

**WYRE FOREST
DISTRICT LOCAL PLAN REVIEW**

INSPECTOR'S REPORT

MAY 2003

WYRE FOREST DISTRICT COUNCIL

IMPORTANT NOTICE

THE INSPECTOR'S REPORT ON THE WYRE FOREST DISTRICT LOCAL PLAN IS
RELEASED ON THE UNDERSTANDING THAT:

- 1) Its contents have yet to be considered by the Wyre Forest District Council and nothing in the recommendations shall bind the Council in any way whatsoever.
- 2) Any clerical errors and ambiguities have yet to be resolved.
- 3) Any person who acts or relies upon any of the recommendations does so at their own risk and no liability will be accepted by the Council.

The Next Stage

The current expectation is that the District Council will have considered the recommendations made by the Inspector by mid July 2003 and it will then place any Proposed Modifications to the Local Plan on formal Deposit, commencing August 2003, in accordance with the Town and Country Planning (Development Plan) Regulations 1999.

This timetable may however be subject to change by the Council.

N.B. The Inspector's Report was received by the District Council on 8th May 2003, and published on 16th May 2003.



The Planning Inspectorate

TOWN & COUNTRY PLANNING ACT 1990

WYRE FOREST DISTRICT COUNCIL

REPORT OF A PUBLIC INQUIRY

INTO OBJECTIONS TO THE

WYRE FOREST DISTRICT LOCAL PLAN

Inspector:

STEPHEN J PRATT BA (Hons) MRTPI

Inquiry period:

29 OCTOBER 2002 – 12 DECEMBER 2002

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Chief Executive
Wyre Forest District Council
Civic Centre
Stourport-on-Severn
Worcestershire DY13 8UJ

Your ref:
Our ref: PINS/R1845/429/1
Date: April 2003

Dear Sir

WYRE FOREST DISTRICT LOCAL PLAN **REPORT OF INQUIRY INTO OBJECTIONS**

1. As you know, I was appointed by the First Secretary of State to hold a public inquiry into objections to the *Wyre Forest District Local Plan*. I now enclose my report of the inquiry, which contains my recommendations not only on those objections heard at the inquiry, but also those made in writing.
2. I held a *Pre-Inquiry Meeting* to outline the arrangements for the inquiry on 22 July 2002. The public inquiry itself was held between 29 October-12 December 2002 at The Civic Centre, Stourport-on-Severn, and sat on 15 days. I have visited all the sites that were the subject of objections either before, during or after the inquiry.
3. The *Wyre Forest District Local Plan* (WFDLP) was prepared by Wyre Forest District Council (WFDC) under Section 36 of the Town & Country Planning Act 1990, in accordance with the associated Regulations, legislation and Planning Policy Guidance Note PPG12. The WFDLP is a statutory local plan prepared in the context of the established framework of planning policy guidance at national, regional and local level. This includes *Regional Planning Guidance for the West Midlands (RPG11) [CD51]* and the *Worcestershire County Structure Plan 1996-2011 [CD63]* adopted in June 2001. When adopted, the WFDLP will replace the 1996 *Wyre Forest District Local Plan [CD74]* and form part of the statutory development plan for Wyre Forest District. The WFDLP contains planning policies and proposals covering the period up to 2011.
4. A *Consultation Paper* on the Local Plan review was published in July 2000. The *Deposit Plan [CD77]* was published on 30 August 2001, with a closing date for receipt of representations of 11 October 2001. These responses were considered by the District Council during November 2001-February 2002 [CD78-83]. The *Revised Deposit Plan [CD85]*, which included almost 200 changes to the *Deposit Plan*, was placed on formal deposit between 4 April-16 May 2002. Representations were considered between June-July 2002, when the District Council resolved to make no further changes to the Plan.
5. By the close of the inquiry, the total number of representations made at the various stages of the WFDLP was as follows:

	Deposit Plan	Revised Deposit Plan	Total
Total number of representations	911	196	1107
Total number of objections	659	79	738
Objections withdrawn unconditionally	248	13	261
Supporting representations	252	117	369
Outstanding objections	411	66	477

6. As part of the preparation of the WFDLP, a *Sustainability Appraisal* of the First and Revised Deposit Plans was undertaken in April 2002 [CD84]. To inform the preparation of the WFDLP, the District Council commissioned a *Housing Needs Study* [CD88] and a *Retail & Commercial Leisure Study* [CD99]. The Council also publishes land availability information relating to *Housing* [CD91-92] and *Employment* [CD93-94]. In order to provide updated information and give more details about the Council's general response to key aspects of the WFDLP, WFDC published *Topic Papers* on *Housing, Employment, Green Belt* and *Retail Planning* [CD110-113] in August 2002.
7. In making my recommendations on the objections, I have taken into account all the evidence, submissions and representations made at the inquiry and in writing by both WFDC and the objectors, including the supporting representations. I have not dealt with objections that have been withdrawn unconditionally. I have also had regard to WFDC's *Reports to the Overview & Scrutiny (Environment & Development) Committee* [CD78-82 & 86] which include schedules of responses to the objections at First & Revised Deposit stages, along with all the material in the Inquiry Library, including Core Documents, statements and other material. These are listed in *Annex B* of my report. A schedule of the representations, including objections to the First & Revised Deposit Plans, supporting representations and withdrawn objections, is appended at *Annex C*. The inquiry programme, listing those who appeared, is appended at *Annex A* of my report.

Procedural matters

8. At the opening of the inquiry, WFDC confirmed that all the statutory formalities had been complied with, including the publication of notices announcing the inquiry. During the course of the inquiry, there were no issues arising from procedural aspects of the WFDLP.

The report

9. My report contains recommendations on objections to most of the 215 policies contained in the Plan (including the accompanying text and appendices), along with objections to almost 100 specific sites proposed in the Plan or mentioned by objectors.
10. I have prepared the normal brief form of report on the inquiry and the objections. My report generally follows the order of the Revised Deposit Local Plan on a policy-by-policy basis, covering both general and site-specific objections under the appropriate policy heading. Objections are grouped by policy, but where they cover both general and site-specific matters, they are normally dealt with separately. Where objectors refer to several policies in their site-specific objections, they are normally dealt with separately under the relevant policies. There are exceptions, for example, where most of the objections are dealt with under a single policy. My report is intended to be read together with the Revised Deposit Edition of the Local Plan [CD85].
11. Since all statements and documents have been recorded, and WFDC and the objectors are familiar with the evidence presented in support of their cases, my report concentrates on the key issues raised in the objections, along with my conclusions and recommendations. References to objections and documents (including Core Documents and other material) are shown in brackets thus: () & []. Various phrases are in *italics*, which generally represent quotations, documents, places or key phrases used in national guidance, policies or the representations. References to WFDLP & RDLP generally refer to the Revised Deposit version of the WFDLP [CD85].
12. In preparing my report, I have not received any further material from WFDC or objectors after the inquiry closed. Since then, few relevant Circulars, Planning Policy Guidance Notes and other Departmental advice have been issued. At the time of the inquiry, *Draft Regional Planning Guidance for the West Midlands 2001* [CD52] had been published, subject to an Examination in Public, and the Panel's Report [CD56] had been published. By the time of completing my report, the emerging RPG had not been finalised. However, WFDC may have to consider the implications of any later regional and national planning policy guidance when considering my report and preparing modifications to the Plan.

Main issues and recommendations

13. I have generally found the *Wyre Forest District Local Plan* to be a comprehensive and well thought out document, covering the key issues relevant to this District. Most objectors did not seriously challenge its main aims and objectives, or the overall development strategy, although the application of its policies were in some cases contentious. The modifications I recommend address valid points made by *WFDC* and objectors, together with a better reflection of national, regional and strategic policy, especially where national guidance has not been adequately followed or where departures from national policy have not been sufficiently justified.
14. On *Housing*, the main objections relate to housing land supply and affordable housing. Given the relatively high level of commitments and the modest new provision needed to meet current Structure Plan housing requirements, there is relatively little room for manoeuvre, particularly since the few new proposed housing sites are located on *previously developed land* within or adjoining the main town centres in the urban area. Apart from updating the text and figures on housing land supply, few other amendments are needed. However, I recommend deleting two small *greenfield* affordable housing sites (at *Badland Avenue & Woodbury Road, Kidderminster*). Apart from including two small sites at *Beauchamp Avenue, Kidderminster & Areley Common, Stourport* within the Residential Policy Area, I do not recommend in favour of any of the alternative/additional housing sites put forward by objectors. I recommend minor modifications to the wording of Policies H.4 & H.5. On affordable housing, I recommend several additions to the text accompanying Policy H.10 to provide further justification for the policy and bring it more in line with national policy. I also recommend further information on gypsy site provision and needs in Policies H.14 & H.15, along with a reference to special needs housing.
15. On *Employment*, the most controversial issue concerns the *former British Sugar Factory, Kidderminster*. By the close of the inquiry, a new policy had been agreed and I recommend in its favour, with some amendments. The employment land supply figures also need updating, along with Policies E.1 & E.2 and the accompanying text and tables. I recommend a reference to the need to safeguard railway interests at specific sites adjoining railway lines. I also recommend reconsidering an employment allocation at a small site at *Barracks Road, Stourport*, subject to the views of the *Environment Agency*, along with a minor modification to the Proposals Map at *Worcester Road, Stourport*. At *Lea Castle Hospital*, I recommend minor changes to the text and allocation on the Proposals Map. Minor amendments are also recommended to the wording of Policy E.9.
16. Apart from minor amendments to the wording of Policies D.8, D.9 & AD.1, no modifications are needed to the *Design* policies. Similarly, I make no recommendations for any changes to the policies on *Natural Resources*. On the *Countryside*, few amendments to the policies on the landscape and Green Belt are necessary. On specific sites, I recommend a minor clarification at *Lea Castle Hospital*, but I recommend no changes to the Green Belt status of other sites put forward by objectors. I am satisfied that the *Areas of Development Restraint*, including that at *Hurcott*, have been appropriately designated. Apart from a minor amendment to the text accompanying Policy AG.7, to recognise the need to introduce some non-local produce, I recommend no changes to the policies on agriculture, rural buildings and equestrian activities.
17. Apart from a minor clarification of the need for the early completion of the list of non-statutorily listed buildings, no amendments to the *Heritage* policies are recommended. Similarly, apart from a minor agreed amendment to Policy NC.5, I recommend no further changes to the *Nature Conservation* policies.
18. On *Transportation*, I recommend updating the latest position on the *Wolverhampton & Stourbridge Western By-Passes (Policy TR.14)* and *Stourport Relief Road (Policy TR.16)*, along with the car parking standards and car parking provision serving Kidderminster town centre (*Policy TR.18*). Minor amendments are also recommended to Policies TR.19 & TR.21, along with Appendix 8.

19. On *Leisure, Recreation & Tourism*, I recommend updating and further clarification of the provision of open space and children's play areas, in terms of Policies LR.1-LR.3, along with a minor amendment to Policy LR.9 and a more positive wording of Tourism Policy TM.1. The most controversial aspect in the *Community* section of the Plan concerns *Kidderminster Hospital*, but I recommend no changes to the published Policy CY.3.
20. The most contentious aspect on *Retailing* concerns the policy for the town centres and restriction of *edge-of-centre* and *out-of-centre* retail development. I recommend some clarification of the sequential approach to site selection, along with confirmation that the retail capacity requirements set out in the Plan are only a starting point and a guideline for future development. Amendments are recommended to Policies RT.1, RT.4 & RT.5 to bring them more into line with national policy in PPG6. At the inquiry, there was some discussion about the status of *Crossley Retail Park*, *Kidderminster* and *Co-op Foodstore, Stourport*, but I conclude that the former site is properly identified as an *out-of-centre* development and the latter store is appropriately identified as an *edge-of-centre* site.
21. On the *Town Centre* policies, I recommend minor amendments to the wording of Policies TC.3 & TC.5. Other contentious sites include *Carpets of Worth, Stourport* (Policy STC.2). I am satisfied that there are sound reasons to phase the redevelopment of this site in the later part of the Plan period, subject to an explicit requirement to provide a new link road to Discovery Road as part of the proposal. As for *Cheapside, Stourport* (Policy STC.3), I conclude that this site should also be phased beyond or later in the Plan period, unless its contribution to urban regeneration outweighs any disbenefits of excess housing provision.

General comments

22. Finally, I must express my appreciation for the co-operation and courtesy given to me by all those who appeared at the inquiry. Statements and evidence were normally taken briefly and there was little repetition of the arguments. As a result, the inquiry time was used efficiently and effectively, particularly since many objections were dealt with by *hearing* sessions. *WFDC*'s planning team had a heavy burden in preparing and presenting its rebuttal evidence, not only at the inquiry, but also in responding to written objections. *WFDC*'s advocate and witnesses were always helpful and I appreciate the hard work of their back-room team. My thanks also go to the various companies, organisations, residents' groups and individuals who gave so much time and thought to their representations at the inquiry and in writing. I hope that my recommendations will go some way towards meeting their concerns.
23. My personal thanks must especially go to the Programme Officer, *John Banbery*, whose work greatly assisted in the efficient running of the inquiry. He also assisted at the *Round Table Session* on affordable housing. He organised all the inquiry documentation, helping to make my task easier and ensuring that the inquiry programme ran smoothly.
24. My report follows this preamble, preceded by a *Summary of Main Recommendations* and list of *Abbreviations*. Annexes setting out the inquiry programme and appearances, lists of inquiry documents, including core documents, and a Schedule of Representations, with details of proofs of evidence and statements, follow. This latter Schedule is based on the Council's database which contains details of all the representations and objections.

Yours faithfully



STEPHEN J PRATT
BA (Hons) MRTPI
Inspector

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WYRE FOREST DISTRICT LOCAL PLAN REVIEW - INQUIRY REPORT**SUMMARY OF MAIN RECOMMENDATIONS**

Policy/site	Inspector's recommendation	Para
INTRODUCTION:		
Paragraph 1.18	No modifications	1.5
Use Classes Order	No modifications	1.7
DEVELOPMENT STRATEGY		
Paragraphs 2.1, 2.3 & 2.5	No modifications	2.7
HOUSING		
Introduction, including housing land supply and POLICY H.1	MODIFY by:- (i) <u>updating</u> the information in the text accompanying Policies H.1 & H.2, including Table 1 & 2 and Appendices 3-5, in line with the latest information set out in Topic Paper 1 [CD110], or any later information; (ii) <u>amending</u> Policy H.2, Table 1 and the accompanying text to reflect my recommendations on individual housing sites; (iii) <u>amending paragraph 3.4</u> to refer to the Council's most recent Housing Strategy;	3.37
West of Summerhill/ Habberley, Kidderminster	No modifications	3.41
POLICY H.2	No further modifications	3.55
Badland Avenue, Kidderminster Woodbury Road, Kidderminster	MODIFY , by <u>deleting</u> the allocation of sites at Badland Avenue and Woodbury Road, Kidderminster for affordable housing under Policy H.2(ix), with consequential amendments to housing land supply, paragraphs 3.9 & 3.72 and Policy H.2 of the Local Plan, and <u>including</u> these sites within the Public Open Space designation under Policy LR.1.	3.61
Rock Works, Park Lane, Kidderminster	No modifications	3.64
Caldwell Mill, Tram Street, Kidderminster	No modifications	3.66
Clensmore Street, Kidderminster	No modifications	3.75
Park Lane, Kidderminster	No modifications	3.78
Beauchamp Avenue, Kidderminster	MODIFY , by <u>including</u> this site within the Residential Area (Policy H.2(i))	3.80
Franche Road, Kidderminster	No modifications	3.85
North of Badland Avenue, Kidderminster	No modifications	3.88
North of Ferndale, Kidderminster	No modifications	3.93
Snowdon Close, Kidderminster	No modifications	3.103
Park Gate, Kidderminster	No modifications	3.107
Hurcott, Kidderminster	No modifications	3.111
Stanklyn Lane, Stone	No modifications	3.117
Sebright Road, Fairfield, Wolverley	No modifications	3.122
Lea Castle Hospital, Wolverley	No modifications	3.130
Austcliffe Lane, Cookley	No modifications	3.134
Station Drive/Birmingham Rd, Blakedown	No modifications	3.143
Baldwin Road, Stourport	No modifications	3.149
Severn Road Redevel Area, Stourport	No modifications	3.151
Cheapside, Severn Road, Stourport	No modifications	3.153
Four Acres Caravan Park, Stourport	No modifications	3.156
Wilden Lane, Stourport	No modifications	3.160
Areley Common, Stourport	MODIFY , by <u>including</u> this site within the Residential Area (Policy H.2(i))	3.163
Highclere, Bewdley	No modifications	3.173
Habberley Road, Bewdley	No modifications	3.183
Mopsons Cross Farm, Callow Hill, Rock	No modifications	3.187
Shangri-La, Callow Hill, Rock	No modifications	3.192
New Road, Far Forest (2 sites)	No modifications	3.195 3.199
Heightington Road, Bliss Gate, Rock	No modifications	3.207
POLICY H.3	No modifications	3.219
Lea Castle Hospital, Wolverley	No modifications	3.221
North of Ferndale, Kidderminster	No modifications	3.223
Park Lane, Kidderminster	No modifications	3.225

Policy/site	Inspector's recommendation	Para
Carpets of Worth, Severn Rd, Stourport	No modifications	3.236
Cheapside, Severn Road, Stourport	No modifications	3.251
POLICY H.4	MODIFY by amending the wording of Policy H.4, replacing the word "must" with "should" in the 2 nd clause of the first sentence of the Policy	3.256
POLICY H.5	MODIFY by amending Policy H.5 to confirm that regard will be had to local circumstances and the character of the surrounding area	3.264
POLICY H.6	No objections	
POLICY H.7	No modifications	3.267
POLICY H.8	No modifications	3.269
POLICY H.9	No modifications	3.273
POLICY H.10	<p>MODIFY as follows:-</p> <ul style="list-style-type: none"> (i) the text accompanying Policy H.10 should indicate the current need for affordable housing up to 2005, but also confirm that there is likely to be a continuing significant need for affordable housing throughout the entire Plan period up to 2011, and include details of the anticipated level of affordable housing provision arising from committed and proposed sites, along with other sources during the current Plan period; (ii) the accompanying text should confirm that a future Urban Capacity Study will examine the likely contribution to affordable housing from windfall sites, empty properties, flats over shops, conversions and changes of use, and that a review of the Housing Strategy and Housing Needs Survey will provide the opportunity to examine the need for housing for key workers and special needs/sheltered housing; (iii) the wording of Policy H.10 and the accompanying text should confirm that the 30% level of affordable housing provision is a maximum figure as a basis for negotiation; (iv) paragraph 3.69 should set out the factors to be considered when assessing the requirement to provide affordable housing on particular sites, including site size, suitability, economics of provision and the need to ensure a successful development, as set out in Circular 6/98 (¶ 10); (v) paragraph 3.75 should be deleted in its entirety; (vi) paragraphs 3.76-3.77 should be amended as suggested by WFDC [CD128], to improve structure and clarity; (vii) paragraph 3.78 should be amended to recognise the potential contribution that other providers could make to affordable housing provision and provide the flexibility for such provision to be made; (viii) paragraph 3.80 should be amended to confirm that the design, layout and integration of affordable housing will depend on the particular constraints, characteristics and circumstances of individual sites, to be discussed and negotiated on a site-by-site basis; (ix) in paragraph 3.81, the reference to the provision of additional unsubsidised low-cost market housing should be deleted, but the general requirement for provision of this type of affordable housing should remain in this section, along with an indication of the level of provision sought; (x) a general reference to the provision of unsubsidised low-cost market housing should also feature in the text accompanying Policy H.4 (¶ 3.36). 	3.317
POLICY H.11	No modifications	3.322
Heightington Road, Rock	No modifications	3.327
POLICY H.12	No modifications	3.329
POLICY H.13	No modifications	3.332
POLICY H.14	MODIFY by <u>including</u> in the text accompanying Policy H.14 brief details of the total number of existing pitches at the safeguarded gypsy sites and the context of gypsy site provision	3.334
POLICY H.15	MODIFY by <u>amending</u> the text introducing Policies H.14 & H.15 to specifically refer to the assessment of travellers' needs being undertaken as part of the Housing Strategy, incorporating any relevant information arising from the assessment before the Plan is adopted or at a subsequent review	3.338
POLICIES H.16-H.18	No objections	

Policy/site	Inspector's recommendation	Para
Omissions: Special housing needs Re-use of empty properties	MODIFY by making a specific reference to the provision of housing for special needs in paragraph 3.82 as part of the introductory text to Policy H.10	3.342
EMPLOYMENT		
Objective 7	No modifications	4.3
POLICY E.1	MODIFY by:- (i) <u>amending Table E1</u> in the Plan, to update the figures of existing completions and available sites, as set out in the Employment Topic Paper [CD111] or any more recently published information, and taking into account my recommendations in later sections of this chapter; (ii) <u>reviewing</u> the text accompanying <u>Policy E.1</u> to bring the situation up-to-date and take into account any consequential amendments arising from other changes and modifications to the Plan;	4.19
POLICY E.2	MODIFY by:- (i) <u>amending</u> the explanatory text accompanying Policy E.2, including <u>Table E2</u> , in accordance with the updated information in Topic Paper; (ii) <u>amending Policy E.2</u> to include as Proposed Employment Land those sites currently included as "available sites" in the latest schedule of Employment Land Availability [CD93], but which do not yet have planning permission, including previously allocated employment sites in the adopted Local Plan;	4.29
Land at the former British Sugar Factory, Stourport Road, Kidderminster	MODIFY by:- (i) <u>including</u> a new <u>Policy E.2A</u> for the British Sugar factory site, encouraging the redevelopment of the site for Class B1, B2 & B8 uses, with phased release of land, retention of the sports ground and appraisal of the potential for a railfreight connection, along with explanatory text, as set out in the agreed statement [CD129]; (ii) <u>amending Table E2</u> of the Plan to include an employment allocation of 12ha at the British Sugar factory site within the current Plan period; (iii) <u>making</u> consequential amendments to paragraphs 4.28A&C; (iv) <u>amending Policy E.2</u> by <u>deleting</u> the reference to Land at the former British Sugar Factory, Stourport Road, Kidderminster, along with the reference to park-and-ride and outdoor sports facilities/stadia; (v) <u>designating</u> the area of land to be released within the current Plan period as a first phase of the development on the Proposals Map;	4.41
Greenhill Industrial Estate, Kidderminster	No modifications	4.45
Hurcott, Kidderminster	No modifications	4.50
Lisle Avenue, Kidderminster	No modifications	4.53
Clensmore Street, Kidderminster	No modifications	4.65
Park Lane, Kidderminster	No modifications	4.68
Folkes Forge, Stourport Rd, Kidderminster	No modifications	4.71
Stourport Road, Kidderminster	No modifications	4.73
Adj railway, south of Kidderminster East of Worcester Rd, Kidderminster	MODIFY , by ensuring that revised <u>paragraph 4.28C</u> refers to proposals in employment areas which lie adjacent to railways, and confirms that proposals should not prejudice the operational needs of the railway or adversely affect the general operation, safety and efficiency of the railway	4.76
Baldwin Road, Stourport	No modifications	4.79
Barracks Road, Stourport	MODIFY , <u>subject to confirmation by the Environment Agency</u> , by: (i) <u>amending Policy E.2</u> to include an allocation for employment development (Class B1, B2 & B8 uses) on land off Barracks Road, Stourport, limited to the northern area of the site beyond the flood plain as defined under Policy NR.5 on the Proposals Map of the RDLP; (ii) <u>amending</u> the Proposals Map, paragraph 4.17(ii), Table E2 and the overall employment land provision of the Local Plan accordingly.	4.86
Worcester Road, Stourport	MODIFY by <u>amending</u> the designation on the Proposals Map of the rear garden of the former public house fronting Worcester Road from employment uses to mixed uses under Policy E.5	4.92
Stanklyn Lane, Stone (2 sites)	No modifications	4.97

Policy/site	Inspector's recommendation	Para
POLICY E.3: Lea Castle Hospital	MODIFY by:- (i) including a specific employment allocation of 6ha at Lea Castle Hospital within Table E2 of the Local Plan; (ii) <u>amending</u> the site coverage ratio to 26% (¶ 4.31); (iii) <u>specifying</u> the location where redevelopment for employment purposes would be permitted on the Proposals Map	4.112
POLICY E.4: Rushock Trading Estate	No modifications	4.115
POLICY E.5	No modifications	4.120
Hurcott, Kidderminster	No modifications	4.123
POLICY E.6	No objections	
POLICY E.7	No modifications	4.127
POLICY E.8	No modifications	4.134
Stanklyn Lane, Stone (2 sites)	No modifications	4.136
POLICY E.9	MODIFY by:- (i) <u>amending</u> the second sentence of the second paragraph of <u>Policy E.9</u> to include out-of-centre locations that are accessible by a choice of means of transport, as the final element in the sequential approach to the location of office development; (ii) <u>amending</u> the title of <u>Policy E.9</u> and this sub-section of the chapter to "Business Development Outside Allocated Areas";	4.144
Omission: Offmore Farm, Kidderminster	No modifications	4.150
DESIGN		
POLICY D.1	No modifications	5.9
POLICY D.2	No modifications	5.11
POLICY D.3	No modifications	5.13
POLICY D.4	No modifications	5.17
POLICIES D.5-D.6	No objections	
POLICY D.7	No modifications	5.19
POLICY D.8	MODIFY by <u>amending</u> the text accompanying Policy D.8 by providing further guidance on maximising the re-use of existing building materials, summarising the examples in Rebuttal Statement [LPA/481/019/D.8/1]	5.21
POLICY D.9	MODIFY by: (i) replacing the word "must" with "should" in Policy D.9; (ii) adding the words "where appropriate" at the end of criterion (iii)	5.26
POLICY D.10	No objections	
POLICY D.11	No modifications	5.31
POLICIES D.12-D.14	No objections	
POLICY D.15	No modifications	5.35
POLICY D.16	No modifications	5.37
POLICY D.17	No modifications	5.43
POLICY D.18	No modifications	5.45
POLICY D.19	No objections	
POLICY AD.1	MODIFY , by correcting the reference in paragraph 5.85 of the Revised Deposit Local Plan to "PPG20" to PPG19 .	5.49
POLICIES AD.2-AD.4	No objections	
POLICY AD.5	No modifications	5.51
POLICY AD.6	No objections	
NATURAL RESOURCES		
POLICY NR.1	No modifications	6.5
POLICY NR.2	No modifications	6.7
POLICIES NR.3-NR.4	No objections	
POLICY NR.5	No modifications	6.11
Victoria Carpets Sports Ground, K'mnster	No modifications	6.13
Barracks Road, Stourport	No modifications	6.18
POLICY NR.6	No modifications	6.21
POLICIES NR.7-NR.9	No objections	

Policy/site	Inspector's recommendation	Para
POLICY NR.10	No modifications	6.23
POLICIES NR.11-NR.14	No objections	
POLICY NR.15	No modifications	6.26
Omission: Renewable energy	No modifications	6.31
COUNTRYSIDE		
POLICY LA.1	No objections	
POLICY LA.2	No modifications, but the approach to local landscape protection, including Policy LA.2, should be reviewed as soon as WCC's SPG on Landscape Character Areas is finalised and adopted.	7.6
Bewdley Road North, Stourport	No modifications	7.8
POLICIES LA.3-LA.5	No objections	
POLICY LA.6	No modifications	7.10
POLICIES LA.7-LA.9	No objections	
POLICY GB.1	MODIFY by deleting <u>Note 2</u> accompanying Policy GB.1 or <u>amending</u> the text to indicate the concern about the loss of buildings of local interest	7.27
Hurcott, Kidderminster	No modifications	7.33
Stanklyn Lane, Stone	No modifications	7.39
Ferndale, Kidderminster	No modifications	7.44
Bewdley Road North, Stourport	No modifications	7.48
Birmingham Rd/Station Drive, Blakedown	No modifications	7.57
Stourport/Burlish Schools, Stourport	No modifications	7.63
Wyre Forest Golf Club, Kidderminster	No modifications	7.67
Stanklyn Lane, Stone (2 sites)	No modifications	7.72
POLICIES GB.2-GB.3	No objections	
POLICY GB.4: Lea Castle Hospital	MODIFY by: (i) <u>clarifying</u> the definition of "footprint" in the text accompanying Policy GB.4, along the lines of the definition set out in PPG2 (Annex C5); (ii) <u>correcting</u> the reference to paragraphs 6.4.2-6.4.3 in clause (ii) of Policy GB.4 to paragraphs 7.44 and 7.45;	7.80
Hartlebury Grain Store, Stone	No modifications	7.88
Drakelow Bunker, Wolverley	No modifications	7.95
POLICIES GB.5-GB.6	No objections	
POLICY DR.1		
Stourbridge Road/Hurcott Lane, K'mnster	No modifications	7.105
Park Gate, Kidderminster	No modifications	7.110
Hurcott, Kidderminster	No modifications	7.115
Bewdley Road North, Stourport	No modifications	7.120
POLICY AG.1	No modifications	7.123
POLICIES AG.2-AG.6	No objections	
POLICY AG.7	MODIFY by amending the text accompanying Policy AG.7 to specifically recognise the need to introduce some non-local produce to ensure continuity of supply to overcome the problems of seasonality, provided that non-local produce does not predominate.	7.126
POLICY AG.8	No objections	
Rural Buildings - introduction	No modifications	7.128
POLICY RB.1	No modifications	7.130
POLICY RB.2	No modifications	7.134
POLICIES RB.3-RB.8	No objections	
POLICIES CH.1-CH.4	No objections	
POLICY EQ.1	No modifications	7.137
POLICY EQ.2	No modifications	7.140
POLICY EQ.3	No objections	
HERITAGE		
Aims	No modifications	8.4
POLICIES LB.1-LB.3	No objections	
POLICY LB.4	No modifications	8.6
POLICY LB.5	No objections	
POLICY CA.1	No modifications	8.9

Policy/site	Inspector's recommendation	Para
POLICIES CA.2-CA.5	No objections	
POLICY CA.6	No modifications	8.11
POLICIES AR.1-AR.4	No objections	
POLICY HL.1	No objections	
POLICY ED.1	No objections	
POLICY HA.1	No objections	
Omission - List of non-statutorily listed buildings	MODIFY by adding the following words to the end of paragraph 8.11: <i>"...and would aim for early completion, in consultation with relevant bodies, and would review the list from time to time"</i>	8.13
NATURE CONSERVATION		
POLICY NC.1	No modifications	9.6
POLICY NC.2	No modifications	9.9
Drakelow Lane, Wolverley	No modifications	9.11
Honeybrook, Kidderminster	No modifications	9.14
POLICY NC.3	No modifications	9.20
POLICY NC.4	No modifications	9.24
POLICY NC.5	MODIFY by <u>amending</u> the first sentence of <u>Policy NC.5</u>	9.28
POLICIES NC.6-NC.7	No objections	
POLICY NC.8	No modifications	9.30
TRANSPORTATION		
POLICY TR.1	No modifications	10.5
POLICY TR.2	No modifications	10.18
POLICIES TR.3-TR.4	No objections	
POLICY TR.5	No modifications	10.21
POLICY TR.6	No modifications	10.25
POLICY TR.7	No modifications	10.32
POLICIES TR.8-TR.13	No objections	
POLICY TR.14	MODIFY by <u>up-dating</u> the explanatory text accompanying Policy TR.14 to reflect the latest position on the Wolverhampton/Stourbridge By-Passes	10.39
POLICY TR.15	No modifications	10.43
POLICY TR.16	No modifications in response to these objections, but if the situation becomes clearer about the justification and timescale for the construction of the Stourport Relief Road before the Plan is adopted, Policy TR.16 and the accompanying text should be <u>amended</u> accordingly	10.52
POLICY TR.17	No objections	
POLICY TR.18	MODIFY by: (i) <u>amending</u> paragraph 10.71 by <u>adding</u> the following sentence: <i>"Should planning applications for the future expansion of parking facilities at existing railway stations within Wyre Forest be received, they will be assessed against the provisions set out in paragraph 63 of PPG13";</i> (ii) <u>including</u> information on current and future car parking provision for Kidderminster town centre in the text accompanying Policy TR.18/TC.5; In addition , if WCC completes its review of car parking standards before the Local Plan is modified and adopted, the revised standards should be included in Appendix 8; otherwise, any revised standards should be included in a future review of the Local Plan. In the meantime , the Council should apply the standards set out in PPG13 (Annex D) where there is any discrepancy, and confirm this approach in the text accompanying Policy TR.18.	10.69
POLICY TR.19	MODIFY by <u>amending</u> paragraph 10.74 to recognise the difficulty of providing convenient accessibility by public transport in the more remote rural areas of the District and confirm that proposals for small-scale business development in rural areas which generate low volumes of traffic will not necessarily require a Transport Assessment.	10.74
POLICY TR.20	No modifications	10.77
POLICY TR.21	MODIFY by: (i) <u>amending</u> clause (i) of Policy TR.21, <u>adding</u> the words "for the development" at the end of the sentence; (ii) <u>replacing</u> the term "safe emissions" with "public exposure" at the end	10.89

Policy/site	Inspector's recommendation	Para
	of the penultimate clause of Policy TR.21;	
Omissions Relief road (Foley Park/Stourport) Rail-based Park-and-Ride Kidderminster Ring Road (Stage 5) Appx 8: DETR TAL 5/95	MODIFY by including a specific reference in <u>Appendix 8</u> to the relevant distances between disabled parking spaces and major destinations in Table 1 of DETR's Traffic Advisory Leaflet 5/95 (Parking for Disabled People)	10.96
LEISURE, RECREATION & TOURISM		
POLICY LR.1	MODIFY by updating paragraph 11.11 to refer to the latest guidance in PPG17 (2002), particularly paragraphs 10-18	11.4
POLICIES LR.1-LR.3	MODIFY by: (i) updating the introductory text and explanatory text accompanying Policies LR.1-LR.3 to refer to the key elements and guidance in the latest version of PPG17 (2002); (ii) the explanatory text should confirm the Council's intention to draw up local open space standards for the District as part of the next review of the Local Plan; (iii) the explanatory text should give some indication of the existing provision of playing fields, open space and children's play areas in the District, to set the context and highlight current deficiencies	11.12
Linden Avenue, Stourport-on-Severn	No modifications	11.15
Station Drive/B'ham Road, Blakedown	No modifications	11.20
Franche Road, Kidderminster	No modifications	11.24
Walshes Sports Ground, Stourport	No modifications	11.28
The Parade, Stourbridge Road, K'minster	No modifications	11.30
Stourport Road, Kidderminster	No modifications	11.32
POLICY LR.2	No modifications	11.35
POLICIES LR.4-LR.7	No objections	
POLICY LR.8	No modifications	11.37
POLICY LR.9	MODIFY by: (i) <u>amending paragraph 11.35</u> to refer to the latest version of PPG17; (ii) <u>amending the Proposals Map</u> to revise the designation around the existing club house in the northern area of Kidderminster Golf Club	11.45
Victoria Sports Ground, Kidderminster	No modifications	11.49
POLICIES LR.10-LR.15	No objections	
POLICY LR.16	No modifications	11.53
POLICIES LR.17-LR.18	No objections	
POLICY TM.1	MODIFY by <u>amending</u> the first sentence of <u>Policy TM.1</u> to read as follows: "Proposals for tourism related development (including the extension of existing attractions and facilities) will be permitted, subject to the details of the proposal complying with other relevant policies of the Local Plan and provided that:..."	11.57
POLICY TM.2	No modifications	11.63
POLICIES TM.3-TM.9	No objections	
COMMUNITY		
POLICY CY.1	No modifications	12.2
POLICY CY.2	No objections	
POLICY CY.3	No modifications	12.15
POLICY CY.4	No modifications	12.20
POLICY CY.5	No modifications	12.25
POLICY CY.6	No modifications	12.27
Omission: New Prisons	MODIFY by including a reference to the fact that Wyre Forest District is within one of the priority areas of search for new prison facilities	12.32
RETAILING		
Aims	No modifications	13.5
Paragraphs 13.20-13.24	MODIFY by <u>amending</u> paragraphs 13.20-13.24 to confirm that the retail capacity requirements resulting from the MVM Study are only a starting point and a guideline for future provision, and require any proposals in	13.16

Policy/site	Inspector's recommendation	Para
	excess of these figures to be fully justified in terms of the sequential approach and retail capacity, and subject to a full retail assessment, with consequential amendments to paragraph 13.26	
POLICY RT.1	MODIFY by <u>amending</u> the text accompanying Policy RT.1: (i) to indicate the status of district and local centres in the sequential approach; (ii) to justify the threshold of 250 sq m, as set out in CD133 (¶ 4.6); (iii) to incorporate the word <i>normally</i> in paragraph 13.27A	13.31
POLICY RT.2	No modifications	13.38
POLICY RT.3	No modifications	13.42
POLICY RT.4	MODIFY by <u>amending</u> the text accompanying Policy RT.4 to recognise the other factors which determine the definition of an edge-of-centre location, including local topography, barriers to pedestrians, the strength of attraction of the town centre and the attractiveness of the route	13.55
Crossley Retail Park, Kidderminster	No modifications	13.71
Co-op Foodstore, Lombard St, Stourport	No modifications	13.83
POLICY RT.5	MODIFY by <u>amending</u> Policy RT.5 to remove the apparent inconsistency in clauses (i) & (iii) and the final paragraph in terms of considering proposals for the removal of conditions restricting the type of goods and the sub-division of units	13.92
POLICIES RT.6-RT.10	No objections	
POLICY RT.11	No modifications	13.95
POLICY RT.12	No objections	
POLICY RT.13	No modifications	13.97
Omissions: Markets Abandoned shopping trolleys	MODIFY by <u>including</u> a reference to markets in <u>paragraph 14.7</u> of the Plan	13.101
TOWN CENTRES		
POLICY TC.1	No modifications	14.2
POLICY TC.2	No modifications	14.10
POLICY TC.3	MODIFY by <u>amending</u> Policy TC.3 in accordance with the agreed wording included in WCC's evidence [O/TC.3/136/032/1]	14.15
POLICY TC.4	No objections	
POLICY TC.5	MODIFY by <u>amending</u> the text accompanying Policy TC.5 to confirm that the second sentence of the first paragraph of Policy TC.5 does not apply to the ground floor of the Swan Centre multi-storey car park	14.30
POLICY KTC.1	No modifications	14.34
POLICY KTC.2	No modifications	14.36
POLICY KTC.3	No modifications	14.42
POLICY KTC.4	No objections	
Proposals Map - Inset 3	No modifications	14.44
POLICY STC.1	No objections	
POLICY STC.2	MODIFY by <u>amending</u> Policy STC.2 to include a specific requirement for the provision of a new road linking to Discovery Road as part of the redevelopment of this site	14.64
POLICY STC.3	MODIFY by: (i) <u>amending</u> Policy STC.3 to confirm that development for residential uses will only be permitted during the Plan period where it is required to meet any deficiencies in housing land supply identified as a result of housing land monitoring; (ii) <u>amending</u> Policy STC.3 to include a qualification enabling this site to come forward for redevelopment within the current Plan period, provided its contribution to urban regeneration outweighs any disbenefits likely to arise from the potential excess provision of housing up to 2011; (iii) <u>reviewing</u> the wording of the second and third sentences of paragraph 14.32 as a result of Change No. 193	14.73
POLICIES STC.4-STC.6	No objections	
Omission: Markets	No further modifications	14.75
IMPLEMENTATION	No objections	

<i>Policy/site</i>	<i>Inspector's recommendation</i>	<i>Para</i>

ABBREVIATIONS

The following abbreviations are used in this report:

ADR	Area of Development Restraint
ALC	Agricultural Land Classification
AGLV	Area of Great Landscape Value
AOD	above Ordnance datum (height above sea level)
AONB	Area of Outstanding Natural Beauty
Appx	Appendix
BC	Borough Council
BDC	Bridgnorth/Bromsgrove District Council
BT	British Telecommunications plc
BTC	Bewdley Town Council
CD	Core Document
Cllr	Councillor
CPRE	Council for the Protection of Rural England
CPO	Compulsory Purchase Order
CRI	Community Renewables Initiative
CRP	Crossley Retail Park
DC	District Council
DCMS	Department of Culture, Media & Sport
DETR	Department of the Environment, Transport & the Regions
DfEE	Department for Education & Employment
DOE	Department of the Environment
DTp	Department of Transport
DTC	Diagnostic & Treatment Centre
DTI	Department of Trade & Industry
DTLR	Department of Transport, Local Government & the Regions
dw/ha	dwelling/hectare
EA	Environment Agency
EH	English Heritage
EIP	Examination in Public
EN	English Nature
GDPO	General Development Procedure Order
GPDO	General Permitted Development Order
GO-WM	Government Office for the West Midlands
ha	hectares
HA	Highways Agency
HBF	House Builders Federation
HGV	Heavy Goods Vehicle
HMO	House in Multiple Occupation
HMSO	Her Majesty's Stationery Office
HNS	Housing Needs Survey
HSE	Health & Safety Executive
HWCC	Hereford & Worcester County Council
ICNIRP	International Commission on Non-Ionizing Radiation Protection
km	kilometres
KCS	Kidderminster Civic Society
KFPC	Kidderminster Foreign Parish Council
LAAPC	Local Authority Air Pollution Control
LEA	Local Education Authority
LEAP	Local Equipped Area for Play
LNR	Local Nature Reserve
LPA	Local Planning Authority
LTP	Local Transport Plan
MAFF	Ministry of Agriculture, Fisheries & Food
MHDC	Malvern Hills District Council
MoD	Ministry of Defence
NEC	Noise Exposure Category
NFU	National Farmers Union

NHS	National Health Service
ABBREVIATIONS (continued)	
NPFA	National Playing Fields Association
NRA	National Rivers Authority
ODPM	Office of the Deputy Prime Minister
OS	Ordnance Survey
¶ / para	paragraph
P&R	Park and Ride
PC	Parish Council
PPG	Planning Policy Guidance Note
PROW	Public Right of Way
PSA	Primary Shopping Area
RDC	Rural District Council
RDLP	Wyre Forest District Local Plan - Revised Deposit Local Plan
Ref	Reference
RPG	Regional Planning Guidance
RSL	Registered Social Landlord
RTS	Round Table Session
S106	Section 106
SNCI	Site of Nature Conservation Interest
SPG	Supplementary Planning Guidance
sq m /m ²	square metres
SRA	Strategic Rail Authority
SSGLG	Staffordshire & Shropshire Gypsy Liaison Group
SSSI	Site of Special Scientific Interest
Staffs & Worcs	Staffordshire & Worcestershire
T&CP	Town & Country Planning
TCPA	Town & Country Planning Act
TIA	Traffic Impact Assessment
TOC	Train Operating Company
TP	Topic Paper
TPO	Tree Preservation Order
TPP	Transport Policies & Programme
UAPC	Upper Arley Parish Council
UHCS	Urban Housing Capacity Study
UK	United Kingdom
W&CA	Wildlife & Countryside Act
W&CPC	Wolverley & Cookley Parish Council
WAHT	Worcestershire Acute Hospitals NHS Trust
WCC	Worcestershire County Council
WCDP	Worcestershire County Development Plan
WCSP	Worcestershire County Structure Plan 1996-2011
WFBF	Wyre Forest Business Forum
WFCH	Wyre Forest Community Housing
WFCS	Wyre Forest Cycling Strategy
WFDC	Wyre Forest District Council
WFDLP	Wyre Forest District Local Plan Review
WFFOE	Wyre Forest Friends of the Earth
WFGC	Wyre Forest Golf Club
WFPHT	Wyre Forest NHS Primary Healthcare Trust
WFUALP	Wyre Forest Urban Areas Local Plan
WLTP	Worcestershire Local Transport Plan
WMAMMS	West Midlands Area Multi-Modal Study
WMLGA	West Midlands Local Government Association
WMPTA	West Midlands Passenger Transport Authority
WMRRSL	West Midlands Region RSL Planning Consortium
WNCT	Worcestershire Nature Conservation Trust
WWT	Worcestershire Wildlife Trust

CHAPTER 1: INTRODUCTION

OBJECTIONS DEALING WITH CHAPTER TEXT

Objections First Deposit 60/001 - Mrs E F Foxall.

