site.

Kidderminster Central Area Action Plan

- Confirmation that development proposals should be in accordance with the Waste Core Strategy;
- Incorporation of a specific Water Management Policy to ensure flooding risks are adequately addressed;
- Incorporation of references to secure a 'crime free' environment;
- Compensatory provision for a new police post as part of the Churchfields development;

- Modifications to permit leisure development of all scales in the Primary Shopping Area and enhance the evening economy;
- Minor increase to the floor space threshold of small retail units to 280 sq m net;
- Modifications to the policies relating to Bromsgrove Street, Worcester Street and Lion Street and associated plan to ensure the development of these sites is considered comprehensively;
- Modifications to ensure contaminated land issues are addressed particularly having regard to the strategic importance of the principal aquifer;
- Clarification of the purposes and function of Green Infrastructure in relation to allocated sites; and
- Modifications to ensure policies are consistent with the National Planning Policy Framework in relation to design matters.

Introduction

1. Due to the implementation of changes to the Development Plan Regulations following the implementation of the Localism Act, a generic minor modification is proposed by the Council to rename the 'Site Allocations and Policies Development Plan Document' the 'Site Allocations and Policies Local Plan' and the 'Kidderminster Central Area Action Plan Development Plan Document' to the 'Kidderminster Central Area Action Plan'. All references to the 'Proposals Map' will be amended to the 'Policies Map'. These amended references are used throughout this report.
2. This report contains my assessment of the Site Allocations and Policies Local Plan (SAPLP) [SD035] and Kidderminster Central Area Action Plan (KCAAP) [SD053] in terms of Section 20(5) of the Planning & Compulsory Purchase Act 2004 (as amended). It considers first whether the preparation of the Plans has complied with the duty to co-operate, in recognition that there is no scope to remedy any failure in this regard. It then considers whether the Plans are sound and whether they are compliant with the legal requirements. The National Planning Policy Framework ('the Framework') (paragraph 182) makes clear that to be sound, a Local Plan should be positively prepared; justified; effective and consistent with national policy.
3. The starting point for the examination is the assumption that the local authority has submitted what it considers to be sound plans. The basis for my examination is the submitted draft plans (July 2012) which are the same as the documents published for consultation in July 2012.
4. My report deals with the main modifications that are needed to make the Plans sound and legally compliant and they are identified in bold in the report (**MM**). In accordance with section 20(7C) of the 2004 Act the Council requested that I should make any modifications needed to rectify matters that make the Plans unsound/not legally compliant and thus incapable of being adopted. These main modifications are set out in the Appendices.
5. Schedules of main modifications for each Plan have been subject to public consultation and, where necessary, Sustainability Appraisal (SA) [MOD03 & MOD06]. These schedules of main modifications were published by the

Council on 14 February 2013 for consultation [MOD01 & MOD04]. The consultation period expired on 28 March 2013 and I have taken the responses made to these into account [MODREP01-22]. I recommend that the changes required by the main modifications that go to soundness, as set out in the Appendices to this report, be made to the relevant plans.

6. The Secretary of State has announced the Government's decision to revoke the Regional Strategy for the West Midlands. The Plans have been prepared in this knowledge. An Order is expected to be laid shortly. It is not considered that the Order or subsequent revocation would materially affect the matters examined in relation to the SAPLP or KCAAP which relate to detail and site specific policies. It is not therefore necessary to refer back to any of the parties.

Assessment of Duty to Co-operate

7. Section s20(5)(c) of the 2004 Act requires that I consider whether the Council complied with any duty imposed on them by section 33A of the 2004 Act in relation to the preparation of the Plans.
8. Wyre Forest District Council (WFDC) is located in the West Midlands within the Worcestershire sub-regional area. It falls within Worcestershire and is adjacent to the local authority areas of Bromsgrove, Malvern Hills, Wychavon and South Staffordshire Districts as well as Shropshire's Unitary Authority area. Wyre Forest District comprises the three main towns of Kidderminster, Stourport-on-Severn and Bewdley surrounded by a number of smaller settlements and open countryside. To the east of the River Severn, land is largely covered by the West Midlands Green Belt.
9. The District has strong ties and commuter flows with the Birmingham and Black Country conurbation. It is a two-tier area with Worcestershire County Council providing public services such as highways, education, social services and community libraries. Two Local Enterprise Partnerships (LEPs) cover the area. These are the Worcestershire LEP and Greater Birmingham and Solihull LEP.
10. There are strong functional links between the Worcestershire local authorities, all of which fall within the South Housing Market Area (HMA). The CS supports the historical strategic planning approach of seeking to prevent out-migration from the West Midlands Major Urban Areas, notwithstanding the Government's intention to revoke the Regional Strategies (RSs). Crucially, the Council demonstrated that there was sufficient local evidence and support to justify the housing market requirements set out in the West Midlands Regional Strategy Panel Report figures. The adopted Black Country Joint Core Strategy seeks to tackle out-migration to surrounding counties.
11. Worcestershire County Council and the six District Councils within the county have a close working relationship. A number of projects and work streams are delivered collaboratively or on a shared basis. Shared evidence base documents have, in turn, informed the SAPLP. These have included technical research papers on climate change, renewable energy, soils, water and green infrastructure as well as the Worcestershire Infrastructure Strategy.

This approach helps to ensure cross boundary issues and infrastructure requirements are properly co-ordinated across the area.

12. Worcestershire County Council has prepared a Waste Core Strategy (WCS) which applies to the whole of the county. It has recently been adopted. The County Council has also commenced work on a Minerals Local Plan which, it is anticipated, will be adopted in 2015. Wyre Forest District Council is actively engaging with the County Council in the preparation of this LP.
13. The Worcestershire Green Infrastructure Framework provides a framework for the planning of a comprehensive multifunctional green infrastructure throughout Worcestershire. This is important to connectivity, flooding issues and the proximity of sites which provide stepping stones or nodes across Worcestershire.
14. Some of the neighbouring authorities are in the process of developing Local Plans. Malvern Hills District Council, Wychavon District Council and Worcester City Council are jointly producing the South Worcestershire Development Plan. There are potential cross boundary implications for the Western and North Westerly areas of the Wyre Forest District including Stourport-on-Severn, the village of Clows Top and the Hartlebury / A449 area.
15. Wyre Forest District Council shares a common boundary with Bromsgrove District Council to the East and South Staffordshire District Council to the North. There are no cross boundary issues due to the inclusion of land across these boundaries in the Green Belt. WFDC shares a common boundary to the North West with Shropshire Council which has an adopted CS. There are no major cross boundary issues identified.
16. The CS takes into account the implications of the planning policies of neighbouring authorities. WFDC has consulted neighbouring authorities in the preparation of the CS and has continued to liaise with neighbouring authorities over the development of specific planning policies contained in the SAPLP and KCAAP.
17. The LPA has embarked on continuous engagement with key stakeholders outside the statutory consultation process that has been carried out as part of the LP process, as detailed in the Council's Statement of Duty to Co-operate Requirements (October 2012) [EB007]. Joint working and co-operation has taken place with key stakeholders including the Environment Agency, Severn Trent Water, Natural England, Worcestershire County Council, and West Mercia Constabulary to produce the evidence base that informed the LP and throughout its preparation. Regular meetings are held with English Heritage and the Canal & River Trust. The existence of the West Midlands Joint Committee and the LEPs are further examples of the joint working that WFDC embarks upon to address shared priorities and pressures.
18. In July 2012 Worcestershire was identified as an Local Nature Partnership (LNP), the purpose of which will be to drive positive change in the local environment; identify local ecological networks; influence decision making relating to the natural environment and its value to social and economic

outcomes by working closely with local authorities, LEPs and Health and Wellbeing boards, as set out by the Government in its Natural Environment White Paper.

19. To conclude, the LPA has entered into constructive and active engagement with other relevant authorities and other prescribed bodies on an on-going basis throughout the plan making process. The Plans have both been positively prepared and are based on effective joint working on cross boundary strategic priorities.

The remainder of this report is divided into two sections covering firstly, the SAPLP and secondly the KCAAP. Separate summary tables for legal compliance and appendices showing the main modifications are provided for each Plan.

Site Allocations and Policies Local Plan

Assessment of Soundness

Preamble

20. The LPA has agreed a number of variations to the SAPLP through Statements of Common Ground (SOCG) with various parties [SOCG1 - 6]. Many are minor in nature and whilst providing clarification or improved wording to the SAPLP, they are not necessary to make the SAPLP sound. Such minor changes are known as 'additional modifications' and can be made by the LPA on adoption without the need to be examined. These changes are ones that do not, when taken with the main modifications, materially affect the policies set out in the Plan and are a matter solely for the LPA.

Main Issues

21. Taking account of all the representations, written evidence and the discussions that took place at the examination hearings I have identified 13 main issues upon which the soundness of the Plan depends.

General Matters

Issue 1 - Is the Plan consistent with the adopted Waste Core Strategy?

22. The Waste Core Strategy (WCS) [SD010] for Worcestershire was adopted in November 2012. It sets out a long term vision for waste management within Worcestershire and outlines areas of land that may be suitable for the development of new facilities. Worcestershire County Council has expressed concern that the LP does not refer to the suitability of employment sites for proposed waste facilities. In response, a Statement of Common Ground (SOCG5) between the District Council and Worcestershire County Council has been submitted.
23. The hierarchy of sites in the WCS, is consistent with the areas where new employment related development is to be focused; that being primarily Kidderminster and Stourport-on-Severn. Emphasis is placed on directing development to existing employment sites or previously developed land. Whilst the LPA is satisfied that the nature of waste facilities would be considered to be appropriate on employment sites, this is not explicit within the policy wording. To ensure the Plan is effective and consistent with the WCS, a main modification to Policy SAL.GPB1 is necessary to ensure the policy expressly confirms that development for waste facilities will be considered favourably within designated employment locations, subject to proposals being in conformity with other relevant policies (**MM8**). This should also be reflected in the reasoned justification to the Policy by way of explanation.

Issue 2 - Does the SAPLP adequately address flood risk and flood management?

24. The Environment Agency expressed initial concerns about the use of the Sequential Testing (Flooding) document and Infrastructure Delivery Plan to inform the SAPLP prior to these documents being finalised, particularly in terms of whether the SAPLP provides the most appropriate strategy when considered against reasonable alternatives and whether the plan is deliverable over the plan period.
25. A Statement of Common Ground (SOCG3) has been produced by the District Council and the Environment Agency. Having had the opportunity to review the Infrastructure Delivery Plan and Sequential Testing documents the Environment Agency is satisfied that the Sequential Testing (Flooding) document provides a detailed review of flood risk. Where development has been identified as being necessary in areas identified as Flood Zone 2 or 3, consideration has been given to the sequential approach and the flood risk vulnerability classification of development. Similarly, the Environment Agency acknowledges the detail provided to support the deliverability of development within the Infrastructure Delivery Plan. In particular, constraints to existing waste water treatment works are identified within the Council's Water Cycle Strategy which has implications for site selection and deliverability.
26. I am satisfied that the SAPLP has been informed by and had sufficient regard to flood risk in the site selection process and in terms of deliverability of sites overall.
27. It is suggested that proposed development in rural areas should be accompanied by appropriate arrangements for sewage treatment. This would require modifications to Policy SAL.DPL2. In my view, this is necessary to ensure development in rural areas can be delivered whilst providing suitable drainage arrangements to protect the water environment **(MM3)**.
28. In order to ensure consistency with the emerging Worcestershire Local Flood Risk Management Strategy an additional requirement to Policy SAL.CC7 is suggested by the LPA, in agreement with Worcestershire County Council, requiring development to be in conformity with this document. To ensure the SAPLP is effective in addressing such cross boundary issues, the wording of Policy SAL.CC7 together with the reasoned justification needs to be modified accordingly **(MM11)**.

Issue 3 - Contaminated Land

29. There is some inconsistency from site to site throughout the SAPLP in relation to the treatment of contaminated land. To ensure a consistent approach both throughout the SAPLP itself and with the CS, modifications are proposed jointly by the LPA and the Environment Agency, through SOCG3, to the wording of a number of policies (SAL.SK2 (page 109), SAL.KSS1 (p121), SAL.STC1 (p126), SAL.STC2 (p129), SAL.STC3 (p131), SAL.STC4 (p133), SAL.EA1 (p135), SAL.EA2 (p138), SAL.EA3 (p140), SAL.EA4 (p142), SAL.EA5 (p144), SAL.WS1 (p146), SAL.B1 (p153), SAL.B2

(p156) so that proposals 'ensure they incorporate appropriate remediation, building and drainage design in order to deal with any land contamination' **(MM15)**. This is necessary to ensure the SAPLP is effective.

Issue 4 – Climate Change

30. Policy SAL.CC2 is rigid in its approach to parking provision, requiring any proposals involving the development of car parks in the District to not lead to a reduction in the overall number of spaces. It allows no consideration of the actual impact that the loss of any parking may have on a site-by-site basis. To allow a more flexible approach, a modification is necessary to enable each proposal to be considered on an individual basis **(MM9)**.

A Desirable Place to Live

Issue 5 - Will the Plan deliver sufficient new homes within the Plan period, including sufficient affordable homes?

31. The CS sets out a requirement to accommodate 4000 net additional dwellings in the District during the Plan period (2006 – 2026). The Strategic Housing Land Availability Assessment (SHLAA) demonstrates that there is sufficient land which can be brought forward for development to provide around 4,400 dwellings. The SAPLP allocates sufficient sites to meet the housing requirement set out in the CS and policies would not preclude other sites coming forward. The SAPLP is therefore consistent with the adopted CS.
32. It is suggested by a number of the representors that this overall requirement may be insufficient having regard to more recent data concerning household projections. It will be necessary for the Council to closely monitor actual household formation alongside new dwelling delivery so that any apparent mismatch can be addressed. However, it is not for the SAPLP to determine the amount of housing to be provided but instead to facilitate the delivery of development identified as necessary in the CS. This would be a matter for a future review of the CS rather than the SAPLP.
33. The Framework requires that local planning authorities should take a positive and collaborative approach to enable development to be brought forward under a Community Right to Build Order. To reflect these changes and to ensure consistency with the Framework, a modification to Policy SAL.UP1 **(MM13)** is necessary to allow proposals that are part of a Community Right to Build Order.

Affordable housing

34. In terms of affordable housing the CS specifies that an annual average of at least 60 units of affordable housing will be delivered during the plan period until 2026 (Policy CP04). At the time of the CS examination it was recognised that this figure fell short of the identified need for affordable housing in the District. The latest SHMA [EB018] shows an annual affordable housing need for 210 dwellings. This is an increase on the identified need for 175 affordable units at the time of the CS examination. This formed the

basis of a number of representations challenging the soundness of the SAPLP and proposing various additional sites to provide affordable housing to address this shortfall. However, the quantum of affordable housing was a matter that was considered at the CS examination. Again, it is not for the SAPLP to determine the level of affordable housing to be provided but instead to facilitate the delivery of development identified as necessary in the CS.

Issue 6 - Is the provision of 100% affordable housing justified and a viable proposition on sites in Bewdley?