Revised Deposit There are no objections at the Revised Deposit stage.

Key issues

- Para 1.18: Should the text refer to the *Disability Discrimination Act 1995* and the *European Convention on Human Rights*.

Main considerations and Inspector’s conclusions

- 1.1 This chapter introduces this District Local Plan Review, setting out the development plan context, including the existing adopted Local Plan [CD74], Worcestershire County Structure Plan (WCSP) [CD63], Regional Planning Guidance (RPG11) [CD51/52] and the local plan context. It also outlines the procedure for preparing the Plan, including its format, sustainability appraisal and the next stages in the process. The RDLP makes several changes to the text, to update the situation and respond to objections made at First Deposit stage (*Change No. 001*).
- 1.2 Paragraph 1.18 outlines the main changes to the policy content of the Plan as intended to replace the adopted Local Plan [CD74]. *Mrs Foxall* asks for *WFDC* to acknowledge the existence of the *Disability Discrimination Act 1995* and the *European Convention on Human Rights* and undertake to honour this legislation and avoid actions which worsen the quality of life of people with disabilities.
- 1.3 PPG13 (¶ 31) confirms that local authorities should work in partnership to meet the accessibility needs of disabled people in all developments, highlighting their needs in the design, layout, physical conditions and inter-relationship of uses. *WFDC* points out that several policies (including Policy D.1 & TR.7) were strengthened at the Revised Deposit stage to reflect this national guidance and avoid development which worsens the quality of life for people with disabilities. More particularly, a further “bullet point” was added to paragraph 1.18, to recognise *the need to ensure that development proposals do not worsen the quality of life of people with disabilities* (*Change No. 001*).
- 1.4 In these circumstances, I consider that paragraph 1.18 now satisfactorily addresses the need to ensure that the quality of life for people with disabilities is not adversely affected. When read together with other policies in the Plan, I conclude that no further changes are needed to meet this objection.

Recommendation

1.5 I RECOMMEND no modifications to the Local Plan in response to this objection.

INTRODUCTION OMISSION: USE CLASSES ORDER

Objections First Deposit 245/004 - Kidderminster Civic Society

Revised Deposit There are no objections at the Revised Deposit stage.

Key issues

- Should the Plan refer to the fact that the *Use Classes Order* is likely to be reclassified in the future.

Main considerations and Inspector's conclusions

1.6 KCS suggests that reference should be made to the fact that the *Use Classes Order* is likely to be reclassified in the not too distant future. I understand that the *Use Classes Order* is currently under review, but as yet, there are no firm proposals for any reclassification of the various uses. Until revised proposals are published and adopted, I consider it would be premature to refer to any possible changes at this stage. Consequently, no changes are needed to the Plan in response to this objection.

Recommendation

1.7 I RECOMMEND no modifications to the Local Plan in response to this objection.

CHAPTER 2: DEVELOPMENT STRATEGY

OBJECTIONS DEALING WITH CHAPTER TEXT

Objections First Deposit 126/001 – Malvern Hills District Council; 368/001 – English Heritage;
592/002 - West Midlands Region RSL Planning Consortium.

Revised Deposit There are no objections at the Revised Deposit stage.

Key issues

- Para 2.1/2.3: Should the text *reconcile* rather than *balance* development needs and the protection of the environment;
- Para 2.5: Should the text indicate that growth will be limited outside the settlement boundary of Stourport and discourage any extension to Astley Cross;
- Should the Plan include an aim to provide affordable housing to satisfy a wider housing need.

Main considerations and Inspector's conclusions

- 2.1 This chapter sets out the development strategy, overall vision and aims of the Plan. In the RDLP, minor amendments have been made to the text of paragraphs 2.4 & 2.5 in response to representations at First Deposit stage (*Change Nos. 002-003*). In paragraphs 2.1 & 2.3, *EH* is concerned about the use of the word *balance* in the overall vision and suggests that the aim should attempt to *reconcile* economic and environmental requirements, since accommodating the needs of development and conservation does not reflect a sustainable approach. The text should be amended to *establish a framework for reconciling conflicts, in a sustainable manner, between development...and conservation....*
- 2.2 Like *WFDC*, I see the term *balance* as implying the weighing of potentially conflicting demands between the needs of development and conservation. Part of this process would seek to *reconcile* economic and environmental requirements, but this is not always possible. Choices therefore have to be made in the context of a sustainable approach to plan-making and development needs. In these circumstances, I consider the references to a *sustainable balance* in these paragraphs should remain.
- 2.3 Paragraph 2.5 outlines the main elements of the Plan's development strategy. *MHDC* is concerned about potential cross-border issues, particularly in the Astley Cross area, where the proposed Stourport Relief Road may increase levels of accessibility and lead to the possible expansion of this settlement, as mentioned in previous objections. *MHDC* would support references in the text confirming that *WFDC* wishes to limit growth outside the settlement boundary of Stourport and discourage any extension to Astley Cross.
- 2.4 Policy SD.6 of the WCSP directs the majority of outstanding development needs to the main urban areas, such as Kidderminster and Stourport, whilst Policy SD.7 establishes a sequential approach to the location of development, giving first priority to *previously developed land* in the urban areas. The WFDLP confirms that there is no need to consider development adjacent to the urban areas to meet the needs of Wyre Forest, a point reflected in the first "bullet point" in paragraph 2.5, and *WFDC* has no intentions of allowing any expansion of Stourport in the Astley Cross area. Any proposals for an extension of the urban area of Stourport into Malvern Hills District would probably be rejected by *MHDC* at the present time. In any event, the consideration of such proposals would fall within the remit of the Malvern Hills Local Plan, rather than the WFDLP, to

which *WFDC* could make representations. Cross-boundary issues are more appropriately dealt with by the Structure Plan or other strategic guidance. Consequently, I see no need for this section of the Plan to make specific reference to the need to limit growth outside the existing settlement boundary of Stourport in the Astley Cross area or discourage development outside the current boundary of the Plan.

- 2.5 *WMRRSL* supports the Plan's overall vision, but asks for the Development Strategy to be enhanced by including an aim to provide affordable housing to satisfy a wider housing need. Paragraph 2.5 includes an aim to accommodate the development needs of the District, which would include the provision of affordable housing. More particularly, in the Housing chapter of the Plan (¶ 3.2; Objective 2: Affordable Housing) contains a specific aim to ensure that there is an adequate range of affordable and social housing to meet the needs of the District which is followed through in Policies H.10 & H.11. I deal with other points concerning affordable housing under these policies, later in my report (see Chapter 3). In these circumstances, I consider the need to provide affordable housing to meet the needs of Wyre Forest District is adequately covered in the Plan.
- 2.6 Consequently, I conclude that no further changes to the text of this chapter are needed in response to these objections.

Recommendation

2.7 ***I RECOMMEND no modifications to the Local Plan in response to these objections.***

CHAPTER 3: HOUSING

General background to housing land supply and provision

- 3.1 A key aim of the Local Plan is to enable the District's housing needs to be met. The Plan includes objectives which aim to identify sufficient land to meet the Structure Plan housing requirement, to ensure an adequate range of affordable and social housing, and to locate new housing principally in the main urban areas and in places where the need to travel is reduced and which are well served by alternative means of transport to the private car. The Plan also gives priority to recycling previously developed land and buildings, and encourages the improvement of existing housing and high quality new housing.
- 3.2 The introduction to this chapter refers to national guidance in PPG3 (2000) and the Council's role as *Local Housing Authority*, including its *Housing Strategy [CD89]*. It also sets out the housing requirements of the WCSP, established as *about 3,000 dwellings* in Wyre Forest District between 1996-2011 (Policy D.4). The Local Plan confirms that this level of provision broadly equates to the District's housing needs and includes no provision for migration into the District. Other factors influencing housing need include the growing number of households, reducing household size and an ageing population.
- 3.3 The WCSP also requires the maximum contribution from re-using *previously developed land* and buildings and mixed-use development (Policy D.3), setting an indicative target for Wyre Forest of *60%* of total housing provision on *previously developed land* (Policy D.5), and includes policies on affordable housing, housing density, windfall sites and housing in the Green Belt and open countryside. WCSP Policy SD.6 seeks to ensure that most of the outstanding development takes place within or adjacent to the principal urban areas, including Kidderminster and Stourport. Policy SD.7 requires a sequential approach to new development, with priority being given to *previously developed land* within urban areas.
- 3.4 WFDLP Policy H.1 confirms that provision will be made to enable the construction and completion of *about 3,000 dwellings* between 1996-2011. Table 1 sets out the residual requirement for housing, after taking account of completions, commitments, windfalls and proposed sites. Table 2 lists the proposed new housing sites, reduced from 9 sites totalling 480 dwellings at the First Deposit stage, to 5 sites totalling 275 dwellings in the RDLP. In terms of commitments, all sites of 10 dwellings or more are expected to be implemented within the Plan period, but a 10% lapse rate has been applied to all sites not under construction to allow for non-implementation. This has been increased from 2% at First Deposit stage. The allowance for *windfalls* covers sites of less than 10 dwellings, totalling 380 dwellings, based on a rate of 50 dwellings/year discounted by 5% to account for non-implementation, projected forward over the remaining Plan period, in line with WCSP Policy D.11. Further details of existing provision, commitments and windfalls are given in Appendices 3-4 of the Plan. Over 75% of the total housing provision between 1996-2011 is expected to be on *previously developed land*. This figure has risen to 80% in the latest update (*Topic Paper 1 [CD110]*). In view of the relatively high level of completions and commitments, and the comparatively low level of residual provision, an *Urban Housing Capacity Study* was not felt necessary.
- 3.5 Details of current residential land availability are set out in the 2002 *Schedule of Residential Land Availability [CD92]*. A further update, along with an explanation of the overall housing strategy and calculations, is provided in *Topic Paper 1 [CD110]*, along with a further briefing note on *Small Site Brownfield Windfall Approval Rates [CD110A]*. During the course of the inquiry, a *Round Table Session* was held on *Affordable Housing*.

Notes of this session, along with a briefing note on issues arising from it, have been prepared [CD127-128].

- 3.6 The basic figures in respect of housing provision are as follows:

Housing provision - 1996-2011

	First Deposit Plan	Revised Deposit Plan	Topic Paper 1
Structure Plan requirement 1996-2011	3,000	3,000	3,000
Housing completions 1996-2001/2	1,022 ¹	1,104 ²	1,361 ³
Committed housing sites 2001/2	1,446 ⁴	1,448 ⁵	1,303 ⁶
Allowance for windfall sites 2001/2-2011	<u>428⁷</u>	<u>404⁸</u>	<u>380⁹</u>
Total existing/committed provision	2,896	2,956	3,044
Residual provision 2001-2011	-104	-44	+44
Proposed housing sites	506 ¹⁰	300 ¹⁰	300 ¹⁰
Balance	+401	+256	+344

¹ April 1996 - March 2001

² April 1996 - September 2001

³ April 1996 - March 2002

⁴ at April 2001

⁵ at October 2001

⁶ at April 2002

¹⁰ including 25 dwellings- affordable housing (Policy H2.ix)

- 3.7 These figures demonstrate that, with completions, commitments and windfalls accounting for between 2,896-2,956 dwellings, the residual level of housing provision required to meet current WCSP requirements was between 44-104 dwellings in the First and Revised Deposit Plans. With an update of figures, existing completions, commitments and windfalls more than meet the WCSP requirement without any further provision. In view of the fact that the First Deposit Plan proposed a total housing provision of some 400 dwellings more than that provided for in the WCSP, WCC issued a statement that the Plan was not in conformity with the WCSP [CD65]. In considering objections to the First Deposit Plan, WFDC sought to reduce the number of proposed housing sites in order to overcome the problem of excessive housing provision. Proposed new housing sites have been reduced from 506-300 dwellings between the First & Revised Deposit Plans (including 25 dwellings on two affordable housing sites under Policy H.2(ix)). WCC has now confirmed that the housing provision in the Revised Plan is in general conformity with the WCSP [CD65].
- 3.8 There are relatively few new housing sites proposed in Policy H.2 and listed in Table 2. The remaining sites are at *Baldwin Road, Stourport and Rock Works/Timber Yard, Park Lane, Kidderminster*. Sites previously proposed in the First Deposit Plan at *Mill Street & Tram Street, Kidderminster* have been deleted. In addition, sites at *Lichfield Basin & Carpets of Worth, Severn Road, Stourport* are proposed as part of Mixed-Use Redevelopment Sites, the redevelopment of which is felt to be *vital to securing the continued regeneration of the town centres* (§ 3.16A). Previous sites at *Horsefair & Lea Castle Hospital* have been deleted, the former site having received planning permission and the latter being deleted due to sustainability concerns. All the proposed housing sites are on *previously developed land*, either within or adjacent to the town centres, and would make a contribution to affordable housing provision (Policy H.10). A further 25 dwellings are proposed on two specific sites for affordable housing (Policy H.2(ix): *Badland Avenue/Woodbury Road, Kidderminster*). No further specific housing sites are proposed

in Policy H.2, but housing development is also generally permitted within existing residential areas, within defined areas on the Town Centre inset plans, in areas designated for mixed-uses, and on infill sites within designated settlement boundaries.

- 3.9 The text and tables in the introductory section have been clarified and updated in the RDLP (*Change Nos. 004-013*), and a further update is recommended in *Topic Paper 1 [CD110]*.

GENERAL OBJECTIONS DEALING WITH CHAPTER INTRODUCTION AND POLICY CONTEXT, INCLUDING HOUSING LAND SUPPLY AND OVERALL HOUSING PROVISION (POLICIES H.1 & H.2)

Objections First Deposit 177/001 – David Wilson Estates; 481/001-002 – House Builders Federation;
514/001 – R H Brazier; 554/001 – M J R Body Repairs. 598/009-010 – George Wimpey UK Ltd; 620/001 – Tube Plastics Ltd; 633/001 - Dunard Ltd; and others.

Revised Deposit Federation; 421/100 – Hurcott (Jersey) Ltd; 481/100 – House Builders
620/100 – West Midlands Region RSL Planning Consortium; Tube
Trust Plastics Ltd; 626/100-103 - Worcestershire Acute Hospitals

Key issues

- Does the proposed housing provision conform with the WCSP in terms of the overall level and location of housing provision, and should it represent the minimum level of provision;
- Are the figures and allowances for housing land supply (completions, commitments, *windfalls* and proposed sites) in Table 1 appropriate, accurate and up-to-date;
 - Should commitments be divided into small and larger sites; should there be an allowance for non-implementation; and should sites without planning permission be included;
 - Does the Plan place an undue reliance on *windfalls*; should they only relate to *brownfield* sites, and be based on *completions* rather than *permissions*; and is there an element of “double-counting”;
 - Should an allowance for non-implementation be applied to proposed housing sites;
- Should an *Urban Housing Capacity Study* have been undertaken;
- Para 3.4: Should the text refer to the most up-to-date *Housing Strategy*.

Main considerations and Inspector’s conclusions

- 3.10 In order to avoid duplication and repetition, in this section I consider the general objections concerning the overall level of housing provision, the figures, calculations and allowances for housing land supply, including completions, commitments, *windfall* sites

and proposed housing sites, the need for an *Urban Housing Capacity Study* and other general points about housing land supply. Several objectors raise general points about housing land supply and provision in their site-specific objections. I deal with these matters, along with detailed objections to Policy H.2, later in this section of my report.

- 3.11 In terms of the overall level of housing, Policy H.1 confirms that provision will be made to enable the construction and completion of *about 3,000 dwellings* between 1996-2011. Since this is the terminology used in WCSP Policy D.4, it would be inappropriate to amend this to represent the *minimum* provision, as suggested by *HBF*. In any event, current figures indicate that the total provision envisaged would actually exceed the required provision by more than 300 dwellings (+11%). I am also mindful that *WCC* was concerned about the level of overall provision proposed in the First Deposit Plan, where an excess of 400 dwellings was envisaged, or 13% of the total.
- 3.12 Some objectors consider the allocation of new housing to this District is too small, leading to inflated house prices for which affordable housing policies are no substitute. However, the overall housing provision for Wyre Forest District is established in the WCSP as *about 3,000 dwellings* between 1996-2011. The WFDLP makes sufficient provision to meet the residual housing provision, over and above commitments and completions, on *brownfield* land in the main urban areas, in line with WCSP Policies SD.7 & D.5 and more than meeting the provision required by the WCSP. Moreover, questions about the overall level of housing provision are better addressed at a strategic, rather than local plan level, whilst affordable housing provision is specifically covered by Policies H.10 & H.11.
- 3.13 Some objectors might not see the possibility of excess housing provision as a problem, but if left uncontrolled, it could undermine regional and sub-regional housing strategy. In this context, I note that the emerging RPG [*CD52*] has the objectives of regenerating the main urban areas, increasing the housebuilding rate in these areas and reducing past rates in the shire counties. The EIP Panel accepted this strategy and recommended a reduction of about 40% in the future housing requirement for Worcestershire between 2011-2021. This would undoubtedly have implications for Wyre Forest District and confirms the need to adopt a cautious approach to the provision of housing in the longer term. Furthermore, while the allocation of one additional site might not be significant on its own, the cumulative impact could have strategic implications in terms of the housing strategy of the WCSP and this Local Plan, especially when seen in the light of the anticipated over-provision resulting from the current level of commitments and proposed sites.
- 3.14 As regards the general location of new housing development, Policy H.2 normally permits residential development within designated residential areas; on proposed housing sites and within defined redevelopment areas; within town centre insets and other areas defined for mixed uses; within the boundaries of specified settlements; and on specific sites allocated for affordable housing. In the RDLP, Policy H.2 and the accompanying text, including Tables 1 & 2, have been amended and updated (*Change Nos. 006-017*). The information was originally based on the 2001 *Schedule of Residential Land Availability [CD91]*, which has been updated in *Topic Paper 1 [CD110]*, based on the 2002 schedule [*CD92*], and also includes updates of Appendices 3-5. To ensure that the Plan is as up-to-date as possible, I consider the latest available information should be used. Table 1 and the accompanying text should therefore be updated using the information in *Topic Paper 1*, or any relevant later information, and I recommend accordingly.
- 3.15 The reduction in overall housing provision and deletion of some proposed housing sites between the First & Revised Deposit stages can partly be explained by the issue of conformity with the WCSP. At First Deposit stage, *WCC* considered the Plan was not in general conformity with the WCSP, due to an over-provision of about 400 dwellings [*CD65*]. Following discussions, amendments to the WFDLP were made (*Change Nos.*

010-011). Paragraph 3.16 confirms that whilst the total capacity of the proposed housing sites exceeds the residual Structure Plan provision, this provides an element of flexibility to ensure that the provision is achieved. Paragraph 3.16A explains that the redevelopment of these key housing sites is vital to the continued regeneration of Kidderminster and Stourport town centres. It also confirms that all the proposed housing sites are on *previously developed land* within or immediately adjoining the town centres, and that the contribution these prominent sites will make to the regeneration of the District's towns outweighs any disbenefits in terms of potential excess housing provision up to 2011.

- 3.16 It therefore seems to me that the overall level and location of housing provision, along with the Plan's general housing strategy, is now fully in line with the WCSP. Any issues of non-conformity with the WCSP and potential over-provision of housing have been addressed by the changes made in the RDLP. WFDC confirms that there is no risk of not achieving the 3,000 dwellings required in terms of the WCSP housing requirement. Having examined the elements of provision in detail and the overall sufficiency of supply, I share that view. I realise that this figure is not a target or ceiling, since it has already been exceeded in the RDLP, but it is equally important to avoid an excessive over-provision of housing for the reasons previously outlined. In this context, it is particularly relevant to note that almost 90% of the District's housing provision has been built or committed, with 60% of the Plan period remaining, without taking into account any *windfall* sites or new proposals. Consequently, the level of existing and committed provision, the limited residual requirement and the absence of any need for substantial new housing allocations, particularly on *greenfield* sites, in order to meet current WCSP requirements, sets the context for considering objections to individual housing sites, either those proposed in the Plan or suggested by objectors.
- 3.17 Several objectors raise objections to Policies H.1 & H.2 and the explanatory text and Tables. In essence, these relate to the figures of commitments, *windfalls* and proposed sites, and whether the various allowances for non-implementation are appropriate, along with the lack of an *Urban Capacity Study* and the assessment of housing supply over the Plan period. There is no dispute about the figure of completions since 1996, apart from the need to update the information to reflect the latest position in *Topic Paper 1 [CD110]*. WFDC confirms that this is a *net* figure and excludes dwellings under construction, details of which are set out in the *Schedule of Residential Land Availability [CD92]*.

Commitments

- 3.18 The figure of commitments is substantial, at over 1,300 dwellings, more than 40% of the total required provision. I note the minor discrepancy between the figure given in Table 1 and that in paragraph 3.9. I understand that this partly relates to the update of the figures in Table 1, and also takes account of sites included in the *Schedule of Residential Land Availability [CD92]* but without the benefit of planning permission. This discrepancy is explained in paragraph 3.9, but the figures should be updated.
- 3.19 WFDC accepts the need for some discounting for committed sites with planning permission, to reflect the fact that some may not be implemented during the current Plan period. At First Deposit stage, an allowance of 2% was applied to these sites, based on the recommendations of the WCSP EIP Panel Report [CD62]. However, this was subsequently increased to 10% in the RDLP to meet objections, including those from HBF. Supplementary guidance to PPG3 (*Monitoring Provision of Housing through the Planning System - Towards Better Practice; DETR; Oct 2000*) confirms that an assessment of the delivery rates of planning permissions should be made.
- 3.20 I understand that HBF & Wimpey agree with the 10% allowance applied to commitments to take account of non-implementation. WAHT argues that the 10% allowance does not go

far enough to reflect the likelihood of committed sites not coming forward. However, no details of any specific sites are provided and much of the information about the availability of each site is already included in the *Schedule of Residential Land Availability [CD92]*. *Tube Plastics* suggests that a 15% allowance should be applied to committed sites, to reflect the fact that over 80% of these sites are on *brownfield* land, with inherent physical constraints and delays in implementation. However, since this figure is not fully justified and no detailed evidence on specific sites is submitted, I find nothing to support an increased allowance in terms of these sites. As for breaking down the commitments into large and small sites, I can see no reason to do this, since all the necessary information is in the *Schedule of Residential Land Availability [CD92]*.

- 3.21 *Wimpey* originally questioned the inclusion of sites without planning permission as commitments in Table 1, but at the inquiry, agreed that these sites had already been discounted and accepted that the latest figures were correct. The three sites concerned (*Badland Avenue/Woodbury Road, Kidderminster & Baldwin Road, Stourport*) were originally proposed for residential development in the adopted Local Plan [CD74] and are included in the *Schedule of Residential Land Availability [CD92]*. However, Appendix 4 of the RDLP and *Topic Paper 1* confirm that these sites are excluded from the figure of commitments in Table 1. The site at *Timber Lane, Stourport* now has planning permission. *Baldwin Road, Stourport* is included as a new proposed housing site in Policy H.2(ii), whilst the other two sites are referred to in Policy H.2(ix), as clarified in paragraph 3.9 of the RDLP. I deal with the site-specific considerations relating to these sites later in this part of my report.
- 3.22 *WFDC* provides little information on the historical rate of non-implementation of sites with planning permission within this District, but in the absence of any detailed justification and since it was the rate used in the adopted Local Plan [CD74], 10% seems to be a reasonably robust and realistic figure, providing an appropriate degree of flexibility. In reaching this conclusion, I understand that considerable progress has been made on several committed sites, including *Timber Lane, Comberton Place* and *the former Kidderminster College site*. *WFDC* confirms that most of these committed sites are owned by housebuilders or developers and I am not aware of any particular constraints which might delay their implementation beyond the Plan period. There are certainly no site-specific objections raising this point.

Windfall sites

- 3.23 *Windfalls* are those sites which have not been specifically identified in the Local Plan and only relate to sites of less than 10 dwellings. Both PPG3 (¶ 35-36) and WCSP Policy D.11 confirm that an allowance can be made for *windfall* sites, provided it is based on past trends. *WFDC* explains that, in the RDLP, small site *windfalls* are based on a rate of 50 dwellings/year (less a 5% lapse rate) over a period of 9 years, allowing for a delay in implementation. This reflects the approach used in the WCSP and former *County Housing Land Forum Reports*, and was accepted by the WCSP EIP Panel and the last Local Plan inspector [CD62/73].
- 3.24 *HBF* is concerned that the figure for *windfall* sites is not supported by an *Urban Capacity Study*. *Wimpey* argues that *windfall* sites should only relate to *brownfield* sites, and point out possible double counting by including former *windfall* sites in the figure of commitments. *WAHT* also feels that the Plan relies too heavily on *windfall* sites, but provides no alternative approach or estimates for the contribution from this source. I recognise that, by their nature, *windfalls* are finite and cannot be expected to continue to come forward forever. However, past rates of permissions show that small *windfall* sites have been coming forward at between 89-166 dwellings/year, averaging 115 dwellings/year over the last 8 years, with the highest rates in recent years and with over

- 85% on *brownfield* land [CD92; Table 3a]. Monitoring work also reveals that nearly 360 dwellings have come forward on larger *windfall* sites over the same period, averaging 45 dwellings/year, with over 80% on *brownfield* sites, for which no allowance is made in the estimates of future *windfall* sites in the Plan [CD92; Table 3c].
- 3.25 *Wimpey* argues that *windfall* estimates should be based on *completions* rather than *permissions*, whilst *Dunard* argues that they should be based on *past trends*, rather than assumed rates. *WFDC*'s figures are based on *permissions*, but if the contribution of small site *windfalls* was based on actual *completions* on such sites between 1996-2002, the figure would be much higher, at 864 dwellings or nearly 100 dwellings/year, compared with the allowance of 380 dwellings in the latest figures. Moreover, a modest allowance of 380 dwellings from small *windfall* sites would help to take account of the cyclical effects of the housing market. This figure is well below past trends and does not rely on any contribution from *greenfield* sites or larger *windfall* sites which have made a contribution to housing land supply in the past. If all sites were not completed within the Plan period, a reserve of such sites would be available at the end of the period, as *Wimpey* seeks. In the light of these past trends, I am satisfied that the modest allowance of 380 dwellings from small *windfall* sites over the remaining Plan period is significant, but is both realistic and achievable.
- 3.26 I note that WCSP (¶ 6.44) confirms that *windfall* sites can include *greenfield* sites, due to the particular local circumstances in Worcestershire, as confirmed in the EIP Panel Report [CD62], and I understand that the WCSP post-dates PPG3 (2000). I also note that in Wyre Forest District, most of the *greenfield windfall* sites relate to barn conversions in the rural areas. However, it is clear that the current estimates place no reliance on *greenfield windfalls* coming forward, and so this issue does not actually arise.
- 3.27 As for possible double-counting, I realise that the inclusion of former *windfall* sites in the commitments figure may reduce the incidence of new *windfall* sites coming forward in the future. I understand that the number of small *windfall* sites included in the figure of commitments amounts to 412 dwellings, which with a 10% lapse rate for sites not under construction plus an estimate of future small site *windfalls* would give a figure of 763 dwellings from this source up to 2011. *Wimpey* suggests discounting any allowance for new *windfall* sites or limiting this figure to 238 dwellings, whilst *HBF* suggests applying a 10% discount to *windfalls*. However, in my view, to discount entirely or further reduce the contribution from new *windfall* sites would be unrealistic and out of line with the guidance in PPG3, and would not reflect past trends and the circumstances in this District. Furthermore, I understand that the method for assessing small *windfall* sites was endorsed by the *HBF* when the last joint Housing Land Availability Study was undertaken by the former *HWCC* in 1993.
- 3.28 I therefore conclude that the allowance of 380 dwellings from *windfall* sites in the RDLP and *Topic Paper 1* is entirely reasonable and soundly based. The question of bringing forward affordable housing on *windfall* sites is best related to Policy H.10, but in any event, would not apply to small *windfall* sites of less than 10 dwellings and would therefore be unaffected by the provisions of Policy H.10.

Proposed housing sites

- 3.29 *HBF* suggests that a 10% discount is applied to proposed housing sites, to take account of non-implementation and delays in development due to land availability, ownership, viability, physical constraints and market factors. *Tube Plastics* make a similar point. I recognise that these factors can influence the implementation and deliverability of housing developments, but in view of the limited number of housing sites proposed and the positive moves to develop these specific sites, I can see no justification for applying a 10%

discount to these sites in the particular circumstances of Wyre Forest District. I understand that no objections have been received, nor any specific evidence submitted, suggesting that any of the proposed housing sites would not come forward within the current Plan period. Moreover, these are all urban *brownfield* sites in highly sustainable locations, expected to make an important contribution to urban regeneration. *WFDC* also confirms that in deciding which sites to release for housing and the order of development, the sequential approach outlined in PPG3 (¶ 31-32) has been followed.

- 3.30 Furthermore, the approach advocated in PPG3 provides little support for such a discount, particularly in terms of focussing development on *brownfield* sites and limiting provision to known requirements. References to previous studies in the 1990s and other earlier local plans are not, in my view, particularly helpful in the present context of PPG3. In any event, as with commitments, the discount would make little difference in terms of overall housing provision and would not require the allocation of any additional housing sites in order to meet current *WCSP* housing requirements.

Urban Capacity Study

- 3.31 PPG3 (¶ 24) requires all LPAs to undertake an *Urban Housing Capacity Study* in order to establish how much additional housing can be accommodated in urban areas and how much *greenfield* land may be needed for development. *WFDC* considers an *Urban Capacity Study* is unnecessary and would be a waste of resources, either in terms of assessing potential capacity or demonstrating trends, for example of *windfalls*. In this District, there is a relatively high level of completions and commitments and a correspondingly low level of residual housing provision needed to meet the current requirements of the *WCSP*. Moreover, all the proposed housing sites are on *previously developed land* within or adjoining the town centres. Consequently, there is no question or need to identify or allocate further *greenfield* sites for housing development. In these circumstances, I consider it is unnecessary to undertake an *Urban Housing Capacity Study* for this Local Plan, although such a study will be needed as part of ongoing monitoring and in order to inform subsequent reviews of this Local Plan and other strategic plans.
- 3.32 I also understand that *WFDC* intends to regularly monitor and review the position on residential land availability, including the rate of completions and *windfalls*, and progress towards achieving *WSCP* requirements. This is confirmed in the *RDLP* (¶ 3.32/15.11). If it becomes necessary to bring forward additional sites in order to achieve strategic housing requirements, the Plan contains an element of flexibility by identifying certain sites (such as Policy *STC.3: Cheapside, Severn Road, Stourport*) which are proposed for housing but not within the current Plan period. *Areas of Development Restraint*, identified under Policy *DR.1*, provide further areas of land which could come forward, if needed in the medium-longer term. Any greater flexibility would run the risk of further over-provision of housing, conflicting with the overall strategy and possibly resulting in issues of non-conformity with the *WCSP*.

Other matters

- 3.33 *Tube Plastics* are concerned that the regular monitoring of housing provision may re-open the whole issue of housing land supply. However, in my view, this would assess progress on the delivery of housing sites and consider whether there is a need to allocate or identify any additional or alternative sites in order to meet *WCSP* requirements. This is entirely in line with the *Plan-Monitor-Manage* approach advocated in PPG3. I can therefore find no reasons to amend the general housing strategy or the approach in the housing calculations in response to the general objections of this objector.
- 3.34 *WAHT* raises some general points about housing land supply and the proposed housing sites in Policy *H.2* in the context of its objections relating to *Kidderminster Hospital*. I

deal with the site-specific points under Policy CY.3, later in my report (see Chapter 12). However, on these general points, *WAHT* merely refers to the representations of other objectors and raises no new issues that I have not covered elsewhere under the housing policies in this part of my report.

- 3.35 In paragraph 3.4, *WMRRSL* suggests that the text should refer to an up-to-date *Housing Strategy*, rather than the specific 2001-2006 edition. *WFDC* accepts that this reference could be updated to refer to the latest version of the strategy [*LPA/592/101/1*]. This would seem to be a sensible course of action, keeping the Plan up-to-date, and I recommend accordingly.
- 3.36 I therefore conclude that the overall level and location of proposed housing provision, the general housing strategy and the calculations of housing land supply, including the allowances used, are appropriate and in accordance with current *WCSP* requirements and strategy. However, in order to ensure that the Plan is as up-to-date as possible, the text accompanying Policies H.1 & H.2, including Tables 1 & 2 and Appendices 3-5, should be updated to reflect the latest information, currently set out in *Topic Paper 1 [CD110]*. Policy H.2 and the accompanying text and Table 2 will also need to be amended to take into account my later recommendations on specific housing sites. In particular, I draw attention to my recommendation on the sites at *Badland Avenue & Woodbury Road, Kidderminster*, later in this section of my report. In addition, paragraph 3.4 should be amended to refer to the most recent version of the *Housing Strategy*. I deal with more specific objections to the wording and contents of Policy H.2 in the next section of this part of my report.

Recommendation

- 3.37 ***I RECOMMEND*** that the Local Plan be modified by:
- (i) updating the information in the text accompanying Policies H.1 & H.2, including Tables 1 & 2 and Appendices 3-5, in line with the latest information set out in *Topic Paper 1 [CD110]*, or any subsequent later information;
 - (ii) amending Policy H.2, Tables 1 & 2 and the accompanying text to reflect my recommendations on individual housing sites in later parts of this chapter of my report;
 - (iii) amending paragraph 3.4 to refer to the Council's **most recent** *Housing Strategy*; but that no further modifications be made in response to these general objections.

POLICY H.1: HOUSING PROVISION

SITE-SPECIFIC OBJECTIONS

Land west of Summerhill/Habberley, Kidderminster

Objections First Deposit 636/001 – Mr G Taylor.

Revised Deposit There are no objections at Revised Deposit stage.

Key issues

- Are there any exceptional circumstances that would justify removing this land from the Green Belt and allocating it for housing development.

Main considerations and Inspector’s conclusions

- 3.38 This objection was made under Policy H.1, but probably relates better to the provision of new housing under Policy H.2. *Mr Taylor* accepts that most new housing should be provided on *previously developed land*, but points to a lack of sites for high quality, low density housing which he feels this objection site could meet. The land in question comprises several fields and paddocks with some woodland lying immediately to the west of the Summerhill housing area, sloping down to the west and with a short road frontage to Habberley Road and Selba Drive. It also lies within an area of approved Green Belt on the fringe of Kidderminster.
- 3.39 Having seen the site, I agree with *WFDC* that it fulfils three important purposes of including land in the Green Belt, as set out in PPG2 (¶ 1.5). Firstly, it lies in the relatively narrow open gap between Kidderminster and Bewdley and helps to prevent these neighbouring towns from merging into one another. Secondly, in its present open and undeveloped condition, it helps to safeguard the adjoining countryside from encroachment. In this locality, the Green Belt boundary is clearly defined, following the line of the existing built-up area. Maintaining a tight Green Belt boundary around the existing built-up area helps to encourage redevelopment and regeneration in the urban areas. *Mr Taylor* has demonstrated no exceptional circumstances that would justify removing this land from the Green Belt, particularly given the advice in PPG2 (¶ 2.1) confirming that an essential feature of Green Belt boundaries is their permanence. I also understand that the site lies within an *Area of Great Landscape Value* and *Landscape Protection Area*. In the absence of any detailed plans, I cannot see how the allocation and subsequent development of this land would help to retain the landscape features and rural character of the area.
- 3.40 In response to *Mr Taylor’s* point about the lack of sites for high quality low density housing, I consider the existing portfolio of housing land provides sufficient variety of sites to accommodate various types of housing and I note that national advice in PPG3 discourages low density housing below 30 dwellings/ha. I am also aware that this is a *greenfield* site outside the existing urban area, which would fall towards the bottom of the hierarchy of potential housing sites in the sequential search process advocated by PPG3. In the absence of any overriding need to find additional or alternative housing sites to meet current WCSP requirements, and bearing in mind the availability of other *previously developed land* in the urban areas, I conclude that this site is appropriately retained within the Green Belt and should not be allocated for new housing development.

Recommendation

3.41 I RECOMMEND no modifications to the Local Plan in response to this objection.

POLICY H.2: RESIDENTIAL LOCATIONS

Objections First Deposit	136/007 – Worcestershire County Council (Env. Services); 481/003-004 – House Builders Federation; 592/007, 009-010 – West Midlands Region RSL Planning Consortium; 598/009-010 – George Wimpey UK Ltd; 616/003 – Textron Automotive Ltd; 620/001-002 – Tube Plastics Ltd; 642/001 – Mr R A Watkins.
Revised Deposit	481/102– House Builders Federation; 592/103 - West Midlands Region RSL Planning Consortium; 620/100 – Tube Plastics Ltd.

Key issues

- Should Policy H.2(i) establish a sequential approach to the location of housing, and is the requirement to use *previously developed land* unduly restrictive;
- Should Policy H.2(ii) & (iv) and Table 2 include reference to Policy STC.3 and the site at *Cheapside, Severn Road, Stourport*;
- Should Policy H.2(vii) refer to mixed uses in accordance with *either* Policy E.5 *or* Policy TC.2;
- Should Policy H.2 (viii) allow housing development in these settlements only for local needs;
- Should the references to the sites at *Badland Avenue & Woodbury Road, Kidderminster* be deleted from Policy H.2(ix) and paragraph 3.9;
- Should Policy H.2 include provision for affordable housing outside the identified locations, where it would satisfy an established local housing need;
- Paragraph 3.10: Should the Plan include additional allocations to offset the fact that some existing sites with planning permission may not be implemented, and introduce a “reserve” category of housing sites;
- Paragraph 3.10A: Should the assumption of 50 dwellings/year be clarified;
- Paragraph 3.20: Is the target of 75% of new housing on *previously developed land* realistic and achievable, or should it be tested by an *Urban Capacity Study* and reduced to 60%;
- Paragraph 3.25: Should the text confirm a more relaxed approach to parking, amenity space and overlooking for proposals for the conversion of flats over shops, and promote such conversions for affordable housing by RSLs;

Main considerations and Inspector’s conclusions

- 3.42 In this section, I deal with the more specific objections to the detailed wording and contents of Policy H.2. This sets out the locations where residential development will normally be permitted, including within designated residential areas; on proposed housing sites and within defined redevelopment areas; within town centre insets and other areas defined for mixed uses; on infill sites within the boundaries of specified settlements; and on specific sites allocated for affordable housing.
- 3.43 Clause (i) of Policy H.2 allows new housing development on *previously developed land* within designated residential areas. *HBF* argues that there should be a sequential approach to the location of housing development, in order to allow development on other sites if the rate of housebuilding falls below the required rate. However, both PPG3 and WCSP Policies D.3 & SD.7 establish the principle of giving priority to housing development on *previously developed land*. Given the present position on housing land supply, there is no need to identify or allocate additional housing sites on *greenfield* sites within the urban area or elsewhere. The inclusion of the word *generally* in the introductory sentence of the Policy allows the flexibility to consider proposals in other locations if other material considerations apply. The identification of other sites suitable for housing, but not proposed for development within the current Plan period (such as Policy STC.3 - *Cheapside, Severn Road, Stourport*), also provides further flexibility and avoids the need to consider *greenfield* sites or other sites lower down the hierarchy in the sequential approach. *Areas of Development Restraint* are also identified under Policy DR.1 to meet longer-term needs, which could come forward if necessary.
- 3.44 *Mr Watkins* considers the requirement to use *previously developed land* is unduly restrictive and hinders development coming forward on land zoned for housing and employment uses, as well as *windfall* sites. *WFDC* explains that this restriction is needed to avoid the loss of small but potentially valuable areas of urban open space within

- residential areas, as highlighted in paragraph 11.12 of the Plan. As I have explained above, this requirement directly reflects WCSP Policy SD.7 & PPG3 in terms of the sequential approach to the location of development. The allowance for *windfall* sites is far below recent rates and includes the re-use of *brownfield* land. The Plan also makes more than ample provision to meet current housing requirements set out in the WCSP. It therefore seems to me that this requirement is fully in line with PPG3 and WCSP policies.
- 3.45 *Tube Plastics* seek a specific reference to the site at *Cheapside, Severn Road, Stourport* in clauses (ii) & (iv) of Policy H.2. I deal with the site-specific merits and phasing of this site under Policy H.3 later in this section of my report and under Policy STC.3 (see Chapter 14). In clause (vii) of Policy H.2, *Change No. 016* amends the reference to *either Policy E.5 or TC.2*, as highlighted by *Textron Automotive*, and fully meets this objection.
- 3.46 In clause (viii) of Policy H.2, *WCC* argues that housing development in these named settlements should be restricted to local needs. Reference is made to WCSP Policy D.14 which restricts housing development in rural settlements to sites within or adjacent to the boundaries of these settlements, whilst Policy SD.8 restricts such housing to a level appropriate to meet local needs. *WFDC* explains that no local housing needs assessment has been undertaken for the parish of Rock, within which these settlements lie, and points out the difficulties of restricting new housing to local needs.
- 3.47 Without a detailed assessment of local housing need, I recognise that it is difficult to establish the relationship between the level of committed sites and the likely requirements for local needs housing. Furthermore, the tightly-drawn settlement boundaries provide only limited opportunities for infill development. Any housing resulting from this clause of the Policy would have only a marginal impact on the existing dwelling stock in the area and would be unlikely to have any strategic significance. I recognise the difficulties of restricting such housing to local needs, either by planning condition or S106 Agreement, and the need for ongoing monitoring and enforcement. I am also aware that further guidance has been issued on assessing local housing needs (*Local Housing Needs Assessment - A Guide to Good Practice; DETR; 2000 [CD120]*). However, until such time as a local needs assessment has been undertaken, I am satisfied that the restrictive nature of clause (viii) of Policy H.2 would be unlikely to undermine the housing strategy of the WCSP or this Local Plan. It would also be unlikely to significantly exacerbate any over-provision of housing either in the rural areas or within Wyre Forest District as a whole.
- 3.48 In clause (ix) of Policy H.2 and paragraph 3.9, *Wimpey* refers to the objections to the two sites proposed for affordable housing at *Badland Avenue & Woodbury Road, Kidderminster*. I deal with these sites in detail later in this section of my report.
- 3.49 *WMRRSL* seeks a reference in the final paragraph of the Policy to include provision for affordable housing outside the locations identified in Policy H.2 where it would satisfy an established local housing need. Policies H.10 & H.11 of the Plan specifically address the issue of affordable housing, both in urban areas and in rural “exception” schemes. In particular, Policy H.11 allows affordable housing on small sites within or immediately adjoining a settlement, subject to environmental acceptability. Although PPG3 sets out the principle of rural “exception” schemes, this approach does not apply to urban areas. The WFDLP identifies extensive areas within the main urban areas as suitable for residential development. As *WFDC* says, affordable housing schemes could be brought forward within these areas under the terms of Policy H.2(i) without the need to allow development outside these areas. When seen in the context of all the other locations set out in Policy H.2 where residential development may be allowed and the specific terms of Policies H.10 & H.11, I do not consider that any further flexibility should be provided for affordable housing within Policy H.2.

- 3.50 In paragraph 3.10, *HBF* seeks to introduce the concept of “reserve” housing sites to cover any shortfall arising from the non-renewal of existing planning permissions. However, *WFDC* confirms that the allowance applied to committed sites has been increased from 2-10% in the RDLP to account for non-implementation and expiry of planning permissions. I have already concluded that this is an appropriate discount rate. As for establishing a “reserve” list of housing sites, the Plan already does this by identifying certain sites (such as Policy STC.3 - *Cheapside, Severn Road, Stourport*) which could be brought forward to meet any deficiencies in housing land supply. Further land is also identified under Policy DR.1 as *Areas of Development Restraint*, which could also come forward, if required. This should meet *HBF*’s concerns, particularly bearing in mind the present overall adequacy of housing supply.
- 3.51 In paragraph 3.10A, *HBF* seeks more clarification about the assumption that 50 dwellings/year will be brought back into use, having regard to the *Housing Strategy* and funds available to the Council. *WFDC* explains that this figure only indicates the level of provision that may come forward, and confirms that no allowance from this source has been included in the calculations of housing land supply. Much will depend on the success of the *Empty Homes Strategy*, which is more a matter for *WFDC* in its duties as *Local Housing Authority* and through its *Housing Strategy*. *WFDC* confirms that the likely impact of the *Empty Homes Strategy* cannot be predicted with any precision and, contrary to the views of *WAHT*, I do not consider that this estimate necessarily pre-empts the results of the strategy. Since the estimated level of provision forms no part of the housing supply calculations, I am satisfied that no further clarification is needed.
- 3.52 In paragraph 3.20, *WMRRSL* considers it unlikely that the 75% target for new housing on *previously developed land* will be achieved, suggesting a lower figure of 60%. Both PPG3 (¶ 23) and WCSP Policy D.5 set an overall target of 60% of housing on *previously developed land*. However, ongoing monitoring of completions, commitments and proposed housing sites confirms that more than 75% of housing provision is expected to be on *brownfield* sites, as confirmed in the RDLP (Appendix 5). Later information in *Topic Paper 1* estimates a figure of over 80% of housing on *previously developed land*. Consequently, it seems to me that the statement in paragraph 3.20 is correct, realistic and achievable, and does not need the support of an *Urban Capacity Study* at this time.
- 3.53 In paragraph 3.25, *WMRRSL* seeks a more relaxed approach towards parking, amenity space and overlooking when converting flats over shops, along with a reference to the *Empty Property Strategy*. *Change No. 013* confirms that consideration will be given to relaxing parking and amenity standards in these locations, which fully meets the main element of this objection. *WMRRSL* considers greater promotion should be given to converting such properties for affordable housing by RSLs. Like *WFDC*, I consider this is more a matter for the *Housing Strategy*, given the guidance in PPG3 & *Circular 6/98* and specific policies covering affordable housing in the WFDLP. In my view, Policy H.2(vi) and the amended text give sufficient priority to the conversion of flats over shops in appropriate locations. Reference is made to an *Empty Homes Strategy* in paragraph 3.10A of the RDLP, and I consider this is sufficient to meet *WMRRSL*’s concerns on this point.
- 3.54 As far as these more specific objections to the wording and contents of Policy H.2 are concerned, I conclude that these are either addressed in the changes set out in the RDLP or in my earlier recommendations, and that no further amendments are needed to the Policy or accompanying text.

Recommendation

3.55 ***I RECOMMEND*** *no further modifications* to the Local Plan in response to these objections.

POLICY H.2: RESIDENTIAL LOCATIONS

SITE-SPECIFIC OBJECTIONS

SITES IN KIDDERMINSTER AREA

Badland Avenue, Kidderminster

Woodbury Road,

Kidderminster

Objections First Deposit 598/004 & 009 – George Wimpey UK Ltd.

Revised Deposit There are no objections at the Revised Deposit stage.

Key issues

- Should these sites be identified for affordable housing development under Policy H.2(ix) and paragraphs 3.9 & 3.72 of the Plan.

Main considerations and Inspector’s conclusions

- 3.56 The first site lies at the western end of Badland Avenue, a narrow road leading off Sion Hill, adjoining a row of semi-detached houses on its southern side, and comprises a grassed amenity area. The second site lies on the eastern side of Woodbury Road, at the rear of houses in Goldthorn Road. It is currently an area of open space and woodland, with several fine mature trees both within and surrounding the site. In the RDLP, these sites are identified under Policy H.2(ix) for 100% affordable housing, with a capacity of about 10 and 15 dwellings respectively. *Wimpey’s* objection is essentially to the principle of developing *greenfield* sites before potential *brownfield* sites, raised in the context of the site-specific objection at *Clensmore Street, Kidderminster*, which I deal with later in this section of my report.
- 3.57 I understand that both sites were originally identified for affordable housing in the 1996 adopted Local Plan [*CD74*], when the land was owned by *WFDC*. Subsequently, both sites have been transferred to *WFCH* as part of the large-scale voluntary transfer of the Council’s housing stock in 2000. *WFDC* understands that *WFCH* intends to proceed with the development of these sites as soon as resources permit. However, I am not aware of any formal resolution or grant of planning permission for the proposals.
- 3.58 *WFDC* explains that the issue of loss of urban open space was considered when these sites were originally allocated at the time of the adopted Local Plan, but concluded that there was sufficient existing open space to meet the needs of the local communities. This issue was reconsidered in the Review Local Plan, particularly in relation to advice in PPG3 (¶ 30-31) and WCSP Policy SD.7. In reconfirming these allocations, *WFDC* had particular regard to the scale of affordable housing need identified in the *Housing Needs Survey [CD88]* and the expected shortfall in such provision during the Plan period. *WFDC* also considers both sites perform well against the criteria in PPG3 (¶ 31), apart from the question of the availability of *previously developed land*.

- 3.59 In my view, this is the crucial issue in these cases, since there is no dispute that these are both *greenfield* sites. The *Badland Avenue* site is effectively beyond the existing confines of the urban area on the very fringe of the built-up area, whilst that at *Woodbury Road* is within the urban area, but not previously developed. As I have found earlier, there is more than sufficient *previously developed land* in the main urban areas to meet current WCSP housing requirements and there is no overriding need to find additional or alternative housing sites. In terms of overall housing supply and the provision of affordable housing, these sites would make a very modest contribution. Bearing in mind the rigorous sequential approach to the selection of potential housing sites advocated in PPG3 and the current availability of considerable areas of *previously developed land* in the urban areas, I consider it is inappropriate to allocate *greenfield* sites like these before all practical opportunities have been taken up using *previously developed land*. Moreover, as PPG3 (¶ 21 & 30-32) acknowledges, it is important to review existing housing allocations in previously adopted local plans in order to promote more sustainable patterns of development and minimise the land-take of *greenfield* sites.
- 3.60 I recognise that the community’s need for affordable housing is a material consideration when drawing up Local Plan policies and proposals. I realise that there is a considerable scale of affordable housing need identified in the *Housing Need Survey [CD88]*, and that this need is unlikely to be met within the current Plan period. However, I address this matter in greater detail under Policy H.10, later in this chapter of my report. I also understand that these sites are owned by an approved RSL who, in time, may develop the sites with 100% affordable housing, although I am not aware of any firm scheme or timescale for these proposals. Nevertheless, I do not consider that the allocation of these *greenfield* sites for this purpose is fully justified in these cases, particularly bearing in mind the availability of *previously developed land* in the urban areas. Consequently, I conclude that both these proposals should be **deleted** from the Plan, reducing the overall housing land supply and total provision of affordable housing by no more than 25 dwellings. Consequential amendments will also be needed to paragraphs 3.9 & 3.72 of the Plan. In view of the current use and function of these sites, and their close relationship to the adjoining open space, I consider they should be included within the designation of *Public Open Space*, and protected under Policy LR.1.

Recommendation

3.61 ***I RECOMMEND*** that the Local Plan be *modified*, by *deleting* the allocation of the sites at *Badland Avenue and Woodbury Road, Kidderminster* for affordable housing under Policy H.2(ix), with consequential amendments to housing land supply, paragraphs 3.9 & 3.72 and Policy H.2 of the Local Plan, and *including* these sites within the *Public Open Space* designation under Policy LR.1.

Rock Works, Park Lane, Kidderminster

Objections First Deposit 245/009 – Kidderminster Civic Society.

Revised Deposit There are no objections at the Revised Deposit stage.

Key issues

- Should this site be allocated as a mixed-use development, with possibly some

of the adjoining land being allocated for residential development.

Main considerations and Inspector’s conclusions

- 3.62 *Rock Works* is a disused factory lying at the northern end of Park Lane, just south of the A456 Ring Road. On the Proposals Map, it is allocated as a proposed housing site, with Table 2 confirming a capacity of 20 dwellings. To the south lies an area of under-used open land, designated as *Urban Open Space* under Policy LR.1. *KCS* considers some of this open land could be designated for housing or parking, leaving the remainder for amenity use, with the former factory premises being used for a mix of leisure, offices or residential uses. This could compensate for other proposed sites not coming forward. *WFDC* confirms that the former *Rocks Works* buildings are proposed for conversion to residential use (with parking on the ground floor) under Policy H.2(ii), contributing to the mix of uses in the area.
- 3.63 Although the adjoining open land is not actively used at present, its steep slope forms a distinctive wooded backdrop to the town centre. With the development of *Weavers Wharf* and other sites on the western side of the town centre, this will become more important in both visual and open space terms, especially given the lack of other significant areas of urban open space in this part of the town centre. As I have found earlier in the general housing objections, there are no doubts about the availability and deliverability of the other proposed housing sites coming forward within the current Plan period, and no additional or alternative sites are needed to meet current WCSP housing requirements. In these circumstances, I conclude that the residential notation should be restricted to the *Rock Works* factory buildings, retaining the *Urban Open Space* designation of the land to the south, as on the published Proposals Map.

Recommendation

3.64 I RECOMMEND no modifications to the Local Plan in response to this objection.

Land at Caldwell Mill, Tram Street, Kidderminster

Objections First Deposit 490/001 – Carters Furniture Centre.

Revised Deposit There are no objections at the Revised Deposit stage.

Key issues

- Should the allocation of this land as a proposed housing site be deleted from the Local Plan.

Main considerations and Inspector’s conclusions

- 3.65 This objection site lies off Tram Street in Kidderminster town centre, just north of the Ring Road. It is occupied *Carters Furniture Centre* who owns most of the land and is not in favour of a housing allocation. The land was originally allocated as a proposed housing site in the Deposit version of the Plan. However, as part of an overall reduction in the number of dwellings proposed in the Plan, the RDLP has deleted this housing site (formerly *Res 5*) (*Change No. 009*) and it is now included within the *Green Street Mixed-Use Area* under Policy KTC.4. It therefore seems to me that this objection has been met by this change and no further amendments are needed.

Recommendation

3.66 I RECOMMEND <i>no modifications</i> to the Local Plan in response to this objection.
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**Clensmore Street,
Kidderminster****Objections First Deposit** 598/008 – George Wimpey UK Ltd.**Revised Deposit** There are no objections at the Revised Deposit stage.**Key issues**

- Should this site be allocated for a mixed-use development, including housing and employment uses, having regard to the current housing and employment land availability situation and the relative suitability and need for the site to be used for these purposes.

Main considerations and Inspector's conclusions

- 3.67 This objection site lies to the north of Kidderminster town centre, fronting Clensmore Street and bounded by the *Stoney Lane/Redsands Industrial Estate* to the north-east and the Staffs & Worcs Canal to the north-west. Covering some 4.6ha, it is occupied by four industrial buildings with a floorspace of almost 14,000 sq m, formerly occupied by *Georgian Carpets*. The surrounding area is a mix of employment and residential uses. The site is allocated for employment uses (Class B1/B2/B8) in the adopted WFDLP [CD74], a designation carried forward into the RDLP.
- 3.68 *Wimpey* proposes a mixed-use redevelopment of the site, with a 1ha employment area to the north (with 4,000 sq m floorspace), and the balance used for housing, with about 120 dwellings. I deal with the general objections to the housing policies, along with specific affordable housing sites, earlier in this chapter and those relating to general employment land supply, specific employment sites and the continued designation of this land for employment use in Chapter 4 of my report. Here I concentrate on the site-specific aspects of the objections in terms of the housing element of the proposal.
- 3.69 Dealing firstly with the suitability of this site for a mixed-use development with a major element of new housing, there is little doubt that it is in a highly sustainable and

- convenient location, with ready access to Kidderminster town centre and local facilities. Although not directly served by bus routes, it is not far from the bus stops at Horse Fair and *Crossley Retail Park*. All public utilities are available, the problems of contamination are not serious, and the site is not within a flood risk area. There is no dispute that the site comprises *previously developed land* within the urban area, satisfying the criteria in PPG3 (¶ 30-31) and WCSP Policies SD.6 & SD.7. I also recognise that redevelopment could include a worthwhile element of affordable housing, contributing to the high level of need and offsetting the loss of affordable housing sites elsewhere in Kidderminster. It would also provide the opportunity to enhance the quality of the local environment, including the canal frontage, and make a positive contribution to urban regeneration.
- 3.70 However, much of the Clensmore Street/Churchfields area retains its long-established industrial character, with major factories such as *Tomkinsons Carpets*. The redevelopment of this site along the lines suggested would enlarge the growing residential area north of the town centre and begin to impinge on established employment areas. In particular, it would leave the *Redsands Industrial Estate* virtually surrounded by housing development, with possible implications for residential amenity, particularly given the unrestricted nature of some of the industrial activities along Red Sands Road. I can foresee potential problems of conflicting land uses, with consequential environmental and amenity problems. In my view, it is not an ideal residential environment, particularly relevant when considering competing or additional residential allocations.
- 3.71 More particularly, in terms of the supply and need for housing land, there can be no question that the RDLP more than meets current WCSP housing requirements. In fact, as I have already found, there was some concern about the excess level of housing provision being made at First Deposit stage, with WCC failing to certify the Plan as in conformity with the WCSP. Under S43(3) of the 1990 T&CP Act, WFDC cannot adopt a Plan with proposals that take it out of conformity with the WCSP. Similarly, I cannot recommend modifications which would take the Plan out of conformity with the WCSP. The issue of conformity is a matter of judgement, but in my view, increasing housing provision by some 120 dwellings would not only add to the current over-supply of dwellings, bringing the surplus to some 15%, but also take the Plan out of conformity with the WCSP, particularly given WCC's views at First Deposit stage. *Wimpey* attempts to reduce the housing provision figures, particularly in terms of *windfalls* (which I have dealt with earlier), and has no wish to take the Plan out of conformity. However, even on *Wimpey*'s figures, the proposal would lead to considerable over-provision of housing in terms of current WCSP requirements and raise possible issues of non-conformity.
- 3.72 It is also important to maintain a balance in the provision of new housing and employment development, in order to reflect the underlying objectives of the WCSP & WFDLP, and secure the employment base of the District, in line with PPG3 (¶ 49-51), PPG13 (¶ 30) & WCSP Policy SD.5. On its own, the provision of an additional 120 dwellings may not seem significant, but it could tip the balance in favour of residential land uses in the area north of Kidderminster town centre, with consequent implications for in-migration. It could also begin to undermine the regional and local strategy for housing and employment development in this District.
- 3.73 WFDC adopts a sensibly pragmatic view, by suggesting that this site could be redeveloped with a significant element of housing only if the benefits to urban regeneration outweighed the potential over-supply of housing. *Wimpey* accepts that a robust case in regeneration terms would be needed to exceed current housing levels and, to some extent, I accept that the redevelopment of this site for housing and employment uses could contribute to regeneration objectives. However, I can foresee this argument being raised in several similar employment sites within the urban area near the town centres. Given the relative disparity between industrial and residential land values, this could create serious

consequences for other similar employment sites, driving out existing businesses and reducing the supply of readily available employment land, and further exacerbating the current over-supply of housing in this District. Furthermore, unlike other sites in or adjoining the town centres, the redevelopment of this site would not directly contribute to the regeneration of Kidderminster town centre. Consequently, I do not support the element of flexibility suggested by *WFDC* at the inquiry in terms of the potential contribution to regeneration of a mixed-use redevelopment scheme.

- 3.74 I therefore conclude that there is no overriding need to allocate additional land for residential development in terms of meeting current WCSP housing requirements, and that the redevelopment of this site with a major element of new housing could raise issues of non-conformity with the approved WCSP. It could also have environmental and amenity implications given the proximity of established industrial activities. Consequently, I can see no soundly-based case to justify allocating this site for a mixed-use redevelopment scheme with a major element of new housing on the basis of housing land supply or housing need.

Recommendation

3.75 I RECOMMEND no modifications to the Local Plan in response to this objection.

Land at Park Lane, Kidderminster

Objections First Deposit 554/002 – M J R Body Repairs.

Revised Deposit There are no objections at the Revised Deposit stage.

Key issues

- Should this objection site be allocated as a proposed housing site under Policy H.2, rather than as within an Employment Policy Area.

Main considerations and Inspector’s conclusions

- 3.76 This objection site lies off Park Lane, just north of *The Watermill (PH)* car park and alongside Round Hill, west of the main ring road and town centre. It is currently occupied by a group of small-scale industrial units and extends to about 0.35ha. As I saw on my visit, this site is noticeably different from other land proposed for housing in this locality. These other housing sites are next to each other and lie closer to the town centre, whilst that at *Timber Yard* fronts the canal and overlooks the town centre redevelopment scheme at *Weaver’s Wharf*. They offer the potential for direct links to the town centre and contribute to canal-side regeneration. In contrast, this objection site is further from the town centre and lies away from the Staffs & Worcs Canal. Although the existing industrial units are utilitarian, they are perfectly adequate for the types of uses currently occupying them. They provide valuable “starter units” for seed-bed local enterprise, as well as contributing to the overall mix of uses in this part of the town. Moreover, although

the site adjoins a public house car park, I cannot see that there is any conflict between adjoining land uses.

- 3.77 As I have found earlier, the RDLP makes sufficient provision to meet current WCSP housing requirements, including sites at Park Lane (*Policy H.2(ii): Res 2 & 4*) which help to strengthen the mix of uses at the most accessible locations. Thus, there is no need to find any additional or alternative housing sites and, as *WFDC* explains, the Plan places the focus on creating vibrant communities at the heart of the district's main towns, reflecting national guidance in PPG3, PPG6 & PPG13. I have dealt with this objector's points about the reliance on *windfall* sites earlier in this chapter of my report, and I deal with the housing site originally allocated at *Lea Castle Hospital* later. Consequently, I conclude that the allocation of this objection site within the Employment Policy Area under Policy E.2 is soundly based and an allocation for housing cannot be justified.

Recommendation

3.78 I RECOMMEND no modifications to the Local Plan in response to this objection.

Land at Beauchamp Avenue, Kidderminster

Objections First Deposit 552/002 - R & D Aggregates Ltd.

Revised Deposit There are no objections at the Revised Deposit stage.

Key issues

- Should this objection site be allocated for housing under Policy H.2.

Main considerations and Inspector's conclusions

- 3.79 The land in question lies at the end of a short access road off Beauchamp Avenue, behind the houses in Blount Terrace and overlooking the valley of the River Stour and Staffs & Worcs Canal. *WFDC* says this site comprises open grassed land which has been the subject of a restoration and landscape scheme following previous tipping and adjacent new residential development. However, at the time of my last visit in April 2003, a group of new houses were under construction on this site. This no doubt follows from the outline planning permission (*Ref: WF.583/98*) granted for 7 dwellings in 1998. *WFDC* considers the site is not *previously developed land* in terms of PPG3 (Annex C) and confirms that sites previously allocated or granted permission should be reviewed against the latest guidance. However, it seems to me that, since houses are being built on this land, the Proposals Map should correctly reflect the current position by including the site within the Residential Policy Area under Policy H.2(i). I recommend accordingly.

Recommendation

3.80 I RECOMMEND that the Local Plan be modified, by including this site at Beauchamp Avenue within the Residential Policy Area under Policy H.2(i).

Land off Franche Road, Kidderminster

Objections First Deposit 578/001 – Mrs Roberts & Mrs Savage; 646/004 – Worcestershire County Council Property Services.

Revised Deposit There are no objections at the Revised Deposit stage.

Key issues

- Should this land be allocated within the Policy H.2(i) Residential Policy Area, rather than as Urban Open Space under Policy LR.1.

Main considerations and Inspector’s conclusions

- 3.81 These objections concern two plots of land lying at the rear of houses in Franche Road, to the south of Franche Middle School and to the east of a sports ground. The site is crossed by a public footpath. WCC’s objection covers the southern part of the land, whilst the other objection covers the land to the north of the footpath. The site is also considered later in my report, in response to an objection to Policy LR.1 (see Chapter 11).
- 3.82 As I saw on my visit, the northern part of the site comprises a grass paddock, whilst the southern part is an area of woodland and unused land. In my view, both parcels of land form an integral part of the wider wedge of open land adjoining the school playing fields and *White Wickets Sports Ground*. The area contains several mature trees, especially to the south of the public footpath.
- 3.83 I understand that both plots of land are included within an area primarily for residential uses on the adopted Local Plan [CD74]. However, in my view, there are several factors which justify a review of this designation. Firstly, since the current Local Plan was adopted, national policy in the form of revised versions of PPG3 & PPG17 has been published. PPG3 directs most new development to *previously developed land* in urban areas, rather than to *greenfield* sites like this. WCSP Policy SD.7 also reflects this sequential approach to the selection of development sites. Consequently, this land would not lie at the top of the hierarchy in a sequential search of potential housing land in terms of PPG3. Furthermore, the latest guidance in PPG17 (2002) places more emphasis on the need to protect areas of open space in urban areas.
- 3.84 I recognise that the land could be used to facilitate expansion of the adjoining school, or alternatively be sold for housing with the resultant funds invested in education. I also understand that this area is relatively well served with recreational and open space areas, and that neither plot of land has been available for in the past for community or sports use. The future of this land may also be important in the context of the imminent review of education provision within the District. However, as I have found earlier, the Plan has made sufficient provision for housing to meet the current requirements of the WCSP, largely on *previously developed land* in or adjoining the main town centres. In the absence of any pressing need to find additional or alternative housing land and bearing in mind the positive contribution that the land makes to the more extensive wedge of open land around the school, and the possible difficulties of access, I conclude that the land is appropriately designated as *Urban Open Space* under Policy LR.1. Consequently, there is no justification for amending the allocation of this land as requested by these objectors.

Recommendation

3.85 I RECOMMEND no modifications to the Local Plan in response to these objections.

**Land north of Badland Avenue,
Kidderminster**

Objections First Deposit 587/001 – Mr R Perrin.

Revised Deposit There are no objections at the Revised Deposit stage.

Key issues

- Are there any exceptional circumstances to justify removing this land from the Green Belt and allocating it for housing as part of an overall scheme involving the development of land to the south and the improvement of Badland Avenue.

Main considerations and Inspector’s conclusions

3.86 The land in question comprises the property and grounds of *The Bungalow*, lying at the western end of Badland Avenue on its northern side. The site currently lies within the confirmed Green Belt and within a *Landscape Protection Area*. *Mr Perrin* argues that the land is currently sterilised, but could be readily used without any loss of amenity as part of an overall scheme to develop the land to the south and improve the narrow carriageway of Badland Avenue.

3.87 Having seen this site, it is clear to me that it fulfils a key function of the Green Belt set out in PPG2 (¶ 1.5), in helping to prevent the sprawl of urban development and safeguarding the surrounding countryside from encroachment. The Green Belt boundary in this locality is clearly defined along the northern side of Badland Avenue and, in my view, the site has a closer relationship with the surrounding countryside than with the main built-up area. None of the arguments put forward strike me as the type of exceptional circumstances that would be needed to remove this land from the Green Belt and identify it as suitable for some limited housing development, particularly since sufficient land has been allocated to meet current WCSP housing requirements and no additional or alternative sites need to be found. Development might also have landscape implications, given its inclusion within a *Landscape Protection Area*. As for the possibility of developing the land as part of an overall scheme, I have already recommended that the site on the southern side of Badland Avenue is deleted as an affordable housing allocation in the Plan (see earlier). Consequently, there are no soundly-based reasons justifying the removal of this site from the Green Belt and its allocation for housing development.

Recommendation

3.88 I RECOMMEND no modifications to the Local Plan in response to this objection.

**Land north of Ferndale,
Kidderminster**

Objections First Deposit 514/002 – Mr R H Brazier.

Revised Deposit There are no objections at the Revised Deposit stage.

Key issues

- Whether there are any exceptional circumstances justifying the removal of this

land from the Green Belt and its allocation for residential development under Policy H.2.

Main considerations and Inspector’s conclusions

- 3.89 The site in question lies on the northern fringe of Habberley, behind the houses in Ferndale Crescent, Harvington Close and Corbett Road, and currently comprises fields and paddocks off Sandy Lane. *Mr Brazier* argues that the land should be allocated for residential development to counter the alleged inadequate provision of housing in the District. I deal with the general points about overall housing provision under Policy H.1, earlier in this section, and with the Green Belt objection in Chapter 7 of my report. Here I concentrate on the housing aspects of the suggested allocation.
- 3.90 Firstly, as I have said before, the Local Plan makes sufficient provision to meet current housing requirements as set out in the WCSP and there is no need to find additional or alternative housing sites to meet current requirements. Even if further housing land had to be found, this site would fall towards the bottom of the hierarchy in the sequential site selection process advocated in PPG3. It is *greenfield* land, beyond the existing built-up area of Kidderminster and would represent an *urban extension* in terms of PPG3. Such land should not be developed until all opportunities for developing *previously developed land* in the urban areas have been realised. The land also lies in the approved Green Belt, where PPG2 (¶ 2.6-2.7) confirms that Green Belt boundaries established in earlier local plans should be altered only exceptionally, a point also confirmed in the WCSP (¶ 6.135).
- 3.91 In addition, the site lies within a *Landscape Protection Area* where development might have an adverse impact on the character and quality of the landscape, particularly bearing in mind the elevated, sloping and exposed nature of the land. I also understand that a significant part of the land comprises Grade 2 farmland. Its allocation for residential development could therefore lead to the loss of *best and most versatile agricultural land*, contrary to national guidance in PPG7 and WCSP Policy CTC.7.
- 3.92 In the absence of any pressing or overriding need to find additional land for housing in this locality, and bearing in mind my earlier conclusions on the general housing issues, I conclude that there is no soundly-based case for allocating this land for new housing development.

Recommendation

3.93 I RECOMMEND no modifications to the Local Plan in response to this objection.

Land off Snowdon Close, Kidderminster

Objections First Deposit 185/001 – Allen Associates.

Revised Deposit There are no objections to the Revised Deposit.

Key issues

- Whether there are any exceptional circumstances to justify amending the Green Belt boundary in this locality and allocating this site for housing development within the current Plan period or identifying the site as an *Area of Development Restraint* for possible development in the longer term.

Main considerations and Inspector's conclusions

- 3.94 This site is a relatively flat and featureless paddock, extending to some 1.1ha and currently used for horse grazing. It lies behind the houses in Snowdon Close and fronts the B4190 Wolverley Road. It lies within the approved Green Belt and is also within a *Landscape Protection Area*. *Allen Associates* seek a housing allocation on the site, or as a fall-back, identification as an *Area of Development Restraint* (ADR). The site could accommodate about 50 dwellings, with access off Snowdon Close. The suggested boundary of the Green Belt and *Landscape Protection Area* would run along Wolverley Road, rather than to the rear of the houses in Snowdon Close as at present.
- 3.95 There is no dispute that the site currently lies within the confirmed Green Belt. PPG2 (¶ 2.6-2.7) confirms that detailed Green Belt boundaries defined in adopted local plans should be altered only exceptionally. However, WCSP (¶ 6.135) recognises that Green Belt boundaries may be too tightly drawn around some settlements. *Topic Paper 3* (¶ 4.1-4.6) outlines *WFDC's* approach to this matter and confirms that there is no justification for a general review of Green Belt boundaries within the Plan area, particularly since previous plans have identified several ADRs which remain untouched in this present Plan. Consequently, there is no need to identify any additional ADRs.
- 3.96 In its present undeveloped condition, I agree with *WFDC* that the site performs three of the acknowledged functions of Green Belt land. Firstly, it lies within the narrow gap between Kidderminster and Fairfield, here barely 600m wide, and helps to prevent these settlements from merging. In my view, this important gap encompasses much more than just the *Honeybrook Valley*, but extends to the south around the north-eastern flank of Franche. Secondly, it helps to safeguard the adjoining countryside from encroachment, by helping to protect the surrounding open land. Given the limited amount of existing development to the east of the site, just a house and a bungalow set in large plots, I do not see this as a small infill site between existing areas of development, but one where development would noticeably extend the built-up area into the countryside surrounding Franche. It might also put the adjoining plots to the east and the open land on the other side of Wolverley Road under greater pressure for development.
- 3.97 Thirdly, a tight Green Belt boundary around the urban area helps to encourage urban regeneration in the town centres of Kidderminster and Stourport. Furthermore, there is little dispute that the current Green Belt boundary is well defined around the edge of the existing built-up area and that nothing has changed in physical terms on the site since this matter was last considered by the 1988 Local Plan inspector [*CD71*].
- 3.98 I recognise that the site has some locational advantages, with shops, schools and other facilities within a reasonable distance, and a regular bus route linking Kidderminster & Wolverley. However, it is over 2km from Kidderminster town centre and there are few employment opportunities close by. As I saw on my visit, the site is reasonably well enclosed by the existing mature trees and boundary vegetation. Nevertheless, it currently provides an open backdrop to the surrounding trees, protected by TPO, and its development would inevitably have some adverse impact on this important landscape gap and on the rural character of the area. In my view, these locational and landscape considerations in no way justify reviewing the Green Belt boundary in this locality or allocating the site for development now or in the longer term.

- 3.99 In terms of the sequential approach, this would represent a *greenfield* site, on the edge of, but outside the existing urban area, constituting an *urban extension* in terms of PPG3. Moreover, under WCSP Policy SD7, the site would fall at the very bottom of the hierarchy, notwithstanding the conflict with Green Belt policy. In these circumstances, although it could be readily developed, this is just the sort of site which would be unlikely to come forward in any sequential search until all *brownfield* land and other sites within the urban area had been considered. At the hearing, the objector suggested that the site might provide an opportunity for some much-needed affordable housing. However, the Plan already makes specific provision for some affordable housing, with further provision anticipated from proposed *brownfield* market housing and *windfall* sites.
- 3.100 The objector argues that some flexibility or a “safety-valve” is needed to avoid “town cramming” and the reallocation of former industrial land for housing. However, this approach would not square with current national advice in PPG3 which urges higher densities and making effective use of urban land. As I have found earlier, the Plan makes ample provision to meet current Structure Plan housing requirements, and no further sites need to be found. Although the objector originally felt that windfall sites would not come forward at the rate envisaged, recent trends show that the incidence of small windfall sites is running at about twice the rate anticipated.
- 3.101 The objector also points to the flood risk problems affecting properties along the River Severn. However, the number of properties at risk is limited and I understand that work is well in hand to provide flood defence measures at Bewdley to protect properties against a 1:100 year flood. Moreover, there is no specific evidence that people wish to move to properties elsewhere. Although the objection site is not affected by flooding, this is not a major factor supporting development in this peripheral greenfield location.
- 3.102 The objector recognises that it would need exceptional circumstances and a major step forward to allocate this site for housing. However, I do not regard the locational and other characteristics of the site or the other arguments advanced as sufficient to justify amending the Green Belt boundary in this locality and allocating this site for housing development within the current Plan period. Furthermore, there is no case to justify identifying the site as an *Area of Development Restraint* for possible future housing development in the longer term. In its present condition, the site performs important Green Belt functions, makes a contribution to the landscape character of the area and has a positive use for grazing. Consequently, I can find no exceptional circumstances to justify amending the Plan in response to this objection.

Recommendation

3.103 I RECOMMEND no modifications to the Plan in response to this objection.

Land at Park Gate, Kidderminster**Objections First Deposit** 177/003 – David Wilson Estates.**Revised Deposit** There are no objection to the Revised Deposit.**Key issues**

- Should this site be allocated for housing development under Policy H.2 on the basis that there is an insufficient range of allocations to ensure that the housing requirement up to 2011 will be met.

Main considerations and Inspector's conclusions

- 3.104 The land in question lies on the north-eastern fringe of Kidderminster, adjoining the houses in Heath Drive and bounded by the triangle formed by the A451 Stourbridge Road/A449 Wolverhampton Road/B4189 Park Gate Road. Currently in agricultural use, it comprises elevated land, sloping down to the north. I deal with the associated objection seeking identification of this site as an *Area of Development Restraint* later in my report (see Chapter 7).
- 3.105 As I have said before, the RDLP makes more than sufficient provision to meet the current housing requirements set out in the WCSP. The latest schedule of *Residential Land Availability [CD92]* contains a wide variety of sites, either completed or with planning permission, which goes a long way towards meeting current housing requirements. The sites are located in a variety of locations, mainly in the urban areas, but including some rural sites, with a range of size and type of site. The proposed new housing sites are located within the main urban areas, mostly on *previously developed land*, with few objections to their development. Based on past completion rates, and the number of *windfall* sites coming forward, I consider there will be little difficulty in meeting current housing requirements during the remainder of the Plan period. In these circumstances, there is no justification to identify additional or alternative housing sites, particularly *greenfield* sites outside the existing urban area like this. In terms of the sequential selection approach in PPG3, this site, as an *urban extension*, would fall towards the bottom of the hierarchy and should not be released until all opportunities for using *previously developed land* in the urban areas have been realised.
- 3.106 The site also lies in the approved Green Belt, where PPG2 (¶ 2.6-2.7) confirms that Green Belt boundaries defined in earlier local plans should be altered only exceptionally. Contrary to *WFDC's* evidence, the site does not lie within a *Landscape Protection Area*, but it is elevated and prominent in visual terms, and development could have an adverse impact on the character and quality of the wider landscape. Consequently, in the absence of any overriding or pressing need to identify additional or alternative sites, I conclude that there is no case for allocating this *greenfield* site for housing development under Policy H.2.

Recommendation

<p>3.107 I RECOMMEND no modifications to the Local Plan in response to this objection.</p>

**Land at Hurcott,
Kidderminster**

Objections First Deposit 421/002 – Hurcott (Jersey) Ltd

Revised Deposit There are no objections at the Revised Deposit stage.

Key issues

- Should this site be allocated for housing development under Policy H.2.