35. Policy SAL.DPL2 relates to 'rural housing'. It restricts development in Bewdley and the rural areas of the District, permitting development only in specific circumstances. In particular, it restricts development to schemes of 100% affordable housing which is designed to meet identified local housing needs on small sites within or adjoining Bewdley and the villages. Bewdley Town Council considers such a restrictive policy would be ineffective as schemes are unlikely to prove viable. This is more restrictive than the reference in CS Policy CP04 that refers to sites of 6 or more dwellings needing to provide 30 % affordable housing. The Adopted Local Plan included a policy for rural exceptions sites (H11), but the LPA recognise that it has been increasingly difficult to deliver housing under its terms, due to viability issues.
36. In response to representations, and in recognition of the emphasis in the Framework on delivering competitive returns on development, the LPA suggest a main modification to Policy SAL.DPL1 **(MM2)**. This would allow small scale windfall development comprising 5 or less dwellings to come forward on previously developed sites within Bewdley, on areas allocated primarily for residential development, without any requirement to provide affordable housing. It would also be necessary to remove any reference to Bewdley in Policy SAL.DPL2 'Rural Areas' **(MM3)** to ensure consistency across the Plan.
37. It is also suggested by the LPA that a paragraph is inserted into the reasoned justification to Policy SAL.DPL1 that reflects the guidance contained in the Framework to clarify that self build schemes would be permissible under the terms of Policy SAL.DPL1 **(MM2)**.
38. These main modifications will allow a greater level of flexibility, ensure consistency with the CS and are necessary to ensure the Plan is effective.

Issue 7 - Is the reference to 'affordable housing' in the Plan overly restrictive and consistent with the Framework requirement to plan housing development to address local needs?

39. Policy SAL.DPL2 permits development in the rural areas for new housing which comprise exception sites for 100% affordable housing. This is referred to elsewhere in the Plan including for example, Policy SAL.RS1 that refers to Blakedown Nurseries. For a definition of 'Local Needs Housing' in the SAPLP, the jargon guide refers the reader to the definition of 'Affordable Housing'. Various representations refer to a need to address local needs housing in a wider sense than simply just 'affordable' housing. It is suggested that the

Plan does not fully address local needs and is therefore inconsistent with the CS and the Framework.

40. Paragraph 54 of the Framework clarifies that 'in rural areas, exercising the duty to cooperate with neighbouring authorities, local planning authorities should be responsive to local circumstances and plan housing development to reflect local needs, particularly for affordable housing, including through rural exception sites where appropriate'.
41. Local Needs Housing can clearly have a wider meaning than affordable housing. In response, the LPA suggest a series of modifications to widen the scope of policies to permit development that would meet an identified affordable or local housing need on small sites adjoining Bewdley or within or adjoining the villages and the rural settlements within the District, subject to a number of criteria. In turn, the reasoned justification to Policy SAL.DPL2 (paragraph 4.17) and the jargon guide would require modification including references to the Council's Local Connections Policy.
42. I consider that these modifications (**MM3**) are required to ensure the Plan is effective and consistent with the Framework.

Issue 8 - Community Facilities

43. A SOCG between the Council, West Mercia Police and Hereford Fire & Rescue Service (SOCG6) has been submitted. It considers a number of representations that are to be addressed through additional modifications. However, two modifications are suggested that are necessary to ensure that community facilities are safeguarded and provided for.
44. Policy SAL.DPL11 seeks to resist the loss of community facilities safeguarded on the Policies Map unless clear evidence is provided to meet specific criteria to justify their loss. Concern has been expressed that the criteria are unduly restrictive when applied to the emergency services. The introduction of additional wording (**MM6**) to clarify that the Council will have full regard to the specific characteristics, needs, service priorities and objectives of the service or organisation concerned would introduce sufficient flexibility to ensure the Policy is not unduly onerous and will be effective.
45. Policy SAL.STC2 relates to Tan Lane and County Buildings, sites providing regeneration opportunities. The County Buildings contain community facilities that will be displaced elsewhere. The Policy requires compensatory provision but makes no allowance for any expansion to meet the anticipated increase in demands on the facilities as a direct result of the delivery of planned development growth in Stourport-on- Severn.
46. To ensure the Plan takes full account of the impact of development growth upon the ability to continue to deliver community services commensurate with the planned growth of Stourport-on-Severn, a modification to Policy SAL.STC2 is required to ensure those future infrastructure needs will be met (**MM17**).

Gypsies and Travellers

Issue 9 - Does the SAPLP comply with the Planning Policy for Traveller Sites (PPTS). Is the assessment of need robust and does the Plan make adequate provision for the delivery of sufficient sites?

47. The Government's 'Planning policy for traveller sites' (PPTS) [SD002] requires LPAs, when producing their Plan, to identify and update annually, a supply of specific deliverable sites sufficient to provide five years worth of gypsy sites against their locally set targets and to identify a supply of specific, developable sites or broad locations for growth, for years six to ten and, where possible, for years 11-15.
48. The SAPLP refers, within the reasoned justification to Policy SAL.DPL8, to a total identified need for the period 2006 to 2022 of 43 pitches. The first phasing period, which relates to a requirement to provide 30 pitches by 2013, has been taken from the Adopted Core Strategy (SD003). This figure was informed by a Gypsy and Traveller Accommodation Assessment (GTAA) [EB020] which was undertaken in 2008. This GTAA highlighted a need for 30 pitches to be provided in the period 2006 – 2013. The second phasing period identifying a need for 5 pitches in the period 2013 – 2017 has been taken from the Regional Spatial Strategy Interim Policy Statement on the Provision of New Accommodation for Gypsies, Traveller and Travelling Showpeople, March 2010 [EB021]. This further developed the initial work undertaken on the GTAA and looked at an extended timeframe of estimated need for new pitches within the region running from 2006 - 2017. An indicative need (as established through the Regional Interim Statement) was set at 15 pitches for the longer-term post 2017 period.
49. Based on these figures, the identified need is for 50 pitches to 2022. By April 2012, planning permission had been granted for 20 additional pitches. In addition, sufficient sites are allocated to provide a further 17 pitches. This will result in the provision of 37 pitches in total, resulting in a remaining outstanding need for 13 pitches within the period 2017 to 2022. The Council has therefore identified a supply of deliverable sites for the period to 2017 with a surplus of only 2 pitches post 2017. Based on the above time frames, a 5 year supply of deliverable sites can not be demonstrated.
50. However, the LPA has calculated a 6.5 year supply as follows:
- 50 pitches – 14 with planning permission and implemented (this figure excludes 28/29 Sandy Lane where planning permission was granted for 6 pitches in February 2012) = 36 pitches
- 36 pitches over the remaining 10 years (2012-2022) = 3.6 pitches per annum.
- Allocations (17 pitches) + 28/29 Sandy Lane (granted planning permission for 6 pitches in February 2012) = 23 pitches
- 23 pitches divided by the annual requirement of 3.6 pitches = 6.4 years supply.

51. This calculation ignores the existing and immediate shortfall of 10 pitches required by 2013, as set out in the GTAA, which remains the most up-to-date evidence base currently available to the LPA. Instead it assumes that it is only necessary to make provision for 3.6 pitches in the period 2012 – 2013. As such, this calculation is somewhat misleading. 6 of the 10 pitches referred to in the GTAA are provided for at Sandy Lane, leaving an actual shortfall of 4 pitches to 2013.
52. In any event, whichever methodology is employed, at best and in a very short timeframe from the drafting of this report, the LPA will be unable to demonstrate a supply of specific deliverable sites sufficient to provide a five year supply of sites against their locally set targets. Furthermore, the Plan does not identify a supply of specific, developable sites or broad locations for growth, for years 6 - 10, other than through a criteria based policy. Paragraph 4.53 of the SAPLP confirms that the Council is reliant upon the development control system to deliver pitches post 2017, subject to review through the GTAA process.
53. These shortcomings seriously bring into question the soundness of the LP. Furthermore the GTAA was produced in 2008 and is now very dated and unlikely to give a good indication of current need. The Council, along with other Worcestershire districts, will be appointing consultants shortly to undertake a Worcestershire wide GTAA update. This report is expected to be published in late 2013. To ensure consistency with the PPTS, the LPA now proposes to prepare a specific Local Plan to address the needs of gypsies and travellers and to allocate further sites (**MM4**). It is anticipated that consultation could be carried out on a Plan during 2014 and submitted to the Secretary of State for examination during 2015 working towards adoption in early 2016.
54. The preparation of a new GTAA will ensure that a gypsy and traveller specific LP is based on an up-to-date, robust and thorough assessment of need. It is considered that MM4 is essential to ensure the delivery of satisfactory accommodation for gypsies, travellers and travelling showpeople beyond 2017 and to ensure consistency with the PPTS. Paragraph 25 of the PPTS confirms that if a local planning authority cannot demonstrate an up-to-date five-year supply of deliverable sites (post March 2013) this should be a significant material consideration in any subsequent planning decision when considering applications for the grant of temporary planning permission. It is therefore in the Council's interests to prepare this additional Plan expeditiously.
55. The PPTS requires LPAs to ensure that traveller sites are sustainable economically, socially and environmentally. Local planning authorities should therefore ensure that their policies, amongst other matters, provide for proper consideration of the effect of local environmental quality (such as noise and air quality) on the health and well-being of any travellers that may locate there or on others as a result of new development. Many existing sites are located on an industrial estate off Sandy Lane where there is an established history of provision in the area. The provision of sites on industrial sites is certainly not ideal. However, gypsies and travellers have themselves indicated a preference for sites to be located in the area to help keep their families closer together. The allocations in Policy SAL.DPL8 reflect

this and comprise either existing temporary sites or proposed extensions to existing sites.

56. The LPA recognises the implications arising from the juxtaposition of employment and residential uses and the cumulative impact of a concentration of pitch provision in one area. Policy SAL.DPL10 seeks to ensure that further planning applications for gypsy and traveller sites within the Sandy Lane Industrial Site area will be resisted following the implementation of the sites identified under policy SAL.DPL8 (i.e. those sites already benefiting from planning permission or allocated in the LP). This would be consistent with the PPTS and the identification of sites in suitable locations can be addressed through the production of a LP document specific to gypsy and travellers. In addition it would ensure the concentration of sites around Sandy Lane is not exacerbated any further.
57. A number of design criteria are set out in Part 2 of Policy SAL.DPL10. Part 2 (iv) requires communal recreation areas to be provided and assumes that all sites will have a site manager. This is not realistic on small family run pitches. Accordingly, the LPA suggest a main modification to Policy SAL.DPL10 to only require the provision of an on-site communal recreational area for children on sites of 5 or more pitches, where suitable provision is not available within walking distance (**MM5**). This is necessary to ensure the Plan is effective and can deliver additional pitches.

A Good Place to do Business

Issue 10 - Is the Plan sufficiently flexible to ensure the deliverability of economic development?

58. The employment land requirement for the District, as identified through the adopted Core Strategy is 44 hectares. Taking account of existing developments and commitments, a residual requirement for approximately 17 hectares of employment land remains that needs to be identified in the SAPLP. The Development Strategy within the CS directs the majority of new employment land to the most sustainable settlement of Kidderminster and the Stourport Road Employment Corridor (SREC). Three key sites are allocated for employment purposes which are in direct conformity with the CS, as follows:
- Former British Sugar Site – approximately 12 ha, as part of a mix of uses;
 - Former Romwire Site – approximately 5 ha; and
 - Former Lea Castle Hospital Site, as part of a mix of uses
59. These sites will provide for a total of at least 17 hectares. The SAPLP does not preclude other sites coming forward, including the replacement of rural buildings for economic development use. The CS specifically encourages the provision of live / work units with priority being placed on the re-use or replacement of existing rural buildings. To ensure the SAPLP is effective in delivering the objectives within the CS, additional wording should be incorporated in Policy SAL.GPB1 to provide clarification on the provision of live / work units (**MM7**).

60. The South Kidderminster Enterprise Park (SKEP) contains businesses and residential communities together with important natural habitat. It includes the SREC, the Former British Sugar Site and the Romwire Site already referred to as well as the Worcester Road Employment Corridor. Policy SAL.SK1 seeks to provide a strategic approach to encouraging new development within this southern area of Kidderminster, where the majority of employment facilities and opportunities lie. This is consistent with the Framework which identifies that planning should encourage economic growth and identify priority areas for economic regeneration, infrastructure provision and environmental enhancement.
61. SKEP is a key economic area for the District recognised by Worcestershire Local Enterprise Partnership (LEP) as an appropriate area for targeting economic development. This is further reinforced by funding received by the former British Sugar Site from both the Worcestershire LEP and the Greater Birmingham and Solihull LEP as part of the Growing Places Fund. The area is also part of the Greater Birmingham and Solihull LEP Enterprise Belt area. Whilst the focus is on economic development within this corridor, site specific policies SAL.SK2 (Former British Sugar site) and SAL.SK3 (Oasis Arts & Crafts and Reilloc Chain) seek to provide for other forms of development.
62. Concerns have been raised in relation to the deliverability of some specific sites within the SKEP due to the safeguarding of land specifically for employment purposes. The Framework, in particular paragraph 22, seeks to avoid the long term protection of employment land. It states that *'Planning policies should avoid the long term protection of sites allocated for employment use where there is no reasonable prospect of a site being used for that purpose. Land allocations should be regularly reviewed. Where there is no reasonable prospect of a site being used for the allocated employment use, applications for alternative uses of land or buildings should be treated on their merits having regard to market signals and the relative need for different land uses to support sustainable local communities'*.
63. In relation to the former Romwire site, planning permission was secured for an economic use in 2011. Some interest was also expressed by a bespoke retail outlet. Although it would appear neither of these developments are likely to transpire, it is nevertheless an indication that there remains a reasonable prospect of the site being used for the purposes set out and envisaged in the Plan. Furthermore, the site is situated in an area that is heavily focused on business uses. Other uses, such as residential, may not be appropriate on the site. Similarly, a number of recent planning applications have been successful on the former Ceramaspeed site indicating that, despite the closure of Ceramaspeed in 2008, interest remains in the use of the site for employment purposes.
64. Recent economic developments in the general location indicate that the SKEP policies are likely to be effective in delivering employment based development in this key area of the District.
65. In relation to the Former British Sugar Site (Policy SAL.SK2), it has become clear through discussions between the District Council, St Francis Group and Severn Valley Railway, that there is no evidence to support the feasibility or

viability of a freight link between the Severn Valley Railway and the British Sugar site. As such, its inclusion in the Plan is not based on any sound evidence and there is no reasonable prospect of a freight link being delivered. The absence of a freight link would not undermine the aims of the SAPLP. References to a possible freight link should therefore be deleted from the Plan at paragraph 6.24 (**MM10**) and Policy SAL.SK2 (**MM16**).

Retailing

66. The Sustainable Community Strategy recognises the importance of providing safe and convenient retail facilities within the three towns, particularly within Kidderminster which is to be the focus for large scale retail development of 2500sqm net and above. Policies reflect the sequential approach to site selection set out in the CS. Small scale retail development in neighbourhood and village centres will be supported.
67. A retail floorspace threshold of more than or less than 250 sq m is referred to in a number of policies throughout the SAPLP. In response to a representation suggesting that the threshold should be increased slightly to 280 sq m to be consistent with the definition of a 'smaller store' found in the Sunday Trading Act 1994, the LPA suggest all references to 250 sq m in the Plan should be modified to 280 sq m to be consistent with this legislative definition. This modification is both appropriate and justified to ensure consistency. It is set included on page 19 of the publicised Main Modifications document [MOD01] but has not been attributed a Main Modification number. Relevant modifications are included in Appendix 1 of this report as **MM21 & MM22**.