Main considerations and Inspector’s conclusions

- 3.108 This objection site lies on the north-eastern fringe of Kidderminster, bounded by the A456 Birmingham Road, Hurcott Lane, Hurcott Road and the houses in Baldwin Road. Currently used for grazing and covering some 16.3ha, it is elevated land on the edge of the urban area, with a steep-sided valley running in an east-west direction across the site. I deal with associated objections suggesting that the site should be allocated for employment purposes, removed from the Green Belt and identified as an *Area of Development Restraint*, later in my report (see Chapters 4 & 7).
- 3.109 As with previous objections, the RDLP makes more than sufficient provision to meet the current housing requirements of the WCSP. Moreover, the proposed new housing sites are located within the main urban areas, mostly on *previously developed land*, in line with PPG3 (¶ 13/30) and WCSP Policy SD.7. Given the current surplus in terms of housing land supply, there is no overriding need to identify additional or alternative housing sites, particularly *greenfield* sites outside the urban area. In terms of PPG3, this would represent an *urban extension*, coming towards the lower end of the hierarchy in the sequential search for potential development sites, and should not be released until all opportunities for developing *previously developed land* in the urban areas have been realised.
- 3.110 Furthermore, it is an extensive and elevated site, visually prominent on the edge of the urban area, where any development could have an adverse impact on the wider landscape. It also lies within the approved Green Belt, where PPG2 (¶ 2.6-2.7) advises that Green Belt boundaries defined in earlier local plans should be altered only exceptionally. These factors do not support a housing allocation on this peripheral *greenfield* site and, in the absence of any pressing need to find additional housing land, I conclude that there is no justification for allocating this site for housing development under Policy H.2.

Recommendation

3.111 I RECOMMEND no modifications to the Local Plan in response to this objection.

**Land off Stanklyn Lane,
Stone**

Objections First Deposit 445/002 – Octavian Development & Construction

Revised Deposit There are no objections at the Revised Deposit stage.

Key issues

- Should this site be removed from the Green Belt and allocated for affordable housing.

Main considerations and Inspector’s conclusions

- 3.112 The land in question comprises paddocks and pasture fields lying to the rear of a row of houses along Stanklyn Lane and fronting the A448 Kidderminster-Bromsgrove road. It extends to over 4ha, considerably more than the objector’s quoted figure of 2.9ha. *Octavian* argues that the Green Belt should be reviewed in this area and this site should be allocated for affordable housing to meet local needs. I deal with the Green Belt aspects of this objection later in my report (see Chapter 7).
- 3.113 As I have said before, the RDLP makes more than sufficient provision to meet overall housing requirements as set out in the current WCSP. The latest schedule of *Residential Land Availability [CD92]* and *Topic Paper 1 [CD110]* confirm the position and include a variety of sizes and types of housing sites, including both commitments and proposals, to meet most housing needs. I recognise that much of this provision is within the main urban areas, on *previously developed land* and other urban sites. However, this reflects national policy in PPG3 and WCSP housing policies, as well as recognising that most of the area to the east of Kidderminster, including Stone, lies in the approved Green Belt.
- 3.114 I recognise that the community’s need for affordable housing is a material planning consideration, as confirmed in PPG3 & *Circular 6/98*. PPG3 also indicates that the affordable housing needs of people in rural areas should be met through the “rural exceptions” policy. In this Local Plan, this is addressed in Policy H.11. I also recognise that the latest *Housing Needs Survey [CD88]* identifies a considerable scale of affordable housing need in the District as a whole (334 units up to 2005), and *WFDC* accepts that the Local Plan is unlikely to achieve this total within this timescale. In addition, I note that both the approved and emerging *RPG11 [CD51/52]* acknowledge the role of villages in maintaining and enhancing the rural way of life by providing homes, jobs and services, and emphasise the need to provide affordable housing to meet local needs, in existing settlements wherever possible. The *Regional Housing Statement for the West Midlands (2000)* also acknowledges the role of affordable housing in sustaining rural communities.
- 3.115 However, in the case of Stone and this objection site, I do not consider that these factors support a firm allocation for affordable housing. Firstly, no detailed local housing needs assessment has been carried out for Stone parish. Although I understand some discussions have taken place, no assessment had been undertaken by the time the Local Plan inquiry closed and was unlikely to be completed until some time in 2003. Secondly, Stone is not identified as a settlement suitable for further growth, or even infilling in the Plan, given its Green Belt context. It is a dispersed collection of houses, cottages and farms with few facilities, other than the church and hotel. Both PPG3 & PPG13, along with *RPG11* and the WCSP, indicate that new housing sites should be close to public transport nodes or along corridors well served by public transport. Although the site fronts the A448, a *Regional Strategic Route*, it is over 6km from Kidderminster town centre, and it does not meet the requirements for public transport accessibility. Moreover, given the lack of local services and facilities, it would not represent a particularly sustainable location in terms of PPG3. I recognise that this objection site lies behind a row of existing houses in Stanklyn Lane, but it is not within the existing built confines of the settlement. Consequently, its development would result in the outward expansion of the settlement, contrary to Green Belt and rural settlement policies.
- 3.116 In these circumstances, it seems to me that the allocation of this objection site for affordable housing would be both premature and unjustified. If a future detailed Housing Needs Assessment of this parish shows a demonstrable need for affordable housing, then this would be most appropriately addressed under Policy H.11 of the Plan. This Policy would provide the framework to consider any “rural exceptions” small-scale affordable

housing proposals within or adjoining the settlement. Consequently, I conclude that no amendments to the Plan are needed in response to this objection.

Recommendation

3.117 I RECOMMEND no modifications to the Local Plan in response to this objection.

**Land off Sebright Road, Fairfield,
Wolverley**

Objections First Deposit 250/001 – Mr G W Hardwick

Revised Deposit There are no objections at the Revised Deposit stage.

Key issues

- Should this land be allocated for affordable housing under Policy H.2(ix), as in the adopted Local Plan.

Main considerations and Inspector’s conclusions

- 3.118 This objection site is a field lying on the southern side of Sebright Road, Fairfield, Wolverley, between the houses in Lowe Lane and a block of flats, opposite existing houses in Sebright Road. *Mr Hardwick* refers to a considerable amount of history to this site, including its original compulsory purchase by Kidderminster RDC in 1947 and more recent proposals to develop the land by *WFDC* for affordable housing. Indeed, a proposal to develop the site for affordable housing is included in the adopted Local Plan [*CD74; Policy H.2(vi) & ¶ 2.49(i)*].
- 3.119 I understand that this site was *de-allocated* in the Review Local Plan, since it is a *greenfield* site and there is no strong evidence of any local need for affordable housing in this area. Its status in the RDLP is effectively that of *white land*, being excluded from the Green Belt, adjoining an *Area of Development Restraint* and outside the settlement boundary of Fairfield. I recognise that the land has been the subject of considerable debate between *Mr Hardwick* and *WFDC*, and that as recently as September 1998, *WFDC* confirmed that it intended to develop the site and required the objector to vacate the land. Since then, it has remained unused and its condition has deteriorated.
- 3.120 National advice in PPG3 (¶ 31-34 & 40) and Policy D.15 of the WCSP confirms that local authorities should review previous housing allocations in earlier local plans against the current development strategy and sustainability issues, particularly in terms of the sequential approach to site selection and the need to focus development on *previously developed land* in urban areas. That is exactly what *WFDC* has done in reviewing this earlier housing allocation. As a *greenfield* site outside the present confines of Fairfield, the site falls some way down the hierarchy of potential housing sites. Since current WCSP housing requirements can be met from other sites, mainly on *brownfield* land within the urban areas, development of this objection site is not necessary to meet general market housing requirements. Although there is a significant need for more affordable housing in the District, if further information becomes available in the future which identifies a particular need for affordable housing in this area, development of the site could be considered under the *rural exceptions* Policy H.11.
- 3.121 Consequently, I come to the conclusion that the Council’s policy of reviewing and abandoning the housing allocation of this site is soundly based, reflecting national and Structure Plan policy, and that no amendments are needed in response to this objection.

Recommendation

3.122 I RECOMMEND no modifications to the Local Plan in response to this objection.

**Lea Castle Hospital,
Wolverley**

Objections First Deposit 530/001 – H & A Llewellyn; 544/003 – Mr S Blick; 633/001 - Dunard Ltd.

Revised Deposit 423/100 – NHS Estates.

Key issues

- Should the redevelopment proposals at *Lea Castle Hospital* include an element of housing as part of a mixed-use scheme in order to establish a more cohesive community and integrate with existing health-care uses.

Main considerations and Inspector’s conclusions

3.123 *Lea Castle Hospital* lies north-east of Kidderminster and south-east of Cookley, between the A449 Wolverhampton Road and the A451 Stourbridge Road. It contains a variety of buildings set within landscaped grounds, well screened from the surrounding farmland by extensive tree belts. Since the late 1950s, the site has been developed and used for a variety of NHS uses. At one time, it was a substantial hospital, with residential, day-care and outpatient facilities for those with learning difficulties, along with a paediatric disability assessment centre. However, in 1992, the Regional Health Authority confirmed that some rationalisation of health-care facilities on this site was likely. In recent years, many of these activities have been relocated and consolidated, leading to a large part of the site becoming surplus to requirements.

3.124 In the adopted Local Plan [CD74], the site is subject to Policy HS.2, which confirms that WFDC will consider any proposals for re-use or redevelopment in the light of PPG2 (Annex C). In the emerging Local Plan, the site is specifically identified as a *Major Developed Site in the Green Belt*, subject to Policy GB.4. WFDC explains that at First Deposit stage, the site was identified for both housing (80 dwellings) and employment purposes, but in response to objections from WCC and local residents, the housing element was deleted in the RDLP. This was partly due to a need to reduce the overall level of housing provision [Change No. 009] as a result of WCC’s failure to issue a Certificate of Conformity with the WCSP because of excessive housing provision. The deletion of this housing element has met some aspects of the objections from *Mr & Mrs Llewellyn, Mr Blick & Dunard*. The only outstanding objection is from NHS who wishes the housing element to be reinstated in order to establish a cohesive community at *Lea Castle Hospital*. I deal with objections to the employment and Green Belt elements of the site later in my report (see Chapters 4 & 7).

3.125 In terms of the sequential selection of housing sites advocated in PPG3 (¶ 31), I recognise that the site meets some of the key criteria. There is no dispute that the site contains some *previously developed land*, including empty and under-used buildings extending to some 29,000 sq m in floorspace. However, I am not aware that any of the existing buildings are particularly suitable for re-use for residential purposes. I also understand that there are no problems in terms of the capacity and availability of basic infrastructure and utilities. Apart from the general constraints of this Green Belt location, I am not aware of any serious physical or environmental constraints to the redevelopment of this site.

3.126 Nevertheless, this site has some particular locational disadvantages for new residential development, particularly in terms of sustainability. Firstly, it lies well beyond the existing built-up area and is some distance from the main facilities in Kidderminster. Cookley is the nearest settlement, over 0.5km away, but this has a very limited range of shops and other facilities. On foot, residents would have to cross the busy A449 and would undoubtedly prefer to use a car. Although local bus services could be diverted to serve the site, it is likely that new housing development would generate a significant

number of additional car journeys, contrary to national policy in PPG13 & PPG3. Moreover, neither *WFDC* nor *NHS* have justified the housing element of this proposal in terms of WCSP Policies SD.4, SD.7 & T.1. These policies require development proposals to be sited in or adjacent to urban areas or at nodes on transport corridors in order to minimise the need for travel. They also require a sequential approach to the selection of potential development sites, with priority to using *previously developed land* in urban areas. Green Belt locations outside the main urban areas, such as *Lea Castle Hospital*, are much lower down the hierarchy of potential development sites, and an element of housing on this site would not meet these strategic requirements.

- 3.127 Furthermore, the Plan makes sufficient provision to meet current housing requirements in the WCSP without needing to identify additional or alternative land, particularly in Green Belt locations beyond the main urban areas. *WFDC* confirms that, as a result of reducing the overall level of housing provision, there is no need to include an element of housing at *Lea Castle Hospital*. This is particularly true, given the scale of existing commitments, the more sustainable nature of other proposed housing sites in or adjoining town centres, and concerns about the lack of sustainability of this site in housing terms. Although *Lea Castle Hospital* is identified as a *Major Developed Site in the Green Belt* in terms of PPG2 (Annex C) & Policy GB.4, this does not mean that residential development is necessarily acceptable or appropriate, especially given the rural and somewhat isolated nature of this site. Given the current overall housing land supply situation, both in quantitative and qualitative terms, there is simply no need to allocate further housing sites, particularly in locations such as this, divorced from the main urban areas and town centres.
- 3.128 I recognise that the inclusion of an element of housing within a mixed-use redevelopment scheme would have the advantage of establishing and sustaining a cohesive community, supporting local facilities and complementing the retained health-care facilities on the site. Although this would not be a typical community, a mix of housing, employment and health-care uses might not be inappropriate on this site in terms of building a new community. However, the site already includes an established residential area at *The Crescent* and contains a mix of existing housing, health-care and education uses. Other elements of the redevelopment proposal, such as high-technology employment, could also help to achieve a more cohesive community. Moreover, as *WFDC* rightly says, any benefits of including a housing element within this project would be more than offset by the locational disadvantages of the site in terms of general sustainability and possible problems about over-provision of housing in strategic terms. I deal with the concerns about access and impact on trees and wildlife raised by other objectors when considering the employment element of the proposal later in my report (see Chapter 4).
- 3.129 Consequently, I conclude that there is insufficient justification to include a housing element within the redevelopment proposals for *Lea Castle Hospital*, particularly bearing in mind that the Plan makes sufficient provision for housing without needing to identify any additional or alternative sites and the locational disadvantages of this site in terms of general sustainability. I am satisfied that the housing element on this site has been appropriately deleted in the RDLP and that no further amendments to the Plan are needed to address the housing issues raised in these objections.

Recommendation

3.130 I RECOMMEND no modifications to the Local Plan in response to these objections.

**Land at Austcliffe Lane,
Cookley**

Objections First Deposit 520/001 – Tooby Family Properties

Revised Deposit There are no objections at the Revised Deposit stage.

Key issues

- Whether there are any exceptional circumstances to justify removing this site from the Green Belt and allocating it for residential development under Policy H.2.

Main considerations and Inspector’s conclusions

- 3.131 The land in question lies to the south of Austcliffe Lane, beyond the residential area of Cookley bounded by Staite Drive/Eleanor Harrison Drive, fronting a track which gives access to Austcliffe Cottages, Greenways and Gaymore Farm. It is currently used as paddocks and slopes down to the west. It lies beyond the built-up confines of Cookley and is within the approved Green Belt.
- 3.132 PPG2 (¶ 2.1) confirms that the essential characteristic of Green Belt boundaries is their permanence and that boundaries established in adopted local plans should be altered only exceptionally. Having seen the site, I share *WFDC*’s view that it performs two key purposes of including land in the Green Belt set out in PPG2 (¶ 1.5). Firstly, in its current open and undeveloped condition, it helps to safeguard the countryside from encroachment. Secondly, a tightly drawn Green Belt boundary around the existing built-up area not only helps to prevent the extension and sprawl of Cookley into the surrounding countryside, but also helps to encourage redevelopment and regeneration in the main urban areas of Kidderminster and Stourport. In this locality, the Green Belt boundaries are clearly defined, following the line of the existing built-up area.
- 3.133 The objector argues that this land should be used in preference to that originally proposed at *Lea Castle Hospital*, but the housing element of that proposal has now been abandoned. In any event, no exceptional circumstances have been advanced which would justify a review of Green Belt boundaries in this locality and the allocation of this site for residential development. As I have said before, sufficient provision has been made to meet current WCSP housing requirements and there is no overriding need to find alternative or additional housing sites. Like several others, this is a *greenfield* site in the Green Belt outside the main urban areas, and would lie at the bottom of the hierarchy in the sequential selection of potential sites advocated in PPG3. Consequently, I conclude that there are insufficient grounds to remove this site from the Green Belt and allocate it for residential use under Policy H.2.

Recommendation

3.134 I RECOMMEND no modifications to the Local Plan in response to this objection.

Land at Station Drive/Birmingham Road,**Blakedown****Objections First Deposit** 528/001 – Marmaris Investments Ltd.**Revised Deposit** 528/100 – Marmaris Investments Ltd.**Key issues**

- Whether there are any exceptional circumstances to justify amending the Green Belt boundary in this locality and allocating this site for a mixed-use development, with new housing (including affordable housing), car parking and open space, or identifying the site as an *Area of Development Restraint*.

Main considerations and Inspector's conclusions

- 3.135 This site is a 2.6ha field lying on the north-eastern edge of Blakedown, bounded by the A456 Birmingham Road, Station Drive, the Kidderminster-Birmingham railway line and a brookcourse, and next to Blakedown station. Apart from the northern part which slopes down to the stream, the site is relatively level. It lies in the Green Belt, and to the north, the site adjoins the Blakedown stream and pools system protected under Policy LA.5. Blakedown is a village between Kidderminster and Hagley which has a railway station, primary school and a few local shops.
- 3.136 *Marmaris* seeks to remove this site from the Green Belt and allocate it for a mixed-use development (including housing, station car parking and open space), or alternatively, identify it as an *Area of Development Restraint*. The site could accommodate about 60 dwellings, of which 50% would be affordable housing. In this section of my report, I deal with the housing considerations, including the physical and locational characteristics of the site and the site-specific aspects of affordable housing, leaving Green Belt, parking and open space considerations to later parts of my report (see Chapters 7, 10 & 11).
- 3.137 Both parties agree that the site is reasonably well-contained in physical terms, being bounded by roads, the railway line and woodland, with firm well-vegetated boundaries. It immediately adjoins the built-up area of Blakedown and is not an isolated field in the middle of the countryside. In locational terms, it adjoins Blakedown railway station, with a frequent service to Birmingham and Kidderminster, and is next to a bus stop with an equally frequent bus service. It is close to a primary school and the village shops, including a post office and petrol filling station, and within the village are a church, village hall and two pubs. The village centre is listed as a local centre in Policy RT.6 and Blakedown is an established residential settlement between Kidderminster and Hagley.
- 3.138 However, although Blakedown has some local facilities, it lacks any significant employment opportunities, and for many facilities (including secondary schools) residents have to travel to larger centres. Under the Local Plan's development strategy, new development is concentrated in the main towns of Kidderminster and Stourport. In Blakedown, housing is only permitted on *previously developed land* within the boundary of the existing residential area. It is not a settlement designated as being suitable for further growth and there is already an identified *Area of Development Restraint* for possible future development along Belbroughton Road, within the general confines of the village. In terms of PPG3, as a *greenfield* site and an extension to this established settlement, the site would not feature at the top of the hierarchy in any sequential search for sites. I also note that at least part of the site is classified as Grade 3a agricultural land. Under PPG7 and Policy AG.1, land of lesser quality should first be examined, which again puts this site some way down the hierarchy in any sequential test.

- 3.139 At the inquiry, there was some discussion about whether the site would be seen as an *urban extension* or an *extension to a rural settlement*. With its limited size and facilities and a population of less than 2,000, to my mind Blakedown is little more than an established residential community in the rural area between Kidderminster and Hagley, with many residents commuting to work. Although any new housing might help to bolster existing facilities, apart from the possible closure of the petrol filling station, I am not aware that any of the other facilities are at risk. The existence of the railway station is certainly a transport asset, but does not in itself justify further housing development, particularly in this Green Belt location. It might help to encourage less use of the private car, but residents would still have to travel out of the village for employment and many facilities and services. This peripheral site is certainly not as sustainable as other proposed housing sites in the town centres of Kidderminster and Stourport, and as a rural site, it would not fully meet the terms of PPG3 (¶ 70).
- 3.140 *Marmaris* does not dispute the current housing land supply figures which demonstrate an ample provision to meet current WCSP requirements. At the inquiry, there was some discussion about the implications of the number of houses that might be provided on this site and whether it would seriously breach current housing requirements. In the context of an overall figure of *about 3,000 dwellings*, 60 dwellings on this objection site might not seem significant. But when the current Plan provides for 3,344 dwellings (11% more than required), 60 dwellings may well have implications for general conformity with the WCSP, particularly since the First Deposit Plan failed to receive such a certificate on the basis of over-provision of housing. There was also some discussion about the type and number of *windfall* sites that are included within the calculations and the possibility that the Plan will not meet all housing needs. However, *WFDC* confirmed that its estimates of windfall sites did not include any specific allowance for *greenfield* sites and that the provision of housing to meet certain needs may require financial incentives which are outside the remit of the planning system. In view of the current housing land supply situation and the availability of other more sustainable sites within the main urban areas, I can see no overriding need to make further provision on this *greenfield* site on the edge of the small rural settlement of Blakedown.
- 3.141 As for the suitability of this site for affordable housing, I realise that the proximity of the railway station and bus route, along with the limited range of existing facilities, might benefit occupiers of the new homes. However, the lack of significant employment opportunities nearby and the need for residents to travel to larger centres for many facilities and services far outweighs these perceived advantages. Furthermore, apart from a more general need for affordable housing in the rural parts of the District, there is little information on the local need for affordable housing in Blakedown. Neither *Marmaris* nor *WFDC* rely on the accuracy of a need for 5 affordable dwellings in Blakedown referred to in the *Housing Needs Survey [CD88]* and, at the time of the inquiry, there were no current plans to undertake a Parish survey of housing needs. Although there may be an “exceptional” need for affordable housing generally in Wyre Forest District, in the absence of any clear need for a significant element of affordable housing in this locality, I can see little justification for releasing this site to provide an element of affordable housing along with general market housing.
- 3.142 Consequently, I can find no reasons on housing supply grounds, including affordable housing, or in terms of the physical and locational characteristics of this site that would represent the type of exceptional circumstances necessary to release the site from the Green Belt or identify it as an *Area of Development Restraint*.

Recommendation

3.143 I RECOMMEND that no modifications to the Local Plan in response to these objections.

SITES IN STOURPORT-ON SEVERN AREA**Land at Baldwin Road, Stourport-on-Severn**

Objections First Deposit 633/001 – Dunard Ltd

Revised Deposit There are no objections at the Revised Deposit stage.

Key issues

- Should this site be allocated for mixed-uses or residential use, rather than mainly for employment purposes.

Main considerations and Inspector's conclusions

- 3.144 This objection site lies on the southern side of Baldwin Road, east of Stourport town centre, adjoining industrial and residential areas. It covers almost 2ha of land, mainly comprising two industrial buildings and a car park. As in the adopted Local Plan [CD74], the WFDLP Proposals Map allocates the northern 0.32ha for residential uses and the remaining 1.6ha for employment uses under Policy E.2. *Dunard* considers the whole site should be allocated for residential or mixed uses.
- 3.145 *Dunard* advance several reasons supporting the suggested allocation of this site. Firstly, I recognise that there may be some difficulties in marketing the site for employment use. It is not sited along a main road with good accessibility or prominence, and is surrounded to the north and east by existing housing. Moreover, the older industrial building does not meet modern needs and might be difficult to sub-divide. Nevertheless, the site is located in a long-established industrial area, with existing businesses off Baldwin Road and to the south beyond the River Stour. It is also just off the town centre ring road and near the main A451/A4025. The site itself is not fully built up and offers scope for expansion or rebuilding, whilst the residential allocation on the northern part of the site could provide a transition between employment and housing uses. In my view, it is wholly appropriate to retain the majority of this site for employment purposes.
- 3.146 I realise that there might not be much demand for industrial premises in Stourport at present, but as *WFDC* says, it is important to ensure that land remains available for employment purposes in the longer term, to provide jobs and maintain the balance of land uses in Stourport, in line with WCSP Policy SD.5. Furthermore, when considering competing land uses for this site, it is important to bear in mind the overall adequacy of housing land supply and the absence of any need to find additional or alternative sites to meet current WCSP housing requirements. This is all the more relevant, given the current level of residential commitments in Stourport which remain to be developed.
- 3.147 I recognise that this is a *brownfield* site, to which PPG3 & WCSP Policy SD.3 give priority for re-use. However, this does not necessarily mean that it should all be used for housing or mixed uses. If this were the case, many existing employment sites would be in a similar position, exacerbating the pressures for re-using industrial sites for housing due to the current disparity in land values. I recognise that this is a sustainable location for new housing, within walking distance of the town centre and accessible to jobs, shops, services and public transport. Nevertheless, the same could be said of many existing employment areas around Stourport town centre and does not automatically mean that the site should be redeveloped for residential or mixed uses. I understand that there are no environmental, landscape or conservation constraints affecting the site. However, the southern part of the site lies within the area at risk of flooding, as shown on the *EA's* plans. Although this does not affect the northern part of the site, this factor would clearly

need further consideration when contemplating the redevelopment of the site for residential or mixed uses, in accordance with the guidance in PPG25.

3.148 Consequently, I conclude that the current designation of this site, with one-third for residential use and two-thirds for employment uses, represents a reasonable balance of land uses and an appropriate allocation for this site. No amendments are therefore needed to the Plan in response to this objection. I deal with *Dunard's* objections to *Lea Castle Hospital*, the general housing land supply figures and Policy E.2 elsewhere in my report.

Recommendation

3.149 I RECOMMEND no modifications to the Local Plan in response to this objection.

Severn Road Redevelopment Area, Stourport-on-Severn

Objections First Deposit 638/002 – Arab Investments Ltd.

Revised Deposit There are no objections at the Revised Deposit stage.

Key issues

- Should the development of this site be subject to the provisions of Policy STC.2.

Main considerations and Inspector's conclusions

3.150 *Arab Investments'* main concern relates to clause (iv) of Policy H.2, which refers to the provisions of Policy STC.2 in terms of the *Severn Road Redevelopment Area*. As confirmed at the inquiry, this is essentially a “catch-all” objection to cover the amendments suggested by *Arab Investments* to Policy STC.2. Bearing in mind that this latter policy provides further guidance on the development of this site, it seems reasonable to link the housing element to the requirements of Policy STC.2. I deal with most of the substantive objections to the requirements for the *Carpets of Worth* site under that policy, later in my report (see Chapter 14). No amendments are needed to the wording or criteria of Policy H.2 in response to this element of the objection.

Recommendation

3.151 I RECOMMEND no modifications to the Plan in response to this objection.

Land at Cheapside, Stourport-on-Severn (Severn Road Phase 3)

Objections First Deposit 620/002-003 – Tube Plastics Ltd.

Revised Deposit There are no objections at the Revised Deposit stage.

Key issues

- Should this site be allocated for development within the current Plan period, rather than being deferred to the next Plan period.

Main considerations and Inspector’s conclusions

3.152 *Cheapside* is one of three sites identified in the *Severn Road Development Brief [CD103]* for redevelopment for mixed uses, including residential and business uses. Policy STC.3 confirms that the site is suitable for redevelopment for these purposes, but the residential element is not included within Policy H.2 or Table 2. This is because *WFDC* considers this site should fall within the final phase of redevelopment beyond the current Plan period. Paragraph 14.32 of the Plan confirms that *development for residential uses will only be permitted during the Plan period where required to meet any deficiencies in housing land supply identified as a result of housing land monitoring*. *Tube Plastics* argues that the site should feature as a firm proposal in Policies H.2 & H.3 and Table 2 for development within the current Plan period. Since the principle of a mixed development, including residential uses, is agreed and it is largely the timing that is in dispute, I deal with this matter under Policy H.3, later in this section of my report. Since I conclude that the principle of phasing this development beyond the current Plan period is soundly based, subject to the qualifications recommended in Policy STC.3, no amendments are needed to Policy H.2 or Table 2 in response to this objection.

Recommendation

3.153 I RECOMMEND no modifications to the Local Plan in response to this objection.

Four Acres Caravan Park, Worcester Road, Stourport-on-Severn

Objections First Deposit 151/001 – Mr S Kennerley

Revised Deposit There are no objections at the Revised Deposit stage.

Key issues

- Should this site be allocated for residential development under Policy H.2, rather than being identified as an *Area of Development Restraint*.

Main considerations and Inspector’s conclusions

3.154 This objection site is currently a caravan park lying on the southern fringe of Stourport, well screened behind the properties fronting Power Station Road and with access off the main A4025 Worcester Road. In the adopted Local Plan [CD74], most of the land is allocated as an *Area of Development Restraint* and this designation is carried forward into the Review Local Plan. The objector points out that the site is within an area identified in the WCSP for new housing, adjoins new houses and the proposed Stourport relief road, and is within easy reach of town centre facilities.

3.155 *WFDC* explains that the current designation is intended to provide land to meet longer-term development needs post-2011. I am also aware that the Plan makes more than sufficient provision to meet current housing requirements in the WCSP without the need to consider additional sites such as this. Under national policy in PPG3 and WCSP Policy SD.7, priority is given to allocating *previously developed land* within the urban area. This site currently lies outside the confines of the built-up area and is not required to meet current housing needs. The objector has advanced no compelling arguments to bring forward the development of this site, particularly in the light of the considerable amount of new housing which has been built in this locality, on the former power station site, and the land earmarked for redevelopment and housing development in and around the town

centre. As an *Area of Development Restraint*, Green Belt policies will apply at least until this land is identified for development after 2011, so I cannot see that this designation would create unnecessary uncertainty or blight for residents and owners of the caravans. Consequently, I conclude that it is appropriate to continue the designation of this site as an *Area of Development Restraint* to meet possible future development needs beyond 2011.

Recommendation

3.156 I RECOMMEND no modifications to the Local Plan in response to this objection.

Land at Wilden Lane, Stourport-on-Severn

Objections First Deposit 353/001 – Mr J Cartwright.

Revised Deposit There are no objections at the Revised Deposit stage.

Key issues

- Should this site be removed from the Green Belt and allocated for residential development under Policy H.2.

Main considerations and Inspector's conclusions

3.157 The land in question lies on the corner of Wilden Lane/Mill Road, at the junction with Hartlebury Road, and is bounded by the River Stour and cottages on its western side. There are cottages and an industrial estate to the north, with housing on the eastern side of Wilden Lane. It comprises rough scrubland which, at the time of my visit, appeared unused. The land is currently included within the approved Green Belt.

3.158 Having seen the site, I agree with *WFDC* that it performs one of the key Green Belt functions listed in PPG2 (¶ 1.5). It lies in the relatively narrow open gap between Stourport and Wilden and helps to prevent these settlements from merging. It also lies on the edge of Stourport, helping to prevent urban sprawl, and is visually related to the wider area of open space along the River Stour. Moreover, the Green Belt boundaries in this locality are clearly defined, following the line of the existing built-up area.

3.159 The objector argues that the removal of this small plot of land would not be detrimental to the objectives of the Green Belt, but would assist its efficient use in a sustainable location. However, I do not consider that these represent the type of exceptional circumstances necessary to justify a review of Green Belt boundaries in this locality and the exclusion of this site from the Green Belt. Moreover, PPG2 (¶ 2.6-2.7) confirms that detailed Green Belt boundaries defined in adopted local plans should be altered only exceptionally. As I have said before, sufficient provision has been made to meet current WCSP housing requirements, and there is no need to find additional or alternative housing sites outside the urban areas. In any event, as a *greenfield* site in the Green Belt, it would come at the bottom of the hierarchy in the sequential search of potential sites advocated by PPG3. Consequently, I can find no compelling or exceptional circumstances to justify removing this site from the Green Belt and allocating it for residential development.

Recommendation

3.160 I RECOMMEND no modifications to the Local Plan in response to this objection.

8A Areley Common, Stourport-on-Severn

Objections First Deposit 396/001 - Mr J Preece.

Revised Deposit There are no objections at the Revised Deposit stage.

Key issues

- Should this site be included within the Residential area under Policy H.2, rather than being identified as *white land*.

Main considerations and Inspector’s conclusions

- 3.161 The land in question comprises a single bungalow and garden adjoining allotment gardens and a recreation ground on the western side of Areley Common, opposite existing housing. In the adopted Local Plan [CD74], the land is shown as lying within the open space/allotments designation, but is left as *white land* in the RDLP.
- 3.162 Although the property is located within the general block of open land comprising the recreation ground and allotments, its character as an individual bungalow with its own garden is somewhat different. WFDC argues that further residential intensification on this site might adversely affect the character of the surrounding open space. However, in view of the presence of existing development and the relatively small and isolated parcel of land involved, I consider this is over-stating the concern. Although it is related to the wider open space, in my view, the land would be more appropriately designated as part of the adjoining residential area, subject to Policy H.2, and I recommend accordingly.

Recommendation

3.163 ***I RECOMMEND*** that the Local Plan be modified by amending the designation of this site, including it within the area allocated primarily for residential use under Policy H.2.

SITES IN BEWDLEY AREA**Land at Highclere,
Bewdley**

Objections First Deposit 589/001 – Bridges & Grove Ltd.

Revised Deposit There are no objections at the Revised Deposit stage.

Key issues

- Should this site be allocated for residential development to provide affordable housing to meet local needs.

Main considerations and Inspector’s conclusions

- 3.164 This is a crescent-shaped area of land on the southern fringe of Bewdley at the end of Snuff Mill Walk, behind the houses fronting Highclere. Covering some 2.2ha, it largely comprises a sloping wooded area, with a public footpath leading to the *Worcestershire Way* at the northern end. The original objection sought to allocate the site for residential development on the grounds that the Plan makes no provision for further housing development in Bewdley and, in particular, fails to meet the town’s needs for social housing. Later representations suggest that the whole site could be developed with affordable housing by including the land within the residential boundary of Bewdley. The objector envisages about 1ha of the site being developed with housing.
- 3.165 Dealing firstly with the need for additional housing land, I have already found that the Plan makes more than sufficient provision to meet current WCSP requirements for the District as a whole. In Bewdley, the latest figures show an outstanding capacity on committed sites with planning permission for 94 dwellings [CD92], although some of these are small infill plots. With completions since 1996, the Plan envisages a total of 285 dwellings being built in Bewdley up to 2011. Further provision may also come forward

by way of small *windfall* sites, which in the past have averaged 11 dwellings/year. Although Bewdley is a popular place to live in, with around 9,000 people and 10% of the District's population, the level of housing provision proposed between 1996-2011 is consistent with its size. Moreover, it is not identified as one of the principal urban areas for further development in Policy SD.6 of the WCSP. As one of the smaller and less urban parts of the District, I am satisfied that Bewdley has been allocated a reasonable share of the overall housing provision, particularly bearing in mind its compact form, historic nature and landscape setting.

- 3.166 *WFDC* acknowledges that the Plan does not meet the identified need for affordable housing, either within the District as a whole or for Bewdley in particular, and accepts that it is not possible to rectify the shortage of affordable housing. The *Housing Needs Survey [CD88; ¶ 8.1]* shows a need for some 227 affordable homes in this area. Since 1996, I understand there have been few affordable homes provided on completed sites, and no additional low-cost houses are envisaged in current commitments. Moreover, as an urban settlement, Bewdley would not qualify for the rural exceptions scheme for affordable housing under Policy H.11. *WFDC* intends to address this matter by supporting the development of *windfall* sites for affordable housing and the acquisition of suitable housing stock by RSLs.
- 3.167 Like *WFDC*, I consider it is not appropriate to increase the provision of market housing simply to enable more affordable housing to be provided, since this could draw in external housing demand and undermine the strategic housing policy of limiting migration from outside the District. In any event, the development of 1ha of land at this objection site would make only a modest contribution to overall housing provision and an even less significant contribution to affordable housing needs. I realise that a greater contribution could be made by allocating the whole site for affordable housing, and recognise that people need homes where they want to live and work. However, given the nature of the surrounding development and the distance from local facilities, this may not lead to the most appropriate form or balance of residential development.
- 3.168 Furthermore, in selecting sites for new housing, PPG3 (¶ 30) & WCSP Policy SD.7 advocate a sequential approach, giving priority to *previously developed land* within urban areas. Although some engineering and drainage works may have been undertaken in the past, this is essentially a *greenfield* site, adjoining but outside the urban area. It would fall some way down the hierarchy of potential sites in PPG3, particularly given the availability of *brownfield* sites within the main urban areas.
- 3.169 In addition, I note that the site lies within the *Landscape Protection Area* which surrounds Bewdley. In its present wooded and undeveloped condition, it makes a significant contribution to the landscape setting of the historic town of Bewdley, helping to screen existing development in views from the by-pass, and providing a rural buffer to *Snuff Mill Dingle* to the south. Development of this site would visibly extend the urban area beyond its existing well defined limits into a vulnerable area of woodland on the fringe of Bewdley. I recognise that a limited amount of development could possibly be integrated into the woodland without directly affecting the public footpath, but it would fundamentally change the character and appearance of this site and erode its present function. The amenity value of the woodland has also been recognised in the TPO which covers this site and the adjoining area. Although the objector questions the status of the TPO, I am not aware that its validity has been formally challenged on legal grounds and it remains as a declared TPO. In my view, the development of this site would clearly affect this area of woodland and erode its contribution in visual and amenity terms.

- 3.170 *WFDC* is also concerned about the highway and traffic implications arising from the development of this site. Snuff Mill Walk is a cul-de-sac and Park Lane is narrow and lacks footways in places. However, given the limited amount of traffic that would be generated and the reduced volume of traffic travelling along Park Lane and the roads in Bewdley following the construction of the by-pass, along with the possibilities of localised road improvements, these shortcomings could probably be overcome. I also understand that drainage and other services are readily available to serve the site.
- 3.171 I am also aware of the planning history of this site, including the 1974 planning appeal which was dismissed on the grounds of prematurity pending the construction of the by-pass. However, I note that the Secretary of State expressly disassociated himself from the Inspector's conclusions which seemed to accept the principle of the eventual development of this site. Since then, the 1996 WFDLP has been adopted [CD74], designating this site within the *Landscape Protection Area* and outside the settlement limits of Bewdley.
- 3.172 In view of the current adequacy of housing land supply, the *greenfield* nature of this site outside the main urban area, and the adverse impact that development would have on the woodland and landscape setting of the town, I can see no justification for allocating this site for residential development for affordable or market housing at this time. Consequently, no amendments to the Plan are needed in response to this objection.

Recommendation

3.173 I RECOMMEND *no modifications* to the Local Plan in response to this objection.

Land off Habberley Road, Bewdley

Objections First Deposit 553/001 – Mrs F A Miller.

Revised Deposit There are no objections at the Revised Deposit stage.

Key issues

- Whether there are any exceptional circumstances sufficient to justify removing this site from the Green Belt and allocating it for new housing development.

Main considerations and Inspector's conclusions

- 3.174 This site lies on the north-eastern edge of Bewdley, behind the houses in Habberley Road and Trimpley Lane and fronting the B4190. Extending to about 4.8ha, it is currently an unused field with a small knoll near the centre and several mature trees within its boundary. It lies within the approved Green Belt and also within an *Area of Great Landscape Value* and *Landscape Protection Area*. The objector proposes using that part of the site immediately adjoining the existing development for new housing, with about 70 houses and access off Habberley Road.
- 3.175 There is no dispute that this site lies within the approved Green Belt, defined as Interim Green Belt in 1975 and confirmed in detail in the 1989 WFUALP [CD72]. PPG2 (¶ 2.6-2.7) advises that detailed Green Belt boundaries defined in adopted local plans should be altered only exceptionally. In its present undeveloped condition, I share *WFDC*'s view that the site performs three of the acknowledged functions of Green Belt land. Firstly, it lies in the relatively narrow gap between Kidderminster and Bewdley and helps to prevent these towns from merging. Secondly, it helps to safeguard the adjoining countryside from further urban encroachment. The allocation and eventual development of this site with

- housing would significantly extend the built-up area of Bewdley into the surrounding countryside in a particularly narrow and vulnerable open gap, compromising the open character of this part of the Green Belt. Thirdly, a tight Green Belt boundary around the urban areas helps to encourage urban regeneration in both Bewdley and Kidderminster.
- 3.176 Furthermore, little has changed since the WFUALP Inspector previously considered the inclusion of this land in the Green Belt in 1988 [CD71; ¶ 209-217]. The existing Green Belt boundary is clearly defined around the edge of the built-up area. On the opposite side of Habberley Road, the *Heath House Hotel* (now *Ramada*) has been extended, with a new access onto the B4190. However, I understand that this was designated as an *institution standing in large grounds* in terms of national guidance in an earlier version of PPG2. It has been suitably landscaped and has not extended the built-up frontage along Habberley Road or the urban limits of Bewdley. Neither the buildings, nor the new access significantly detract from the openness of the Green Belt. There is a golf course to the north-east and planning permission was granted in 1992-94 for tennis courts with a clubhouse on this objection site. However, these are essentially outdoor recreation activities which may not be inappropriate in Green Belt locations. Consequently, there is nothing in the changes to the physical and visual circumstances of the site or its immediate surroundings which, in my view, justifies excluding the site from the Green Belt.
- 3.177 I recognise that the site has some locational advantages, with shops, schools and other facilities within a reasonable distance, and Bewdley town centre is just 2.5km away. However, the site does not lie along one of the main transport corridors, with infrequent bus services along Trimpley Lane and the main bus route between Bewdley and Kidderminster lying some distance to the south-west. It is also one of the more peripheral locations in Bewdley. As I saw on my visit, apart from the distinctive knoll, the site is relatively level, but it lacks much vegetation along its outer boundaries and is exposed to open view from the north-east and north-west. It currently provides an open backdrop to the existing development on the fringe of Bewdley, making a positive contribution to the landscape character of the area, with several mature trees of amenity value protected by a TPO. Although many of these trees could be retained, I consider building on this site would dramatically change the rural character of this area, spoiling the appearance of this approach to Bewdley and adversely affecting the landscape character of the area.
- 3.178 The objector points out that there are no new housing sites allocated in Bewdley and emphasises the need for low-priced housing in this area. However, the Plan makes more than sufficient overall provision for new housing in terms of current WCSP requirements. It also makes specific provision for new housing in Bewdley, with over 190 new houses completed since 1996 and a further 94 houses with planning permission, giving a total of 285 new dwellings in the town. Further provision could be made by using *windfall brownfield* land and infill sites within the existing boundary of Bewdley's urban area, which have recently been averaging 11 dwellings/year.
- 3.179 Although Bewdley is a popular place to live in, with around 9,000 people and 10% of the District's population, the level of housing provision between 1996-2011 is consistent with its size, and there is no evidence that recent flooding in the town has resulted in pressures for alternative residential accommodation. Moreover, it is not identified as one of the principal urban areas for further development in Policy SD.6 of the WCSP. In terms of the sequential search for potential development sites advocated in PPG3, this would represent a *greenfield* site, in the Green Belt outside the boundary of the urban area, constituting an *urban extension* outside the sustainable transport corridors. As such, it would be at the very bottom of the hierarchy of potential sites in PPG3 & WCSP Policy SD.7.

- 3.180 *WFDC* accepts that there is an undisputed need for more affordable housing in Bewdley, with the *Housing Needs Survey* [CD88; ¶ 8.1] identifying a need for some 227 affordable homes in this area. Since 1996, I understand that there have been few affordable homes provided on completed sites, and no additional low-cost houses are envisaged in current commitments. As an urban settlement, Bewdley would not qualify for the rural exceptions scheme for affordable housing under Policy H.11. However, limited further provision could be made on larger windfall sites under the terms of Policy H.10, and there may be further opportunities as a result of RSL proposals, as yet unknown. I recognise that this site could make a significant contribution to the need for affordable housing in Bewdley. However, given the considerable District-wide need for such housing, the peripheral location of this site and its position in the sequential hierarchy in PPG3 & WCSP, I do not consider that these factors provide the exceptional circumstances needed to remove this site from the Green Belt and allocate it for new affordable housing.
- 3.181 I realise that this site is scrub land of little beneficial value, which has been subject to trespass and damage in the past, including use by travellers and BMX bikes. However, such problems are unfortunately not unusual on the urban fringe. I recognise that the land is not used positively at present, but as *WFDC* says, it could be used for horse grazing, agriculture or forestry, or for outdoor recreation. I also saw that some works have been undertaken to create a new access to the site off Habberley Road. However, the physical circumstances of the site do not, in my view, provide any reasons to exclude it from the Green Belt or allocate it for housing development, particularly since it performs important Green Belt functions and makes a positive contribution to the landscape character of the area.
- 3.182 Consequently, I can find no exceptional reasons to justify removing this site from the Green Belt and allocating it for residential development.

Recommendation

3.183 I RECOMMEND no modifications to the Local Plan in response to this objection.

Land adjoining Mopsons Cross Farm, Callow Hill, Rock

Objections First Deposit 510/001 – Mr C H Amies.

Revised Deposit There are no objections at the Revised Deposit stage.

Key issues

- Should land adjoining *Mopsons Cross Farm* be included within the settlement boundary of Callow Hill under Policy H.2(viii).

Main considerations and Inspector's conclusions

- 3.184 This objection site is a field lying on the southern side of the main A456 at Callow Hill, between an existing house, *Wedgewood*, and the farmhouse and farm buildings at *Mopsons Cross Farm*. The objector argues that by concentrating the limited housing growth in the main urban areas, larger villages such as Callow Hill will not remain sustainable. In this case, the settlement boundary is tightly drawn around the main built-up area of Callow Hill, following logical and clearly defined lines, and excluding areas of undeveloped land such as this objection site.

- 3.185 The strategy of this Local Plan (¶ 3.22-3.24) is to limit development in the rural settlements west of the River Severn by tightly drawing settlement boundaries around the existing development in order to limit the opportunity for expansion into the attractive surrounding countryside. This reflects the strategy of the adopted Local Plan [CD74] and the WCSP. Infilling is permitted within the settlement boundary, but the expansion of the settlement boundary to incorporate undeveloped land such as this objection site would lead to a significant extension of the built-up area, encroaching on to the surrounding open countryside. In the absence of any demonstrable need to allocate additional housing land in rural settlements such as Callow Hill and without any evidence that facilities are under threat, it could not only undermine the Plan’s rural settlement strategy, but also lead to further over-provision of housing in terms of current WCSP requirements.
- 3.186 Consequently, I can find no compelling reasons to justify an amendment to the defined settlement boundary to incorporate this objection site, as suggested by this objector.

Recommendation

3.187 I RECOMMEND no modifications to the Local Plan in response to this objection.

**Land adjoining Shangri-la, Callow Hill,
Rock**

Objections First Deposit 614/001 – Mr E A Fletcher.

Revised Deposit There are no objections at the Revised Deposit stage.

Key issues

- Should this objection site be included within the settlement boundary of Callow Hill under Policy H.2 (viii).

Main considerations and Inspector's conclusions

- 3.188 The land in question comprises a paddock lying on the northern side of the A456 next to a bungalow, *Shangri-la*. The objector considers the settlement boundary of Callow Hill is too restrictive and will not allow any development during the Plan period or help to sustain local services. In this instance, the settlement boundary follows a logical and clearly defined boundary around the main built-up area of the settlement, excluding undeveloped land such as this objection site.
- 3.189 As *WFDC* rightly says, the Plan makes sufficient overall provision to meet the current housing requirements of the *WCSP*. As I have said in the previous objection, the Local Plan aims to limit development in the rural settlements west of the River Severn by tightly drawing settlement boundaries around the existing development in order to limit the opportunity for expansion into the attractive surrounding countryside. This reflects the strategy of the adopted Local Plan [*CD74*] and the *WCSP*. Infilling is permitted within the settlement boundary and I understand there are planning permissions for 6 dwellings within the settlement. I also understand that Callow Hill lies within an *Area of Great Landscape Value* and *Landscape Protection Area*, where particular attention has to be paid to the control of built development.
- 3.190 In this instance, the objection site forms part of an open gap in the settlement which helps to break up the extensive ribbon development along the main road and contributes to the rural character of the area. Incorporating this land within the settlement boundary would lead to a significant extension of the built-up area, encroaching into the surrounding open countryside. There is no evidence about any threat to local facilities and it is not clear how development on this site would help to bolster local services or, given the limited range of facilities and its peripheral rural location, how it would contribute to general sustainability. In the absence of any demonstrable need to allocate additional housing land in rural settlements such as Callow Hill, it could not only undermine the Plan's rural settlement strategy, but also lead to further over-provision of housing in the context of current *WCSP* requirements.
- 3.191 Consequently, I conclude that there are no compelling reasons to justify an amendment to the defined settlement boundary to incorporate this objection site.

Recommendation

3.192 I RECOMMEND no modifications to the Local Plan in response to this objection.

Land at New Road, Far Forest

Objections First Deposit 511/001 – Mr G E Prince

Revised Deposit There are no objections at the Revised Deposit stage.

Key issues

- Should the settlement boundary of Far Forest be amended to include this site within the Policy H.2(viii) boundary.

Main considerations and Inspector's conclusions

3.193 The site in question lies on the western side of New Road between the houses and bungalows close to the junction with the main A4117 and those further along New Road, and opposite the village school. It is currently used as a paddock with stables. Although the site is centrally located in the village and lies between existing development, the settlement boundary in the WFDLP follows logical and clearly defined boundaries incorporating the existing houses fronting the main road, around the junction and on the opposite side of New Road, and excluding undeveloped land outside the main built-up area such as this objection site.

3.194 As I have said before, the strategy of this Local Plan is to limit development in the rural settlements west of the River Severn by tightly drawing settlement boundaries around the existing development in order to limit the opportunity for expansion into the attractive surrounding countryside. This reflects the strategy of the adopted Local Plan [CD74] and the WCSP. Infilling is permitted within the settlement boundary, but in the absence of any pressing need to allocate additional housing land in rural settlements such as Far Forest, the expansion of the settlement boundary to incorporate this objection site would lead to a significant extension of the built-up area, encroaching into the surrounding open countryside. It could also lead to further over-provision of housing in terms of current WCSP requirements. Consequently, I can find no compelling reasons to justify an amendment to the defined settlement boundary to incorporate this objection site.

Recommendation

3.195 I RECOMMEND no modifications to the Local Plan in response to this objection.

Land at New Road, Far Forest

Objections First Deposit 351/001 – Miss R Hackett

Revised Deposit There are no objections at the Revised Deposit stage.

Key issues

- Should the settlement boundary of Far Forest be amended to include this site within the Policy H.2(viii) boundary.

Main considerations and Inspector's conclusions

3.196 This objection site is a grazing field lying at the lower end of New Road, on its western side, between *Beulah* and *The Hollies* and opposite the houses fronting New Road and off New Forest Close. The objector argues that the settlement boundary should be extended

to incorporate this land to enable new housing to be developed, helping to meet local needs and sustaining local facilities. On the WFDP Proposals Map, the settlement boundary is clearly defined, encompassing the existing houses on the opposite side of New Road. In my view, this is entirely appropriate, since the objection site is undeveloped and lies outside the present built-up area of the village along a stretch of New Road where development is more sporadic and confined to a few properties along the road frontage.

- 3.197 As I explained in the previous objection, the Local Plan aims to limit development in the rural settlements west of the River Severn by drawing settlement boundaries tightly around the existing development in order to limit the opportunity for expansion into the attractive surrounding countryside. This reflects the strategy of the adopted Local Plan [CD74] and the WCSP. Although the objector refers to local needs, I am not aware of any detailed survey of local housing needs in this part of the District or any evidence of any threat to local facilities. As WFDC rightly says, the extension of the settlement boundary to incorporate this objection site would lead to a significant expansion of the settlement into the surrounding countryside well beyond its present confines and could also lead to further over-provision of housing in terms of current WCSP requirements.
- 3.198 I understand that this site was subject to a similar objection when finalising the currently adopted Local Plan [CD74]. At that time, the Inspector considered the site was unrelated to the existing form of the settlement and would not represent rounding off [CD73; ¶ 2.9.15-2.9.18]. I share his views and see that little has changed since then. Consequently, I can find no compelling reasons to justify an amendment to the defined settlement boundary to incorporate this objection site.

Recommendation

3.199 I RECOMMEND no modifications to the Local Plan in response to this objection.

Land at Heightington Road, Bliss Gate, Rock

Objections First Deposit 149/001 – Mr M Stimpson.

Revised Deposit There are no objections at the Revised Deposit stage.

Key issues

- Should this site be included within the settlement boundary of Bliss Gate, having regard to the potential impact of development on the appearance of the landscape and the character of the village.

Main considerations and Inspector's conclusions

- 3.200 This site is an old orchard on the south-eastern edge of Bliss Gate, a small settlement lying in the countryside west of Bewdley. It fronts Heightington Road and Bine Lane, with an area of about 0.26ha. It also lies within an *Area of Great Landscape Value* and *Landscape Protection Area*. The current and proposed settlement boundary runs along the opposite side of Bine Lane and a short distance along the opposite side of Heightington Road.
- 3.201 As with other rural settlements to the west of the River Severn, the main reason for defining a tightly-drawn boundary around Bliss Gate is to limit infilling to within the existing settlement and prevent it expanding into the attractive open countryside. This recognises the form and character of the existing settlement, the lack of local services and

the high quality of the landscape. It also reflects the overall rural settlement strategy both in the adopted and review Local Plans and in the WCSP (Policies SD.8 & D.14). In view of the current housing land supply position and the fact that further housing provision is unnecessary, particularly in rural areas, to meet current WCSP housing requirements, I am satisfied that this represents a soundly-based approach.

- 3.202 At present, the boundary of the main built-up area of Bliss Gate is clearly marked by the houses on the opposite side of Bine Lane. In contrast, this objection site adjoins the paddocks and gardens of a couple of detached properties in the triangle of roads formed by Heightington Road/Bine Lane/Camp Lane, and in my view, it is more closely related to the surrounding countryside than the main built-up part of Bliss Gate. I recognise that a few properties on the other side of Heightington Road, near the junction with Bine Lane, are included within the current settlement boundary. However, the inclusion of this objection site would not only significantly extend the limits of the settlement beyond its existing confines, encroaching into the surrounding countryside, but also add to the more sporadic pattern of development beyond the main built-up area of the settlement.
- 3.203 Moreover, it could lead to pressures for further development within this triangle of roads which would not only lead to a substantial extension of the built-up area of the settlement, but also have an adverse impact on the appearance of this area of high quality landscape. At present, this triangle of land helps to screen the existing houses in Bliss Gate and provides a rural setting for the village. As an old orchard with extensive trees and vegetation, the objection site displays some of the characteristic small-scale features of this landscape area [CD66]. Even in its present unused and neglected condition, it makes a limited contribution to the appearance and landscape character of the area. Conversely, including this site within the settlement boundary could potentially have a significant visual impact on the landscape, contrary to national guidance in PPG7, WCSP Policies CTC.1 & CTC.4 & Local Plan Policy LA.2.
- 3.204 I recognise that *Mr Stimpson* intends to retain as much vegetation on the site as possible and build a well-designed high quality bespoke house. But at the inquiry, he accepted that it was the natural beauty of the area that attracted him back to the site. This is understandable, but development of this site would not accord with long-standing rural settlement and landscape policies. I also note that, although the site has not been identified as having any special nature conservation value, it does provide a limited habitat for wildlife and contributes to the general biodiversity of the area. Its inclusion in the settlement boundary, with the consequential likelihood of development, could erode the current nature conservation value of the site, contrary to Local Plan Policy NC.5.
- 3.205 I realise that *Mr Stimpson* envisages building only one dwelling on this site. However, a site of this size could accommodate several more houses if the land were to be used more efficiently and, in the future, it could be difficult to limit development to just one house. More particularly, Bliss Gate has virtually no local facilities, other than the village pub, and residents have to travel to Far Forest, Callow Hill or Bewdley for schools, shops and other basic facilities. In terms of PPG3, Bliss Gate is not a particularly sustainable settlement, particularly given the lack of public transport and other facilities. In effect, inclusion of this site within the settlement boundary would represent a significant *village extension* on a *greenfield* site at a settlement with no facilities. I am not aware of any pressing need for additional housing to serve Bliss Gate and no Parish survey of housing needs has been undertaken. If a need for affordable housing were to be established, then the “rural exceptions” policy (Policy H.11) could apply. However, *Mr Stimpson* agrees that this is not a proposal for affordable or social housing and, in my view, his desire to live on this site is insufficient to justify altering the established settlement boundary of Bliss Gate.

3.206 I therefore conclude that this site is appropriately excluded from the existing settlement boundary of Bliss Gate and there are no overriding reasons to amend the current boundary, particularly bearing in mind long-standing rural settlement policies, the potential impact of development on this area of high quality landscape and the lack of facilities within Bliss Gate.

Recommendation

3.207 I RECOMMEND no modifications to the Local Plan in response to this objection.

POLICY H.3: PHASED RELEASE OF PROPOSED HOUSING SITES**GENERAL OBJECTIONS**

Objections First Deposit 245/010 – Kidderminster Civic Society; 481/005 – House Builders Federation; 592/011 – West Midlands Region RSL Planning Consortium; 620/004 – Tube Plastics Ltd; 638/003 – Arab Investments Ltd.

Revised Deposit 481/104 – House Builders Federation;

Key issues

- Does the principle of phasing the development of housing sites accord with PPG3 and WCSP;
- Should Policy H.3 identify additional sites to take account of sites allocated in Policy H.2(ii) not coming forward;
- Should Policy H.3 provide greater flexibility by allowing sites identified in later phases of the Plan period to be brought forward if the rate of housebuilding is below that needed to meet the housing requirement;
- Table 3: Does Table 3 have sufficient regard to the lead times and infrastructure requirements of the proposed housing sites, as well as their availability and potential delivery within the Plan period;
- Paragraph 3.28: Should the Plan provide greater flexibility to ensure that local housing need is satisfied when it arises.

Main considerations and Inspector’s conclusions

- 3.208 Policy H.3 identifies those housing sites allocated in Policy H.2(ii) which are proposed for completion in the latter part of the Plan period (2006-2011), confirming that permission will not be granted where it would lead to housing completions before 2006. The Policy and accompanying text have been amended to take account of sites originally included at First Deposit stage, but which have now been deleted (*Change No. 009*).
- 3.209 PPG3 (¶ 8; 32-34) advocates a *Plan-Monitor-Manage* approach, managing the release of housing land in order to control the pattern and speed of urban growth and ensure the achievement of the development plan strategy, the co-ordinated provision of infrastructure and the implementation of land recycling targets. Further guidance is given in *Planning to Deliver - The managed release of housing sites: towards better practice [DETR; 2001] [CD42]*. This suggests three approaches to the release of housing sites, based on either criteria, ranking of sites, or releasing sites over time-defined periods. *WFDC* confirms that the latter approach has been adopted. In my view, this has certain benefits in a district like Wyre Forest, where there is a substantial amount of land already committed for housing, sending a clear signal that sites in later phases are unlikely to be released for development at an earlier stage.
- 3.210 *WFDC* explains the strategic reasons for phasing the development of housing land, stemming from the need to limit provision for out-migration from the West Midlands conurbation to nearby shire areas. Since the overall level of housing provision in Wyre Forest roughly equates to projected local housing needs, there is a clear planning reason to control the release of housing sites in this District to avoid drawing in external housing demand and ensure a continuing supply of housing land to meet local requirements.

- 3.211 PPG3 (¶ 34) also confirms that plans should allocate housing sites to meet at least the first five years of the Plan period, with regular monitoring, reviews and roll-forward of the Plan. By specifying that certain sites will not be developed until the latter part of the Plan period, Policy H.3 directly reflects this approach. In considering this issue, it is relevant to note the relatively high level of existing completions and commitments. Based on an average completion rate of 200 dwellings/year, committed sites are expected to provide for at least 5 years housing supply in terms of this Local Plan, meeting the requirements of PPG3 (¶ 34). On the current figures, there is clearly no overriding need to allocate additional or alternative housing sites in order to meet WCSP requirements, since sufficient land has been identified, in terms of commitments and proposed sites, to ensure a continuous and adequate supply of housing land over the current Plan period.
- 3.212 Policy H.3 also reflects WCSP Policy D.2 which confirms the strategic importance of phasing housing development and indicates that plans should include appropriate phasing policies based on the indicative requirements and anticipated housebuilding rates for each District. In Wyre Forest, the WCSP assumes that 600 dwellings of the total provision of 3,000 dwellings will be completed after 2006. However, *WFDC* has reviewed this figure in the light of recent housebuilding rates and the level of existing commitments and available housing sites. This has resulted in building rates rising to about 250 dwellings/year in the first phase of the Plan, dropping back to 150 dwellings/year in the latter period. Consequently, only 180 dwellings are now deferred to the later part of the Plan period in terms of proposed new housing sites in Policies H.2(ii) & H.3.
- 3.213 In response to *KCS & HBF*'s objections, *WFDC* is not aware of any specific reasons why the housing sites proposed in Policy H.2(ii) should not come forward within the current Plan period. Moreover, these objectors provide no evidence or reasons why these sites should not come forward as expected. I have already found that the Plan makes more than sufficient provision to meet current WCSP housing requirements and that no additional or alternative sites are needed within the current Plan period. In fact, the overall level of proposed provision, taking into account commitments, proposals and windfalls, is more than enough to offset any delays in the proposed sites coming forward, particularly given the relatively modest level of residual provision needed to meet current housing requirements. Further flexibility is provided by other sites (e.g. Policy STC.3: *Cheapside, Stourport*) which are proposed for housing development, but not within the current Plan period, along with the *Areas of Development Restraint* (Policy DR.1), which could be brought forward if required.
- 3.214 Furthermore, paragraph 3.32 of the Plan confirms that the rate of housing completions and the level of provision will be regularly monitored, with paragraph 15.12 confirming that regular monitoring reports will be produced. This will enable the phased release of sites to be kept under review, with any implications being addressed and incorporated into subsequent reviews of the Plan. To increase the flexibility to allow these or other sites to come forward earlier would not only reduce the effectiveness of the phasing policy, but also leave the District with few housing sites for development in the latter part of the Plan period.
- 3.215 I am aware of the relatively short time between the likely adoption of this Plan and the start of its second phase in terms of housing provision, and the modest impact on the overall rate of housing provision of the Plan's phasing policy in view of the limited amount of development affected. I understand that the sites identified in Policy H.3 do not currently have planning permission for housing development and that the necessary lead times and infrastructure requirements of all the proposed housing sites, along with their availability and potential delivery within the Plan period, have been taken into account in phasing the various developments. Moreover, the RDLP makes no changes to the phasing of the housing sites remaining in the Plan, compared with the First Deposit stage.

- 3.216 *WMRRSL* seeks further flexibility in Policy H.3 to ensure that local housing need is satisfied when it arises. However, in view of the relatively high level of completions and commitments in the early period of the Plan, the limited number of sites identified for phasing later in the Plan period would be unlikely to have a significant impact on local housing needs in terms of overall housing provision in the period up to 2011. In terms of affordable housing, local housing need is specifically addressed under Policies H.10 & H.11, and so I cannot see that there is any need to amend Policy H.3 or the accompanying text in response to this objection.
- 3.217 *Tube Plastics & Arab Investments* are essentially concerned with the phasing of sites at *Severn Road, Stourport*, which I deal with later in this section of my report.
- 3.218 Consequently, it seems to me that the principle of phasing housing development over the period of the Plan is soundly based and reflects national and WCSP policies, while the particular phasing of the sites in question has taken into account relevant lead-in times and infrastructure provision. No further amendments are therefore needed as a result of these objections and I deal with specific points relating to particular sites later in this section of my report.

Recommendation

3.219 **I RECOMMEND** no modifications to the Local Plan in response to these objections.

POLICY H.3: PHASED RELEASE OF PROPOSED HOUSING SITES

SITE-SPECIFIC OBJECTIONS

Lea Castle Hospital, Wolverley

Objections First Deposit 423/003 – NHS Estates;

Revised Deposit There are no objections at the Revised Deposit stage

Key issues

- Should this site include a housing allocation unfettered by any policy requirement to develop it after 2006.

Main considerations and Inspector’s conclusions

3.220 At First Deposit stage, an element of housing (80 dwellings) was included within the mixed-use redevelopment proposal for this site. However, this was deleted in the RDLP, because of sustainability concerns and the need to reduce overall levels of housing in the Plan arising from WCC’s concerns about the excessive housing provision proposed. I have dealt with the principle of including a housing element within this redevelopment proposal earlier in this section of my report. Apart from considering the phasing of any housing development on this site, this objection raises no new points. Since I have already recommended that a housing element would be inappropriate and unjustified on this site, it follows that no action needs to be taken in response to the points raised in this objection.

Recommendation

3.221 **I RECOMMEND** no modifications to the Local Plan in response to this objection.

Land north of Ferndale, Kidderminster

Objections First Deposit 514/003 – Mr R H Brazier.

Revised Deposit There are no objections at the Revised Deposit stage

Key issues

- Should this site be allocated for housing development under Policy H.3.

Main considerations and Inspector’s conclusions

3.222 I have dealt with the question of allocating this objection site for housing earlier in this section of my report. No further evidence is submitted on the phasing of this housing site, other than the overall provision and cost of housing. No new issues are raised in the objection to Policy H.3, and in view of my earlier conclusion not to allocate this site for housing development in this Plan, no amendments to Policy H.3 are needed in response to this element of the objection.

Recommendation

3.223 I RECOMMEND no modifications to the Local Plan in response to this objection.

Land at Park Lane, Kidderminster

Objections First Deposit 554/003 – M J R Body Repairs.

Revised Deposit There are no objections at the Revised Deposit stage

Key issues

- Should this objection site be allocated as a proposed housing site under Policy H.3 for development between 2006-2011, rather as within an Employment Policy Area.

Main considerations and Inspector’s conclusions

3.224 I have dealt with the question of allocating this objection site for housing, rather than employment, earlier in this section of my report. No further issues are raised in the objection to Policy H.3 and, in view of my conclusions not to allocate this site for housing in this Plan, no amendments are needed to this Policy.

Recommendation

3.225 I RECOMMEND no modifications to the Local Plan in response to this objection.

Carpets of Worth site, Severn Road, Stourport

Objections First Deposit 638/003 – Arab Investments Ltd.

Revised Deposit There are no objections at the Revised Deposit stage

Key issues

- Should this site be phased in the earlier rather than later period of the Plan.

Main considerations and Inspector's conclusions

- 3.226 This objection site lies to the east of Stourport town centre and covers about 6ha of land, mainly occupied by partly-vacant industrial buildings. Its development is seen as part of a comprehensive redevelopment scheme which also includes the adjoining sites at *Cheapside* and *Lichfield Basin*. In the adopted Local Plan [CD74], the site is allocated for employment uses. However, in view of the potential for redevelopment for mixed uses identified in the *Severn Road Development Brief* [CD103], WFDC considers this designation should not be maintained. The WFDLP identifies *Lichfield Basin* as forming the first phase of the development, *Carpets of Worth* site as the second phase (post-2006), and *Cheapside* as the third phase, towards and beyond the end of the Plan period. Detailed guidance on the development of these sites is given in Policies STC.1-STC.3 of the Plan.
- 3.227 In this part of my report, I deal with the housing issues regarding the phasing of this site, leaving questions about the details of the development, including the need for a new link road, to Policy STC.2, later in my report (see Chapter 14). I also draw attention to the main considerations and my earlier conclusions in respect of the general objections to Policy H.3 (above).
- 3.228 In addition to the strategic reasons for a phasing policy based on limiting provision for in-migration from the West Midlands conurbation and ensuring a continuing supply of housing land to meet local needs, WFDC explains that the phasing of the *Carpets of Worth* site also recognises the need to undertake site clearance and decontamination, the need to construct a new link road to Discovery Road/Stourport Relief Road, and the need to ensure a continuing supply of housing land in Stourport. I understand that the majority of housing land in Stourport is already committed, with planning permission, some of which has already been completed or is under construction. In addition, a recent permission on a committed site at *Timber Lane* has increased its capacity by 39 dwellings and is expected to continue to be developed into the second phase of the Plan period. In Stourport, only the *Carpets of Worth* site is phased in this later part of the Plan period.
- 3.229 *Arab Investments* explain that there is nothing to prevent the early clearance of the site, decontamination is not a serious problem and there is no need for the new link to the Stourport Relief Road. They argue that these sites should be dealt with on a comprehensive basis, leaving the market to deal with the phasing of development. I recognise that the site could probably be made available for early development. Current uses of the buildings, including the carpet showroom, are effectively remnants of the previous carpet manufacturing use and could be relocated or replaced. The existing factory buildings are extensive, but could be demolished relatively quickly and the site is not known to be heavily contaminated. In the absence of other available redevelopment sites around Stourport town centre, as an *urban brownfield* site, it would lie towards the top of the hierarchy in terms of the sequential approach in PPG3.
- 3.230 However, there are access arrangements to be sorted out, not just for this site, but for the other adjoining redevelopment sites. Furthermore, as *Arab Investments* say, it would be unlikely that many housing completions would take place on this site much before 2006, in view of the necessary site preparation and development works. More particularly, I

share the Council's concern about the need to ensure a continuing supply of housing land in Stourport over the Plan period. In recent years, the town has experienced major housing development, such as that on the former Power Station site. Development of a substantial site at *Timber Lane* is just about to start. In view of the lack of other *brownfield* sites within the urban area, it is important to ensure that land is available for housing needs in the later phases of the Plan, particularly given the scale of existing commitments in Stourport. There is no pressing need in housing supply terms to identify or bring forward further housing land to meet current requirements for Wyre Forest District or for Stourport. At the inquiry, *WFDC* confirmed that some development could take place on the site, provided that houses were not completed and occupied before 2006, and this seems to me to represent a reasonable approach when faced with competing sites for development within the earlier phases of the Plan. For these reasons, I conclude that there is a soundly-based case to delay some development on sites around the town centre to the later part of the Plan period.

- 3.231 At the inquiry, there was some discussion about the relative merits of the *Carpets of Worth* site compared against *Lichfield Basin*. *WFDC* explained that this latter site is considered preferable for early development because the site has been cleared and initial decontamination work has been completed. It lies in the heart of the Conservation Area adjoining the town centre, where a high quality residential development based around water would bring immediate benefits to the setting and character of the town. It would also act as a catalyst for further urban regeneration. I understand that this site was allocated for housing in the adopted Local Plan [CD74], *British Waterways* is in active discussions with developers, and development would not require any off-site road links. Although there is little difference in terms of sustainability between the sites, I share *WFDC*'s view that, for the reasons stated, *Lichfield Basin* should take priority when considering the comprehensive redevelopment of these sites, with *Carpets of Worth* as the second phase of the project in terms of housing. The approved *Development Brief* [CD103] also recognises the benefits of later phasing of this part of the comprehensive redevelopment area.
- 3.232 I cannot agree with *Arab Investments* that the market should look after the housing supply situation, since this could lead to more land coming forward within the early part of the Plan period, possibly leading to in-migration and over-supply in the local housing market. Furthermore, the relatively short time between the adoption of the Plan and the start of its second phase would not, in my view, sterilise or seriously blight the land. I recognise that it is undesirable to allow the site to remain under-used, possibly becoming derelict, and preventing its redevelopment for a long period of time. But in this case, preparatory work could be undertaken and development commenced, including the non-housing elements, provided that any dwellings were not completed until after April 2006. In terms of this Local Plan, that is a relatively short period which, in my view, would not unduly delay or inhibit the redevelopment of this key town centre site.
- 3.233 I note *Arab Investments*' concern about the balance of affordable housing required on this site. The table of affordable housing provision (following paragraph 3.74) confirms that the indicative target of 30% would apply to both this and the *Lichfield Basin* site combined, with the actual balance on each site being subject to negotiation. However, *WFDC* confirms that total provision on this site would be *up to and no more than 30%* affordable housing.
- 3.234 I realise that *Arab Investments* are keen to submit an early planning application for development of this site. However, bearing in mind the key matters that need to be resolved, such as the need for a substantive element of Class B1 business uses, the size of any retail foodstore and the need for a new link road, I cannot see that delaying the completion or occupation of any houses until after 2006 would seriously inhibit progress

on the redevelopment of this important town centre site. On the contrary, it would help to ensure that at least some land becomes available in the latter part of the Plan period, in accordance with the principle of *Plan-Monitor-Manage* and ensuring a continuing supply of housing land in Stourport. In my view, this approach would fully reflect the advice in PPG3 (¶ 32-34) and subsequent guidance, as well as WCSP Policy D.2.

3.235 In these circumstances, I come to the conclusion that phasing the housing element of this redevelopment site in the latter part of the Plan period is soundly based and fully justified.

Recommendation

3.236 I RECOMMEND no modifications to the Local Plan in response to this objection.

Land at Cheapside, Stourport-on-Severn (Severn Road Phase 3)

Objections First Deposit 620/004 – Tube Plastics Ltd.

Revised Deposit There are no objections at the Revised Deposit stage

Key issues

- Should this site be phased for development within the Plan period, rather than being deferred until after 2011.

Main considerations and Inspector's conclusions

3.237 *Cheapside* is one of three sites in Stourport identified for redevelopment in the *Severn Road Redevelopment Area*. It covers an area of about 2ha, largely comprising industrial buildings, including several listed buildings, bordering the River Severn close to the town centre. To the west and north are the *Lichfield Basin & Carpets of Worth* sites, also proposed for redevelopment, but within the current Plan period. The River Stour lies to the east, beyond which is a new housing estate. Access is currently via Severn Road.

3.238 In the adopted Local Plan [CD74], the site is allocated for employment purposes, but as a result of the potential for redevelopment identified in the *Severn Road Development Brief* [CD103], WFDC considers it is no longer appropriate to maintain this allocation. Policy STC.3 identifies the site for a mix of business and residential uses, but defers development until after 2011 unless it is required to meet identified deficiencies in housing land supply. It is therefore not included within Policy H.2, Policy H.3 or Table 2 for development within the current Plan period, and this omission is at the heart of *Tube Plastics'* objection. I deal with the general issues about housing land supply and affordable housing under Policies H.2 & H.10, elsewhere in this section of my report, and I consider the objections to Policies STC.3, CA.1 & CY.1 later in my report (see Chapters 8, 12 & 14). Here I concentrate on whether the phasing of the site should be advanced to enable redevelopment to take place within the current Plan period, rather than being deferred until after 2011. I also draw attention to the main considerations and my earlier conclusions on the general principle of a phasing policy, dealt with under Policy H.3 (above).

3.239 There is no dispute about the principle and desirability of redeveloping this site for a mix of residential and business uses. It could have considerable benefits, providing a significant opportunity to redevelop an under-utilised *brownfield* site in a sustainable location, consistent with the aims of national and local planning policies and assisting urban regeneration in Stourport. The site fully satisfies the criteria in PPG3 (¶ 24) for the release of *previously developed land* and would facilitate the relocation of *Tube Plastics*,

- who, as a growing and successful firm, have pressing requirements for larger and better premises. Redevelopment could also enhance the Conservation Area and ensure the preservation of important listed buildings, contributing to the urban renaissance of the area and helping to secure a continuous and adequate supply of housing land, including affordable housing, in the heart of Stourport. Conversely, deferring the implementation of this redevelopment opportunity until beyond the current Plan period could create uncertainty, undermining the realisation of the project, frustrating urban regeneration, blighting the site, harming the appearance of the Conservation Area and listed buildings, and failing to achieve the objectives of the *Development Brief*.
- 3.240 In terms of national policy, I have already concluded that the principle of a phasing policy accords with the advice in PPG3 (¶ 32-34) and other supplementary guidance (see Policy H.3 above). In terms of the *Cheapside* site, the policy is more akin to the criteria-based approach, since the text accompanying Policy STC.3 confirms that it could be released if it is needed to meet identified deficiencies in housing land supply. In a situation where the majority of housing sites are already committed and where the required residual provision is limited, there is a sound planning reason to defer the development of some identified sites, if only to avoid the over-provision of housing in terms of strategic requirements and ensure that some land remains for development beyond the current Plan period.
- 3.241 In addition to the strategic reasons for a phasing policy based on limiting provision for immigration from the West Midlands conurbation and ensuring a continuing supply of housing land to meet local needs, *WFDC* puts forward two other main reasons for deferring the redevelopment of the *Cheapside* site until after 2011. Firstly, as outlined in the previous objection, the level of housing commitments in Stourport is running at a relatively high level. The 2002 *Schedule of Residential Land Availability [CD92]* identifies over 340 dwellings with planning permission in Stourport, a figure which has increased by 39 dwellings as a result of approving detailed plans for the *Timber Lane* site, which will be developed over the next 5 years. There is clearly a substantial amount of housing land being developed in Stourport to meet locally generated needs and housing demand without bringing forward more land for development in the short-medium term.
- 3.242 Secondly, it is necessary to consider the detailed phasing of the sites within the *Severn Road Redevelopment Area*. First priority is given to *Lichfield Basin*, a cleared site subject to initial decontamination. The redevelopment of this prominent site will provide a new water-based area surrounded by high quality residential development, offering immediate benefits to the setting and character of the town centre and acting as a catalyst for further urban regeneration. The *Carpets of Worth* site would follow in the second phase, reflecting the need for site clearance, decontamination and the provision of new highway infrastructure, and ensuring a continued supply of new housing land. *Cheapside* would logically follow on after the development of these sites. In my view, this is a reasonable and practical approach, given that this site is occupied by an existing business and requires site clearance and decontamination. It is also affected by flooding and conservation constraints, which although not acute, may require further detailed consideration. The redevelopment of this site would also benefit from the new highway infrastructure provided as a result of the redevelopment of the adjoining *Carpets of Worth* site.
- 3.243 *WFDC* intends to implement urban regeneration in a gradual way through a phased approach to development. Such an approach would not prejudice the housing strategy of the *WCSP* or emerging *RPG*, whilst at the same time ensuring that potential redevelopment opportunities, such as *Cheapside*, are properly identified. I realise that, on its own, the provision of up to 200 dwellings on this site within the current Plan period might not seem significant. However, when seen against the current sufficiency of housing supply, it could upset the balance in land uses and lead to further over-provision of housing, raising issues of conformity with the *WCSP*. The phasing of development and

- the deferral of this site to the next Plan period would help to ensure that overall housing provision is kept within reasonable bounds, whilst reflecting past rates of housebuilding and demand and ensuring that the Plan remains in conformity with the WCSP. It also helps to address the apparent imbalance between housing and employment land values, which is currently causing pressures to release employment sites for housing, as well as avoiding the loss of thriving businesses, as at *Cheapside*.
- 3.244 I recognise that, as a *brownfield* site within an urban area, *Cheapside* is at the top of the hierarchy in the sequential selection of sites advocated in PPG3. At first sight, the priority for releasing this site could be considered somewhat arbitrary and indiscriminate. However, having carefully considered the matter, I am satisfied that there are soundly based reasons, both in terms of overall housing land supply and the specific circumstances of this site which justify its later phasing. Moreover, when seen in the light of the particular circumstances in this District, where most of the housing requirement is taken up by existing commitments, the residual requirement is relatively low, little *greenfield* development is anticipated, and there is limited reliance on *windfall* sites, I am satisfied that it is fully justified in this instance. *Tube Plastics* argues that, had the site not been identified for redevelopment, it could have come forward as a *windfall* site. However, even *windfall* sites have to be considered against the policies in this Local Plan, and it is by no means certain that a planning application would be successful, having regard to current housing land supply and the physical constraints on the site.
- 3.245 I realise that the deferral of redevelopment on this site may be unsettling for business, but at least the Plan provides the certainty that the site will eventually be released for redevelopment and will be high on the priority list at a subsequent review of the Local Plan. The RDLP (¶ 3.32) confirms that housing land supply will be regularly monitored and the phased release of housing sites will be kept under review, in accordance with the *Plan-Monitor-Manage* approach advocated in PPG3. I understand that *Cheapside* is the only site in the RDLP where development is deferred to the next Plan period, leading to an element of uncertainty. However, the Plan does provide the flexibility for the site to come forward if it is needed to meet ongoing housing requirements and confirms that it will ultimately be redeveloped for residential and business uses.
- 3.246 I realise that the current site has limitations for the existing business which needs to relocate to larger modern premises. Although the present site and buildings may not be ideal for modern business purposes, I understand the existing business has been able to expand into adjoining premises. In planning terms, there is nothing to prevent the relocation and further growth of this business in the short-medium term if it proves necessary. With confirmation about the nature of the redevelopment and certainty that the site could be redeveloped within the foreseeable future, I cannot see that the present allocation of the site would seriously blight the site or the businesses which currently occupy the buildings. I understand that *Miller Homes* is positively considering the site, but the question of whether it should come forward as a housing site, or as a mixed development are matters to be considered at the planning application stage in the light of current housing land provision and the requirements of Policy STC.3.
- 3.247 *Tube Plastics* points out that this site could contribute to affordable housing requirements. However, apart from enabling the provision of additional affordable housing in Stourport and helping to meet local needs, by itself, this is not a compelling reason to advance the redevelopment of this site, particularly given the current position on overall housing land supply and the other sites in Stourport which are expected to provide some affordable housing.
- 3.248 In any event, Policy STC.3 would allow this site to come forward during the current Plan period if it is needed to meet deficiencies in housing land supply. In addition, it seems to

me that the redevelopment of this site could potentially make a significant contribution to urban regeneration and the revitalisation of the town centre, which might outweigh any disadvantages of over-supply of housing, similar to the adjoining sites. I therefore consider it would be reasonable for Plan to consider this as one of the qualifications necessary to bring this site forward for earlier development. I return to this question when dealing with the objections to Policy STC.3 (see Chapter 14).