Tourism

68. Proposals that would enhance and build on the success of the major tourist attractions in the District are supported through Policy SAL.GPB5. The West Midlands Safari and Leisure Park (WMSLP) is recognised as one of the largest tourist attractions in Worcestershire. It has a large impact on the economy of the District, with the potential for this impact to grow further. Future expansion is however, constrained as it is situated within the Green Belt. The Council, through Policy SAL.PDS1 of the SAPLP, are seeking to achieve a balanced approach which maintains the essence of the Green Belt whilst providing some flexibility to enable one of the District's key tourist attractions, and employers, to develop in a sustainable and appropriate manner. There is a large part of the site that is considered to be 'previously developed land'. This is primarily contained around the rides and leisure element of the park as well as the associated car parking area. It is this area where development proposals will be permitted that support and enhance the parks operations. This area of previously developed land is identified on a plan that is incorporated within the reasoned justification. However, representations from WMSLP suggest that the area identified on the plan does not accurately reflect the area of previously developed land. This is accepted by the Council and a main modification is necessary to enable an accurate plan to be included (**MM23**). This will ensure that the relevant policy is effective.

A Unique Place

The Historic Environment

Issue 11 - Is the LP consistent with the Framework in relation to development that would affect the significance of a heritage asset?

69. The LPA and English Heritage have produced a Statement of Common Ground (SOCG2) within which a number of amendments have been agreed. Some are minor and simply improve the wording or add clarification without any fundamental change. Some however are necessary to ensure consistency with the Framework and to ensure the Plan is effective in addressing matters that are relevant to the historic environment (**MM14**). In particular the modifications would ensure that applications for proposals that are likely to affect the significance of a heritage asset include a Heritage Statement that demonstrates an understanding of such significance so as to assess any potential impacts. The modifications ensure the relevant policies are worded to accurately reflect the Framework.

Former Lea Castle Hospital Site

Issue 12 - Is Policy SAL.PDS1 sufficiently flexible to ensure that the re-development of the former Lea Castle Hospital site is deliverable?

70. The former Lea Castle Hospital site is located just beyond the north eastern fringe of Kidderminster in the Green Belt. Part of the site has been allocated for B1 (Business) use in the Wyre Forest Local Plan. In the SAPLP it is allocated for development comprising B1, C2 (residential institutions) and health and sports facilities. However, despite being listed for a number of years on the District Council's WyreForest4Business website as an available commercial development site, no interest has been shown in the development of the site for employment purposes. Furthermore, market advice obtained by the Homes and Communities Agency (HCA), one of the site landowners, has confirmed a lack of interest in the site for major commercial development. In addition, this market advice has highlighted that without reference to C3 (dwelling houses) within the mix of uses considered appropriate, there would be very little prospect of delivering a comprehensive redevelopment of the site.
71. The HCA, Department of Health and the Coventry and Warwickshire Partnership Trust jointly commissioned a detailed viability assessment to look at different redevelopment options including B1 and C2, plus C3. The initial results of the viability assessment and market testing demonstrate that without an element of C3 enabling development, the delivery of development on the site during the plan period is highly unlikely. This would leave considerable uncertainty around the future of this derelict Green Belt site. The Framework requires Council's to respond positively to improve derelict land in areas designated as Green Belt and includes policy changes intended to allow proposals on previously developed sites to be considered more flexibly.
72. Certainly a large wholly residential development on this site would not be consistent with the overarching development strategy for the District which

focuses development on regenerating brownfield sites within Kidderminster and Stourport town centres. Large scale residential development could therefore jeopardise the delivery of some of the key regeneration sites in those locations.

73. Nevertheless, there is a great deal of support for the redevelopment of the former Lea Castle Hospital site, particularly from local residents living nearby. Furthermore, the LPA also accepts, having regard to the viability evidence produced, that some flexibility to allow for enabling C3 uses should be incorporated into Policy SAL.PDS1. It suggests that the policy is modified to allow proposals to incorporate C3 (dwelling houses) as well as C2 (residential institutions), B1 (business) and health and sport facilities **(MM20)**. Any application that includes C3 uses must be accompanied by a viability assessment that supports the case for the proposed mix, tenure and overall quantum / density of housing proposed. This proposed modification has received further support from local residents living nearby who are anxious to see the site developed expediently.
74. The Framework is clear that the redevelopment of previously developed sites which would not have a greater impact on the openness of the Green Belt and the purposes of including land within it than the existing development, would not be inappropriate development in the Green Belt. In order to ensure the comprehensive redevelopment of the site, the Council also propose a modification to amend the Previously Developed Site boundary to be included in Figure 4 of the SAPLP. This would accurately correspond to changes in landownership and reflect the extent of developed land remaining on the site, including the access to the site.
75. The Council suggests that a detailed description of the existing development on the site should be included within the reasoned justification to the policy **(MM20)** to clarify the extent of development on the site that can be read in tandem with the revised Plan **(MM24)** that accurately identifies the areas of previously developed land.
76. To conclude, the viability assessment provides robust evidence to demonstrate that an element of C3 residential development will be required if any development of the site is to prove viable. The inclusion of C3 (residential) uses in the list of development considered appropriate on the site (provided that the amount of residential can be justified by a viability assessment), together with an accurate plan identifying the areas of previously developed land is therefore necessary to ensure the deliverability of development on the site within the Plan period.

Issue 13: Deliverability of Blakedown Nurseries and Clows Top

77. Churchill and Blakedown Parish Council expressed concern about the definition of affordable housing in relation to allocated rural sites. For the reasons, already set out in paragraphs 39 to 41 above, it is considered necessary to ensure the Plan is effective and consistent with the Framework to widen the definition as suggested by the Council in relation to rural allocated sites **(MM18 & MM19)**.

78. The Coal Authority refers to the potential sterilisation of surface coal reserves in respect of the Clows Top site. Where practicable and environmentally feasible to do so, the extraction of any surface coal reserves should be considered prior to any residential development taking place on the site. Accordingly, a modification to Policy SAL.RS2 (**MM19**) is required to highlight the need for a future developer to demonstrate that the potential to extract any mineral reserves has been adequately explored and addressed. It is not anticipated that this site would be developed until quite late in the LP period and, as such, its delivery is unlikely to be unduly prejudiced as a result.

Assessment of Legal Compliance

79. My examination of the compliance of the Plan with the legal requirements is summarised in the table below. I conclude that the Plan meets them all.

LEGAL REQUIREMENTS	
Local Development Scheme (LDS)	The Site Allocations and Policies Local Plan is identified within the approved LDS (February 2012) which sets out an expected adoption date of March 2013. The Site Allocations and Policies Local Plan's content and timing are broadly compliant with the LDS.
Statement of Community Involvement (SCI) and relevant regulations	The SCI was adopted in April 2006 and consultation has been compliant with the requirements therein, including the consultation on the post-submission proposed 'main modification' changes (MM)
Sustainability Appraisal (SA)	SA has been carried out and is adequate.
Habitats Regulations Assessment (HRA)	The HRA has been carried out and is adequate.
National Policy	The Site Allocations and Policies Local Plan complies with national policy except where indicated and modifications are recommended.
Regional Strategy (RS)	The Site Allocations and Policies Local Plan is in general conformity with the RS.
Sustainable Community Strategy (SCS)	Satisfactory regard has been paid to the SCS.
2004 Act (as amended) and 2012 Regulations.	The Site Allocations and Policies Local Plan complies with the Act and the Regulations.

Overall Conclusion and Recommendation

- 80. The Plan has a number of deficiencies in relation to soundness for the reasons set out above which mean that I recommend non-adoption of it as submitted, in accordance with Section 20(7A) of the Act. These deficiencies have been explored in the main issues set out above.**

- 81. The Council has requested that I recommend main modifications to make the Plan sound and/or legally compliant and capable of adoption. I conclude that with the recommended main modifications set out in Appendix 1 the Site Allocations and Policies Local Plan satisfies the requirements of Section 20(5) of the 2004 Act and meets the criteria for soundness in the National Planning Policy Framework.**

Kidderminster Central Area Action Plan

Assessment of Soundness

Preamble

82. Kidderminster is the principal town centre and main service centre for Wyre Forest District and the surrounding areas. It was recognised by the former emerging West Midlands RS as one of 25 strategic centres within the West Midlands region. The CS identifies the quantum of development that Wyre Forest District Council needs to plan for. However, there is not a specific target for the KCAAP although development is to be focused in Kidderminster in the first instance through a sequential approach to site selection. The KCAAP is wholly focussed on the regeneration potential that exists within the central core of Kidderminster. This approach is consistent with the CS, specifically policies DS01 and DS02. In conjunction with the SAPLP, land allocations are identified within the KCAAP to meet the strategic development requirements set out in the CS for housing, employment and retail uses. More specifically, the retail requirement is for Kidderminster alone and therefore the KCAAP is the primary document to ensure that this need is met.
83. Part A of the KCAAP deals with the overarching principle for development within the KCAAP area and Part B addresses site specific policies for the seven different character areas identified within the plan area. A key aspiration for the District Council is to increase the amount of people living in the town centre in order to increase vibrancy and drive forward its economy. Proposals for economic development that would contribute to the vitality and viability of the town will generally be encouraged.
84. The LPA has agreed a number of variations to the KCAAP through Statements of Common Ground (SOCG) with various parties [SOCG1 - 6].

Main Issues

85. Taking account of all the representations, written evidence and the discussions that took place at the examination hearings I have identified 11 main issues upon which the soundness of the Plan depends.

General Matters

Issue 1 - Is the Plan consistent with the adopted Waste Core Strategy?

86. The WCS [SD010] was adopted in November 2012. It sets out a long term vision for waste management within Worcestershire and outlines areas of land that may be suitable for development of new facilities. A main modification is required to ensure that in determining proposals, it will also be necessary to have regard to the WCS as part of the Development Plan **(MM15)**.

Issue 2 - How has the KCAAP evolved in terms of the alternatives considered? How were these evaluated and have all reasonable options been examined? Are the choices made properly justified and is it clear from the Sustainability Appraisal why the preferred options have been chosen? Have the choices and phasing of development been sufficiently informed by the Infrastructure Delivery Plan and Sequential Testing (Flooding) reports?

87. All of the alternative residential sites have been assessed as part of the Strategic Housing Land Availability Assessment (SHLAA) [EB010]. Sites suggested during the consultation stages were assessed as part of the SHLAA updates [EB011 and EB012] and as part of the Sustainability Appraisal (SA) process.
88. Other sites, particularly those identified as appropriate for mixed uses in the KCAAP, were not identified through the SHLAA but have arisen through the findings of other evidence base documents such as the Employment Land Review [EB031] and Kidderminster Regeneration Prospectus [SD017]. These sites were identified as being deliverable opportunity sites where regeneration and redevelopment potential exists. These have also been assessed as part of the SA process.
89. Like those sites identified in the SAPLP, the preferred options were, for the most part, those sites which were awarded the highest sustainability ranking through the SA process. Where this is not the case the reasons for allocating the sites are clearly set out within the SA Report [SD050]. The SA framework sets out 21 criteria. Information from the evidence base was used to assess the effect that the allocation of each site would have on the baseline position, whether this would be positive or negative, the severity of the effect, and the length of time for which it would last and whether or not the effect would be reversible. The SA framework includes a criteria relating to flooding and evidence from the Strategic Flood Risk Assessment and the Water Cycle Strategy was used to inform the appraisal of the sites against the sustainability objectives.
90. The selection of sites within the document has been specifically informed by the evidence base, including work on infrastructure and flood risk. The plan has also been developed taking into account the various infrastructure requirements and constraints that exist within the District. The Infrastructure Delivery Plan (EB062) identifies where there is considered to be gaps in provision and the KCAAP proposes sites and strategies to help bring some of these provisions forward.
91. There continues to be a healthy residential and employment land supply within the District and more specifically Kidderminster. Development has been secured over the short term which has taken into account infrastructure needs. This provides short to medium term certainty that the plan is deliverable taking into account infrastructure requirements and recognising the fact that some of the more challenging elements of provision are likely to be developed later in the plan period. The document has also used the information on infrastructure requirements to set the potential phasing periods in the plan.

92. Flood risk is an important issue that affects the central area of Kidderminster due to the low lying nature of the town. The flood risk sequential test (EB044) identifies the fact that 73% of the proposed land allocations are within flood zone 1, with just over 18% of the land proposed for development being at more significant risk of flooding. However, more recent revised flood mapping data provided by the Environment Agency now shows an improved position with just over 80% of land allocations being within flood zone 1, with 8.5% lying in flood zone 3a/3b. There has therefore been a clear approach to ensuring, where possible, a sequential approach to the selection of sites has been followed. This is consistent with the Framework.
93. It has not been possible to completely avoid flood risk due to the competing priorities in terms of allocating sites, i.e. some other sites considered in the sequential test are partially within flood zone 3 but are considered important in terms of the town centre regeneration objectives. Therefore, a balanced approach to the allocations of sites has been followed, which takes account of the flood risk sequential test as well as following the aims and objectives of the other policies in the NPPF and the Adopted Core Strategy. Furthermore, in some of the more constrained flood risk areas the phasing period has been set for later in the plan period to reflect the fact that there are more constraints associated with bringing forward the site for development. None of the sites included in the document are entirely within Flood Zone 3, meaning that development can be located according to risk within a site, helping to minimise the risk associated with any development.
94. A SOCG (SOCG3) has been provided by the District Council and Environment Agency. One of the Strategic Objectives set out in the Plan is to 'Safeguard the town against flood risk and ensure good water management'. It may not be achievable to safeguard the town against all flood risk. To reflect changes agreed in the SOCG and ensure the objectives of the Plan are deliverable, it is necessary to introduce a revised objective to 'improve the resilience of Kidderminster by reducing and managing flood risk and taking account of the impacts of climate change by ensuring good water management' (**MM3**). Similarly, this should be reflected in the Vision Statement so that it not only encourages waterside development, but development that will help alleviate flood risk (**MM1**).
95. Overall, it is considered that the document provides a balanced and deliverable approach to the selection of sites taking into account both flood risk and infrastructure requirements.
96. In terms of water management, the Level 2 Strategic Flood Risk Assessment identified that although flood risk within the central area of Kidderminster has been reduced by the Kidderminster Flood Alleviation Scheme (FAS), should the FAS be breached or its design capacity exceeded then the flood hazard to the town is likely to be significant. An assessment of potential breaches and overtopping to the FAS concluded that this needs to be factored into decision making when considering future development in the central area of Kidderminster. The Environment Agency and the District Council agreed (SOCG3) that a targeted flood risk policy should be included in the KCAAP to ensure that any development proposed in flood risk areas recognises the residual risk posed by any failure of the FAS and that

appropriate mitigation measures are included. This modification (**MM16**) to introduce a new 'Water Management' policy is necessary to ensure flooding risks are adequately addressed in new developments in accordance with the Framework. The benefits of the implementation of measures such as street trees, green roofs and SUDs should be highlighted, not only for the purposes of visual enhancement and amenity greenspace but as flood mitigation (**MM28**).

Issue 3 - The overall vision for the Plan area relies on a number of enhancements and improvements including, amongst others, the creation of bridging points across the canal, improvements to the Ring Road, improvements to Comberton Hill Island, general improvements to the public realm and the creation of civic spaces. Are mechanisms in place to ensure that the necessary infrastructure and improvements can be delivered?