- 3.249 In terms of the overall phasing in this Plan, I therefore conclude that there is a sound case to justify deferring the redevelopment of this site until the next Plan period. Should circumstances arise which provide further support for earlier redevelopment, Policy STC.3 would provide the flexibility to enable these to be properly considered in the context of current housing land supply and the contribution to urban regeneration. In the meantime, the Plan provides the certainty that this site is suitable for a mixed-use scheme, subject to detailed flooding, decontamination, conservation, infrastructure and other issues. Furthermore, regular monitoring of the housing land supply position will ensure that the phasing and timing of the redevelopment of this site is regularly reviewed.
- 3.250 In particular, I draw attention to my recommendations on Policy STC.3 about including specific qualifications in the Policy to enable this site to be brought forward for development if it is needed to meet identified deficiencies housing land supply, or dependent on its contribution to urban regeneration (see paragraph 14.73). These amendments would introduce a further element of flexibility, going some way towards meeting this objection. However, neither of these amendments would require any changes to Policies H.2 & H.3, or Tables 2 & 3, since the site would remain unallocated for redevelopment within the current Plan period unless these qualifications applied.

Recommendation

3.251 I RECOMMEND no modifications to the Local Plan in response to this objection.

POLICY H.4: HOUSING DEVELOPMENTS: DWELLING MIX

Objections First Deposit 177/006 – David Wilson Estates; 481/006 – House Builders Federation; 569/001 – McCarthy & Stone (Developments) Ltd; 592/012-013 – West Midlands Region RSL Planning Consortium; 598/005 – George Wimpey UK Ltd.

Revised Deposit There are no objections at the Revised Deposit stage.

Key issues

- Is Policy H.4 unduly prescriptive by requiring a mix of dwelling types and sizes, and setting a threshold of 15 dwellings;
- Should Policy H.4 apply to specialist residential accommodation for the elderly;
- Should Policy H.4 provide for a range of tenures and affordable dwellings within developments to enable sustainable and balanced communities.

Main considerations and Inspector's conclusions

- 3.252 Policy H.4 requires housing developments of 15 or more dwellings to contain a mix of dwelling types and sizes, incorporating some 1B/2B units. PPG3 (¶ 11) confirms that LPAs should secure a mix of dwelling size, type and affordability in new housing

developments, to encourage mixed and balanced communities, avoid social exclusion, secure a better social mix in residential areas and meet the changing composition of households. Policy H.4 directly reflects these aims. Furthermore, the requirement for housing developments to incorporate a proportion of smaller units directly reflects the results of the recent *Housing Needs Study [CD88]*, which estimated a growing need in this District for housing to meet the needs of smaller households.

- 3.253 However, the Policy contains several elements of flexibility. Firstly, the inclusion of the word *normally* allows exceptions to be made, whilst giving firm guidance about the expectations of the Policy. Secondly, the requirement to provide some smaller units has been made less prescriptive by the use of the term *should* rather than *must* (*Change No. 019*). However, this change has not been made in respect of the requirement for developments to contain a mix of dwelling types and sizes. To my mind, the words *must* and *normally* do not sit well together and I recommend a similar change to this element of the Policy. Thirdly, the requirement for proposals on *other suitable sites* to include some smaller dwellings, provides the flexibility to make such provision in schemes of less than 15 units, where appropriate. Finally, paragraph 3.37 confirms that regard will be had to the general character of the area when applying the Policy. With the minor change I recommend, I conclude that Policy H.4 has a sufficient degree of flexibility to avoid being unduly prescriptive or onerous to developers and housebuilders, while at the same time reflecting national guidance in PPG3 and the particular housing needs of this District.
- 3.254 *McCarthy & Stone* argues that it would be inappropriate for this Policy to apply to high density sheltered housing for the elderly. However, the inclusion of the word *normally* within the Policy and the latest confirmation in paragraph 3.37 that the Policy does not apply to this type of development (*Change No. 018*) effectively addresses this objection.
- 3.255 As for the need to provide a range of tenures and affordable housing, the provision of affordable housing is directly addressed by Policy H.10, which applies to all allocated and windfall housing sites over the specified threshold. However, although the community's need for affordable housing is an important consideration, the question of the tenure of housing is not relevant to planning policy, as *Circular 6/98 (¶ 4)* confirms. The main aim is to create balanced and sustainable communities, avoiding social exclusion, through a mix of types and sizes of dwellings, including affordable housing. Consequently, I cannot see any need to amend Policy H.4 or the accompanying text in response to this element of *WMRSL's* objections. However, I draw attention to my recommendation under Policy H.10 relating to the desirability of including a reference to the provision of unsubsidised low-cost market housing in paragraph 3.36 of the text accompanying Policy H.4.

Recommendation

3.256 ***I RECOMMEND*** that the Local Plan be modified by amending the wording of Policy H.4, replacing the word “*must*” with “*should*” in the second clause of the first sentence of the Policy, but that no further modifications be made in response to these objections.

POLICY H.5: HOUSING DENSITY

Objections First Deposit 66/001 – Mr G Angell; 177/007 – David Wilson Estates; 481/007 – House Builders Federation; 598/006 – George Wimpey UK Ltd; 638/004 – Arab Investments Ltd.

Revised Deposit There are no objections at the Revised Deposit stage.

Key issues

- Is Policy H.5 unduly prescriptive and onerous in seeking overly high densities which may compromise residential amenity;
- Should Policy H.5 permit development at a density below the prescribed levels when it is necessary to support and enhance the character of the environment and have regard to the layout of adjacent properties;
- Does Policy H.5 comply with national policy in PPG3, particularly in terms of parking provision for residential developments;
- Should the Policy specify a net density of 50 dwellings/ha for sites within Stourport-on-Severn town centre, bearing in mind local characteristics, conservation issues and urban design;
- Should the accompanying text include more clarification about the definition of urban areas.

Main considerations and Inspector's conclusions

- 3.257 Policy H.5 establishes appropriate housing densities over the District, specifying higher densities within and surrounding Kidderminster town centre, within Stourport town centre, and within 300m of a high-frequency bus route or bus stop. PPG3 (¶ 58) encourages more efficient use of land (between 30-50dw/ha) and seeks greater intensity of development at places with good accessibility to town centres. WCSP Policy D.9 recommends densities of between 30-50 dwellings/ha, subject to local circumstances and the character of the surrounding area, with a higher density of 70 dwellings/ha in town centres with good access to public transport.
- 3.258 In general terms, it seems to me that Policy H.5 directly reflects the latest national guidance in PPG3 and WCSP which encourages higher densities in town centres and in locations with good accessibility to public transport. The Policy is qualified by the inclusion of the word *normally*, which enables the character of the particular area and the principles of good urban design to be taken into account, as paragraph 3.45 confirms. As *WFDC* explains, these considerations may lead to a reduction (or increase) in the densities set out in Policy H.5. However, in line with WCSP Policy D.9, I consider the caveat regarding local circumstances and the character of the surrounding area should be included within the Policy itself in order to give this consideration greater status and confirm what is stated in paragraph 3.45. It would partly duplicate WCSP Policy D.9, but help to qualify the specific densities applied to designated areas within this District, going a long way towards meeting the objections from *David Wilson Estates, HBF & Wimpey*.
- 3.259 *Mr Angell* argues that Policy H.5 fails to make a spatial connection between residential development and domestic car parking. He argues for a reduced parking provision, in line with the recommendations of the *Urban Task Force*, and refers to recent developments in Kidderminster. *WFDC* explains that the issue of parking for residential development is dealt with in Policy TR.18 & Appendix 8 of the Plan. Policy H.5 actually deals with the density of residential development and makes no reference to parking. PPG3 (¶ 47-48) advises that public transport can be used more positively to shape the pattern of new development, and that new housing can make public transport services more viable. Policy H.5 reflects that approach. The issue of car parking is best addressed under Policy TR.18 and, in passing, I note that the Government did not accept the *Urban Task Force's* recommendations about 1 car parking space/dwelling, preferring an average provision of 1.5 spaces/dwelling [PPG3; ¶ 62]. *WFDC* accepts that parking provision may vary depending on access to public transport and proximity to town centres, but provision for particular developments is largely a matter for detailed development control, having regard to the standards set out in Appendix 8 of the Plan.

- 3.260 *Arab Investments* considers a lower density than 50dw/ha may be appropriate on sites in Stourport town centre, such as *Carpets of Worth* in Severn Road, due to the relationship with the surroundings and the proximity of the Conservation Area, arguing that a range of 40-50dw/ha might be more appropriate. *WFDC* explains that a density of 50dw/ha is felt to be appropriate for Stourport town centre, where there is a reasonably good bus network, and bearing in mind the characteristics and heritage value of the town centre.
- 3.261 In view of the firm guidance at national level to make the most efficient use of urban land by increasing housing densities, and given the particular characteristics and public transport accessibility of Stourport town centre as one of the District’s main urban areas, I share *WFDC*’s view that new developments should aim to achieve a minimum density of 50dw/ha. However, paragraph 3.45 confirms that regard will be had to other relevant policies when applying the density requirements in Policy H.5. This could lead to a reduction in the number of dwellings to reflect local characteristics, such as heritage and conservation issues. In my view, this provides sufficient flexibility for this matter to be discussed and negotiated at the planning application stage when detailed proposals are drawn up, particularly given the contents and approach of the approved *Development Brief* for the Severn Road sites [*CD103*]. I deal with the site specific considerations of this site later in my report, under Policy *STC.2* (see Chapter 14).
- 3.262 *Mr Angell* is also concerned about the definition of urban areas in paragraphs 3.42-3.43 of the Plan. *WFDC* confirms that extent of the urban areas subject to Policy H.2 are actually defined on the Proposals Map, with further explanation being given in paragraph 3.21 of the Plan. Paragraphs 3.42-3.43 do not provide a definition of the urban area, but merely indicate those areas where higher residential densities may be appropriate. This approach is in line with PPG3 & PPG13, and I can see no reason for any further clarification in this section of the Plan.
- 3.263 I therefore conclude that the inclusion of a caveat in Policy H.5 confirming that local circumstances and the character of the surrounding area will be taken into account when applying this Policy would meet the valid concerns of these objectors.

Recommendation

3.264 **I RECOMMEND** that the Local Plan be modified by amending Policy H.5 to confirm that in applying this Policy, regard will be had to local circumstances and the character of the surrounding area, but that no further modifications be made in response to these objections.

POLICY H.6: BACKLAND DEVELOPMENT

Objections There are no objections to this Policy at the First and Revised Deposit stages.

POLICY H.7: SUB-DIVISION OF EXISTING DWELLINGS

Objections First Deposit 592/014 – West Midlands Region RSL Planning Consortium.

Revised Deposit There are no objections at the Revised Deposit stage.

Key issues

- Should Policy H.7 specifically promote the sub-division of dwellings for affordable housing.

Main considerations and Inspector’s conclusions

3.265 Policy H.7 outlines the criteria for considering proposals for converting existing dwellings to two or more dwellings. *WMRRSL* argues that the sub-division of dwellings should be promoted for affordable housing through RSLs, who can deal with parking issues through management measures. However, *WFDC* considers the promotion of this type of affordable housing by RSLs is more appropriate for consideration as part of the Council’s *Housing Strategy*.

3.266 In addition, I note that paragraph 3.50 specifically acknowledges that the sub-division of larger dwellings can provide a source of smaller-sized accommodation more suited to the needs of the District. Since the sub-division of dwellings can have implications for the character of an area and the amenity of nearby residents, I consider it would be inappropriate for the Policy to give a “blanket” approval or more positive encouragement for such proposals. In my view, Policy H.7 sets the right tone and balance, and no amendments are needed in response to this objection.

Recommendation

3.267 I RECOMMEND no modifications to the Local Plan in response to this objection.

POLICY H.8: NON-RESIDENTIAL DEVELOPMENT IN RESIDENTIAL AREAS

Objections First Deposit 481/008 – House Builders Federation.

Revised Deposit There are no objections at the Revised Deposit stage.

Key issues

- Does Policy H.8 adequately define the term *small scale*.

Main considerations and Inspector’s conclusions

3.268 Policy H.8 sets out the criteria for considering proposals for *small scale* non-residential development within the residential areas defined in Policy H.2(i), but neither the Policy nor the accompanying text define the term *small scale*. I realise that this could give rise to some uncertainty and debate, but as *WFDC* says, the appropriateness of the scale of development will largely depend on the particular character and characteristics of an area in relation to that of the proposed development. In this instance, both the Policy and explanatory text confirm that compatibility with the amenity, character and appearance of the area is the prime consideration. To specify a precise size or scale would, in my view, result in an unduly prescriptive and rigid policy which would not take full account of the characteristics of local areas and proposed developments. Consequently, I conclude that further definition of the term *small scale* is unnecessary in response to this objection.

Recommendation

3.269 I RECOMMEND no modifications to the Local Plan in response to this objection.

POLICY H.9: OTHER PROVISION FOR HOUSING

Objections First Deposit 421/003 – Hurcott (Jersey) Ltd; 592/017 – West Midlands Region RSL Planning Consortium.

Revised Deposit There are no objections at the Revised Deposit stage.

Key issues

- Does Policy H.9 have proper regard to the *Plan-Monitor-Manage* approach advocated in PPG3 and provide for additional/alternative provision where the rate of housing provision is unlikely to meet WCSP requirements;
- Should Policy H.9 permit the development of affordable housing in rural settlements where a local housing need is established.

Main considerations and Inspector’s conclusions

3.270 Policy H.9 outlines the circumstances where residential development may be permitted other than as identified in Policy H.2, including the re-use and adaptation of rural buildings, development associated with agriculture and forestry, replacement dwellings in the countryside and the sub-division of existing dwellings in rural areas. The RDLP has added a new clause relating to infilling in line with Policy GB.1(iii)(c) (*Change No. 020*).

3.271 I have already outlined the current residential land availability position and concluded that there is ample provision to meet the current housing requirements of the WCSP. There is also sufficient surplus to take account of slippage and sites failing to come forward as anticipated. *WFDC* confirms that residential land availability will be regularly monitored and this will ensure that housebuilding rates will be kept under review, particularly in terms of meeting current WCSP housing requirements. The *WFDLP* (¶ 3.3/3.27) specifically recognises the new approach advocated in PPG3 of *Plan-Monitor-Manage*. In the unlikely event that additional or alternative housing sites need to be identified, this matter could be addressed through regular monitoring and in subsequent reviews of this Local Plan. Bearing in mind the particular constraints, including Green Belt and Landscape Protection policies, which apply in the rural areas of this District, I am satisfied that the restrictive approach established by Policy H.9, focusing other residential development in particular locations and for specific purposes, is wholly appropriate.

3.272 In response to *WMRRSL*, Policy H.11 specifically provides an exception to the normal policy of development restraint in rural areas for affordable housing to meet identified local needs. This reflects the approach in PPG3 (Annex B) & *Circular 6/98*, which confirm that such a “rural exceptions” policy is not appropriate in other areas, such as urban areas. As *WFDC* explains, the *WFDLP* identifies extensive areas within the main urban areas of Kidderminster, Stourport and Bewdley, along with other settlements, which are suitable for residential development, including affordable housing. Where a local need can be established within both urban and rural areas, Policies H.10 & H.11 would enable provision for affordable housing to be made without any needing any relaxation of Policy H.9. In my view, Policy H.11 provides exactly what *WMRRSL* requests, without needing any amendments to Policy H.9.

Recommendation

3.273 I RECOMMEND no modifications to the Local Plan in response to these objections.

AFFORDABLE HOUSING

General background to affordable housing provision

- 3.274 PPG3 & *Circular 6/98* confirm that the community’s need for affordable housing is a material consideration which local plans should take into account. PPG3 (¶ 15) requires local plans to: define what the local authority considers to be affordable housing in the local plan area in terms of income levels and house prices/rents; indicate how many affordable homes need to be provided throughout the plan area, including the different types of affordable housing; and identify suitable areas and sites on which affordable housing will be provided and the amount of provision sought. PPG3 (¶ 14) & *Circular 6/98* (¶ 9) confirm that where a local authority can demonstrate a lack of affordable housing, based on up-to-date surveys of local needs, the local plan should include a policy seeking an element of affordable housing on suitable sites, including both low-cost market housing and subsidised housing. *Circular 6/98* (¶ 10) indicates that the site size, suitability and economics of provision should be taken into account, as well as the need to achieve a successful housing development, and sets a size threshold of 25 dwellings/1ha where affordable housing may be sought.
- 3.275 At regional level, Policy CF6 of the emerging draft RPG [CD52] confirms the agreed definition of affordable housing and requires local authorities to undertake assessments of housing need to identify how the need for affordable housing will be met. The application of lower site size thresholds is suggested as a way of securing higher levels of affordable housing provision. The EIP Panel [CD56] recommends retaining, but strengthening Policy CF6, emphasising the importance of providing adequate levels of affordable housing and setting an indicative level of affordable housing provision to be met.
- 3.276 At strategic level, WCSF Policy D.6 confirms that local plans should make adequate provision for affordable housing in the period to 2011, based on assessments of affordable housing need, with the level, range and type of provision being negotiated on individual sites and planning conditions or obligations controlling occupancy. Policy D.7 confirms that the appropriateness of the site size thresholds in *Circular 6/98* should be considered in the light of housing needs assessments. Policy D.8 sets out the “rural exceptions” policy for affordable housing in rural areas.
- 3.277 At the local level, WFDC’s *Housing Strategy* [CD89] has the objective of *promoting a high quality affordable housing sector which meets the needs, choices and requirements of the local community*. The WFDLP (¶ 3.2) has a specific objective to *ensure that as part of the overall provision of housing, there is an adequate range of affordable and social housing to meet the needs of the District*. Policy H.10 seeks an element of affordable housing on all the proposed housing sites listed in Policy H.2(ii), with an indicative target of 30% affordable housing. Other unidentified windfall sites and renewed planning permissions on sites of 15 dwellings/0.5ha or more will be expected to provide up to 30% affordable housing. S106 Obligations will limit occupancy of affordable housing that is not developed by RSLs to those who satisfy the Council’s housing need criteria, with the accommodation being within the Council’s affordability criteria. Policy H.11 sets out the “rural exceptions” policy for affordable housing in rural areas.
- 3.278 In terms of the background to affordable housing provision within this District, WFDC transferred its 6,000+ social houses to WFCH in 2000. In the same year, WFDC

commissioned consultants to undertake a *Housing Needs Survey [CD88]* to examine housing needs, preferences and demands up to 2006. This concluded that the scale of affordable housing need was 334 units/year (net) up to 2005. WFDC acknowledges that this level of provision is unlikely to be met, and the Plan has the objective of developing an additional 360 affordable homes with RSLs up to 2005.

3.279 The topic of affordable housing was discussed at a *Round Table Session* during the course of the inquiry. Notes of the discussion, along with a *Position Statement* and WFDC's clarification of various matters, are included in the Core Documents [CD127-128].

POLICY H.10: AFFORDABLE HOUSING

Objections First Deposit 177/008 – David Wilson Estates; 481/009-015 – House Builders Federation; 485/002 - Ms P Green; 528/002 – Marmaris Investments Ltd; 534/001 – Ms J Hamilton; 569/002 - McCarthy & Stone (Developments) Ltd; 592/018-019 – West Midlands Region RSL Planning Consortium; 620/005 – Tube Plastics Ltd.

Revised Deposit 481/105-106 – House Builders Federation; 592/104 - West Midlands Region RSL Planning Consortium.

Key issues

- Does the Local Plan policy on affordable housing adequately reflect national policy in PPG3 & *Circular 6/98*, and are any local departures fully justified;
- Is the Council's *Housing Needs Survey* soundly based, reflecting the latest national guidance and good practice, in terms of the methodology and calculations of demand;
- Does the text accompanying Policy H.10 fully reflect the findings of the most recent *Housing Needs Survey*;
- Is the total affordable housing target provision level realistic and deliverable, bearing in mind current housing land supply, the level of identified need, and the overall residual housing requirement;
 - Should the Plan identify an overall target for affordable housing to 2011;
 - Has the Council considered all sources of affordable housing supply, including sheltered housing and low-cost market housing;
- Are the minimum thresholds of affordable housing for proposed and unidentified sites (15 dwellings/0.5ha) and the 30% target provision level fully justified, having regard to local circumstances, site economics and the housing market;
 - Should the figures represent maximum or minimum levels of provision, or represent a baseline for negotiations;
- Does the text accompanying Policy H.10 properly reflect national guidance, particularly with regard to:
 - Para 3.75: Subsidies for affordable housing by nil or reduced land values, without assuming any contribution from public sector funding;
 - Para 3.76: The relationship between developer costs relating to site clearance/preparation and land purchase price;
 - Para 3.77: Contributions or commuted payments for off-site provision;
 - Paras 3.67 & 3.78: The definition of affordable housing, and whether it should include low-cost market housing and shared/equity ownership, or be limited solely to rented and shared ownership accommodation provided by RSLs partnered with the Council;

- Para 3.79: The need for a S106 Obligation and provision of affordable housing in perpetuity where a RSL is not involved;
- Para 3.80: Layout and integration with private and market housing;
- Para 3.81: The use of Supplementary Planning Guidance;
- Para 3.81: Seeking additional unsubsidised low-cost market units to meet the needs of new households with adequate income levels.

Main considerations and Inspector’s conclusions

3.280 Policy H.10 seeks an element of affordable housing on all the proposed housing sites listed in Policy H.2(ii), with an indicative target of 30% affordable housing. Other unidentified *windfall* sites and renewed planning permissions on sites of more than 0.5ha/15 dwellings will be expected to provide up to 30% affordable housing. Occupancy of non-RSL affordable housing will be limited to those who satisfy the Council’s housing need criteria, with the accommodation being within the Council’s affordability criteria. In the RDLP, Policy H.10 and the accompanying text have been amended to update and clarify the position (*Change Nos. 009, 021-024*).

National policy

3.281 *WFDC & WMRRSL* consider Policy H.10 broadly complies with the thrust of national policy in PPG3 & *Circular 6/98*. *McCarthy & Stone*, supported by *HBF & Marmaris*, maintain that the Policy does not properly take this national guidance into account, along with PPG1 & RPG11. Some objectors are concerned that the Policy should cover all types of affordable housing, including housing for the elderly, but *WFDC* considers this is covered under Policies H.13 & H.2 of the Plan. PPG3 & *Circular 6/98* confirm that affordable housing is only required on sites that are large enough to accommodate a mix of housing, and *Circular 6/98* (¶ 10) sets out the specific criteria and factors that should be taken into account. However, *Circular 6/98* (¶ 10) recognises that the recommended site size threshold may be reduced where there are exceptional local constraints, an approach reflected in WCSP Policy D.7 & emerging RPG11. An agreed definition of affordable housing, including both RSL housing and low-cost market housing, is set out in the WFDLP (¶ 3.67).

3.282 In my view, the general approach of Policy H.10, in confirming that an element of affordable housing will be sought on specific sites, along with unidentified *windfall* sites and renewed planning permissions, is wholly in accordance with national, regional and strategic policy. Most objectors confirm that the general principle of the Policy is not in dispute; it is its detailed provisions, particularly the thresholds for affordable housing and the details of the accompanying text that are challenged.

Housing Needs Survey

3.283 *WFDC & WMRRSL* consider the *Housing Needs Survey* (HNS) is soundly based and complies with the latest national guidance [*CDI20-121*], with its findings fully reflected in Policy H.10 and the accompanying text. Most of the other objectors agree that the HNS complies with much of the latest national guidance, but have reservations about some of the methodology, particularly the use of the Council’s Waiting List, treatment of the backlog of existing housing need, the assessment of newly arising need, the mix and definition of affordable housing, and the supply of affordable units. They argue that the scale of affordable housing could be reduced, and consider further work is needed to inform the overall assessment of housing needs, including that for special needs such as the elderly. Some objectors agree that the calculation of broad housing needs in the HNS is acceptable for the Local Plan, but point out that it is already out-of-date and relies only on a partial postal survey. At the RTS, *WFDC* gave further explanation about the

methodology used in the HNS. Although objectors were not convinced that it followed all the approaches in the latest guidance, they could not conclude that the HNS was fundamentally flawed in any respect.

- 3.284 Although the HNS does not precisely reflect the approach outlined in the latest national guidance, it uses a tried and tested approach undertaken by an experienced consultancy. It uses the latest available information on the Council's waiting list, without including an exaggerated backlog of existing housing need or transfers. The use of a postal questionnaire probably resulted in more returns than using household interviews, and I am satisfied with the broad assessment of newly arising housing need. The HNS considers factors such as house prices and rents, local incomes, the availability and suitability of existing affordable housing, the size and type of households, and the housing best suited to meet local needs, in line with *Circular 6/98* (¶ 6). Questions about the use of savings and equity, along with average house prices, very much depend on the particular area. The findings of the HNS also form the basis for the thresholds and provision in Policy H.10.
- 3.285 The provision of a mix of housing, including affordable housing and low-cost market housing, is addressed in Policies H.4 & H.10. Residential homes for the elderly are covered by Policy H.13, and I understand that there is no shortage of sheltered housing in the existing RSL stock and little pressure from the private sector for further provision. Of course, more detailed work will be needed to examine the need for affordable housing in particular areas and for specific needs, but this can be addressed in a subsequent review of the HNS & *Housing Strategy* [CD89]. The *Housing Strategy* clearly has an important role to play in implementing policies for the provision of affordable housing, for which this Local Plan provides the basis in terms of land-use and planning policies. Consequently, as an initial assessment of the general level of housing need within this District, particularly for affordable housing, I am satisfied that the HNS provides a reasonable and robust starting point and that Policy H.10 and the accompanying text adequately reflect its findings and recommendations.

Overall provision of affordable housing

- 3.286 The WFDLP (¶ 3.66) confirms that the HNS identified the District's need for affordable housing as some 334 units/year (net) up to 2005. *WFDC* fully accepts that this figure is unlikely to be achieved within the timescale of the current Local Plan, given the limited provision arising from existing commitments and the level of residual provision required to meet current WCSP housing requirements. *WFDC* explains that the figure of 360 affordable dwellings up to 2005 (¶ 3.64) is an objective of the *Housing Strategy*, agreed when the social housing stock was transferred to *WFCH*. In arriving at this figure, consideration was given to land availability, *windfall* sites and other ways of increasing affordable housing provision. Latest information [CD128] confirms that some 365 affordable dwellings are expected to be provided from completions, committed and proposed housing sites, along with the purchase of existing dwellings and small-site RSL schemes. It seems that good progress is being made towards achieving the target figure, with over 150 units having been provided to date. In addition, the Plan seeks an additional 150 unsubsidised low-cost market homes in the period to 2005.
- 3.287 Several objectors argue that the Plan should indicate the overall level of affordable housing provision over the complete Plan period. In addition to the 360 units to be provided up to 2005, *WFDC* estimates that a further 200 dwellings would be provided by proposed housing sites, *windfalls*, RSL schemes, rural exception schemes and dwelling purchases between 2005-2011 [CD128]. I understand that an updated HNS will provide more accurate information on the scale of affordable housing need beyond 2005, but *WFDC* envisages a continuing significant need for affordable housing in the period up to 2011. I understand that a more robust assessment of the expected provision of affordable

housing up to 2011 will be considered as part of the next review of the Local Plan. In the meantime, I consider the target of 360 affordable dwellings is a reasonable, realistic and achievable figure.

- 3.288 However, in view of the specific guidance in *Circular 6/98* (¶ 9(b)) & PPG3 (¶ 15), I consider the Plan should give some estimate of the overall level of affordable housing need and provision throughout the period of the Plan, especially since the need for affordable housing provides the underlying basis for the policies requiring the provision of such housing. If the current HNS only provides an assessment of need up to 2005, then this figure should be included in the Plan with an appropriate qualification as regards timescale and confirmation that a significant need for affordable housing is likely to continue beyond 2005. Furthermore, since figures are now available, an estimate of the likely level and sources of affordable housing provision over the entire Plan period should be included in the explanatory text, since this provides the context for seeking further provision, especially in view of the apparent disparity between affordable housing needs and likely provision.
- 3.289 As for the ongoing supply of affordable housing, *WFDC* has not considered all possible sources, such as *windfalls*, empty properties, flats over shops, conversions and changes of use, and an *Urban Capacity Study* has not been undertaken. I realise that, to some extent, these matters are covered in Policies H.2(vi), H.12 & TC.2 and paragraphs 3.10A-3.13 /3.25 of the Plan. However, I consider an assessment of the contribution to affordable housing from these sources should form part of the review of affordable housing policies following the proposed review of the HNS. I have already concluded that an *Urban Capacity Study* is not essential at this stage, in view of the level of commitments and the limited residual provision needed to meet WCSP housing requirements. However, this study would provide the context for examining the potential contribution of affordable housing from these sources and make the Plan more robust. In addition, further consideration should be given in the next review of the HNS to the issue of sheltered housing and housing for key workers and those with special needs, along with supported housing for vulnerable people (¶ 3.82), which have not yet been examined in detail.

Threshold sizes for affordable housing provision

- 3.290 Dealing firstly with the site size threshold, *Circular 6/98* (¶ 10) makes it clear that LPAs may adopt lower thresholds than those set out where *exceptional local constraints* can be demonstrated and justified through the local plan process. Relevant factors include: the number and types of households who are in need of affordable housing and the types of housing best suited to meeting these needs; the size and amount of suitable sites available for affordable housing and how these relate to levels of affordable housing need; the supply and suitability of existing affordable housing; and the relationship with the objectives of the Housing Authority's strategy and programmes and the objectives of the Plan's affordable housing policies (*Circular 6/98*; ¶ 10; footnote 9).
- 3.291 *WFDC* considers the reduced site size threshold for the provision of affordable housing is fully justified having regard to local constraints, including the scale of affordable housing need, the limited level of affordable housing anticipated from committed sites, the limited scope for further provision and the small-scale of potential *windfall* sites. This is confirmed in paragraphs 3.70-3.71 of the Plan, and reflects the recommendations of the HNS. The application of a 15-dwelling/0.5ha threshold is expected to make a useful contribution to affordable housing, whilst the 30% figure is an indicative target. Most objectors challenge these thresholds, arguing that they have not been fully justified.

- 3.292 In this case, there is clearly a substantial need for affordable housing which is unlikely to be met within the current Plan period. Secondly, the scale of affordable housing expected to arise from committed and proposed sites is relatively modest. Thirdly, there are few new housing sites proposed in the Plan, due to the limited residual provision needed to meet WCSP housing requirements. Fourthly, the scale of additional housing provision arising from *windfalls* is likely to be relatively limited and mainly on small *brownfield* sites, with limited opportunities for affordable housing. Finally, both the Council's *Housing Strategy* and the objectives of this Local Plan identify the need to provide further affordable housing and give priority to such provision. Since both the WCSP (Policy D.7) and emerging Regional Guidance allow local authorities to consider adopting lower thresholds in the light of Housing Needs Assessments, I consider these factors provide the type of *exceptional local constraints* to justify a lower threshold of 15 dwellings/0.5ha for the provision of affordable housing in this particular District.
- 3.293 Similar arguments apply to the 30% target level of affordable housing on specific and other sites. Most objectors argue that this figure should be the maximum provision, as the starting point for negotiations with developers, in order to reflect the guidance in *Circular 6/98*. *WFDC* confirms that the 30% figure is *indicative* and that, in the absence of any detailed assessment of the particular characteristics and costs of development of each of these sites, the targets should be treated as *maximum* figures as a basis for negotiation [*CD128*]. In order to remove any doubt and confirm the position, I consider this qualification should appear in the wording of the Policy, with further explanation in the accompanying text. Moreover, the explanatory text (¶ 3.69) should also set out the factors that will be considered when assessing the requirement for affordable housing, including the site size, suitability, economics of provision and need to achieve a successful development, as set out in *Circular 6/98* (¶ 10). This would ensure that site-specific factors are properly considered, going some way to meeting this element of the objections.

Paragraph 3.75

- 3.294 The main concern is the Council's presumption that any subsidy for the development of affordable housing will be provided through nil or reduced land values and the provision of housing units. *WFDC* sees this element of the policy being implemented through negotiation with developers and landowners, but most objectors argue that this matter is not within the remit of a local plan. On further reflection, *WFDC* suggests that the first sentence of this paragraph should end after *values*, adding the words *this will be a matter for consideration as part of site specific proposals* at the end of the paragraph [*CD128*]. This would remove one element, in terms of providing additional affordable housing units, but the reference to the lack of direct subsidies remains.
- 3.295 I recognise that any requirement for affordable housing should take account of the economics of provision, including the total value of the housing provided, the cost of developing the site and any payments to the developer for providing the affordable housing element. However, specifying reduced land values falls outside the legitimate scope of the planning system. I recognise the current financial limitations on providing subsidies through public sector resources, but this may not always be the case. I also realise the availability of Social Housing Grants may be an issue, but this is more a matter for *WFDC* as *Housing Authority* and through its *Housing Strategy*, than for this Local Plan. In my view, *WFDC* is confusing its role as a Planning Authority and Housing Authority, and is including in this Local Plan statements which are more appropriate to the *Housing Strategy*. I can see no need to refer to the question of reduced land values and lack of subsidies in this part of the Local Plan and consequently recommend that the paragraph is deleted entirely.

Paragraph 3.76

- 3.296 The key concern is the relationship between developer costs relating to site clearance/preparation and land purchase price, and the requirement to demonstrate abnormal costs. *WFDC* accepts that the site purchase price is for the developer to negotiate, but in the context of being aware of the need to provide an element of affordable housing. *WMRRSL* considers the text reasonably sets out *WFDC*'s preferences in the light of local needs and circumstances. *HBF* objects to the need to demonstrate abnormal costs, whilst *McCarthy & Stone* considers all development costs should be relevant. *Marmaris* argues that site clearance should form part of the site analysis and land purchase price should reflect the circumstances of the site. On reflection, *WFDC* agrees that some restructuring of paragraphs 3.76-3.77 would be beneficial [*CD128*].
- 3.297 In my view, this restructuring would improve the clarity and substance of this part of the explanatory text and avoid confusion and uncertainty. Bearing in mind that the economics of providing affordable housing is a relevant factor to consider, I am satisfied that the requirement to demonstrate abnormal costs is not unduly onerous or unreasonable, since it could affect the provision of affordable housing and the overall viability of the project. It also reflects the reference to *economic site constraints* in the second part of Policy H.10.

Paragraph 3.77

- 3.298 The main concern is whether affordable housing should normally be provided on-site or whether contributions should be made for provision elsewhere. *WFDC* maintains that affordable housing should normally be provided on-site, with *exceptional circumstances* having to be demonstrated to justify off-site provision. *WMRRSL* supports this approach, but other objectors argue that the Plan should provide more flexibility to allow financial contributions towards off-site provision if it is more appropriate. *Circular 6/98* (¶ 21-22) makes it clear that affordable housing should normally be provided as part of the development, but contributions towards off-site provision may be appropriate where this is preferable. However, *PPG3* (¶ 17) confirms the presumption that affordable housing should be provided as part of the development, and a subsequent Ministerial statement (17/01/01) confirms that contributions towards off-site provision should only apply in *exceptional circumstances*, where on-site provision is not appropriate. In my view, paragraph 3.77 reflects this approach without being unduly prescriptive or onerous, and the suggested restructuring of paragraphs 3.76-3.77 would also help to clarify the position.

Paragraphs 3.67/3.78

- 3.299 There is little dispute about the definition of affordable housing adopted by *WFDC* and set out in the *WFDLP* (¶ 3.67), since this reflects that in the emerging *RPG* and adopted by the *WMLGA*, as well as that given in *Circular 6/98*. However, three points are particularly relevant. Firstly, the definition should encompass all types of affordable housing, including both subsidised housing and low-cost market housing. Secondly, affordable housing must be available at a price which can be sustained by local people in housing need. Thirdly, what constitutes affordable housing in this District in terms of price and income is for *WFDC* to determine in its *Housing Strategy*. The definition set out in paragraph 3.67 fully reflects these points and is accepted by most objectors.
- 3.300 The outstanding point is the priority given to the role of *RSLs* in paragraph 3.78. Most objectors argue that the Plan should not favour any particular form of tenure or prescribe which partners developers should use when providing affordable housing. I understand

that *WFDC* operates a partnership agreement with specific RSLs and only gives grants or makes contributions to its partner RSLs. *WFDC* emphasises the important role of RSLs as the most effective way of securing affordable housing in this District, a point supported by *WMRRSL*. *WFDC* has an effective working relationship with RSLs operating in this District, which has delivered quality schemes, and is looking at ways of delivering its affordable housing policy. This is good practice and in accordance with national policy.

- 3.301 *Circular 6/98* clearly sees an important role for RSLs in the provision of affordable housing and, given *WFDC*'s apparent success with its partner RSLs, it is reasonable for the Plan to highlight this as one means of providing affordable housing and meeting the Plan's affordable housing objectives. The role of RSLs in providing an effective and affordable route for the delivery of affordable housing, with built-in accountability and regulation, is acknowledged. However, *Circular 6/98* (¶ 17) confirms that LPAs should not prescribe which partners developers should use to deliver affordable housing, but should aim to ensure that the arrangements will deliver the objectives of the Plan's policy.
- 3.302 As a factual statement, the wording of paragraph 3.78 reflects the current situation in this District, but I am concerned about the assumption that all affordable housing will be provided through *WFDC*'s RSL partners. Much of the tone of the explanatory text accompanying Policy H.10 seems to be directed to the Council's partner RSLs and, in my view, it does not give sufficient recognition to other means of securing the provision of affordable housing. To restrict provision solely to RSL partners would, in my view, be unduly prescriptive and not assist in achieving the Plan's affordable housing objectives.
- 3.303 I recognise that, in the past and since the transfer of *WFDC*'s social housing stock, affordable housing has largely been provided by specified RSLs. However, the agreed definition of affordable housing includes not only rented or shared ownership schemes, but also low-cost market housing, and recognises the role of other providers, particularly for low-cost market housing and elderly persons accommodation. I therefore consider the explanatory text should recognise the potential contribution that other providers could make to affordable housing provision and provide the flexibility for such provision to be made, in the interests of achieving the Plan's affordable housing objectives and policies. This is particularly important given the apparent scale of local need for affordable housing and the limited provision expected from committed and proposed housing sites.

Paragraph 3.79

- 3.304 None of the objectors challenge the principle of using S106 obligations, but are concerned that the *in perpetuity* occupancy requirement is too restrictive for developers and landowners, particularly in terms of financing the initial development, and may also conflict with *Right to Acquire* legislation. *WFDC* explains that such agreements are needed to ensure that affordable housing remains available in the future, particularly where RSLs are not involved. *Circular 6/98* (¶ 16) confirms that occupancy restrictions may be used to ensure that affordable housing is occupied initially or in perpetuity only by those who fall within the particular categories of need, but such restrictions should not normally be necessary where a RSL is involved. *Circular 6/98* (¶ 17-24) clearly indicates that the control of occupancy of affordable housing is legitimate and necessary in order to ensure that such housing remains available to meet local housing needs in the longer term. It also confirms the need for the Plan to outline the preferred approach for controlling occupancy where RSLs are not involved.
- 3.305 In my view, Policy H.10 and paragraph 3.79 directly reflect this approach, by specifying that S106 Obligations controlling occupancy, both initially and in perpetuity, will be required where a RSL is not involved in the provision of affordable housing. The text continues by specifying the criteria for meeting the Council's needs, including the cost of

the accommodation. I recognise that it is inefficient to retain large stocks of affordable housing when it may not be needed in the future. In the unlikely event that the District's affordable housing needs are eventually fully met, such restrictions may not be necessary. However, for the period of this Local Plan, it is apparent that a substantial need for affordable housing is likely to remain and that such accommodation will be needed in the foreseeable future. In these circumstances, I consider the requirements of this paragraph are fully justified and reflect national guidance.

Paragraph 3.80

- 3.306 The main concern is the requirement for affordable housing to be distributed within a development and integrated with private and market housing. Both *WFDC* and the objectors agree that the design and layout of affordable housing is largely a matter for detailed consideration at the planning application stage. PPG3 (¶ 10) supports the provision of mixed and balanced communities, which *WFDC* says underlines the need for affordable housing to be integrated with market housing, reflecting the guidance in *Circular 6/98* (¶ 21). Of course, much would depend on the particular characteristics, constraints and circumstances of individual sites, which would be discussed and negotiated on a site-by-site basis at the development control stage. With this qualification, I consider the text in paragraph 3.80 would reflect current national guidance.