97. Some of the main mechanisms for implementing infrastructure enhancements within the KCAAP area are included in the District wide Infrastructure Plan [EB062]. These include mechanisms such as:

- Community Infrastructure Levy (CIL);
- Local Enterprise Partnerships (LEPs) both Worcestershire and Greater Birmingham and Solihull;
- S106 Planning Obligations Supplementary Planning Document;
- North Worcestershire Economic Development and Regeneration (NWEDR) Service; and
- The ReWyre Initiative.

Kidderminster Public Realm Design

98. The NWEDR service, has commissioned a consultant team to develop a Public Realm Development Framework (PRDF) for Kidderminster Town Centre. The poor environmental quality of the town, the disjointed connectivity, and the lack of public space have all been identified as contributing to holding back the economic potential of the town. The PRDF will help to deliver improvements to address these issues.

99. The PRDF will provide a comprehensive scheme of public realm improvements, provide the basis for future investment and include an implementation plan. An initial Phase 1 public realm scheme is set to be delivered in summer/autumn 2013 with the District Council committing capital funding to kick-start this investment. This will help to bring forward important public realm infrastructure improvements within the Central area of Kidderminster.

Kidderminster Ring Road

100. A key ambition of the Plan, expressed through policies KCA.UP3 and KCA.UP4, is to re-design elements of the ring road to improve it both

aesthetically and functionally. Policy KCA.UP3 requires developments affecting the ring road to contribute towards the improvement of its environment and includes the provision of surface level crossings across it. The Plan identifies a number of important development sites and areas that sit adjacent to the ring road, such as Churchfields and Eastern Gateway, which provide a significant opportunity to implement this policy and deliver improvements to the road.

101. In regard to the Comberton Hill Island, Policy KCA.EG4 provides specific guidance for its improvement. Some of the potential delivery mechanisms for the project are set out in the Infrastructure Delivery Plans for the District and the County (EB058, EB061, and EB062). However, the policy has been phased for a later period to acknowledge the more complex nature of its delivery.

Canal Bridging Points

102. The Staffordshire & Worcestershire Canal Policy KCA.UP5 requires new development on canal sides to deliver new bridges where there is an identified need. Throughout the KCAAP area the canal is bordered by key regeneration and redevelopment sites that, if deemed necessary, could contribute to the delivery of a new crossing point. For example, in the Western Gateway area a gap in infrastructure has been identified in the form of a bridge over the canal to link Weavers Wharf and Park Lane. In this instance the policy for Park Lane Canalside (KCA.WG2) site requires new development to deliver a pedestrian bridge across the canal.

Staffordshire and Worcestershire Canal & the River Stour

103. The canal runs along the entire western side of the KCAAP area passing through the major regeneration opportunity sites including the Churchfields area. A key aim is to realise the potential of development sites adjacent to the canal and revitalise it as an important feature of the town and improve issues of crime and disorder. Accordingly, an additional criterion to be met under Policy KCA.UP5 is considered necessary to ensure the plan is effective in achieving its vision. This would require new development along the canal to create a safe, secure and crime free environment through providing active frontages, natural surveillance, incorporation of Secured by Design principles and supporting security infrastructure where necessary **(MM23)** and an amendment of criterion (viii) to refer to the enhancement of the canal's 'water environment' in addition to its role as part of the green infrastructure and biodiversity network **(MM24)**.
104. The River Stour is currently classified as poor ecological status and failing good chemical status, as reported in the Severn River Basin Management Plan. The District Council has a duty to meet various objectives of the Water Framework Directive. New development should therefore contribute towards improving the River Stour to assist the UK in meeting these objectives. Through a Statement of Common Ground (SOCG3) the District Council and the Environment Agency suggest a modification to Policy KCA.UP6 **(MM25)** setting out a number of requirements that new developments adjacent to the River Stour should meet to contribute to the improvement of the water

environment. This is necessary to ensure the objectives of the WFD are achieved.

Community facilities

105. A SOCG provided by the LPA, West Mercia Police and the Worcester Fire and Rescue Service (SOCG6) identifies a number of areas where modifications are suggested to ensure consistency with the Framework in so far as policies and decisions should aim to ensure that developments create safe and accessible environments. A modification referring to the provision of satisfactory fire safety measures (**MM21**) is necessary to ensure such development is provided. The Churchfields development (Policy KCA.Ch2 – Grasmere Close) would result in the loss of a Police Post that delivers policing services to the entire Churchfields area. Compensatory provision of a new Police Post is therefore necessary as part of the Community facilities required (**MM32**). The Churchfields Masterplan is to set out priority areas for development contributions which should include contributions for emergency services and community facilities, where appropriate (**MM31**).
106. It is clear that the infrastructure requirements detailed in the KCAAP are based on robust and credible evidence and that mechanisms are in place to ensure that there is a reasonable prospect that they can be delivered.

A Good Place to do Business

Issue 4 - Is the sequential approach set out in Policy KCA.GPB1 consistent with the Framework?

107. The KCAAP area is important to the overall economy of the Wyre Forest District. It is the single biggest area of employment in the District containing over 7000 jobs in retail, leisure, offices, professional services, community facilities, education and leisure. To achieve the key aim of enhancing the vibrancy of the town by driving forward its economy, the policies seek to strengthen and diversify the economic base of the town.
108. Paragraph 24 of the Framework states that local planning authorities should require applications for main town centre uses to be located in town centres. Policy KCA.GPB1 compliments this approach by requiring future retail growth to be targeted within the Primary Shopping Area of the town, with the Weavers Wharf and Bromsgrove Street areas providing the major opportunities for this development. It is not considered necessary to distinguish between allocated or non-allocated sites in the Primary Shopping Areas in terms of a sequential hierarchy, so as not to preclude other suitable sites coming forward.
109. Paragraph 5.8 of the KCAAP also highlights the need for retail development to follow the sequential test that is set out in greater detail in Policy SAL.GPB2 within the SAPLP which supports and compliments Policy KCA.GPB1. Policy SAL.GPB2 provides a clear approach to retailing within the District, placing the emphasis firmly on the town centres in the first instance. The policy also clearly sets out the Primary Shopping Area and the extent of the Primary and Secondary Frontages. The policy also identifies

what uses are considered to be acceptable within each of these designations.

110. The overall vision is to create a retail dumbbell anchored at one end (West) by Weavers Wharf and at the other end (East) by new development on Bromsgrove Street with the key shopping streets of Worcester Street, High Street and Vicar Street connecting them together. Retail growth is to be targeted within the Primary Shopping Area and should contribute to strengthening this retail dumbbell. The eastern side of the town centre appears to be in decline. To address this, new retail development is to be encouraged in the Worcester Street / Bromsgrove Street area of the Eastern Gateway to increase pedestrian footfall to the eastern side of the town and reinvigorate this area.
111. Policy KCA.GPB1 does allow for limited retail growth within the Horsefair and Comberton Hill neighbourhood centres, and the Mill Street mixed use area, which are essentially out-of-centre locations. However, the size limit proposed means that the small-scale nature of retail development would not adversely impact on the viability and vitality of the town centre. This is consistent with the approach set out in Paragraph 26 of the Framework which allows for retail development outside of centres providing they are not above a proportionate floor space threshold and do not adversely affect town centre viability.
112. Outside shopping frontages, Policy KCA.GPB3 allows a flexible approach to other uses within the Primary Shopping Area, to include offices, non-residential institutions and leisure developments. The sequential approach to development in the KCAAP is consistent with the Framework and would support economic growth in Kidderminster.

Issue 5 - Is Policy KCA.GPB7 consistent with other policies in the Plan (in particular policies KCA.GPB2 and GPB3); and effective when read in conjunction with other policies in the Plan, to guide the location of leisure development in the Kidderminster area?

113. Major new D2 Leisure and multiple unit A3 and A4 food and drink developments are to be concentrated towards the waterside environments of the Western Gateway Area, with only smaller single unit developments supported throughout the Primary Shopping Area as set out in Policy GPB7. However, paragraph 24 of the Framework does not exclude leisure uses as main town centre uses. Accordingly, the District Council suggests a main modification to Policy KCA.GPB7 'Leisure Development' that would retain the preferred focus for major new leisure development towards the Western Gateway area of the town, but also highlight the potential for leisure developments of all scales to come forward throughout the Primary Shopping Area, subject to these being in line with the site specific policies in Part B and the relevant policies in the SAPLP (**MM12**) including the enhancement of the Town Hall and its use as a multi-functional venue for the arts (**MM13**). This is necessary to introduce a greater degree of flexibility and be necessary to ensure the KCAAP is consistent with the Framework.

Evening economy

114. West Mercia Police have raised concerns in relation to the lack of robust guidance in the Plan to address development that concerns the evening and night time economy and the issues sometimes associated with such uses such as noise and disturbance, anti-social behaviour and crime and disorder. In response, a Statement of Common Ground has been produced between the District Council, West Mercia Police and Hereford and Worcester Fire and Rescue Service (SOCG6). Modifications are suggested to Policy KCA.GPB7 which encourages developments that will enhance the evening and night time leisure offer (**MM14**). The additional wording to the policy will encourage a balanced mix of uses, setting out additional considerations to ensure developments do not, individually or cumulatively, create an unacceptable impact on neighbouring uses or the surrounding area or create dead frontages during the day time. Proposals should contribute to the public realm and infrastructure improvements. The District Council will encourage existing and new operators of evening orientated uses to work with the Town Team (a partnership of public and private stakeholders), Wyre Forest Community Safety Partnership and the Police in managing the evening economy.
115. This approach would be consistent with the overall vision to make Kidderminster town centre a vibrant, attractive and safe environment in which people wish to spend their time at all times of the day and night and ensure the KCAAP is effective in this respect. It would also be necessary to ensure consistency with the Framework, in particular paragraphs 58 and 69 which require planning policies to 'create safe and accessible environments where crime and disorder, and the fear of crime, do not undermine quality of life or community cohesion'.

Issue 6 - is the retail floorspace threshold for small scale retail development of 250 sq m referred to in a number of policies appropriate and justified?

116. Like the SAPLP, a retail floorspace threshold of 250 sq m is referred to in a number of policies throughout the KCAAP to define small scale retail development. In response to a representation suggesting that the threshold should be increased slightly to 280 sq m to be consistent with the definition of a 'smaller store' found in the Sunday Trading Act 1994, the LPA suggest all references to 250 sq m in the Plan should be modified to 280 sq m to be consistent with this legislative definition (**MM7, MM8, MM35, MM36, MM42, MM44, MM52**). This change is both appropriate and justified to ensure consistency.

Part B

The Eastern Gateway

Issue 7 - Is the inclusion of Comberton Hill within the Eastern Gateway area justified having regard to the location of the Ring Road and the differing retail hierarchies included within the Eastern Gateway area?

117. Policies KCA.EG1, EG2, EG3 and EG4 are relevant to the Comberton Hill Area of the Eastern Gateway. Comberton Hill stretches from the mainline railway and Severn Valley Railway stations to the Comberton Island traffic junction. The area is divorced from the remainder of the Eastern Gateway and town centre by the ring road. It includes an established neighbourhood centre and so has different characteristics to the remainder of the Eastern Gateway within the town centre. Nevertheless, Comberton Hill is the main route from the railway stations to the town centre. Accordingly, this area is an important gateway into the town centre. The policies seek to enhance the public realm and improve connections with surrounding developments. In particular, the improvements envisaged to the Comberton Hill Island (Policy KCA.EG4) will significantly improve pedestrian connectivity between the Severn Valley Railway tourist attraction, the mainline railway station and the town centre. Development proposals involving sites within the Comberton Hill and Bromsgrove Street parts of the Eastern Gateway will be expected to contribute towards the improvements to the roundabout.
118. Notwithstanding its function as a neighbourhood centre, the inclusion of Comberton Hill within the grouping of sites that collectively form the Eastern Gateway is justified by reason of its important inter-relationship with the town centre.

Issue 8 - Are the policies that relate to Bromsgrove Street area, Worcester Street development and Lion Street sufficiently flexible to ensure the vision for all phases of development in this part of the Eastern Gateway can be delivered?

119. Policies KCA.EG5 (Phase 1: Bromsgrove Street), KCA.EG6 (Phase 2: Worcester Street Development) and Policy KCA.EG7 (Phase 3: Lion Street) relate collectively to a large section of the Eastern Gateway. The phasing reflects differing timescales for delivery and to promote a flexible and positive approach to the development of the area.
120. The Bromsgrove Street area is viewed by the Council as the catalyst for the regeneration of the wider area. A concept and feasibility study (EB029) supports the development of a supermarket on this area, in response to a known retailer interest in the town. The District Council has therefore been working in partnership with major landowners to propose a viable design and feasibility study to deliver a 3746 metre square (40,000 sq ft) net food store on the Bromsgrove Street site. A store of this size would be comparable to the most recent supermarket development in Kidderminster and that put forward as part of a planning application on a site at Churchfields. There is therefore some evidence that there is demand for a store of this size.
121. The three main public sector landowners have been working together to deliver the Bromsgrove Street phase of the Eastern Gateway regeneration plans set out in the KCAAP for sometime and are actively working to vacate the site to facilitate early development. It is therefore likely that development of the site could progress on the site in the short term.
122. The existing situation on the Worcester Street Area (Phase 2) is more complex with at least 11 freehold / leasehold interests within the site area

as well as 7 residential units with unknown tenancy types. It is therefore expected that the development of this part of the Eastern Gateway is unlikely to be delivered until the later part of the plan period. The consideration of development on the sites individually, is therefore necessary to ensure one phase does not prevent the timely development of another.

123. In response to concerns about the viability of phase 2 in particular, the District Council notes that there are significant abnormal costs associated with the development of Bromsgrove Street (Phase 1) including site levels, demolition, sub-surface infrastructure and highways work as identified in the Eastern Gateway Design and Feasibility Study 2011 (EB029). These costs render the opportunity to cross-subsidise the initial development with the other phases an unviable proposition which would prejudice the deliverability of all phases. A requirement to combine the development of these inter-related sites would almost certainly prejudice the early delivery of the Bromsgrove Street site and threaten its viability. Paragraph 173 of the Framework stipulates that 'plans should be deliverable and therefore the site and scale of development identified in the plan should not be subject to a scale of obligations and policy burdens that their ability to be developed viably is threatened'.
124. The Kidderminster Public Realm Design Framework identifies Worcester Street as a priority for upgrading. This includes proposals to potentially reopen Worcester Street to public transport, to increase footfall and reintroduce vitality to the street in conjunction with an upgrade to the appearance of the street itself. This is consistent with the overall vision for Kidderminster. The early delivery of development on the Bromsgrove Street area together with environmental improvements to Worcester Street will enhance the development potential and viability of phase 2.
125. Overall, the policy phasing reflects the best possible opportunity to secure the redevelopment of the whole site. Nevertheless, a series of modifications are suggested by the Council and are required to add some flexibility and ensure that sufficient regard is had to the comprehensive development of the site through the delivery of each phase including the incorporation of a revised plan identifying the three phases within one site. Proposals will be expected to maintain and enhance the existing links between Worcester Street and Bromsgrove Street. **(MM37, MM38, MM39, MM40, MM41, MM51)**.

Issue 9 – Have issues of contaminated land been adequately addressed, particularly having regard to the strategic importance of the principal aquifer?

126. The former industrial nature of parts of Kidderminster town centre means that there is high potential for contamination issues to arise. The KCAAP area overlies a principal aquifer which is of strategic importance for water supply and the area falls within the Source Protection Zone of a public water supply borehole. The water table is relatively shallow, particularly within the Stour Valley. It is therefore essential that ground and water contamination must be addressed as part of any redevelopment and suitable remediation measures taken.

127. A Statement of Common Ground has been submitted from the Environment Agency and LPA (SOCG3). It addresses a number of related representations made by the Environment Agency by way of agreed minor amendments. However, in recognition of the area's industrial history and the high potential for ground / water contamination issues, it is necessary, in order to protect the environment, to include an additional requirement in Policy KCA.HP1 (Heritage Processions Area) and KCA.Ch7 (Crossley Park) for new development to incorporate appropriate remediation, building and drainage design in order to deal with any contaminated land and to protect the water environment (**MM33, MM45**), together with additional explanatory wording that relates to water management (**MM17**).
128. Some allocated sites sit on a Groundwater Source Protection Zone (SPZ), in particular Green Street Depot (KCA.HP3), Bus Depot (KCA.HP4 & Castle Wharf (KCA.CW1). SPZ1 is the inner zone and is highly sensitive to land use / contamination. It is necessary to ensure that the relevant policies include a requirement that any development would take full account of the Groundwater SPZ and safeguard groundwater supply accordingly (**MM10, MM43, MM46, MM47**). A number of constraints are associated with the development of these sites and development is therefore anticipated in the later part of the plan period in any event. It is not therefore considered that the requirement to have regard to the SPZ would impact on the delivery of the sites during the plan period.

Crime & anti-social behaviour & emergency services

129. A SOCG has been submitted between the LPA, West Mercia Police and Worcester Fire and Rescue Service. A number of amendments are agreed that are minor in nature and do not go to the test of soundness. However, there are a number of areas throughout the Plan where references to ensuring Kidderminster is crime free are omitted. This approach is inconsistent with paragraphs 58 and 59 of the Framework which clearly states that planning policies and decisions should create safe and accessible environments where crime and disorder or the fear of crime, do not undermine quality of life or community cohesion. It is therefore necessary to modify the Vision Statement to refer to a safe and crime free environment (**MM2**) and Objective 12 to not only seek to ensure that the town is safe and enjoyable for all users but also 'crime free' (**MM4**). This should also be reflected in Policy KCA.GPB6: Tourism Development (**MM11**) and the Urban Design and Place Making Objectives (**MM19**) to ensure consistency with the Framework.

Issue 10 – Are the objectives and policies that relate to Green Infrastructure effective?

130. The listed objectives for Green Infrastructure do not include climate change and flood attenuation, both nationally important considerations. Modifications are necessary to promote green infrastructure routes for walking and cycling but also for their role in adapting to and mitigating against the effects of climate change, particularly flood risk (**MM26**). The purpose and the function of Green Infrastructure needs to be clear to ensure that links which are created through the delivery of development are appropriate and enhance the functions of the Green Infrastructure links. A

modification to expand the references to Green Infrastructure to clarify that the links also offer promenading opportunities to link the British Sugar and Churchfields sites as well as offering opportunities to address the impacts of climate change is necessary to ensure the Green Infrastructure vision and objectives are realised **(MM27)**.

Issue 11 - Is the KCAAP consistent with the Framework in relation to design matters?

131. The LPA and English Heritage have produced a Statement of Common Ground (SOCG2) within which a number of amendments have been agreed. Some are minor and simply improve the wording or add clarification without any fundamental change. Some however are necessary to ensure consistency with the Framework and to ensure the Plan is effective in addressing matters that are relevant to urban design, the key principles of which are set out in Policy KCA.UP1. To ensure consistency with the Framework the modifications agreed by English Heritage and the LPA, that would require development proposals to enhance local character as well as local distinctiveness and to respect and enhance heritage assets, are required **(MM20)**. Similarly, the reasoned justification should refer to the importance of the consideration of how proposals will take account of and promote the surviving historic character of the townscape **(MM22)** both in relation to the Town Centre Design Framework and Public Realm Improvements.

Other Matters

132. The Monitoring and Implementation Framework policies table will require modification to incorporate new policies **(MM48)**.

133. MM9 is needed to correct an error in the Use Classes referred to in Policy KCA.GPB5 which should refer to Use Classes C2 and D1 (not C1 and D2) **(MM9)**.

Assessment of Legal Compliance

My examination of the compliance of the Plan with the legal requirements is summarised in the table below. I conclude that the Plan meets them all.

LEGAL REQUIREMENTS	
Local Development Scheme (LDS)	The Kidderminster Central Area Action Plan is identified within the approved LDS (February 2012) which sets out an expected adoption date of March 2013. The Area Action Plan's content and timing are broadly compliant with the LDS.
Statement of Community Involvement (SCI) and relevant regulations	The SCI was adopted in April 2006 and consultation has been compliant with the requirements therein, including the consultation on the post-submission proposed 'main modification' changes (MM)
Sustainability Appraisal (SA)	SA has been carried out and is adequate.
Habitats Regulations Assessment (HRA)	The HRA has been carried out and is adequate.
National Policy	The Kidderminster Central Area Action Plan complies with national policy except where indicated and modifications are recommended.
Regional Strategy (RS)	The Kidderminster Central Area Action Plan is in general conformity with the RS.
Sustainable Community Strategy (SCS)	Satisfactory regard has been paid to the SCS.
2004 Act (as amended) and 2012 Regulations.	The Kidderminster Central Area Action Plan complies with the Act and the Regulations.

Overall Conclusion and Recommendation

134. **The Plan has a number of deficiencies in relation to soundness and/or legal compliance for the reasons set out above which mean that I recommend non-adoption of it as submitted, in accordance with Section 20(7A) of the Act. These deficiencies have been explored in the main issues set out above.**

135. **The Council has requested that I recommend main modifications to make the Plan sound and/or legally compliant and capable of adoption. I conclude that with the recommended main modifications set out in the Appendix the Kidderminster Central Area Action Plan satisfies the requirements of Section 20(5) of the 2004 Act and meets the criteria for soundness in the National Planning Policy Framework.**

Claire Sherratt

INSPECTOR

This report is accompanied by Appendix A and Appendix B which contain details of the Main Modifications necessary to the SAPLP and KCAAP respectively.

Appendix A – Main Modifications (SAPLP)

The modifications below are expressed either in the conventional form of ~~striketrough~~ for deletions and underlining for additions of text, or by specifying the modification in words in *italics*.

The page numbers and paragraph numbering below refer to the submission local plan, and do not take account of the deletion or addition of text.

Ref	Page	Policy/ Paragraph	Main Modification
MM1	13	Policy SAL.PFSD1: Presumption in Favour of Sustainable Development	Include the additional wording in Policy SAL.PFSD1, as follows: Planning applications that accord with the policies <u>and objectives</u> in ...'
MM2	17	Policy SAL.DPL1 Sites for Residential Development	Amend policy to read as follows: Sites for Residential Development In order to meet the housing requirement of Policy DS01 of the Adopted Core Strategy, residential development will only be allowed in the following locations: 1. Within the sites and areas listed in this section and as shown on the <u>Policies Map</u> , subject to proposals being in accordance with the requirements identified in respect of each site in Part B of this document and the Kidderminster Central Area Plan and all other material policy considerations. <u>Or within one of the following locations:</u> i) On previously developed sites within areas allocated primarily for residential development on the <u>Policies Map</u> in the urban areas of Kidderminster and Stourport-on-Severn or on allocated sites set out within the Kidderminster Central Area Plan. ii) Within areas allocated for mixed uses subject to site specific policy considerations. iii) Within areas allocated for retail use within the Primary Shopping Area of Kidderminster, Stourport-on-Severn and Bewdley, subject to them being restricted to upper floors only or being in accordance with a site specific policy. iv) On previously developed sites within areas allocated primarily for community uses on the <u>Policies Map</u> subject to it being satisfactorily demonstrated that there is no longer a need for the community facility in accordance with policy CP07 of the Adopted Core Strategy and that proposals are in accordance with site specific policies set out in Part B of this document where applicable. v) <u>In Bewdley, on small windfall sites for 5 or less dwellings, subject to proposals being on previously developed land within areas allocated primarily for residential development on the Policies</u>

Ref	Page	Policy/ Paragraph	Main Modification
			<p><u>Map.</u> Include a new paragraph after paragraph 4.12 as follows: <u>4.13 The National Planning Policy Framework identifies that local planning authorities should plan for a mix of housing, including for people who wish to build their own home. In line with the strategic policies and objectives included in the Core Strategy, the Council consider that the sites identified in SAL.DPL1 could come forward for self-build projects. Therefore self build schemes, which are located in the areas identified in SAL.DPL1, will be specifically encouraged.</u></p>
MM3	19	Policy SAL.DPL2 and associated amendments to reasoned justification and jargon guide.	<p>Amend first section of Policy SAL. DPL2 Rural Housing to read as follows: <u>Within the rural areas of the District, proposals for residential development will not be permitted unless one of the following exceptional circumstances applies:</u> <ul style="list-style-type: none"> - <u>The site is identified by the relevant town/parish Council as an exceptions site to meet an identified local housing need.</u> - <u>The site is required to meet an established existing functional need for a rural worker's dwelling.</u> - <u>It is for the replacement of a permanent existing lawful dwelling,</u> - <u>The site is subject to a Community Right to Build Order.</u> <u>Appropriate arrangements for sewage treatment must be submitted as part of the application process in addition to satisfactory drainage measures, in order to protect the water environment.</u> Amend Section 1. Exception Sites to read as follows: Planning permission may be granted for schemes which are identified to meet an identified <u>specific affordable or local housing need on small sites adjoining Bewdley, or within or adjoining the villages and the rural settlements subject to the following criteria:</u> <ul style="list-style-type: none"> i) <u>The affordable housing must remain so in perpetuity</u> ii) <u>The number, size, type, mix and tenure of dwellings must not exceed the extent of identified local need.</u> iii) <u>The site must be well related to the existing built up area of the settlement in which it is located.</u> iv) <u>The scale of the scheme should be appropriate to the size and character of the settlement and must not damage the character of the settlement or the landscape.</u> v) <u>The site should be accessible to local services and facilities by sustainable modes of transport.</u> <u>Any enabling market housing on exceptions sites, that is not required to meet a specific housing type as evidenced by local housing needs assessments, must be accompanied by a robust viability assessment (as</u></p>

Ref	Page	Policy/ Paragraph	Main Modification
			<p>set out in Policy SAL.DPL3 – Financial Viability) in order to justify the required enabling development.</p> <p>Amend 3. Replacement Dwellings in the Open Countryside as follows:</p> <p>3 Replacement Dwellings in the Open Countryside</p> <p>The replacement of a permanent existing lawful dwelling will be permitted in the following circumstances:</p> <p>i) The dwelling is still subject to residential use and has not been abandoned.</p> <p>ii) The replacement dwelling is <u>in the same or less prominent position as the original with curtilage only being amended if required by re-siting, landscape enhancement, vehicular safety, or neighbour amenity.</u></p> <p>iii) The replacement dwelling should not exceed the size of the existing or original dwelling by 20%, whichever is the smaller.</p> <p>Reasoned Justification</p> <p>Addressing Local Housing Needs</p> <p>Amend Paragraph 4.17 to read as follows: <u>4.17 Local Housing Need is established through a housing needs survey which is undertaken in agreement and partnership with the relevant Town or Parish Council. It is also established through the Housing Waiting List of persons assessed according to the Council's Local Connections Policy as qualifying residents.</u> The definition of Affordable Housing as set out within the NPPF encompasses social rented, affordable rented and intermediate housing provided to eligible households whose needs are not met by the market. Eligibility is determined with regard to local incomes and local house prices. The NPPF specifies that "low cost market housing" may not be considered as affordable housing for planning purposes.</p> <p>Page 170 – Jargon Guide</p> <p>Amend the definition of Affordable Housing by deleting "(also referred to as Local Needs Housing)."</p> <p>Amend the definition of Local Needs Housing to read as follows: <u>Local Needs Housing – including affordable housing and market housing which addresses the established* needs of different groups in the community such as but not limited to, families with children, older people, people with disabilities, service families and people wishing to build their own homes.</u> <u>*through Parish Housing Needs Surveys, Neighbourhood Plans and Local Housing Waiting Lists.</u></p> <p>Page 173 – Jargon Guide</p>

Ref	Page	Policy/ Paragraph	Main Modification
			<p>Replace Rural Exception Policy with the following: <u>Rural Exceptions Sites – Small sites for the provision of affordable housing in perpetuity or to meet another specific identified local housing need (as evidenced through the Parish Housing Needs Survey, Neighbourhood Plan or the Council’s Adopted Local Connections Policy), where sites would not normally be used for housing. Rural exception sites seek to address the needs of the local community by accommodating households who are either current residents or have an existing family or employment connection. Small numbers of market homes may be allowed at the local authority’s discretion, for example where essential to enable the delivery of affordable units without grant funding.</u></p>
MM4	29	Reasoned Justification to Policy SAL.DPL8 Paragraph 4.53 and 4.62	<p>Amend paragraph 4.53 to read as follows: It is anticipated that the development control system could continue to deliver those pitches that are not specifically allocated within this DPD, to meet the longer term need for the post 2017 figure of 15 additional pitches (subject to review through the GTAA process in 2013/14). Replace with: <u>4.53 In order to maintain a 5 year supply of deliverable sites throughout the Plan period, following on from the Worcestershire GTAA (which is due for completion in late 2013), the District Council will progress a specific Local Plan to allocate further sites for Gypsies, Travellers and Travelling Showpeople during 2014, in accordance with the level of need identified.</u> Paragraph 4.62. Amend the second sentence to read as follows: “Based on historical evidence, it is evident that sites are likely to continue to come forward through the development control process and therefore it is realistic to assume that these will meet the remainder of the identified need for the 2017-22 period. This has delivered a number of sites in recent years; however, it is necessary to guide the location and design of these pitches by putting in place an appropriate policy.”</p>
MM5	32	Policy SAL.DPL10: Sites for Gypsy and Traveller Use and associated amendments to the Reasoned Justification (Paragraph 4.63)	<p>Delete Criterion i) under 1. Sites for Gypsy and Traveller Use i) The Council is satisfied that there is clear established need for the site within the District and that the number, type and tenure of pitches proposed can not be met by a lawful existing or allocated site within the District. Amend criterion (iv) under Part 2 to read: <u>‘Sites of 5 or more pitches The site should include...’</u> Amend Paragraph 4.63 under Sequential Preference</p>