Paragraph 3.81

- 3.307 Most objectors accept the principle of *Supplementary Planning Guidance* (SPG) provided that it only elaborates and clarifies affordable housing policy and does not introduce more onerous requirements, extend the scope of the policies or avoid public scrutiny. At the RTS, *WFDC* explained that, although *DCPN11 [CD119]* had been adopted as Council policy on affordable housing, it had been subject to limited public consultation and so could be given only limited weight when dealing with planning applications. It was not the SPG referred to in paragraph 3.81, which related to subsequent guidance. I understand that *WFDC* does not, at present, have any firm proposals to produce a new SPG, but would undertake full public consultation on any subsequent SPG, in line with the advice in PPG12 (¶ 3.15-3.18). Consequently, I consider the position has been adequately clarified and paragraph 3.81 correctly sets out the current position.
- 3.308 The outstanding matter concerns the reference to seeking additional unsubsidised low-cost market units to meet the needs of new households with adequate income levels. National guidance advises LPAs to look at the housing market generally and not just to consider subsidised affordable or social housing. The HNS recognises the need for unsubsidised low-cost market houses, such as “starter homes”. *WFDC* confirms that the Plan envisages 150 low-cost market houses being provided, in addition to the target of 360 affordable units referred to earlier. *WFDC* explains that unsubsidised low-cost market housing is not currently considered to have a role in this District in meeting the need for affordable housing because of low income levels relative to the cost of the lowest priced housing. *WFDC* also confirms that it is not seeking to secure the provision of this type of housing to meet affordable housing needs, and that the target is *aspirational*. Many objectors argue that this element should be included as part of the overall requirement for affordable housing and are concerned about how this would be provided without any subsidy. *WFDC* has looked at this aspect again and suggests deleting the reference to *additional* unsubsidised units in the final sentence of the paragraph [CD128]. Alternatively, this amended sentence could be included as part of the text accompanying Policy H.4.
- 3.309 In these circumstances, it seems to me that the reference to seeking *additional* unsubsidised low-cost market housing should be deleted in the final sentence of paragraph 3.81. However, since this type of housing falls within the accepted definition of affordable housing, I consider any requirement for its provision should remain under the affordable housing heading. It would also be helpful if the anticipated level of provision (150 units) is indicated in this part of the explanatory text. In this context, I note that the Plan (¶ 3.36) already refers to the provision of affordable housing and housing for special needs under Policy H.4. However, I consider a reference to the possible provision of low-cost market housing would be an appropriate addition under this Policy as part of the aim to provide a mix of dwelling types and sizes.

Other matters

- 3.310 *HBF* points out that there is no reference to housing for key workers in the explanatory text. *WFDC* has not considered this matter in detail, but it could be addressed in the review of the HNS and *Housing Strategy*. *Ms Green* argues that Policy H.10 should include sheltered/warden-controlled housing, particularly on town centre sites, like *Tram Street, Kidderminster*. This site has now been deleted in the RDLP, but the question of sheltered housing could be considered on other suitable town centre sites at the development control stage and addressed in the forthcoming review of the HNS.

Overall conclusions

- 3.311 I therefore come to the following conclusions on the Plan's affordable housing policies. Firstly, I am satisfied that the general approach of Policy H.10 accords with national policy in PPG3 & *Circular 6/98* and WCSP policies, and also reflects the Council's latest *Housing Needs Survey [CD88]*. Secondly, the latest *Housing Needs Survey* provides a reasonable and robust starting point in terms of an initial assessment of the general level of housing need, particularly for affordable housing. More detailed work will, of course, be needed to update the information and examine the need for affordable housing in particular districts and for specific needs, but this can await a subsequent review of the HNS and the *Housing Strategy*.
- 3.312 Thirdly, I am satisfied that the overall level of affordable housing provision is appropriate and soundly based, as far as it goes. However, in addition to the figure of 334 units/year up to 2005, the explanatory text should confirm that there is likely to be a continuing significant need for affordable housing throughout the entire Plan period up to 2011. Now that figures are available, details of the likely provision of affordable housing arising from committed and proposed sites, along with other sources including *windfalls*, should also be given in the explanatory text. In addition, the text should confirm that a future *Housing Capacity Study* will examine the likely contribution to affordable housing from *windfall* sites, empty properties, flats over shops, conversions and changes of use, providing the context for assessing future provision of affordable housing. A review of the *Housing Strategy* and HNS should also provide the opportunity to examine the need for sheltered housing and housing for key workers and those with special needs.
- 3.313 Furthermore, I am satisfied that the specific factors put forward by *WFDC*, including the scale of affordable housing need, the limited amount of affordable housing arising from committed sites, the limited scope for further provision and the small-scale of potential *windfall* sites, provide sufficient justification for the lower threshold of 15 dwellings/0.5ha for this District. However, the Policy and accompanying text should confirm that the 30% level of provision is a maximum figure as a basis for negotiation, in order to ensure that site-specific factors are properly taken into account. The explanatory text (¶ 3.69) should also set out the factors that will be considered when assessing the requirement for affordable housing, including the site size, suitability, economics of provision and need to achieve a successful development, as listed in *Circular 6/98* (¶ 10).
- 3.314 As for specific paragraphs of the explanatory text, paragraph 3.75 should be deleted in its entirety, since it relates to land values which are outside the remit of the planning system. Paragraphs 3.76-3.77 should be amended as suggested by *WFDC [CD128]*, to improve structure and clarity. The definition of affordable housing in paragraph 3.67 is soundly based, but paragraph 3.78 should be amended to recognise the potential contribution that other providers could make to affordable housing provision, in the interests of achieving the Plan's affordable housing objectives and policies. It should also provide the flexibility for such provision to be made, particularly given the apparent scale of local need for affordable housing and the limited provision expected from committed and proposed

housing sites. In paragraph 3.79, the use of S106 Obligations to control the occupancy of affordable housing provided by non-RSLs *in perpetuity* reflects the guidance in PPG3 & Circular 6/98.

- 3.315 In paragraph 3.80, the requirement for affordable housing to be distributed within developments and integrated with market housing, would largely depend on the constraints, characteristics and circumstances of individual sites. This would be negotiated on a site-by-site basis at the development control stage and, with these qualifications, the text would reflect current national guidance. In paragraph 3.81, the reference to the provision of *additional* unsubsidised low-cost market housing should be deleted, but the general requirement for this type of affordable housing should remain in this section, along with an indication of the level of provision sought. A reference to this type of provision should also feature in the text accompanying Policy H.4.
- 3.316 In my view, these amendments to Policy H.10 and the accompanying text would go a long way towards meeting these objectors' concerns. They would also ensure that the explanatory text better reflects national policy on affordable housing and provides sufficient information and a sounder basis to underpin the Plan's affordable housing objectives and policies. I deal with objections to specific sites proposed or suggested by objectors for affordable housing elsewhere in this chapter of my report.

Recommendation

3.317 **I RECOMMEND** that the Local Plan be modified as follows:

- (i) the text accompanying Policy H.10 should indicate the current need for affordable housing up to 2005, but also confirm that there is likely to be a continuing significant need for affordable housing throughout the entire Plan period up to 2011, and include details of the anticipated level of affordable housing provision arising from committed and proposed sites, along with other sources during the current Plan period;
- (ii) the text accompanying Policy H.10 should confirm that a future Urban Capacity Study will examine the likely contribution to affordable housing from windfall sites, empty properties, flats over shops, conversions and changes of use, and that a review of the Housing Strategy and Housing Needs Survey will provide the opportunity to examine the need for housing for key workers and those with special needs and sheltered housing;
- (iii) the wording of Policy H.10 and the accompanying text should confirm that the 30% level of affordable housing provision is a maximum figure as a basis for negotiation;
- (iv) paragraph 3.69 should set out the factors to be considered when assessing the requirement to provide affordable housing on particular sites, including site size, suitability, economics of provision and the need to ensure a successful development, as set out in Circular 6/98 (¶ 10);
- (v) paragraph 3.75 should be deleted in its entirety;
- (vi) paragraphs 3.76-3.77 should be amended as suggested by WFDC [CD128], to improve structure and clarity;
- (vii) paragraph 3.78 should be amended to recognise the potential contribution that other providers could make to affordable housing provision and provide the flexibility for such provision to be made;
- (viii) paragraph 3.80 should be amended to confirm that the design, layout and integration of affordable housing will depend on the particular constraints, characteristics and circumstances of individual sites, to be discussed and negotiated on a site-by-site basis at the development control stage;
- (ix) in paragraph 3.81, the reference to the provision of **additional** unsubsidised low-cost market housing should be deleted, but the general requirement for provision of this

type of affordable housing should remain in this section, along with an indication of the level of provision sought;

(x) a general reference to the provision of unsubsidised low-cost market housing should also feature in the text accompanying Policy H.4 (paragraph 3.36);

but that no further modifications be made in response to these objections.

**POLICY H.11: AFFORDABLE HOUSING IN RURAL AREAS
– EXCEPTION SCHEMES IN RURAL AREAS**

Objections First Deposit 229/001 – Mrs J V Bews; 592/021 – West Midlands Region RSL Planning Consortium.

Revised Deposit There are no objections at the Revised Deposit stage.

Key issues

- Should Policy H.11 refer to RSLs managing affordable housing developed through the rural exceptions policy in order for it to be secured in perpetuity;
- Should clause (iii) of Policy H.11 permit infilling only within the boundary of a settlement, rather than also on sites immediately adjoining it; and should environmental considerations be allowed to out-balance social housing need.

Main considerations and Inspector’s conclusions

- 3.318 Policy H.11 sets out the criteria for considering small-scale affordable housing schemes as an exception to the normal policies relating to housing development in rural areas, with paragraphs 3.83-3.87 setting out the background for these “rural exceptions” projects. PPG3 (¶ 18 & Annex B) & *Circular 6/98* (¶ 25-26) set out the national policy towards “rural exceptions” affordable housing. In my view, Policy H.11 and the accompanying text broadly reflect this guidance, along with WCSP Policy D.8.
- 3.319 Policy H.11 was only discussed briefly at the RTS, since most of the participants were not involved in providing affordable housing in rural areas. However, *WMRRSL* confirmed that it was happy with the reference to RSLs in paragraph 3.86 of the Plan. I also note that PPG3 (Annex B6) confirms that adequate arrangements should be in place to reserve the housing in question for local needs, both initially and in perpetuity. In terms of Policy H.11, *WFDC* confirms its preference for rural exception schemes to be delivered by RSLs, but neither the Policy nor the accompanying text preclude such schemes being developed by other agencies, provided that the necessary safeguards and requirements are met. Consequently, no further amendments are needed to deal with *WMRRSL*’s objection.
- 3.320 As regards the location of sites for rural affordable housing, *WFDC* considers Policy H.5(iv) in the adopted Local Plan [*CD74*] is too restrictive. PPG3 (¶ 18 & Annex B2) specifically confirms that national policy enables LPAs to grant permission for rural affordable housing on small sites within and *adjoining* existing villages. PPG3 (Annex B5) also confirms that the exceptional release of land for rural affordable housing should take full account of environmental considerations. It is clear that national policy in PPG3 & *Circular 6/98* does not envisage environmentally unacceptable sites being released in rural areas purely because of local housing needs.
- 3.321 Criterion (iii) of Policy H.11 directly reflects this approach, with the specific safeguard of environmental acceptability. This reflects the sensitive nature of the rural areas of the District, which are within the Green Belt and/or *Area of Great Landscape Value*. Proposals for any incremental expansion of settlements by releasing land for affordable housing would be subject to meeting the tests of need and environmental acceptability. As

WFDC rightly says, this will require judgement at the development control stage in the balancing exercise between the need for affordable housing in a particular rural area and environmental considerations. In my view, Policy H.11(iii) properly reflects national policy, appropriately interpreted in the context of Wyre Forest District. No amendments are needed to Policy H.11 or the accompanying text as a result of *Mrs Bews'* objection.

Recommendation

3.322 I RECOMMEND no modifications to the Local Plan in response to these objections.

POLICY H.11: AFFORDABLE HOUSING IN RURAL AREAS – EXCEPTION SCHEMES IN RURAL AREAS

SITE-SPECIFIC OBJECTIONS

Land at Heightington Road, Rock

Objections First Deposit 641/001 – Mr C Donlon.

Revised Deposit There are no objections at Revised Deposit stage.

Key issues

- Does the Plan make sufficient allowance for new rural housing, particularly for single dwellings and infilling; and should land off Heightington Road, Rock be allocated for live/work units.

Main considerations and Inspector's conclusions

3.323 *Mr Donlon* argues that the Plan makes insufficient provision for new housing in rural areas west of the River Severn, such as Rock, and considers the Plan should allow for small-scale developments of live/work units to bring more people and service sector employment into the area, to underpin the viability of local services, ease pricing pressure on existing properties and ease traffic congestion in towns. He suggests allocating a plot of land opposite Heightington Village Hall for such a development. *WFDC* considers that this approach to development in the rural areas west of the River Severn would lead to a proliferation of sporadic development which would be detrimental to the high quality landscape and the overall development strategy of the Plan. PPG3 (¶ 18) restricts the release of land for affordable housing “rural exception” schemes to *within or adjoining existing villages*, and Policy H.11 of the Local Plan reflects that approach.

3.324 I recognise that such development might be popular and welcomed by some, and might help to make the community more viable. However, the Plan makes sufficient provision for normal market housing, and the provision of affordable housing in rural areas is specifically addressed in Policy H.11. Such “rural exceptions” schemes are permissible on environmentally acceptable small sites *within or adjoining existing settlements*, in line with national policy in PPG3 & WCSP Policy D.8. Moreover, I am not aware of any detailed assessment of local housing needs in this area which might suggest any need for a development of the type suggested. More particularly, both national and strategic planning policies aim to protect the countryside for its own sake and restrict unnecessary development in such areas. *WFDC's* overall strategy of restricting new housing in the rural areas west of the River Severn is in accordance with these long-established policies.

- 3.325 Furthermore, Heightington is a scattered community, with no facilities other than the village hall, in the heart of the countryside west of Bewdley. The nearest basic facilities are at Rock, a car journey away, and Heightington is not a fully-fledged settlement with a defined boundary or a range of services which might justify some further development. Since there are few local facilities or services nearby, new small-scale housing development of the type envisaged would neither be sustainable nor help to directly support existing local services. I recognise that the site suggested is low-grade pastureland which is bounded by three existing cottages and opposite the village hall. Nevertheless, it is not within or adjoining a settlement identified in the WCSP or Local Plan, and is in a somewhat remote and isolated location, well away from most basic services and facilities. Neither national planning policy in PPG3 & PPG7, nor strategic policy in the WCSP & WFDLP would give much support to this location for new living and working accommodation. I also note that the site lies within a *Landscape Protection Area*, and development in this location could well have implications for the character of this area of higher quality landscape.
- 3.326 Reference is also made to other developments in this locality. As I saw on my visit, there are other cottages and barn conversions scattered along the roads and lanes. However, most of these are long-standing buildings, rather than new structures. The bungalow and steel-framed farm building at *Old House Farm* are new, but they were allowed on appeal for agricultural reasons, with a condition restricting occupancy of the dwelling to an agricultural/forestry worker. This does not suggest any weakening of the general policy protecting the countryside for its own sake or restricting development in rural areas. I recognise that parts of the UK are not densely populated and no-one could fail to be aware of traffic congestion in the main towns and cities. However, national policy discourages low-density housing, encourages development in places that are accessible by public transport, and aims to reduce the use of the private car. The selective development of isolated rural sites like this would run directly contrary to this policy and would do little in itself to reduce pollution and congestion in the main urban areas. Consequently, I can see no sound basis to justify the allocation of this objection site for rural affordable housing or live/work units.

Recommendation

3.327 I RECOMMEND no modifications to the Local Plan in response to this objection.

POLICY H.12: HOUSES IN MULTIPLE OCCUPATION

Objections First Deposit 592/022 – West Midlands Region RSL Planning Consortium.

Revised Deposit The objection made at Revised Deposit stage has been withdrawn.

Key issues

- Should Policy H.12 allow the requirement for car parking to be relaxed for HMOs and promote HMOs for development by RSLs.

Main considerations and Inspector's conclusions

3.328 Policy H.12 sets out the criteria for considering proposals for houses in multiple occupation (HMOs). The RDLP has amended paragraph 3.89 to confirm that car parking standards will be relaxed for HMOs provided by RSLs where there is an agreement to

restrict occupancy to tenants without cars (*Change No. 025*). This effectively meets the first element of *WMRRSL*'s objection. As for positively promoting the development of HMOs by RSLs, this is more a matter for the Council's *Housing Strategy [CD89]*, rather than a land-use plan. In this regard, I note that *WFDC* has introduced a licensing system for HMOs and is making good progress in inspecting and licensing the 300 HMOs in the District [*CD89; p.21*]. I therefore conclude that no further amendments are needed in response to *WMRRSL*'s objection to Policy H.12.

Recommendation

3.329 I RECOMMEND no modifications to the Local Plan in response to this objection.

POLICY H.13: RESIDENTIAL HOMES

Objections First Deposit 60/002 – Mrs E F Foxall.

Revised Deposit There are no objections at the Revised Deposit stage.

Key issues

- Should the second sentence of para 3.90 be incorporated within Policy H.13.

Main considerations and Inspector’s conclusions

3.330 Policy H.13 sets out the criteria for considering proposals for nursing homes and residential homes for the elderly. In the RDLP, two of the criteria have been amended (*Change No. 026*). *Mrs Foxall* argues that the Policy should recognise the importance of people’s well-being and their opportunity to make choices and be independent.

3.331 PPG3 (¶ 13) & PPG13 (¶ 31) confirm that LPAs should plan to meet the housing needs of the whole community, including the elderly and disabled, and work in partnership to meet the accessibility needs of disabled people in all developments. Criterion (v) of Policy H.13 highlights the need for good pedestrian and disabled access, and new criterion (ix) confirms that developments should be near to shops and local community facilities. I note that Policy D.19 also seeks to provide built-in access and flexibility in new buildings. The question of choosing the type of accommodation is essentially a personal one, based on particular circumstances and the availability of accommodation. Consequently, the changes already made to Policy H.13 have effectively met *Mrs Foxall’s* objection.

Recommendation

3.332 I RECOMMEND no modifications to the Local Plan in response to this objection.

POLICY H.14: GYPSY SITES – EXISTING PROVISION

Objections First Deposit 478/002 – Staffordshire & Shropshire Gypsy Liaison Group.

Revised Deposit There are no objections at the Revised Deposit stage.

Key issues

- Should Policy H.14 specify the number of sites, including the total number of single and double pitches on each gypsy site.

Main considerations and Inspector’s conclusions

3.333 Policy H.14 safeguards gypsy caravan sites at seven specified locations. *SSGLG* argues that it should give the total number of double and single pitches on each site, pointing out that a total of 48 double pitches are needed in this District. *WFDC* considers that providing the numbers of pitches on each site would be too detailed and inappropriate in a local plan policy. I tend to agree, particularly since the figure may change over time. However, the introductory text to this Policy gives little explanation about the context or number of existing pitches in the District or future need. If *WFDC* has this information, it should be included within the introductory text of this Policy.

Recommendation

3.334 **I RECOMMEND** that the Local Plan be modified by including in the text accompanying Policy H.14 brief details of the total number of existing pitches at the safeguarded gypsy sites and the context of gypsy site provision.

POLICY H.15: GYPSY SITES: FUTURE PROVISION

Objections First Deposit 478/001 – Staffordshire & Shropshire Gypsy Liaison Group.

Revised Deposit There are no objections at the Revised Deposit stage.

Key issues

- Does Policy H.15 adequately reflect national guidance in *Circulars 1/94 & 18/94* and identify the key elements to achieve an adequate provision of gypsy sites to meet the needs of the gypsy community within the Plan period.

Main considerations and Inspector's conclusions

3.335 Policy H.15 sets out the criteria for considering proposals for establishing new gypsy caravan sites in the District. In the RDLP, the reference to *private* sites has been deleted, and criteria (e) & (g) have been amended (*Change Nos. 027-028*). *SSGLG* argues that the Policy fails to identify the key elements to ensure that adequate provision of gypsy sites is made and suggests an alternative wording.

3.336 The amended wording of Policy H.15 extends its application to all new gypsy sites, whether public or private, and the amended criteria more appropriately reflect the national guidance in *Circulars 1/94 & 18/94*. I understand that the special needs of gypsies are to be addressed as part of the Council's *Housing Strategy [CD89]*, with the needs of travellers being assessed during 2002-2003. I would expect the results of a local survey to provide a more robust assessment of likely needs than one based on a theoretical assessment using national assumptions. I recognise that it would be desirable to try to identify an agreed level of provision, but this should await the results of the Council's assessment, following discussions with the relevant agencies. In contrast, the policy suggested by *SSGLG* attempts to set a minimum level of total provision, which is unsubstantiated by any local figures, and includes criteria which, in my view, are too prescriptive and do not properly reflect the guidance in *Circulars 1/94 & 18/94*.

3.337 It therefore seems to me that the amended wording of Policy H.15 provides a sound basis to consider proposals for the future provision of gypsy sites, either private or public, in line with current national policy. However, in order to confirm that *WFDC* is actively considering the future needs of gypsies and travellers, specific reference should be made in the text introducing Policies H.14 & H.15 to the proposed assessment of travellers' needs being undertaken as part of the Council's *Housing Strategy*. Should relevant information come out of the current assessment, it should be incorporated in the introductory text, either before the Plan is adopted or at a subsequent review.

Recommendation

3.338 **I RECOMMEND** that the Local Plan be modified by amending the text introducing Policies H.14 & H.15 to specifically refer to the assessment of travellers' needs being undertaken as part of the *Housing Strategy*, incorporating any relevant information arising from the assessment before the Plan is adopted or at a subsequent review.

POLICY H.16: RESIDENTIAL CARAVANS AND MOBILE HOMES

Objections There are no objections to this Policy at the First and Revised Deposit stages.

POLICY H.17: RESIDENTIAL MOORINGS

Objections The objection to this Policy has been withdrawn.

POLICY H.18: ACCOMMODATION FOR DEPENDANTS

Objections There are no objections to this Policy at the First and Revised Deposit stages.

HOUSING POLICY OMISSIONS

Objections First Deposit 592/023-024 – West Midlands Region RSL Planning Consortium.

Revised Deposit There are no objections at the Revised Deposit stage.

Key issues

- Should the Plan refer to special housing needs and encourage provision to meet such needs;
- Should the Plan refer to the re-use of empty properties in accordance with an up-to-date *Empty Property Strategy*.

Main considerations and Inspector’s conclusions

3.339 As regards special housing needs, *WFDC* considers that proposals for the development of special needs housing and *lifetime homes* are adequately covered by other policies in the Housing and Design chapters of the Plan, including Policies H.13 & D.19. The provision of housing for special needs is also set out in the *Housing Strategy [CD89]* under *Objective 5*. In the *RDLP*, an addition to paragraph 3.4 confirms that a fuller picture of the Council’s overall approach to housing can be found in the *Housing Strategy 2001-2006 (Change No. 005)*. The Plan (¶ 3.82) also confirms that the issue of housing need and provision of supported housing for vulnerable people will be subject to more detailed consideration in the Council’s *Housing Strategy*.

3.340 *PPG3* (¶ 2 & 11) & *Circular 6/98* (¶ 2) confirm that *LPAs* should plan to meet the housing requirements of the whole community, including special needs housing, and encourage the provision of affordable housing to meet the needs of specific groups, such as the elderly and disabled. However, apart from the more general references set out in the previous paragraph, the Plan makes no specific reference to the provision of housing to meet special needs. For the avoidance of any doubt, and to properly reflect the objectives of the Council’s *Housing Strategy*, I consider some specific reference to this matter should be made in the explanatory text in this chapter of the Plan. Since the matter is generally addressed under the heading of *Affordable Housing*, it may be appropriate if some brief reference was made to special housing needs in the text in this part of the chapter (para 3.82), specifically referring to the relevant objective in the Council’s *Housing Strategy*.

3.341 As for the re-use of empty properties, Policy H.2(vi), paragraph 3.25 & Policy TC.2 encourage and permit the development of flats over shops in town centres. Reference to the Council's *Empty Homes Strategy* is also referred to in paragraph 3.10A (*Change No. 008*), confirming that about 50 dwellings are expected from this source during the current Plan period. I note that the development of an *Empty Homes Strategy* is a priority for WFDC, as confirmed in the *Housing Strategy* [CD89; p.22]. In these circumstances, I consider this objection has been met by the change in the RDLP, making sufficient reference and giving sufficient priority to this matter without any further elaboration.

Recommendation

3.342 ***I RECOMMEND*** that the Local Plan be modified by making a specific reference to the provision of housing for special needs in paragraph 3.82 as part of the introductory text to Policy H.10, but that no further modifications be made in response to these objections.

CHAPTER 4: EMPLOYMENT

EMPLOYMENT OBJECTIVES

Objections First Deposit 597/007 – Railtrack plc (in Railway Administration)

Revised Deposit There are no objections at the Revised Deposit stage.

Key issues

- Objective 7: Should this objective clarify its sustainability objectives, indicating that employment land will be allocated where it will reduce the need to travel.

Main considerations and Inspector's conclusions

- 4.1 Objective 7 of the RDLP seeks to identify a sufficient quantity and quality of employment land, in line with WCSP policies and sustainability objectives. *WFDC* considers that the collective objectives of the Plan, including those in the Transportation chapter, emphasise sustainability and sustainable travel, which the transportation policies seek to achieve.
- 4.2 I note that the main elements of the Plan's development strategy seek to *accommodate the development needs of the District...in a sustainable manner...and to locate development so as to reduce the need to travel, provide a choice of travel modes and support the provision of alternative modes to the private car [RDLP; ¶ 2.5]*. These principles are carried forward into the Transportation chapter whose key aim is to *reduce the need to travel, particularly by car, and to promote other ways of travelling [RDLP; ¶ 10.1]*. Objectives 38 & 42 help to further this aim. Consequently, it seems to me that the issue of sustainability is adequately addressed in several existing objectives in the Plan and that *Railtrack's* concerns are already met without duplicating the point in Objective 7.

Recommendation

4.3 **I RECOMMEND** *no modifications* to the Local Plan in response to this objection.

EMPLOYMENT LAND PROVISION

General background to employment land supply and provision

- 4.4 A key aim of the Local Plan is to encourage economic prosperity and identify enough land to meet the District's employment needs. Objective 7 furthers this aim by identifying a sufficient quantity and quality of employment land in line with Structure Plan policies and sustainability objectives. The introduction to the Employment chapter outlines the main employment centres and economic base of the District, the Structure Plan context, employment land provision and land supply, and employment land proposals. It also confirms that *WFDC* wishes to ensure that proposed employment sites and designated employment areas are safeguarded for employment purposes. Policy E.1 confirms that the Local Plan will provide sufficient employment land to meet the WCSP requirement of *about 45ha* for Class B1, B2 & B8 uses. Policy E.2 confirms that development for Class B uses will be permitted within designated employment areas and on three specific sites identified on the Proposals Map.

- 4.5 Details of current employment land availability are set out in the latest schedule of *Employment Land Availability [CD93]*, and a further update of the position is set out in *Topic Paper 2 [CD111]*. The situation has been further updated by WFDC's agreement to increase the allocation of employment land within the current Plan period at the *British Sugar Factory site* from 6ha to 12ha.
- 4.6 The WCSP provides the framework for the WFDLP. The development strategy set out in Policies SD.6-SD.9 directs the majority of new development to within or adjacent to the main urban areas, including Kidderminster and Stourport, and advocates a sequential approach to the selection of development sites, focusing on *previously developed land* in the main urban areas. The employment strategy is set out in Policies D.19-D.30 of the WCSP. Policy D.19 confirms the overall employment land requirement for Wyre Forest District between 1996-2011 is *about 45ha* for Class B1, B2 & B8 uses. Policy D.20 requires each District to provide a portfolio of employment sites in terms of size, location and quality, including the re-use of *previously developed land*. Policy D.22 specifically allows additional releases of employment land where there are clear and justifiable reasons why a balanced portfolio of sites cannot be achieved without allocating additional land, where existing commitments are not in the correct location, or where a continuing supply of land is needed in view of past take-up rates. WCSP (¶ 6.70) confirms that land and buildings formerly occupied by Class B uses which are recycled for employment use should count towards meeting overall employment requirements.
- 4.7 Current employment land supply is set out in Table E1, and updated in *Topic Paper 2 [CD111]*. The latest situation can be summarised as follows:

Employment land provision 1996-2011

	RDLP ha	TP2 ha
Completions: 1996-2001/2	8.83 ¹	12.30 ²
Sites available: 2001/2	36.03 ³	24.20 ⁴
Total existing/available provision	44.86	36.50
Structure Plan requirement 1996-2011	45.00	45.00
Residual provision	-0.14	-8.50

¹ April 1996 - March 2001 ² April 1996 - March 2002 ³ at April 2001 ⁴ at April 2002

- 4.8 The latest information on existing employment sites is set out in the schedule of *Employment Land Availability [CD93]*. In addition to completions, available sites are made up of those under construction, with planning permission or lapsed planning permissions in employment areas, committed sites (such as at *Rushock Trading Estate*) and sites proposed in the Local Plan. All but two of these sites are anticipated to come forward within the current Plan period; land at *Hoo Farm Industrial Estate, Kidderminster* and off *Sandy Lane/Barracks Lane, Stourport* is not regarded as being generally available, reducing the total figure in the RDLP by 7.41ha. In addition to these sites, redevelopment opportunities exist on existing employment sites (such as *Folkes Foundry* and *British Sugar Factory*) and on two *Major Developed Sites in the Green Belt* (*Lea Castle Hospital* and *Rushock Trading Estate*). Further opportunities for employment development are available on certain mixed-use development sites. Table E2, updated in *Topic Paper 2 [CD111]* sets out the latest position on employment land proposals:

Employment land proposals 1996-2011

	RDLP	TP2	Latest
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	ha	ha	position ha
Completions: 1996-2001/2	8.83 ¹	12.30 ²	12.30 ²
Sites available: 2001/2	<u>36.03</u> ³	<u>24.20</u> ⁴	<u>24.20</u> ⁴
Less area of sites not available	7.41	-----	-----
<i>Total existing/available provision</i>	<u>37.45</u>	<u>36.50</u>	<u>36.50</u>
Proposed sites			
Folkes Foundry	5.00	5.60	5.60
Lea Castle Hospital		6.00	6.00
British Sugar Factory	6.00	6.00	12.00
Total employment land provision	48.45	54.10	60.10
Structure Plan requirement 1996-2011	45.00	45.00	45.00
Balance	+3.45	+9.10	+15.10

¹ April 1996 - March 2001 ² April 1996 - March 2002 ³ at April 2001 ⁴ at April 2002

- 4.9 *WFDC* is keen to provide a balanced portfolio of employment sites, with a suitable range, location, quality and size of sites. Two sites are particularly highlighted. The former *British Sugar factory site* is felt to be an essential element in the employment development and regeneration strategy of the Plan. The size and nature of this site will require a comprehensive master plan involving phased release of land. At the time of the RDLP and *Topic Paper 2*, only 6ha of this site was programmed to come forward within the current Plan period. However, *WFDC* has now agreed that up to 12ha of land at this site could be released as a first phase of development before 2011. This would enable a strategic site of more than 10ha to be made available, the only one of this size in the District, particularly important given that most of the existing and proposed employment sites are smaller than 5ha. The second site, at *Lea Castle Hospital*, within the Green Belt, offers the potential for a high quality business park in an attractive woodland setting, with the potential for high-technology uses. I deal with both these sites in detail, along with other proposed and suggested employment sites, later in this section of my report.
- 4.10 Having reviewed the position, including the existing employment sites included in the latest schedule of *Employment Land Availability [CD93]*, I am satisfied, in general terms, that the Local Plan provides a balanced portfolio of employment sites in terms of location, size, type and quality. Most of the existing and proposed sites are within existing employment areas, within the main urban areas and close to the town centres, including those within the key industrial corridor along Stourport Road, Kidderminster. In most cases, they offer appropriate sites in sustainable locations. Additional opportunities for employment development would be provided in mixed-use developments, particularly in Kidderminster and Stourport town centres, and in other locations. In coming to these conclusions, I note that the latest figures indicate a considerable surplus of employment land (over 15ha) compared with WCSP requirements. However, I am satisfied that the additional land is needed to provide a balanced portfolio of sites, to ensure that key redevelopment sites (such as the *British Sugar factory*) are commenced, and to provide land of appropriate quality to encourage modern high-technology businesses (such as *Lea Castle Hospital*). In my view, this additional provision is fully justified in terms of WCSP Policies D.20 & D.22 without undermining the overall WCSP or Local Plan strategy.

- 4.11 However, I am concerned about the status of some of the sites included within the broad heading of “available sites”. I understand that, although these sites lie within existing employment areas, some do not have an outstanding planning permission, and some are proposals carried forward from the adopted Local Plan, again with no planning permission. None of these sites have been developed, and some are *greenfield* sites. In the interests of consistency and in order to clarify the status of these sites, I consider they should be specified as *proposed sites for employment development* in this Local Plan, in a similar way to the sites listed in Policy E.2. This would make no difference to the overall land supply figures, but merely transfer certain sites which are currently included as “available sites” into the proposals category. This possibility was not discussed in detail at the inquiry or by other objectors, but it would seem to me to be a sensible and logical approach. For the avoidance of doubt, and as far as I understand the situation, the sites in question are those listed in the schedule of *Employment Land Availability [CD93]* within the categories of *Adopted Local Plan sites (Table 6b)* and *Sites in areas allocated for Class B uses with lapsed planning consent (Table 6e)*. As far as I can see, they include site references 021, 022, 74, 127, 128, 130; 011, 044, 059, 076 & 090. If in the meantime, these sites have been developed or gained planning permission, then there is no need to include them as proposals. I make this formal recommendation after considering the objections to Policy E.2.
- 4.12 Several objectors raise general points about employment land supply and provision in their site-specific objections. I deal with these points under the relevant site and objection, later in this section of my report.

POLICY E.1: EMPLOYMENT LAND PROVISION

Objections First Deposit 309/001 – Offmore Farm Partnership; 616/004-005 – Textron Automotive Ltd; and others.

Revised Deposit There are no objections at the Revised Deposit stage.

Key issues

- Should the Policy confirm the need to release additional employment land in order to maintain a balanced portfolio of sites, specifically referring to WCSP Policy D.22;
- Should the Policy include a commitment to undertake a relative assessment of the attractiveness for continued employment use of existing and proposed employment sites;
- Should the methodology applied to the identification of available employment land take into account major redevelopment opportunities such as the *former British Sugar factory site*;
- **Table E1**: Do the figures include sites that are not realistically available within the Plan period and sites which are already in employment use.

Main considerations and Inspector’s conclusions

- 4.13 Policy E.1 confirms that the Plan will provide sufficient employment land to meet the WCSP requirements of *about 45ha* for Class B1, B2 & B8 uses. The explanatory text and Tables E1 & E2 have been amended in the RDLP [*Change Nos. 032-034 & 036*], and further amendments are set out in *Topic Paper 2 [CD111]*. The relatively few objections to this Policy and text raise few matters that I have not dealt with in the introductory background to employment land supply (see above).

- 4.14 In response to *Offmore Farm Partnership*, the explanatory text (¶ 4.8) refers specifically to WCSP Policies D.19-D.23, and later (¶ 4.10) mentions Policy D.22, including the framework for releasing additional employment land if a balanced portfolio of sites cannot be achieved. This matter is also addressed under other policies of the Plan (eg. Policy E.3; ¶ 4.31). I can therefore see no need to repeat these references in the Policy itself.
- 4.15 As for undertaking an assessment of the attractiveness of existing sites for continued employment use, *WFDC* regularly reviews the appropriateness of previous employment allocations, in line with PPG3 (¶ 42). While preparing this Local Plan, several existing employment allocations adjacent to Kidderminster and Stourport town centres have been reviewed, and in some cases, have been re-allocated for residential use. Having identified sufficient employment land to meet current requirements in the WCSP, I consider it is unnecessary to carry out another detailed assessment of existing employment sites, particularly since the Plan already makes sufficient provision for current housing, retail and commercial leisure requirements. Consequently, in response to *Textron*, there is no need to consider alternative designations for existing and proposed employment sites.
- 4.16 *Textron's* other concern, about taking account of major redevelopment opportunities, has already been addressed. The RDLP includes a significant employment allocation at the former *British Sugar Factory*, an allocation which is to be increased (see below). Other derelict sites, such as *Folkes Foundry*, and surplus buildings in the Green Belt at *Lea Castle Hospital*, have also been included in the employment provision figures. As I have said above, the suitability of existing employment sites for continued employment use has been reviewed, and the current WCSP requirement has been comfortably met and indeed exceeded in this Local Plan. *WFDC* refers to *Textron's* existing site at Stourport, and confirms that it helps to maintain an appropriate balance of uses in the town and remains appropriate for employment uses. *WFDC* also confirms that the Plan does not alter or override the designation of areas currently in employment use. Consequently, I cannot see any need to amend the Plan in response to *Textron's* objections.
- 4.17 In Table E1, *Offmore Farm Partnership* does not specify those sites which are not considered to be readily available. As part of my general appraisal of the situation, I have examined the current portfolio of employment land included in the latest schedule of *Employment Land Availability [CD93]*. The emphasis is clearly on *brownfield* sites within the main urban areas, in line with the general approach to the sequential selection of sites set out in WCSP Policy SD.7. In at least one case (*Folkes Foundry*), I understand that developer interest has been shown by submitting a planning application for employment redevelopment. WCSP (¶ 6.70) specifically confirms that existing land and buildings formerly occupied by Class B uses which are proposed for redevelopment can count towards the overall employment land provision set out in WCSP Policies D.19 & D.20. WCSP Policy D.20 also refers to the need to provide a portfolio of employment sites, including the redevelopment and re-use of *previously developed land*, whilst the explanatory text (¶ 6.67) confirms the need to bring such land back into employment use. This approach is clearly in line with national guidance in PPG1 (¶ 7). I deal with specific sites, such as *Lea Castle Hospital*, later in this section of my report.
- 4.18 Consequently, I conclude that there is no need to amend Policy E.1 or the accompanying text in response to the points made by these objectors. However, Table E1 should be amended, to update the figures of existing completions and available sites up to 31 March 2002, as set out in the *Employment Topic Paper [CD111]*. Consequential amendments may be needed as a result of my later recommendations in this chapter. The accompanying text (paras 4.13-4.23) should also be reviewed to bring the situation up-to-date and take account of any other consequential amendments.

Recommendation

- 4.19 **I RECOMMEND** that the Local Plan be modified by:
- (i) amending Table E1 to update the figures of existing completions and available sites, as set out in the Employment Topic Paper [CD111] or any more recently published information, and taking into account my recommendations in later sections of this chapter;
 - (ii) reviewing the text accompanying Policy E.1 to bring the situation up-to-date and take into account any consequential amendments arising from other changes and modifications to the Plan;
- but that no further modifications be made in response to these objections.

POLICY E.2: EMPLOYMENT LAND PROPOSALS

Objections First Deposit 245/012 – Kidderminster Civic Society; 481/016 – House Builders Federation; 564/001 – Thomas Vale Construction Ltd; 592/027 – West Midlands Region RSL Planning Consortium; 598/007 & 103 – George Wimpey UK Ltd; 615/002 – Sainsbury’s Supermarkets Ltd; 616/001 – Textron Automotive Ltd; 645/001 – Jarvie Bedhall Dixon; 656/001 – B & Q plc;.

Revised Deposit There are no general objections at the Revised Deposit stage.

Key issues

- Is Policy E.2 unduly restrictive and inflexible in restricting development to Class B uses, or should it allow other uses in employment areas, such as retail, leisure, housing or other employment generating uses, in exceptional circumstances or where there is no demonstrable harm;
- Should the Policy identify additional land for employment development to offset delays in sites becoming available and losses due to existing sites being

re-used for other purposes;

- Paras 4.24-4.27: Does the text give sufficient reasoning as to why the re-allocation of employment land for other uses will not be considered;
- Should Table E2 be updated to reflect the latest employment land availability position.