Ref	Page	Policy/ Paragraph	Main Modification
			<p>for Gypsy and Traveller Sites to read as follows: 4.63 Proposals for Gypsy and Traveller sites are predominantly residential and will be acceptable in areas allocated primarily for residential development subject to all relevant policies within the Local Plan being met. Outside of those areas allocated for residential development proposals will need to demonstrate a clear need, particularly once the requirement identified for the plan period has been or will be met through existing planning permissions or land use allocations. This policy sets out the criteria which a proposal outside of an area currently allocated for Gypsy and Traveller uses will need to meet.</p>
MM6	36	Policy SAL.DPL11: Community Facilities	<p>Include the additional wording at the end of Policy SAL.DPL11, as follows: <u>'When applying these tests to specific proposals the Council will have full regard to the specific characteristics, needs, service priorities and objectives of the service and/or organisation concerned.'</u></p>
MM7	40	Policy SAL.GPB1 1. Employment Land/Economic Development and associated Reasoned Justification (Paragraph 5.16)	<p>Amend last paragraph under Section 1. Employment Land/Economic Development to read as follows: "The replacement of a rural building for economic development purposes may be allowed where this would result in a more acceptable, sustainable and better designed development than would be achieved through conversion. <u>Under these circumstances the opportunity to convert the replacement building for other uses such as residential will be prohibited.</u>"</p> <p>Include additional wording under Section 2 as follows: "Proposals for economic development outside of the allocated areas will be assessed on their merits. Proposals will need to <u>be on Previously Developed Land</u> and be in conformity..."</p> <p>At end of section 2 include additional policy wording as follows: <u>Proposals for live/work units will be considered favourably where they involve a re-use or replacement of a rural building and are in conformity with Policies SAL.UP11 and SAL.UP1. New developments for live/work units will also be considered favourably subject to the following criteria being met:</u></p> <ul style="list-style-type: none"> • <u>They are located on Previously Developed Land;</u> • <u>They do not have an adverse impact on the character, landscape or wildlife of the area;</u> • <u>That suitable access arrangements can be made, without the need for extensive new access roads; and</u> • <u>□ They do not constitute inappropriate development in the Green Belt.</u> <p><u>All Live/Work proposals must also ensure that:</u></p> <ul style="list-style-type: none"> • <u>The work element is restricted to B1 activities.</u>

Ref	Page	Policy/ Paragraph	Main Modification
			<p><u>B2 uses may only be considered appropriate where there are no adverse impacts on surrounding properties;</u></p> <ul style="list-style-type: none"> • <u>The workspace is designed to be separate from the dwelling;</u> • <u>The emphasis is on the work element and this should be reflected in the percentage of floorspace afforded to the workspace; and</u> • <u>The workspace must be constructed and available for occupation and use before the residential element of the scheme is occupied.</u> <p>Include the following Reasoned Justification after paragraph 5.16: <u>The Core Strategy specifically encourages the provision of live/work units, with priority being placed on the re-use or replacement of existing rural buildings. In considering this, applications will need to be in conformity with Policies SAL.DPL2 and SAL.UP11. In some cases, new developments of live/work units may be acceptable, subject to proposals according with this policy.</u> <u>Live/Work space is defined as property that is specifically designed for dual use, combining both residential and employment space. It is regarded as sui generis rather than having a specific use class as defined in the Town and Country Planning (Use Classes) Order 2005. In order to change the use of a building to a Live/Work unit, planning permission will always be required.</u> <u>It should be noted that Live/Work is distinct from 'home working' which usually comprises a residential unit with ancillary and often temporary or informal work areas. Such businesses do not normally require planning permission. Live/Work is a distinctive and formal division of residential and workspace floorspace within the same unit which does require planning permission.</u> <u>Live/Work development will be limited primarily to B1 activities. This relates to uses such as light industrial, research and development. In some case B2 uses may be considered appropriate where there are no adverse impacts on surrounding properties.</u> <u>Planning conditions will be imposed on live/work units to ensure that the residential use remains tied to the business element of the proposal.</u></p>
MM8	40	Policy SAL.GPB1 and associated addition to the Reasoned Justification at Paragraph 5.15	<p>Waste Developments on Employment Land Amendment to strategic policy SAL.GPB1, to be inserted after the 4th paragraph, as follows: <u>Development for waste facilities will also be considered favourably within the designated employment locations, subject to proposals being in conformity with the other policies in the plan and the Waste Core Strategy for Worcestershire.</u></p>

Ref	Page	Policy/ Paragraph	Main Modification
			<p>Include further Reasoned Justification after para 5.15, as follows:</p> <p><u>The Waste Core Strategy for Worcestershire was adopted in November 2012 and forms part of the statutory Development Plan for the District. The Waste Core Strategy sets out a long term vision for waste management within Worcestershire and outlines areas of land that may be suitable for development of new facilities. Waste management facilities are often akin to business or industrial activities and when directed to the right locations they can provide economic opportunities without having adverse impacts on their surroundings. Therefore, it is considered appropriate to allow for the principle of development of waste management facilities on allocated employment sites, subject to the proposals being in line with the other policies included in the Local Development Plan and the Waste Core Strategy for Worcestershire.</u></p>
MM9	59	Policy SAL.CC2 Parking	<p>Amend the first paragraph as follows:</p> <p><u>Proposals involving the development of car parks should not lead to a reduction in the overall number of spaces will be considered on a site-by-site basis. Any proposed reduction in the amount of car parking spaces as a result of development will need to be fully justified.</u></p>
MM10	61	Policy SAL.CC4: Freight	<p>Delete paragraph 6.24 which refers to freight potential at the Former British Sugar Site:</p> <p>The Former British Sugar Site on the Stourport Road has the potential for rail freight connection as it adjoins the Severn Valley heritage line which was once used for rail freight. A set of sidings adjacent to the site were used to transport sugar beet to the site up until the early 1980s and are still in existence. The existing infrastructure has the potential to be upgraded to provide rail freight services to industry within the area. More information can be found under the Former British Sugar Site policy, SAL.SK2, in Part B.</p>
MM11	67/6 9	SAL.CC7: Water Management and associated Reasoned Justification at Paragraph 6.51	<p>Additional policy wording and Reasoned Justification to reflect the Local Flood Risk Management Strategy (LFRMS)</p> <p>Insert within policy SAL.CC7 between SUDS section and Water Quality section:</p> <p>Local Flood Risk Management Strategy</p> <p><u>When considering development within the District, developers should also have regard to, and be in conformity with, the emerging Worcestershire Local Flood Risk Management Strategy.</u></p> <p>Insert additional paragraph after 6.51 as follows:</p> <p><u>The Flood and Water Management Act 2010 also requires lead local flood authorities (Worcestershire County Council) to develop, maintain, apply and</u></p>

Ref	Page	Policy/ Paragraph	Main Modification
			<u>monitor a local flood risk management strategy. The strategy should consider all sources of local flood risk, i.e. surface water, groundwater, and ordinary watercourses in order to determine distinct objectives to manage local flood risk to local communities. Given the potential impact development could have on flood risk it is important that all new development takes into account the emerging Worcestershire Local Flood Risk Management Strategy.</u>
MM12	67	Policy SAL.CC7: Water Management and associated Reasoned Justification at Paragraph 6.54.	<p>Proposed minor amendment to the policy, including changes to the format, as follows:</p> <p>Water Quality: Development proposals will be permitted which:</p> <ul style="list-style-type: none"> • <u>Do not lead to deterioration of EU Water Framework Directive water body status;</u> • Do not have a negative impact on water quality, either directly through pollution of surface or groundwater, or indirectly through overloading of Wastewater Treatment Works; • <u>Help to conserve and enhance watercourses and riverside habitats. Where necessary this should be through management and mitigation measures for the improvement and/or enhancement of water quality and habitat of any aquatic environment in or adjoining the development site.</u> <p>Insert additional paragraph before 6.54 as follows: <u>The District area overlies a principal aquifer of regional strategic importance. The majority of the sites fall within the combined total source protection zone of a number of public water supply boreholes. The southern extent of the Kidderminster Town centre lies within the inner and outer protection zone of a public water supply borehole. The depth to water table across the area is variable, however many of the sites fall within the valley of the Stour where the water table is shallow. The area is therefore located in a sensitive hydrogeological setting and new development must put measures in place to protect the water environment.</u></p>
MM13	70	Policy SAL.UP1 Green Belt	Include an additional criteria (vi) as follows: <u>The proposals are part of a Community Right to Build Order.</u>
MM14	Page 84-86	Policy SAL.UP6 – Safeguarding the Historic Environment.	<p>Amend Policy SAL.UP6 to read As Follows:</p> <p>Safeguarding the Historic Environment 1. Heritage Assets Any development proposal affecting the District's heritage assets or <u>including</u> their setting should demonstrate how these assets will be protected, conserved and where appropriate enhanced. The</p>

Ref	Page	Policy/ Paragraph	Main Modification
			<p>District's heritage assets include:</p> <ul style="list-style-type: none"> • Conservation Areas, Listed Buildings and Scheduled Monuments. • <u>Buildings and structures on the Local Heritage List.</u> • Landscape features including ancient woodlands and veteran trees, field patterns, watercourses, and hedgerows of visual, historic or nature conservation value. • Archaeological remains and non- designated historic structures recorded on the County • Historic Environment Record. • Historic parks and gardens (both Registered and those not designated). <p>Developments that relate to a Heritage Asset should be accompanied by a Heritage Statement. <u>Where proposals are likely to affect the significance of a heritage asset, including its setting, the Heritage Statement should demonstrate an understanding of such significance and in sufficient detail to assess any potential impacts. This should be informed by currently available evidence.</u></p> <p>When considering a development proposal which may affect a Heritage Asset, or when preparing a Heritage Statement, applicants should have regard to the following points:</p> <ol style="list-style-type: none"> i. To ensure that proposals would not have a detrimental impact on the significance of a Heritage Asset or its setting and to identify how proposals make a positive contribution to the character and local distinctiveness of the area. ii. <u>Any harm or loss of significance will require clear and convincing justification.</u> iii. <u>The re-use of heritage assets will be encouraged where this is consistent with the conservation of the specific heritage asset.</u> iv. <u>Proposals which secure the long-term future of a heritage asset at risk will specifically be encouraged.</u> v. That repairs, alterations, extensions and conversions of statutorily and non-statutorily listed heritage assets take into account the materials, styles and techniques to be used and the period in which the asset was built. vi. The installations of fixtures and fittings should not have a detrimental impact on the <u>a</u> heritage asset, should be inconspicuously sited and proportioned and be designed sympathetically. vii. In considering new development that may affect a heritage asset, proposals will need to identify how the scale, height and massing of new development in relation to the particular feature, and the materials and design utilised, does not detrimentally affect the asset or its setting.

Ref	Page	Policy/ Paragraph	Main Modification
			<p>Proposals likely to affect the significance of a heritage asset or its setting should demonstrate an understanding of such significance. This should be informed by currently available evidence.</p> <p>Development proposals that would have an adverse impact or cause harm to <u>on</u> a heritage asset and/or their <u>its</u> setting, <u>or which result in a reduction or loss of significance</u>, will not be permitted, unless it is clearly demonstrated the following criteria are met:</p> <p>a) There are no reasonable alternative means of meeting the need for development appropriate to the level of significance of the Heritage Asset.</p> <p>b) The reasons for the development outweigh the individual significance of the Heritage Asset, its importance as part of a group and to the local scene, and the need to safeguard the wider stock of such Heritage Assets.</p> <p>c) In the case of demolitions, that the substantial public benefits of the development outweigh the loss of the building or structure; or the nature of the asset prevents all reasonable uses of the site; or the loss of the heritage asset is outweighed by the benefits of bringing the site back into use. Redevelopment proposals should provide an exceptional design <u>which</u> to <u>mitigates appropriately</u> against the loss of the Heritage Asset <u>in proportion to its significance at national or local level.</u></p> <p>Where material change to a heritage asset has been agreed, recording and interpretation should be undertaken to document and understand the asset's archaeological, architectural, <u>artistic</u> or historic significance. The scope of the recording should be proportionate to the asset's significance and the impact of the development on the asset. The information and understanding gained should be made publicly available, as a minimum, through the relevant Historic Environment Record.</p> <p>2. Conservation Areas</p> <p>When development is proposed in, or adjacent to, a Conservation Area, proposals should accord with the existing (or draft) Conservation Area Character Appraisal <u>and seek to enhance or better reveal the significance of the area.</u></p> <p>Development should not adversely affect views into, <u>within</u>, or out of the Conservation Area. Proposals for the demolition of a building or structure in a Conservation Area will only be permitted where it has been clearly demonstrated that:</p> <p>i. It has no recognised interest <u>significance</u> in itself or by association, and no value to the character</p>

Ref	Page	Policy/ Paragraph	Main Modification
			<p><u>significance</u> of the Conservation Area.</p> <p>ii. Its demolition or replacement would benefit the character or appearance of the Conservation Area.</p> <p>iii. Proposals include detailed and appropriate proposals for redevelopment, together with clear evidence redevelopment will proceed.</p> <p>Proposals that affect shop fronts within a Conservation Area should have regard to the Council's Shop Front Design Guidance.</p>
MM15	Vario us	Site specific policies as follows: SAL.SK2 (P.109) SAL.KSS1 (P.121) SAL.STC1(P.126) SAL.STC2 (P.129) SAL.STC3 (P.131) SAL.STC4 (P.133) SAL.EA1(P.135) SAL.EA2 (P.138) SAL.EA3 (P.140) SAL.EA4 (P.142) SAL.EA5 (P.144) SAL.WS1(P.146) SAL.B1(P.153) SAL.B2 (P.156)	Proposed amendment to include the following wording with the various policies identified, as follows: - <u>Ensure they incorporate appropriate remediation, building and drainage design in order to deal with any land contamination.</u>
MM16	109	Policy SAL.SK2: Former British Sugar Site	Amend the policy wording for SAL.SK2, as follows: ii. Fully consider the potential for connection to the Severn Valley Railway. Development proposals should seek to incorporate the railway and as a minimum safeguard the potential to create a direct link for passengers and/or freight.
MM17	129	Policy SAL.STC2: Tan Lane and County Buildings	Include the additional wording in Policy SAL.STC2, as follows: '...Proposals will need to ensure that compensatory provision is provided for the existing community uses <u>affected and for their expansion commensurate with development growth in Stourport-on-Severn</u> , if these are not to be retained on site, before considering any future redevelopment.'
Mm18	159	Policy SAL.RS1 – Blakedown Nurseries	Amend clause i) of the policy as follows: i) Development must provide for <u>the identified specific affordable and local housing need</u> as set out within the latest Parish Housing Needs Survey and as indicated by the local housing waiting list <u>in accordance with the Council's local connection policy</u>
MM19	Page 161	Policy SAL.RS2 – Land at Clows Top	Amend clause i) of the policy as follows: i) Development must provide for the <u>identified specific affordable and local housing need</u> as set out within the latest Parish Housing Needs Survey and as indicated by the local housing waiting list in

Ref	Page	Policy/ Paragraph	Main Modification
			<p><u>accordance with the Council's local connection policy.</u></p> <p>Insert additional clause into policy as follows: <u>"v. The impact of development in terms of the sterilisation of surface coal resources should be taken into account and, where practicable and environmentally feasible, the prior extraction of surface coal resources should be undertaken."</u></p> <p>Add new paragraph into reasoned justification at Paragraph 17.8 to read as follows: <u>" The site is located within an area of the District where past coal mining legacy issues may be present and will therefore need to be taken into account by new development proposals."</u></p>
MM20	163	Page 163: Policy SAL.PDS1 Previously Developed Sites in the Green Belt and associated Reasoned Justification at Paragraphs 18.6/18.7/18.10/18.11	<p>Lea Castle Hospital Site</p> <p>Delete: Within the Previously Developed area of Lea Castle Hospital Site uses comprising B1 (Business), C2 (Residential Institutions) and health and sport facilities will be permitted.</p> <p>Insert: <u>Within the Previously Developed Land (PDL) boundary of the former Lea Castle Hospital, the following development is acceptable in principle:</u></p> <ul style="list-style-type: none"> • <u>C3 (Dwelling Houses)*</u> • <u>C2 (Residential Institutions)</u> • <u>B1 (Business); and,</u> • <u>health and sport facilities</u> <p><u>Planning permission for the development/ redevelopment of any part of the site will not be granted in isolation unless the application is accompanied by a comprehensive masterplan for the whole site, which has been prepared in consultation with the local community and the District Council.</u></p> <p><u>Development Principles for the Site</u></p> <p><u>As a minimum, the District Council will require development proposals to:</u></p> <ul style="list-style-type: none"> • <u>demonstrate no greater visual impact on the openness of the Green Belt than existing development</u> • <u>be focused on the previously developed parts of the site</u> • <u>supplement and enhance existing strong landscape framework surrounding the site to improve ecological and landscape value</u> • <u>retain Talbotshill Coppice</u> • <u>retain existing sport pitches for community use</u> • <u>investigate opportunities for providing safe, attractive and convenient pedestrian and cycle links between the site, Cookley and Kidderminster to ensure that local facilities are accessible by alternatives to the car</u>

Ref	Page	Policy/ Paragraph	Main Modification
			<ul style="list-style-type: none"> • <u>make a financial contribution to the provision of affordable housing off-site in accordance with the adopted Core Strategy Policy CP04.</u> <p><u>*Any application for C3 (Dwelling Houses) must be accompanied by a viability assessment that supports the case for the proposed mix, tenure and overall quantum/ density of housing on site.</u></p> <p>Amend the reasoned justification at paragraph 18.6 for the Lea Castle Hospital Site to read as follows:</p> <p style="padding-left: 40px;"><u>- Area 105ha (approx)</u></p> <p><u>18.6 The former Lea Castle Hospital Site lies just beyond the north eastern fringe of Kidderminster between the A449 Wolverhampton Road and the A451 Stourbridge Road. It contains a variety of buildings set out in an attractive landscape, well screened from the surrounding agricultural land by extensive belts of trees. The central area of the site comprises a mixed cluster of one and two storey derelict prefabricated buildings dating principally from the 1950s and previously used as a hospital for people with learning difficulties, which has since closed. These buildings, together with other former hospital buildings located in the north-west corner of the site, have a total estimated footprint of approximately 25,000 sq.m and a gross floor area of around 30,000sq.m. There is also an extensive network of underground ducts serving the buildings.</u></p> <p><u>A sports pitch and club house is located immediately to the south of the main hospital site. The remainder of the undeveloped part of the site comprises a significant area of farmland.</u></p> <p><u>Land beyond the Previously Developed Site boundary is mainly under agricultural use apart from the former nurses' accommodation located adjacent to the site's north west boundary which is now in use as private residential accommodation.</u></p> <p>Amend the last sentence of Paragraph 18.10 to read as follows: "It is considered, therefore that there is general public support for a pro-active policy to be implemented that helps to deliver a viable development based on a potential mix of uses whilst being mindful of the unique landscape and Green Belt setting that the site has."</p> <p>Amend bullet points listed under Paragraph 18.11 to include C3 Dwelling Houses, to read</p> <ul style="list-style-type: none"> - B1 (Business) - C2 (Residential Institutions) - <u>C3 (Dwelling Houses)</u> - Health Uses

Ref	Page	Policy/ Paragraph	Main Modification
			- Sport and Recreation Facilities Amend the Previously Developed Site Boundary included at Page 165 adjacent to Paragraphs 18.7 to reflect the wider area for inclusion within the boundary that was submitted by the HCA.
MM21	48	Policy SAL.GPB3: Protecting and enhancing local retail services	Policy SAL.GPB3 to be amended as follows: "...Support will be given for new retail development in neighbourhood or village centres comprising the conversion or extension of existing facilities, provided that the floorspace proposed does not exceed 250 <u>280</u> sqm_net . Outside of the neighbourhood or village designations, support will also be given for the development of new retail (A1) uses where they do not exceed 250 <u>280</u> sqm net and where: 1. it can be located on previously developed land. 2. it would not cause adverse impact to the local amenity."
MM22	Various	Various	In addition to MM21 above, amend all other references to a retail floorspace of 250 sq m to <u>280 sq m</u> .
MM23		Policies Map	Amendment to the Previously Developed Site Boundary at the West Midlands Safari and Leisure Park as agreed by the LPA to conform with advice set out in the NPPF
MM24		Policies Map	Amendment to the Previously Developed Site Boundary at the former Lea Castle site as agreed in SOCG4 to conform to advice set out in the NPPF.

Appendix B – Main Modifications (KCAAP)

The modifications below are expressed either in the conventional form of ~~strikethrough~~ for deletions and underlining for additions of text, or by specifying the modification in words in *italics*.

The page numbers and paragraph numbering below refer to the submission local plan, and do not take account of the deletion or addition of text.

Ref	Page	Policy/ Paragraph	Main Modification
MM1	09	Vision	Include an additional paragraph in the Vision to take account of flood risk, as follows: <u>Development will help to alleviate flood risk and the waterways will be flanked by attractive waterside developments that make the most of these assets and bring them more into focus.</u>
MM2	09	Vision	Include additional wording in the vision as follows: '...The town centre will be a vibrant, attractive, <u>safe and crime free</u> environment in which people wish to spend their time at all times of the day and night...'
MM3	10	Strategic Objectives	Replace Objective 9 with the following: <u>9. Improve the resilience of Kidderminster by reducing and managing flood risk and taking account of the impacts of climate change by ensuring good water management.</u>
MM4	10	Strategic Objectives	Include additional wording in Strategic Objective 12, as follows: 12. Ensure the town is safe, <u>crime free</u> and enjoyable for all users
MM5	13	Policy KCA.PFSD1: Presumption in Favour of Sustainable Development	Include the additional wording in Policy KCA.PFSD1, as follows: Planning applications that accord with the policies <u>and objectives</u> in the ...'
MM6	16	Policy KCA.DPL2 Mixed Use Development	Include additional wording in the policy as follows: Community uses (including medical <u>and the emergency services</u>)
MM7	18	KCA.GPB1 Retail Development	Amend policy to read: "Limited retail growth, consisting of individual units of no larger than 250 sq.m <u>280sq.m</u> net, will also be allowed..."
MM8	22	KCA.GPB4 Edge-of-Centre and Out-of-Centre Retailing	Amend policy to read: "Proposals for further retail expansion, in excess of 250 <u>280</u> sq.m net, in edge-of-centre..."
MM9	24	KCA.GPB5 Employment Development	Under the Health and Education section of the policy, wording should now read: "Subject to site specific policies, the following areas will be the focus for health and education development falling under the <u>C2 and D1</u> uses."
MM10	25	Paragraph 5.44	Include additional wording in paragraph 5.44 as follows:

Ref	Page	Policy/ Paragraph	Main Modification
			"Any new industrial development will need to consider the potential impact on ground water protection in the area. <u>Types of activities, drainage and building design</u> should be in line with the Environment Agency's Groundwater Protection <u>Principles and Practice Guidance</u> . <u>Tighter controls are likely to be required in line with this guidance, as the sites overlie a principal aquifer with a relatively shallow water table. The aquifer is of regional strategic importance in terms of water supply and the sites fall within close proximity (Inner, Outer and Total Source Protection Zone) of a public water supply source.</u> "
MM11	28	Policy KCA.GPB6: Tourism Development	Include additional wording in the policy as follows: '...Within these areas, development <u>which is demonstrated to create a safe, enjoyable and crime free environment will be supported</u> . Development for the following uses will be specifically encouraged:...'
MM12	30	KCA.GPB7 Leisure Development	Amend and restructure policy to read: Major new D2 leisure and multiple-unit A3 and A4 food and drink developments will be concentrated towards the waterside environments of the Western Gateway Area. Smaller scale Other leisure developments will be supported throughout the Primary Shopping Area subject to these being in line with the <u>site specific policies in Part B and the relevant policies in the Site Allocations and Policies Local Plan</u> . Elsewhere in the KCAAP area, smaller scale proposals will be considered favourably subject to them meeting the broad objectives of the KCAAP.
MM13	30/31	Policy KCA.GPB7 Leisure Development	Include additional wording within the policy immediately before the Evening Economy section: ' <u>The enhancement of the Town Hall and its use as a multi-functional venue for the arts will be encouraged.</u> '
MM14	30/31	Policy KCA.GPB7 Leisure Development	The District Council will encourage developments that enhance the evening and night time leisure offer of the town centre. <u>A balanced mix of uses will be specifically encouraged, including late-night shopping, cafes, restaurants, bars, take-aways, clubs and cultural activities.</u> <u>No development should on its own, or cumulatively with other uses, create an unacceptable impact on neighbouring uses or the surrounding area by reasons of noise pollution, light pollution, anti-social behaviour, crime, disturbance or traffic.</u> <u>Developments should seek to ensure activity during the daytime to avoid the clustering of 'dead' frontages.</u> <u>Developments linked to the evening economy will be required to contribute towards public realm and infrastructure improvements in order to improve the sense of well being, safety and security within the town. Contributions to improving the public transport</u>

Ref	Page	Policy/ Paragraph	Main Modification
			<p><u>for the benefit of the evening economy will be particularly encouraged.</u> <u>Working in partnership with the Council and other stakeholders, owners and operators of evening economy related development will be expected to take part in active management measures to help the public and support the emergency services.</u> <u>Developments linked to the evening economy should also have specific regard to Policy KCA.UP1 and ensure that development incorporates 'Secured by Design Principles'</u></p> <p>Include additional wording to the Reasoned Justification for the policy as follows: <u>Although the District Council wishes to enhance the evening economy of the town centre, it is important to ensure that new developments do not cause an unacceptable nuisance to neighbouring uses and the surrounding environment. Increased activity in the evening provides important additional natural surveillance and vitality to streets and spaces in the town. However, consideration must also be given for the potential of these uses to generate issues of anti-social behaviour, particularly but not exclusively in respect to pubs and bars. The District Council will look to work with West Mercia Police and the Wyre Forest Community Safety Partnership (WFCSP), as well as other town centre stakeholders, to tackle any issues of crime and anti-social behaviour that may arise from an increase in evening activity through public realm improvements, active management measures or new security infrastructure.</u> <u>The Kidderminster Town Team, established as a result of a recommendation from the Government commissioned Mary Portas's High Street Review, is a partnership of public and private stakeholders who work together and aim to produce innovative ideas about how to improve the town. Working with the Police and the Community Safety Partnership the Town Team will have a role in bringing forward anti-social behaviour initiatives such as 'Pubwatch' and 'Best Bar None' schemes to help tackle anti-social behaviour.</u> <u>The District Council will encourage the existing and new operators of evening orientated uses such as cafes, restaurants, bars, take-aways, clubs and other cultural activities to work with the Town Team, WFCSP and the Police in managing the evening economy.</u></p>
MM15	33	Paragraph 6.3, Adapting to and mitigating against Climate Change	<p>Insert additional paragraph after 6.3 as follows: <u>"Worcestershire County Council have recently adopted the Waste Core Strategy for Worcestershire. This document forms part of the Development Plan for the District and therefore all proposals will need to have regard to its contents, and particularly Policy WCS17:</u></p>

Ref	Page	Policy/ Paragraph	Main Modification
			<u>Making provision for waste in all new development."</u>
MM16	33	Paragraph 6.4 and 6.5	<p>Replace paragraph 6.4 and 6.5 with the following: Flood Risk is an important issue that affects the central area of Kidderminster. The Level 2 Strategic Flood Risk Assessment, undertaken by Royal Haskoning, identified that although the flood risk within the central area of Kidderminster has been reduced by the Kidderminster Flood Alleviation Scheme (FAS), should the FAS be breached or its design capacity exceeded then the flood hazard to the town is likely to be significant, due to the low lying nature of the town. In order to understand this risk further the Level 2 SFRA undertook an assessment of potential breaches and overtopping of the FAS and concluded that this needs to be factored into decision making when considering the future development of the central area of Kidderminster. It is therefore considered important that a targeted flood risk policy is included within the Area Action Plan to help guide future development decisions.</p> <p>Insert new Policy: <u>Water Management</u> <u>All development that is considered to be at risk of flooding should demonstrate that it is safe by ensuring that:</u></p> <ul style="list-style-type: none"> <u>- Floor levels are situated above the 1% predicted plus climate change design flood level, incorporating an allowance for freeboard. Development should also consider in the design the risk from more extreme events. In certain instances where it is not feasible or practicable to set the floor levels then other forms of flood resilience and resistance techniques may be considered as a suitable alternative;</u> <u>- All development that includes overnight accommodation or an educational institution demonstrates a safe pedestrian access route is available during a 1% plus climate change design flood event, with regard to hazard risk assessment. In considering this regard should be given to the evidence in the Level 2 SFRA, including breach scenarios. All other development should clarify available access and appropriate mitigation as part of a flood management plan;</u> <u>- Developments assess the availability of ;safe vehicular access ; during a flood event, its necessity for the development type and appropriate mitigation as part of a flood management plan;</u> <u>- Developments implement a flood management plan to manage the risk to the development itself and future users/occupiers during all flood events along with any remaining residual risks.</u> <u>- Developments are avoided within areas subject to Rapid Inundation from a dam breach as identified by</u>

Ref	Page	Policy/ Paragraph	Main Modification
			<p><u>the Level 2 SFRA</u></p> <ul style="list-style-type: none"> - <u>SUDS are included in all developments and are appropriate to the sensitive hydrological setting of Kidderminster;</u> - <u>Developments have regard to, and are in conformity with, the emerging Local Flood Risk Management Plan being prepared by Worcestershire County Council</u> <p><u>Reasoned Justification</u></p> <p><u>This policy should be read in conjunction with Core Strategy Policy CP02, Site Allocations and Policies Policy Sal.CC7 and Kidderminster Central Area Action Plan Policy KCA.UP6.</u></p> <p><u>Kidderminster town centre is affected by flood risk. The town is protected by a flood alleviation scheme (FAS) located upstream of the town centre, which consists of an earth dam and a concrete culvert which help form a flood storage area. However, the residual risk associated with any failure of this scheme needs to be understood and factored in to new development decisions. This policy, therefore, provides criteria for developers to consider when proposing development within areas identified as being at risk of flooding within the KCAAP area.</u></p> <p><u>The policy identifies the need for development proposed within flood risk areas to take account of a number of measures to ensure that the development is safe, and remains safe, in times of flood. This includes building protection, such as setting appropriate floor levels, providing flood resilience and resistance techniques, as well as ensuring that there is access and a flood management plan for people using these sites.</u></p> <p><u>The policy requires developers to provide a flood management plan so that information is available for the users / occupiers of a proposed development to ensure that they are aware of appropriate procedure in times of flood.</u></p> <p><u>When producing a Flood Management Plan for any development, the following information should be included:</u></p> <ul style="list-style-type: none"> • <u>An identification of likely flood risk areas and sources</u> • <u>Details of evacuation routes</u> • <u>Important contacts, including floodline, emergency services, local authority information</u> • <u>Basic strategies for protecting property and assisting recovery</u> • <u>Details of key service cut off points (Electricity / Gas / Water)</u> <p><u>Further information on producing a flood management plan can be found on the Environment Agency's website (http://www.environment-agency.gov.uk/homeandleisure/floods/default.aspx).</u></p> <p><u>Furthermore, in order to assist Developers in</u></p>

Ref	Page	Policy/ Paragraph	Main Modification
			<p><u>considering flood risk within Kidderminster the Environment agency and Wyre Forest District Council are proposing to produce a developer guidance note. This will include information on flood risk within the area and a pro-forma to assist Developers in producing a Flood Risk Assessment that meets the policy requirements. The guidance note will be based primarily on the information within the Level 2 Strategic Flood Risk Assessment, which should be considered in the first instance when looking at developing within the central area.</u></p> <p><u>Many of the potential redevelopment sites identified in Part B of this document are adjacent to or within flood zones 2 and 3 as identified by the Level 2 Strategic Flood Risk Assessment. Therefore, the issue of flood risk is particularly pertinent in the KCAAP area and new development must consider the location of more vulnerable uses (e.g. housing) within the lowest risk areas.</u></p> <p><u>In addition to flood risk, the former industrial nature of parts of the town centre means that there is high potential for contamination issues to arise. Where appropriate, ground and water contamination must be addressed as part of any redevelopment and suitable remediation measures taken. Part B of this document identifies sites where the risk is known to be particularly apparent and new development should be in line with the Environment Agency's Groundwater Protection Principles and Practice Guidance. The nature of the ground conditions and hydrogeological setting does not remove the requirement for SuDS. However developers will need to give careful consideration to the type of SuDS techniques used and their design in protecting the water environment.</u></p>
MM17	33	Paragraph 6.6	<p>Include additional wording in paragraph 6.6 as follows:</p> <p><u>The former industrial nature of parts of the town centre means that there is high potential for contamination issues to arise. Disturbance of any such contamination during re-development can mobilise pollutants and adversely impact on the groundwater and the wider water environment including the rivers, canals and wetlands. The KCAAP area overlies a principal aquifer which is of strategic importance for water supply and the area falls within the Source Protection Zone of a public water supply borehole. The water table is relatively shallow, particularly within the Stour valley. It is therefore essential that Where appropriate ground and water contamination must be addressed as part of any redevelopment and suitable remediation measures taken. Part B of this document identifies sites where this risk is known to be particularly apparent; however a desk study will be required for most sites to assess this potential. New</u></p>

Ref	Page	Policy/ Paragraph	Main Modification
			development should be in line with the Environment Agency's Groundwater Protection Principles and Practice Guidance (GP3).
MM18	39	Policy KCA.UP1: Urban Design Key Principles	Include additional wording in Policy UP1 as follows: 'respect <u>and enhance</u> the blue and green infrastructure <u>and heritage assets</u> of the town centre...'
MM19	39	Urban Design and Place Making Objectives	Include an additional bullet point in the objectives as follows: <u>Create a safe and secure environment which reduces opportunities for crime and anti-social behaviour.</u>
MM20	40	Policy KCA.UP1	Amend criteria (i) "... enhances local <u>character and distinctiveness..</u> ".
MM21	40	Policy KCA.UP1	Add the following wording to the end of criteria (J) as follows: <u>'...and consider the incorporation of fire safety measures.'</u>
MM22	56	Heritage section para.7.73-7.80	Add in additional sentence at end of para. 7.8 & 7.22 and Page references 40/43 as follows: <u>"It is also important to consider how any proposals will take account of and promote the surviving historic character of the townscape."</u>
MM23	50	Policy KCA.UP5: Staffordshire and Worcestershire Canal	Replace criteria i of Policy KCA.UP5, with the following: <u>(i) Create a safe, secure and crime free environment through providing active frontages, natural surveillance, incorporation of Secured by Design principles and supporting security infrastructure where necessary.</u>
MM24	50	Policy KCA.UP5 Staffordshire and Worcestershire Canal	Include additional wording in Policy UP5 as follows: viii. Where appropriate, enhance the canal's <u>water environment and role</u> as part of the green infrastructure and biodiversity network."
MM25	52	Policy KCA.UP6: River Stour	Include additional wording in Policy UP6 as follows: New developments adjacent to the River Stour should <u>contribute to the improvement of the water environment by :</u> i. <u>Providing</u> a positive relationship to the water's edge. ii. <u>Making</u> on-site improvements to the green infrastructure links. iii. <u>Enhancing</u> the biodiversity value of the river and riverside areas as part of a wildlife corridor. iv. <u>Improving the morphology of modified sections of the river, where appropriate, to recreate more natural conditions and better habitat (i.e. de-culverting, re-profiling and buffer strips).</u> v. <u>Putting in place measures to protect and improve water quality (including groundwater).</u> vi. Providing flood risk betterment where practical. vii. Providing opportunities for promenading and interaction with the environment of the River Stour. Added Reasoned Justification: The River Stour is currently classified as poor

Ref	Page	Policy/ Paragraph	Main Modification
			<u>ecological status and failing good chemical status, as reported in the Severn River Basin Management Plan. Two of the objectives of the Water Framework Directive (WFD) are: to prevent deterioration in the status of aquatic ecosystems, protect them and improve the ecological condition of waters; and to achieve at least good status for all waters by 2015. Where this is not possible, and subject to the criteria set out in the Directive, aim to achieve good status by 2021 or 2027. New development should contribute towards improving the River Stour to assist the UK in meeting its objectives of the WFD.</u>
MM26	54	Green Infrastructure Opportunities	Insert additional green infrastructure objectives as follows: <ul style="list-style-type: none"> • <u>Use green infrastructure to deliver attractive walking and cycling routes.</u> • <u>Enhance the role of green infrastructure in adapting to and mitigating against the effects of climate change, particularly flood risk.</u>
MM27	55	Green Infrastructure Opportunities Para 7.68	<u>Expand last sentence of paragraph 7.68 to read 'The links also offer promenading opportunities to link the British Sugar and Churchfields sites as well as offering opportunities to address the impacts of climate change including flood risk and the urban heat island effect, as well as promoting opportunities for sustainable transport. Developments along the Stour Valley will also provide opportunities to enhance the landscape and townscape along this corridor.'</u>
MM28	55	Para 7.70	Amend last sentence to read: <u>Implementing measures such as street trees, green roofs and SuDS can all provide an enhancement provide visual enhancement as well as benefits such as flood mitigation and amenity greenspace."</u>
MM29	55	Green Infrastructure Opportunities Para 7.71	Amend paragraph 7.71 to read: <u>'The area's existing parks and green spaces are also an important part of the wider green infrastructure network. They provide vital urban biodiversity habitats as well as recreational space, whilst helping to reduce the urban heat island effect. These spaces, together with the linear parts of the green infrastructure network provide important walking and cycling routes. These spaces should be maintained and connected where appropriate to enhance the green infrastructure network within the town.'</u>
MM30	58	Paragraph 8.1	Reproduce the map detailing the KCAAP Character Areas in Appendix C.
MM31	62	Paragraph 9.16	Include additional wording in Paragraph 9.16, as follows: <u>'The Churchfields Masterplan sets out the priority areas for development contributions which includes off-site highways works, public transport and affordable housing. However, contributions will also be sought for other important infrastructure including education, drainage infrastructure, emergency</u>

Ref	Page	Policy/ Paragraph	Main Modification
			<u>services and community facilities, where appropriate.</u>
MM32	63	Policy KCA.Ch2: Phase 1 – Grasmere Close	<p>Include additional wording in Policy KCA.CH2, as follows: Policy KCA.CH2 Phase 1 – Grasmere Close The redevelopment of this area will be expected to include:</p> <ul style="list-style-type: none"> • C3 Dwelling House • <u>Community Uses (D1, including Police Post)</u> <p>Any new development on this site should:</p> <ol style="list-style-type: none"> 1. Provide a strong frontage along Stourbridge Road and Hurcott Road. 2. Provide active frontages and sense of enclosure to all roads within the site. 3. <u>Have regard to Policy SAL.DPL11 when considering any redevelopment involving the existing Police Post.</u> <p>Include additional Reasoned Justification as follows: 9.21 The Community Housing Group owns the site, <u>which currently consists of maisonette blocks, tower blocks and a Police Post. It is proposed to redevelop the site</u> with a scheme for more traditional houses. The redevelopment of <u>the Maisonettes</u> will provide up to 100 dwellings and will provide a more attractive environment.</p>
MM33	72	Policy KCA.Ch7: Phase 4 – Crossley Park	<p>Include the additional wording in Policy KCA.Ch7, as follows: <u>'New development should demonstrate appropriate remediation, building and drainage design in order to deal with any contaminated land and to protect the water environment'</u></p>
MM34	74	KCA.Ch8 Horsefair	Amend Policy KCA.Ch8, as follows: iv. An improved public realm will be sought along Blackwell Street, including a new public space <u>and car parking.</u>
MM35	74	KCA.Ch8 Horsefair	Amend Policy KCA.Ch8, as follows: "The development does not exceed <u>250 280sq.m net</u> "
MM36	77	KCA.EG1 Comberton Hill Area	Amend policy point i. to read: "Small scale retail (up to <u>250 280sq.m net</u>)"
MM37	85	KCA.EG5 Phase 1: Bromsgrove Street Area	<p>Revise the wording as follows: Development proposals in any part of the area must demonstrate how the scheme complies with a wider masterplanning approach <u>The District Council will aim to secure the comprehensive redevelopment of the Bromsgrove Street area as defined within this policy and the Plan on page 88.</u> Amend criteria (ii) as follows: (ii) Provide direct and / or enhanced links to Worcester Street via <u>Prospect Hill</u> to the former Magistrates' Court Building, Step Entry or retail developments to the north.'</p>

Ref	Page	Policy/ Paragraph	Main Modification
MM38	89	Paragraph 10.34	Remove the following wording: "This site will require a comprehensive redevelopment to provide modern units that retail operators will be attracted to." And replace with <u>"The defined site will be considered comprehensively to incorporate the premises fronting Worcester Street and land to the rear and applicants will be expected to demonstrate that they have fully explored this potential to the satisfaction of the LPA. At the very least proposals will be expected to maintain and enhance the existing links between Worcester Street and Bromsgrove Street. However, major challenges to delivery potentially earlier in the plan period include complicated land ownership and tenancy structures. These factors are likely to mean that delivery will come forward later in the plan period"</u>
MM39	89	KCA.EG6 Phase 2 – Worcester Street Retail Development	Amend the title to read: <u>Worcester Street Development</u> Add the following wording from policy: ii. <u>Seek to provide a comprehensive approach to the redevelopment of the area.</u>
MM40	90	Paragraph 10.37	Remove the following wording: "...and an ambition for this site is to provide a new 'street' that would provide clear access." And replace with: <u>At the very least proposals will be expected to maintain and enhance the existing links between Worcester Street and Bromsgrove Street."</u>
MM41	91	KCA.EG7 Phase 3 – Lion Street	Revise the following wording from policy: "Development proposals in any part of the area will be expected to consider how the scheme relates positively to the wider setting of the 'Eastern Gateway'."
MM42	93	KCA.EG8 Waterloo Street Area	Amend policy to read: "A1-A5 Retail (not exceeding 280sq.m net)"
MM43	107	Policy KCA.CW1: Castle Wharf	Include an additional paragraph in the policy, as follows: <u>x. Take full account of the Groundwater Source Protection Zone that exists within this area, in safeguarding groundwater supply.</u> Added Reasoned Justification: <u>The site sits on a Groundwater Source Protection Area (SPZ1 and 2). SPZ1 is the inner zone and is highly sensitive to land use / contamination. Therefore the type of development and activities that can take place within this zone need to have full regard to the Environment Agency's Groundwater Protection: Principles and Practice (GP3) document. In addition to control of land use, drainage and building design (i.e. foundations), tight control of the investigation and remediation of any land contamination issues would</u>

Ref	Page	Policy/ Paragraph	Main Modification
			<u>also be required in this location.</u>
MM44	112	KCA.MS1 Mill Street Mixed Use Area	Amend policy point 1. To read: "The development does not exceed <u>280sq.m net</u> "
MM45	119	Policy KCA.HP1 Heritage Processions Area	Include additional wording in Policy HP1 as follows: <u>New development should incorporate appropriate remediation, building and drainage design in order to deal with any contaminated land and to protect the water environment.</u>
MM46	124	Policy KCA.HP3: Green Street Depot	Include additional wording in Policy HP3 as follows: <u>vi. Take full account of the Groundwater Source Protection Zone that exists within this area, in safeguarding groundwater supply.</u> Include additional wording at Paragraph 15.18: <u>In addition to control of land use, drainage and building design (i.e. foundations), tight control of the investigation and remediation of any land contamination issues would also be required within this location.</u>
MM47		Policy KCA.HP4: Bus Depot	Include an additional paragraph in the policy, as follows: x. <u>Take full account of the Groundwater Source Protection Zone that exists within this area, in safeguarding groundwater supply.</u> <u>Added Reasoned Justification:</u> <u>The site sits on a Groundwater Source Protection Area (SPZ1 and 2). SPZ1 is the inner zone and is highly sensitive to land use / contamination. Therefore the type of development and activities that can take place within this zone need to have full regard to the Environment Agency's Groundwater Protection: Policy and Practice (GP3) document. In addition to control of land use, drainage and building design (i.e. foundations), tight control of the investigation and remediation of any land contamination issues would also be required within this location.</u>
MM48	128/129	Monitoring and Implementation Framework	Expand 'Relevant Core Strategy Policies' table and 'Relevant policies from Site Allocations and Policies Local Plan' table to incorporate all KCAAP policies.
MM49	133	Jargon Guide	Include the term SSSI within the Jargon Guide between ReWyre Initiative and Stourport Road Employment Corridor as follows: <u>'Site of Special Scientific Interest (SSSI) - a specifically defined area within which protection is afforded to ecological or geological features. Sites are officially notified by Natural England.'</u>
MM50	133	Jargon Guide	Amend the definition of "Previously Developed Land (PDL) to read as follows: 'Land which is, or was occupied by a permanent structure, including the curtilage of the developed land (although it should not be assumed that the whole of the curtilage should be developed) and any

Ref	Page	Policy/ Paragraph	Main Modification
			associated fixed surface infrastructure. This excludes: land that is or has been occupied by agricultural or forestry buildings; land that has been developed for minerals extraction or waste disposal by landfill purposes where provision for restoration has been made through development control procedures; land in built-up areas such as private residential gardens, parks, recreation grounds and allotments; and land that was previously-developed but where the remains of the permanent structure or fixed surface structure have blended into the landscape in the process of time." Q
MM51	New page to introduce policies KCA.EG5 - EG7.	KCA.EG5, KCA.EG6 & KCA.EG7	<p>Introduce a new page to introduce policies KCA.EG5, KCA.EG6 & KCA.EG7 as follows:</p> <p><u>Bromsgrove Street / Worcester Street / Lion Street</u></p> <p><u>The following policies in the Plan (EG5, EG6 and EG7) all form part of a wider regeneration area located within the Eastern Gateway. The map below identifies this regeneration area and depicts the three phases included within the boundary.</u></p> <p><u>[Map to be inserted outlining the wider boundary of the three sites]</u></p>
MM52	Various	Various	In addition to specific modifications referred to above, amend all other references to a retail floorspace of 250 sq m to <u>280 sq m</u> .