Main considerations and Inspector's conclusions

- 4.20 Policy E.2 permits development within Class B uses within areas allocated for employment uses, as shown on the Proposals Map, and on three specific sites. Various amendments to the Policy and the explanatory text have been made in the RDLP to update the position and respond to objections (*Change Nos. 033-036*). I deal with objections to the specific sites, along with other sites suggested by objectors, immediately after the general points raised in these objections.
- 4.21 The first main point, raised by several objectors, is whether Policy E.2 is too restrictive, by limiting uses within the defined employment areas solely to Class B1, B2 & B8 uses. Policy E.2 is essentially concerned with ensuring that sufficient land is available to meet the employment requirements of the WCSP. To ensure that existing employment land is not lost to other uses, the Policy safeguards such land for continued employment use, covering the full range of uses within Class B1, B2 & B8. The amendment in the RDLP (*Change No. 036*) confirms that motor trade uses, such as car showrooms, vehicle maintenance, repair and service centres, will also be allowed within the designated employment areas. This confirmation specifically addresses the points made by *Jarvie Bedhall Dixon*. It also seems a reasonable and practical approach, which helps to ensure an appropriate balance of land-uses, retain and provide job opportunities, and prevent the District from becoming a dormitory or commuter area. It is also important to recognise the regional dimension, with the emphasis in existing and emerging RPG [*CD51/52*] to focusing most development in the main towns and cities in the West Midlands conurbation, and the need to avoid excessive out-migration to more peripheral locations such as Wyre Forest.
- 4.22 In terms of possible other uses, national policy in PPG6 & PPG13 directs many forms of new development to town centres, or locations with good accessibility to a variety of modes of transport, particularly public transport. This would include retail development, commercial leisure uses and many forms of office development. *WFDC* confirms that, in general terms, there is no identifiable need for additional retail and leisure facilities outside the town centres and allocated sites. As I have said before, the Plan already makes sufficient provision to meet current housing requirements in the WCSP and there is no need to identify additional or alternative sites for this use. It is also important to avoid over-provision of housing land which could encourage out-migration from the conurbation and reduce the diversity and mix of uses in the main urban areas, which could undermine the strategic and regional development strategy. In saying this, I realise that there is some pressure in the District to redevelop large-scale business and employment sites for other purposes, such as retail, housing or commercial leisure uses. However, it is vital that the District retains an adequate supply of land readily available for employment purposes, in order to retain the balance of land-uses and maintain its economic base. Safeguarding existing employment land for these purposes is a good initial basis to achieving both economic and employment objectives.
- 4.23 I recognise that some of these other uses, such as retail and commercial leisure uses, generate employment. But this applies to many industries, including service industries and the construction industry. What Policy E.2 seems to be addressing is the need to retain sufficient land to provide employment within the business sector, including all activities within Classes B1, B2 & B8. Employment in other activities, such as retail or

commercial leisure, is covered by other policies in the Plan, and is also constrained by national policy in PPG6 & PPG13 regarding the sequential approach to site selection. To widen Policy E.2 to allow a wider range of employment-generating uses would circumvent these specific policies and be contrary to other land-use and planning principles. It could also undermine these other strategies and utilise sites which are important in maintaining a balanced economy.

- 4.24 *KCS* is concerned that sufficient employment land will not be available during the Plan period, which could discourage businesses being attracted to the District, especially since not all existing employment land may be available and other employment land is being lost when it is re-used for other purposes. However, the Plan makes more than sufficient provision to meet current employment requirements as set out in the WCSP, with a surplus of more than 15ha. Furthermore, the existing and proposed sites are in a variety of locations, with a range of sizes and quality. Although some former employment sites have been, are being, and may be redeveloped for other purposes, the Plan addresses this concern by identifying other key sites (such as the *former British Sugar factory*) for redevelopment for employment uses and safeguards land in the existing employment areas for this purpose. I am not aware that prospective businesses are being discouraged from locating in this District because of a lack of available employment land, and it therefore seems to me that *KCS*'s concerns are not justified or soundly-based.
- 4.25 Paragraphs 4.24-4.27 outline the importance of safeguarding land for employment purposes. Contrary to *Wimpey*'s assertion, *WFDC* has reviewed the suitability of existing employment allocations for continued employment use as part of the preparation of this Plan, in line with PPG3 (¶ 42) and WCSP Policy D.23. Indeed, some former employment sites have been re-allocated for mixed-use developments, particularly where they are close to town centres. *HBF* refers to the absence of any *Urban Housing Capacity Study*, but in view of the scale of committed housing sites, the availability of *previously developed land* within the main urban areas and the limited residual provision that needs to be made to meet current WCSP requirements, I agree that this is not a serious omission in terms of this Local Plan. *WFDC* maintains an accurate and ongoing monitoring system of residential land availability, and there seems to be no pressing need to identify additional or alternative housing sites to meet current requirements. To allow existing employment land to be re-allocated for housing where there is a surplus of employment land or no demand for an employment use of the site could result in a significant over-supply of housing, with the consequent strategic implications outlined earlier. In saying this, I particularly note the advice in PPG3 (¶ 30) which confirms that plans should only identify sufficient housing land to meet the agreed strategic planning requirements.
- 4.26 *WMRRSL* would like the Policy and accompanying text to allow former employment sites to be re-used for affordable housing. Policies H.10 & H.11 of the Plan specifically deal with the provision of affordable housing. The final clause of Policy H.2 does not permit any type of housing outside the specified locations and terms of that policy, apart from certain circumstances in rural areas and the Green Belt. Although I fully recognise the substantial forecast need for affordable housing found in the *Housing Needs Survey [CD88]*, the flexibility sought by *WMRRSL* could lead to a significant over-provision of housing compared with overall requirements, and a consequent substantial loss of employment land. This could put at risk the strategy of the Local Plan and could undermine strategic and regional strategy. The combination of housing close to existing industrial uses could also lead to amenity and environmental problems. Policy H.11 specifically provides a “rural exceptions” policy for rural areas, in line with PPG3. However, I consider it would be wholly inappropriate to extend such an approach to urban areas, particularly bearing in mind the competing demands for land and the need to maintain an overall balance of land uses. I also understand that affordable housing

schemes could come forward on *windfall* sites within areas covered by Policy E.2 (i)/(vi). Consequently, I do not consider that *WMRRSL*'s suggestion has any sound basis.

- 4.27 *Wimpey*'s objections principally relate to the employment allocation of land at *Clensmore Street, Kidderminster*, which I deal with later in this section of my report. They also suggest that *Lea Castle Hospital* and the full capacity of the *British Sugar factory* site should be included in Table E2. Most of these amendments are taken on board in *Topic Paper 2*. However, I cannot support the inclusion of the entire 25ha area of the former *British Sugar factory* site within the allocation, since only 12ha is proposed to come forward in the current Plan period. This suggestion would artificially boost the amount of employment land expected to come forward and significantly increase the current surplus of provision in terms of WCSP employment land requirements.
- 4.28 I therefore conclude that the safeguarding of existing employment land within the designated employment areas for Class B1, B2 & B8 uses is soundly based and provides an important element in the overall development strategy by helping to retain an overall balance of land uses and maintain a balanced economy. Consequently, I can see no reason to make any further amendments to Policy E.2 or the accompanying text in response to these objections. However, as indicated earlier, the explanatory text, including Table E2, should be updated in line with the information in *Topic Paper 2 [CD111]*. Furthermore, in the interests of clarity and consistency, and to confirm the status of various employment sites, those sites which are currently included within the category of "available land" in the schedule of *Employment Land Availability [CD93]*, but do not yet have any valid planning permission or are proposals of the current adopted Plan *[CD74]* should be included as firm *Employment Land Proposals* under Policy E.2.

Recommendation

- 4.29 ***I RECOMMEND*** that the Local Plan be modified by:
- (i) amending the explanatory text accompanying Policy E.2, including Table E2, in accordance with the updated information in Topic Paper 2 [CD111];
 - (ii) amending Policy E.2 to include as Proposed Employment Land those sites currently included as "available sites" in the latest schedule of Employment Land Availability [CD93], but which do not yet have planning permission, including previously allocated employment sites in the adopted Local Plan [CD74];
- but that no further modifications be made in response to these objections.

POLICY E.2: EMPLOYMENT LAND PROPOSALS

SITE-SPECIFIC OBJECTIONS

Land at the former British Sugar Factory, Stourport Road, Kidderminster

Objections First Deposit 125/004 – CPRE; 575/001 – St Modwen Devts Ltd; 635/001 – British Sugar plc.

Revised Deposit 136/118 – Worcestershire County Council (Environ Services); 635/100-102 – British Sugar plc.

Key issues

- Should this site be subject to a separate policy and explanatory text, as agreed between *WFDC & British Sugar plc*;
- Should the employment land allocation at this site be increased to 12ha within the current Plan period;
- Should the mix of appropriate uses be amended;
- Should the accompanying text refer to the possibility of a new road linking the A451 with the A442/A449;
- Should the accompanying text refer to *HSE*'s concerns about the nature and scale of proposed development, and delete the reference to the need to connect to the rail network for freight transport.

Main considerations and Inspector's conclusions

- 4.30 The former *British Sugar Factory site* lies to the south of Kidderminster town centre, fronting the A451 Stourport Road (which provides access) and the *Severn Valley Railway*. To the south is the industrial area along the Stourport Road corridor, and to the east, beyond a steep embankment, is the Staffs & Worcs Canal and River Stour. The site extends to some 29.5ha and is generally level. The western part contains various factory buildings for processing sugar beet, including two tall silos, a prominent local landmark. The eastern part of the site largely comprises settling pits, and at the southern end is a pavilion and sports ground. The site has been used for processing sugar beet since the 1920s, but production ceased in 2002 and it is now surplus to *British Sugar*'s requirements.
- 4.31 A further area of land to the east, between the River Stour and Wilden Lane, covering over 26ha and largely occupied by settling ponds, is also owned by *British Sugar*. However, it is not affected by the Plan's proposals or these objections, and *British Sugar* confirms that there is no dispute about this part of the site remaining within the Green Belt, covered in parts by Policies NC.1, NR.5, LA.4 & CA.1. I deal with *British Sugar*'s objection to the possibility of a new link road across this site under Policy TR.15 in the Transportation section of my report (see Chapter 10).
- 4.32 At First Deposit stage, the Plan did not include this site as an employment allocation, since it was thought that it would not be developed until the latter part of the Plan period. *British Sugar*'s original objection sought a mixed-use development on this site, identifying it as an *Area of Opportunity*. The RDLP identified about 24ha of land as a proposed employment site under Policy E.2, but with only 6ha allocated within the current Plan period. *British Sugar* sought the deletion of any limit to the size of development on the site, along with reference to a Park-and-Ride facility, outdoor sports provision and railfreight link, referring instead to commercial leisure uses compatible with a stadium, with a potential new road link between the A451/A442. Following consideration of the objector's evidence submitted to the inquiry, *WFDC* accepted that there was a justifiable case for increasing the first phase of the development to 12ha, subject to a Transport Assessment and SPG.

- 4.33 Subsequently, following discussions between *WFDC & British Sugar*, a new Policy E.2A has been suggested [*CD129*]. This encourages proposals for the redevelopment of the site for Class B1/B2/B8 uses, with phased release of land, retention of the sports ground and appraisal of the potential for a connection to the railway line for railfreight. The agreed explanatory text identifies an area of 12ha as the first phase of the development, subject to a Transport Assessment, including improvements to access off Stourport Road. It also confirms that the release of substantially more development land would be likely to require significant road improvements, and that the benefits of a new road link with the A442/A449 will be considered in the next review of the LTP and Local Plan, along with the possibility of a Park-and-Ride facility. A Development Brief will address phasing, infrastructure and other relevant aspects, including the suitability of the site for a new sports stadium. Both *WFDC & British Sugar* confirm their agreement to this new Policy and explanatory text, and ask for my endorsement.
- 4.34 I recognise that this is an important *brownfield* site, eminently suitable and well-placed for redevelopment for employment purposes. I also realise that, with a major site like this and given the costs and practicality of site clearance, there is a need for a “critical mass” to provide a viable and marketable scheme in order to stimulate and commence the redevelopment of this *flagship* site. In terms of current employment land supply and the requirements set out in the WCSP, there is no quantitative need to allocate this site, in part or whole, for employment purposes. However, WCSP Policy D.20 seeks to provide a balanced portfolio of employment land within each District in terms of size, location and quality of site. WCSP Policy D.22 allows the release of additional employment land where there are clear and justifiable reasons why a balanced portfolio cannot be achieved without additional land being released.
- 4.35 The release of additional land at this site would not only provide the stimulus to commence the redevelopment of this land, but also make a positive contribution to increasing and broadening the portfolio of employment land by providing a site of more than 10ha, equivalent to a sub-regional employment site. Most of the sites currently in the employment portfolio are 1ha or less in size and this would be the only site larger than 10ha. Consequently, I consider this allocation fully meets the criteria set out in WCSP Policy D.22 for the release of additional employment land. *WFDC* also confirms that it does not wish to frustrate or prevent the redevelopment of this site, especially given its prominent location, with the potential to provide employment in a relatively deprived area.
- 4.36 Having considered all the written evidence from *WFDC & British Sugar*, it seems to me that there is a sound case to increase the employment allocation at this key redevelopment site. I can therefore endorse the suggested new Policy and accompanying text. The earlier objections seeking a mixed-use development have been overtaken by events and are no longer relevant, particularly given the current housing land supply position and the fact that the Development Brief will consider other uses on the site, such as a sports stadium. However, in the interests of clarity and consistency, it would be helpful if the area of land expected to be released as a first phase of the development within the current Plan period is shown on the Proposals Map.
- 4.37 *WCC* is concerned about paragraphs 4.28A-C in the original RDLP, particularly the *HSE*’s views on the nature of any development proposals, including sports stadia, due to the proximity of a nearby chemical plant, and the fact that access for railfreight may not be available. *WFDC* explains that a reference to *HSE*’s concerns is not necessary, since Policies E.2/E.2A no longer refer to sports stadia. I understand that there is currently no specific proposal or identified need for a sports stadium on the site, but this possibility would be examined in a future review of the Local Plan. The site already falls within *HSE*’s consultation zone, and these concerns would be addressed when preparing the Development Brief. As *WFDC* says, the fact that the *Severn Valley Railway* is privately-

run does not necessarily preclude its use for freight or passenger traffic in connection with this site, particularly since the factory used to be served by this railway line in the past. Clause (iv) of the suggested Policy covers this aspect.

- 4.38 CPRE's objection (recorded under para 4.21 of the Plan) refers to the need for a new road linking the A451/A442 as part of any redevelopment proposals. However, at the inquiry, CPRE confirmed that the latest explanatory text went a long way towards meeting this objection. I deal with this matter in detail in the Transportation section of my report (see Chapter 10). In response to CPRE, PPG12 (¶ 5.17) advises that major road proposals should only be included in local plans if they are firm, with a reasonable degree of certainty of proceeding within the Plan period, and identified in the LTP. PPG13 (C4) also emphasises the need to explore the full range of alternative solutions, as reflected in WCSP Policy T.11 (¶ 7.56). This road scheme is not included in the current LTP as a safeguarded scheme and no detailed assessment of the route or any alternative solutions has been undertaken in terms of WCSP Policy T.11. Moreover, I note that the likely route passes through designated sites of nature conservation importance, along with the canal Conservation Area, and could have nature conservation, Green Belt, recreation and landscape implications.
- 4.39 Although significant road improvements might be required for the redevelopment of the entire British Sugar factory site, the first phase of development would be unlikely to require a new road link to the A449/A442. The agreed explanatory text confirms that the benefits of a new road link between the A451/A442/A449 will be considered in the next review of the Local Plan and LTP. In these circumstances, it would be premature and inappropriate for this Local Plan to include a firm commitment to the provision of such a new road link.
- 4.40 Consequently, I conclude that the agreed Policy E.2A and the accompanying text should be included in this Local Plan. As WFDC has confirmed, consequential amendments would also be needed to Table E2 of the Plan, increasing the employment allocation on this site to 12ha within the current Plan period, as well as amending paragraphs 4.28A&C of the RDLP. Policy E.2 also needs to be amended, by deleting the reference to *EMP.3 - Land at the former British Sugar Factory, Stourport Road, Kidderminster*, along with the reference to park-and-ride and outdoor sports facilities and stadia at this site. For consistency and clarity, the 12ha area of land expected to be released as a first phase of the development within the current Plan period should also be shown on the Proposals Map. These amendments would satisfactorily meet these objections.

Recommendation

- 4.41 ***I RECOMMEND*** that the Local Plan be modified by:
- (i) including a new Policy E.2A for the British Sugar factory site, encouraging the redevelopment of the site for Class B1, B2 & B8 uses, with phased release of land, retention of the sports ground and appraisal of the potential for a railfreight connection, along with explanatory text, as set out in the agreed statement [CD129];
 - (ii) amending Table E2 of the Plan to include an employment allocation of **12ha** at the British Sugar factory site within the current Plan period;
 - (iii) making consequential amendments to paragraphs 4.28A&C of the RDLP;
 - (iv) amending Policy E.2 by deleting the reference to *Land at the former British Sugar Factory, Stourport Road, Kidderminster*, along with the reference to park-and-ride and outdoor sports facilities and stadia at this site;
 - (v) designating the area of land to be released within the current Plan period as a first phase of the development on the Proposals Map;
- but that no further modifications be made in response to these objections.

**Greenhill Industrial Estate,
Kidderminster**

Objections First Deposit 153/001 – Mr L D Jones (Deansway Residents).

Revised Deposit There are no objections at the Revised Deposit stage.

Key issues

- Is the designation of *Greenhill Industrial Estate* under Policy E.2 incompatible and outdated, due to the proximity of existing residential areas, and should it be reallocated for new housing.

Main considerations and Inspector's conclusions

4.42 *Greenhill Industrial Estate* is a long-established industrial area lying on the eastern side of Kidderminster, between Birmingham Road (A456) & Hurcott Road. To the east and west, it adjoins residential areas, including the houses off The Deansway, Adams Court and Cairndhu Drive.

4.43 The objector is principally concerned about the amenity problems, especially noise, vibration and pollution, arising from current activities on the existing industrial estate, and argues that it should be redesignated for housing. However, although I am aware that some manufacturers, like Brintons, may have moved to other sites, this is a long-standing industrial estate with a variety of manufacturing, light industrial and warehouse uses. Its re-designation for housing would undoubtedly attract objections from the present occupiers, causing them blight and inconvenience. Relocation would not only be costly, but could also put some businesses at risk. *WFDC* acknowledges that there may have been some isolated problems in the past, but considers the existing industrial area is an important part of a balanced portfolio of sites.

4.44 National planning policy encourages mixed uses, and I am confident that other policies in the Local Plan, along with detailed development and environmental controls, will ensure that the amenities and quality of life of adjoining local residents do not suffer seriously as a result of continuing employment activities at this established industrial estate. I am also aware that the Local Plan makes sufficient provision for new housing to meet current WCSP requirements and there is no need to find additional or alternative housing sites. I therefore conclude that there is no case for redesignating this land for housing development and no amendments to the Plan are justified in response to this objection.

Recommendation

4.45 I RECOMMEND no modifications to the Local Plan in response to this objection.

Land at Offmore Farm, Kidderminster

Objections First Deposit 309/009 – Offmore Farm Partnership.

Revised Deposit There are no objections at the Revised Deposit stage.

Key issues

- Should this site be allocated for a business park development under Policy E.2.

Main considerations and Inspector’s conclusions

4.46 I deal with this objection as an omission to the Employment policies, at the end of this chapter of my report.

Land at Hurcott, Kidderminster

Objections First Deposit 421/005 – Hurcott (Jersey) Ltd.

Revised Deposit There are no objections at the Revised Deposit stage.

Key issues

- Should this site be allocated for employment purposes under Policy E.2, to meet any under-provision of high-quality employment land in an accessible and sustainable location.

Main considerations and Inspector’s conclusions

4.47 This objection site lies on the north-eastern fringe of Kidderminster, bounded by the A456 Birmingham Road, Hurcott Lane, Hurcott Road and Baldwin Road. Currently used for grazing and covering some 16.3ha, it is elevated land on the edge of the urban area, with a steep-sided valley feature running in an east-west direction across the site. I deal with associated objections suggesting that the site should be allocated for housing development, removed from the Green Belt or identified as an *Area of Development Restraint*, elsewhere in my report (see Chapters 3 & 7).

4.48 The objector points out that currently identified employment sites are generally within or adjoining traditional employment areas, which are not attractive to modern, high technology and business investors and occupiers, or are not easily accessible other than by car. However, the RDLP makes more than sufficient provision for employment land to meet current requirements as set out in the WCSP. A wide range of employment sites, with planning permission or proposed in this Plan, is set out in the latest schedule of *Employment Land Availability [CD93] & Topic Paper 2 [CD111]*. This includes not only sites within or adjoining Kidderminster and Stourport town centres, but also more peripheral sites, such as those at the *former British Sugar Factory, Folkes Foundry and Worcester Road (Hoo Farm)*. These, along with *Lea Castle Hospital*, would provide the type of high quality business environment sought by investors and occupiers, and those sites along the Kidderminster-Stourport corridor have relatively good accessibility by public transport.

4.49 In contrast, the land at Hurcott is a peripheral *greenfield* site which is not particularly accessible by public transport and lies beyond the urban area and outside any established employment area. More particularly, it is within the approved Green Belt, where PPG2 (¶ 2.6-2.7) confirms that Green Belt boundaries defined in earlier local plans should be altered only exceptionally. Consequently, in the absence of any pressing need to find additional or alternative sites to meet current employment requirements, and given the range and variety of employment sites already available and proposed, I can find no justification for allocating this land for employment purposes under Policy E.2.

Recommendation

4.50 I RECOMMEND no modifications to the Local Plan in response to this objection.

Land off Lisle Avenue, Kidderminster

Objections First Deposit 552/001 – R & D Aggregates Ltd.

Revised Deposit There are no objections at the Revised Deposit stage.

Key issues

- Should this objection site be included within the Policy E.2(i) Employment area designation.

Main considerations and Inspector’s conclusions

4.51 The site in question comprises an area of flat, undeveloped land lying at the end of Lisle Avenue/Beauchamp Avenue, bounded by industrial premises to the west, the Severn Valley Railway to the south, and the Staffs & Worcs Canal and River Stour to the east. I understand that the land has planning permission for industrial development (WF.82/98) granted in 1998, and that part of the site was formerly a refuse tip. WFDC confirms that, as *brownfield* land, this objection site is suitable for employment development and, in the RDLP, has incorporated most of it into the Policy E.2(i) designation (*Change No. 039*).

4.52 However, not all of the objection site is considered appropriate for development, bearing in mind the proximity of the escarpment adjoining the canal, the topography of the area and the need to screen any development on the site. The slightly reduced area of employment land would also help to safeguard and enhance the setting of the Staffs & Worcs Canal Conservation Area. Having seen the site from various vantage points, I conclude that the amended employment designation shown on the Revised Proposals Map in the RDLP would meet this objection and no further amendments are necessary.

Recommendation

4.53 I RECOMMEND no modifications to the Local Plan in response to this objection.

Clensmore Street, Kidderminster

Objections First Deposit 598/001 – George Wimpey UK Ltd

Revised Deposit

There are no objections at the Revised Deposit stage.

Key issues

- Should this site be allocated for a mixed-use development, including housing and employment uses, having regard to the current housing and employment land availability situation and the relative suitability and need for the site to be used for these purposes.

Main considerations and Inspector's conclusions

- 4.54 This objection site lies to the north of Kidderminster town centre, fronting Clensmore Street and bounded by the *Stoney Lane/Red Sands Industrial Estate* to the north-east and the Staffs & Worcs Canal to the north-west. Extending to some 4.6ha, it is occupied by four industrial buildings with a floorspace of almost 14,000 sq m, formerly occupied by *Georgian Carpets*. The surrounding area is a mix of employment and residential uses. The site is allocated for Class B1/B2/B8 employment uses in the adopted WFDLP [CD74], a designation carried forward into the RDLP.
- 4.55 *Wimpey* proposes a mixed-use redevelopment of the site, with a 1ha employment area to the north (with 4,000 sq m floorspace), and the balance used for housing, with about 120 dwellings. I deal with the general objections to the housing policies, along with specific affordable housing sites and the housing aspects of this proposal, in Chapter 3 and with those relating to general employment land supply and other employment sites elsewhere in this chapter of my report. Here I concentrate on the site-specific aspects of the objection in terms of the continued designation of the site for employment purposes.
- 4.56 In terms of current employment land provision, there is no quantitative deficiency of employment land in terms of meeting current WCSP requirements. Indeed, provision in the RDLP exceeds the WCSP requirement by over 15ha. Similarly, with the new allocations at *Lea Castle Hospital & former British Sugar Factory*, there is no qualitative deficiency in employment land provision, with a balanced portfolio providing a variety of sites in sustainable locations meeting most demands of the market. In its current state, this site does not contribute to employment land supply in terms of the WCSP unless it is redeveloped for employment purposes. As an existing site with industrial buildings, it is not included in *WFDC's Schedule of Employment Land Availability [CD93]* and is not subject to any detailed redevelopment proposals in the WFDLP. In terms of WCSP Policy D.21, both parties agree that there is no reasonable expectation that the whole site would be redeveloped for employment use within the current Plan period. On the other hand, the redevelopment of this site with 1ha of new employment development would make a positive contribution to WCSP employment land requirements.
- 4.57 In addition to the new and existing employment sites in this Plan, there are several sites identified in Kidderminster and Stourport town centres for mixed-use developments, which could include offices, industrial and other employment uses, contributing to employment land provision. There is also the possibility of extending some existing and proposed employment sites, such as the *former British Sugar Factory*. However, as *WFDC* says, with reduced take-up rates, it is unlikely that all the land included in the *Schedule of Employment Land Availability [CD93]* would be taken up within the current Plan period. Added to this is the considerable stock of existing vacant industrial and office buildings which are available for business and employment purposes, amounting to over 80,000 m². However, such premises do not directly contribute to the provision of new employment land in terms of WCSP requirements.
- 4.58 In the past, I recognise that there has been a lower than expected take-up of employment land in this District, achieving an average of only 2.1ha/annum compared with 3ha/annum

- envisaged in the WCSP. Further provision of employment development would tend to exacerbate the present over-supply of employment land. Furthermore, the unemployment rate within this District, although over 6% in 1996, is now comparatively low at only 2.8%. In terms of the economy of this District, there is a need to secure diversification by attracting modern forms of employment that are currently under-represented rather than retaining outdated industrial buildings. Consequently, the loss of this site would have little impact on the employment strategy or the supply of employment land in this District.
- 4.59 Turning to the suitability of this site and buildings for continued employment use, it lies within a long-established industrial area of Kidderminster, with other industrial uses to the north-east and south. I recognise that the existing buildings are somewhat utilitarian, but they are not uncharacteristic, obsolete or outdated for use by traditional industry and employment, and could readily be reoccupied or refurbished. I understand that parts of the site suffer a degree of contamination, which redevelopment could overcome, but this is not unusual and does not represent a serious obstacle to the re-use of the existing buildings or the site. The site lacks direct access to the primary road network, but is not far from the main Ring Road and the signal-controlled junction at the A451 Horsefair. At the inquiry, there was some discussion about highway access and safety, particularly the tight bends and circuitous route to the premises. However, a more direct route is available via Broad Street, which does not rule out safe access by commercial vehicles, particularly bearing in mind that this site has been used for industrial purposes for many years.
- 4.60 In commercial terms, I recognise that the existing premises are in a secondary location and may not be suited to modern business use, but they are not so outdated as to make re-occupation a non-starter. In addition, *Wimpey's* own evidence suggests that the site has limited potential for employment redevelopment. At the inquiry, there was some debate about the marketing of the site. It was agreed that this was a bona-fide, thorough and extensive marketing operation, which had resulted in no strong interest or firm offers. However, I consider the previous marketing of the site should be viewed with some caution. Firstly, the price sought was relatively high compared with local land values, especially given the possible problems of contamination, access and condition of the buildings. Secondly, the period of active marketing, over a 7-month period in two tranches of 3-4 months, was relatively limited and it is by no means certain that a longer period of active marketing would not have produced results. Thirdly, the marketing details included a somewhat onerous claw-back condition on alternative uses which left little room for negotiation. It suggested the possibility of higher land values, including residential rather than employment development, with the emphasis on redevelopment rather than re-occupation, involving considerable site clearance and decontamination, and acting as a disincentive to prospective occupiers.
- 4.61 I recognise that there was every opportunity for businesses and developers to express an interest in the site. Indeed, the details submitted to the inquiry show several inquiries for the site, some of whom were specifically interested in the Clensmore Street location. I cannot therefore reach a firm conclusion that there is no interest or demand for this site to be used for employment purposes. I fully recognise that, in its current unused condition, the site makes no contribution to the economy or employment in this District. However, as a valuable asset, it is by no means certain that it would remain unused or become derelict in the short-medium term. As part of the existing stock of industrial land and buildings, the site clearly has the potential to make a positive contribution to the local economy.
- 4.62 Furthermore, in order to reflect the underlying objectives of the WCSP & WFDLP and secure the employment base of the District, it is important to maintain a balance in the provision of new housing and employment development, in line with PPG3 (¶ 49-51), PPG13 (¶ 30) & WCSP Policy SD.5. Safeguarding existing employment land for

continued employment use helps to ensure that land and buildings are readily available for existing and incoming businesses, particularly those who prefer to reoccupy existing buildings rather than build new premises. It also helps to avoid increased out-commuting to jobs outside the District, which, given the proximity of *Hartlebury Trading Estate*, is currently significant. Moreover, it is particularly important to retain existing employment land given the recent changes in the industrial landscape in Kidderminster, with the closure of several major carpet and other factories. Nowhere is this more evident than north of the town centre, with the redevelopment to provide *Crossley Retail Park* and the new houses alongside the river north of this objection site.

- 4.63 Both the WCSP and existing and emerging regional planning guidance, along with PPG4, emphasise the need to safeguard land for industry and employment purposes and ensure provision of adequate land to meet modern business needs, to ensure a balanced economy and ready availability of sites. On its own, the loss of 3.6ha of existing employment land might not seem significant, but in the context of previous substantial losses of industrial land in Kidderminster, it further reduces the amount of readily available employment land and buildings and tips the balance of land uses in favour of residential development. This could have consequent implications for in-migration and commuting, and begin to undermine the regional and local strategy for employment and housing development in this District. In saying this, I note that *WFDC* has experienced pressures from landowners seeking to redevelop existing industrial land for residential purposes. I also recognise the consequences of a disparity in residential and employment land values and the pressures to relocate or remove existing businesses from sites near the town centre.
- 4.64 I therefore conclude that there is no sound case on planning grounds, in terms of employment land supply and the need to retain this site for continued employment use to justify its allocation for a mixed-use redevelopment scheme with a significant element of new housing. In view of my earlier conclusions that there is no overriding need to find alternative or additional housing land and the implications for non-conformity with the WCSP, I consider it is wholly appropriate for this land to be safeguarded for employment purposes under Policy E.2. Consequently, no amendments are required to the Policy or the Proposals Map in response to this aspect of *Wimpey's* objection.

Recommendation

4.65 I RECOMMEND no modifications to the Local Plan in response to this objection.

Land at Park Lane, Kidderminster

Objections First Deposit 554/005 – M J R Body Repairs

Revised Deposit There are no objections at the Revised Deposit stage.

Key issues

- Should this objection site be allocated as a proposed housing site under Policy H.2, rather than within an Employment Policy Area under Policy E.2.

Main considerations and Inspector's conclusions

- 4.66 The site in question lies on the corner of Park Lane, just north of *The Watermill (PH)* car park and alongside Round Hill, west of the main ring road and Kidderminster town centre. It is currently occupied by a group of small-scale industrial units and extends to about

0.35ha. I have already dealt with the question of allocating this site for housing, along with the points about *windfall* sites and the site originally proposed for housing at *Lea Castle Hospital*, earlier in my report (see Chapter 3).

4.67 Although the existing industrial units are somewhat utilitarian, they are perfectly appropriate for the types of uses currently occupying them, providing valuable “starter units” for seed-bed local enterprise, as well as contributing to the overall mix and balance of uses in this part of the town. This reflects national advice in PPG1 (¶ 8) & PPG13 (¶ 30). Moreover, although the site adjoins a public house car park, I cannot see that there is any conflict between adjoining land uses. As I have found earlier, the RDLP makes sufficient provision to meet current WCSP housing requirements in sustainable locations close to the main town centres, and there is no need to find any additional or alternative sites. Consequently, I conclude that the allocation of this objection site within the Employment Policy Area under Policy E.2 is soundly based.

Recommendation

4.68 **I RECOMMEND no modifications to the Local Plan in response to this objection.**

Folkes Forge, Stourport Road, Kidderminster

Objections First Deposit 652/001 – Miss T J Rowbottom

Revised Deposit There are no objections at the Revised Deposit stage.

Key issues

- Should the Plan specify that access to this employment site should be via existing traffic-light controlled junctions rather than the existing access.

Main considerations and Inspector’s conclusions

4.69 The former *Folkes Forge* lies on the eastern side of Stourport Road within an area of similar industrial and employment uses. Currently vacant, the site comprises a former foundry and associated buildings, with access directly off the main Stourport Road (A451). A short distance to the north and south are traffic-light controlled junctions giving access to the *Foley Business Park* and *Firs Industrial Estate*. The objector argues that any redevelopment of the *Folkes Forge* site should utilise these road junctions rather than using the original entrance and exit to the site.

4.70 Having seen this site, I share some of this objector’s concerns, particularly in view of the busy nature of this road and the presence of relatively new signalled junctions a short distance away, with spur roads providing potential new access points to this objection site. However, *WFDC* confirms that *WCC*, as Highway Authority, has no objections to the principle of this employment proposal. I also understand that a recent planning application for the redevelopment of this site for Class B1, B2 & B8 uses proposes a new access road off the main Stourport Road, to which the Highway Authority has raised no objections. I am confident that *WFDC*, along with the Highway Authority, will ensure

that traffic and access considerations are carefully considered when detailed development proposals are put forward for this site. It therefore seems to me that these matters are best dealt with as part of the development control process, rather than being stipulated in the Local Plan. Consequently, I conclude that no amendments are needed to the Plan in response to this objection.

Recommendation

4.71 I RECOMMEND no modifications to the Local Plan in response to this objection.

Stourport Road, Kidderminster

Objections First Deposit 629/001 – KPMG/Platts Forge Ltd

Revised Deposit There are no objections at the Revised Deposit stage.

Key issues

- Should the extent of land designated under Policy E.2(i) also include the existing car park to the north of the factory buildings.

Main considerations and Inspector’s conclusions

4.72 The land in question comprises a surfaced car park immediately adjoining the existing factory buildings on the eastern side of Stourport Road. In the First Deposit version of the Plan, this land was included within the *Oldington Woods* urban open space designation under Policy LR.1. WFDC accepts that the car park is incompatible with this open space designation and has now included this part of the site within the Policy E.2(i) Employment area (*Change No. 143*). This reallocation will help to offset the likely loss of potential employment development on the adjacent woodland to the east, now protected by a recent TPO. It therefore seems to me that this change has fully met this objection and no further amendments are necessary.

Recommendation

4.73 I RECOMMEND no modifications to the Local Plan in response to this objection.

**Land adjoining Railway south of Kidderminster
and Land east of Worcester Road, Kidderminster**

Objections First Deposit 597/009 – Railtrack plc (in Railway Administration).

Revised Deposit There are no objections at the Revised Deposit stage.

Key issues

- Should the Plan refer to the operational needs of the railway in relation to these employment allocations.

Main considerations and Inspector’s conclusions

- 4.74 *Railtrack* supports the allocation of these sites for Class B1, B2 & B8 employment uses, but is concerned that any development should not prejudice the general operation and smooth, safe and efficient running of the railway, and asks for the Plan to refer to *Railtrack’s* guidelines, including appropriate fencing. These sites encompass an existing employment area (*Spennells Trading Estate/Mill Lane*) for which there are no new proposals, and a new *greenfield* employment site to the east of Worcester Road, opposite *Hoo Farm Industrial Estate*.
- 4.75 In the RDLP, paragraph 4.28C confirms that proposals in employment areas adjacent to railway lines, including site EMP.2 (*East of Worcester Road, Kidderminster*), should not *adversely affect the general operation, safety or efficiency of the railway* (Change No. 034). However, paragraph 4.28C is to be revised, as a result of consequential amendments arising from the agreed revised position on Site EMP.3 (*Former British Sugar Factory, Stourport Road, Kidderminster*) (see above). In the re-drafting of this section of the Plan, it is important that the amended text of this paragraph continues to refer to employment areas adjacent to railways, including Site EMP.2, and confirms that proposals should not prejudice the operational needs of the railway or adversely affect the general operation, safety and efficiency of the railway. Subject to this proviso, I consider *Railtrack’s* concerns would be met.

Recommendation

4.76 **I RECOMMEND** that the Local Plan be modified by ensuring that revised paragraph 4.28C refers to proposals in employment areas which lie adjacent to railways, including Site EMP.2, and confirms that proposals should not prejudice the operational needs of the railway or adversely affect the general operation, safety and efficiency of the railway.

Baldwin Road, Stourport-on-Severn

Objections First Deposit 633/002 – Dunard Ltd

Revised Deposit There are no objections at the Revised Deposit stage.

Key issues

- Should this site be allocated for mixed-uses or residential use, rather than mainly for employment purposes.

Main considerations and Inspector’s conclusions

- 4.77 This objection site lies on the southern side of Baldwin Road, east of Stourport town centre, adjoining industrial and residential uses. It covers almost 2ha of land, mainly comprising two industrial buildings and a car park. As in the adopted Local Plan [CD74], the WFDLP Proposals Map allocates the northern 0.32ha for residential uses and the remaining 1.6ha for employment uses under Policy E.2. *Dunard* considers the whole site should be allocated for residential or mixed uses.
- 4.78 I have already dealt with the suitability of this site for employment purposes and the question of re-allocating it for residential or mixed uses under Policy H.2 (see Chapter 3 of my report). Here I conclude that it is wholly appropriate to retain the designation of this

site, with one-third for residential use and two-thirds for employment uses. Consequently, no amendments to Policy E.2 are needed to the Plan in response to this objection.

Recommendation

4.79 I RECOMMEND no modifications to the Local Plan in response to this objection.

Land off Barracks Road, Stourport-on-Severn

Objections First Deposit 182/001 – Mr F J Yardley; 630/001 – Ernst & Young.

Revised Deposit There are no objections at the Revised Deposit stage.

Key issues

- Should this land be included within the Policy E.2(i) allocation.

Main considerations and Inspector's conclusions

- 4.80 This objection site lies to the south of the *Sandy Lane Industrial Estate*, at the rear of the industrial units fronting Barracks Road and extending to Nelson Road behind a warehouse fronting the River Severn. It is level and low-lying and mainly comprises an unused field. The land is also subject to an objection seeking an amendment to the flood risk boundary under Policy NR.5, which I deal with later in my report (see Chapter 6).
- 4.81 I understand that the northern 2.41ha of this land was allocated for employment in the adopted Local Plan [CD74] and shown as such on the Proposals Map. However, in the First Deposit version of the WFDLP [CD77], the entire site was included within a coarse flood outline area. In the RDLP, this was replaced by updated information from the *Environment Agency (EA)*, based on the well-documented 1947 flood level that approximates to the 1:100 year flood level, which reduced the area liable to flood (*Change No. 065*). This encompasses most of this objection site, but leaves a small part at the end of Barracks Road outside the area of flood risk. *EA* objects to the continued allocation of the land for employment purposes because it lies behind berm lines agreed in the 1970s which no longer conform to the latest national advice in PPG25. *EA* confirms that the extent of developable land should be restricted to that beyond the indicative flood line.
- 4.82 However, *WFDC* has excluded all of the land from the employment designation, because a significant part has been subject to recent flooding, as shown in photographs. The remaining land is subject to constraints, including underground pipelines, possible access difficulties and the need for planting and landscaping. *WFDC* also considers that this is a *greenfield* site which would intrude into the valley of the Tilton Brook and adversely affect the character of the area. I also understand that some tipping has taken place on the land, but it has begun to blend in with the surrounding landscape. Notwithstanding these considerations and constraints, I consider that *WFDC* has taken an unduly restrictive approach. It is apparent that the northern part of the site lies beyond the flood risk area, is available for development and would be unlikely to attract an objection from *EA*.
- 4.83 I recognise that planning policy changes over time. National and WCSP policy now focuses most new development on *previously developed land* and PPG25 advocates a precautionary approach to sites in or near flood plains. I also realise that this is a *greenfield* site, and that other employment sites are allocated closer to Stourport town centre as part of redevelopment and regeneration proposals. However, the development of the northern part of this site would represent a logical rounding-off of the *Sandy Lane*

Industrial Estate, without representing an isolated extension into the countryside or adversely affecting the landscape character of the area. I understand that at least part of this objection site has had outline planning permission for employment development in the past and only the southern part is subject to flood risk. I therefore conclude that the employment designation of the northern part of the land, outside the current flood risk boundary, should be reinstated, as one of the employment allocations in the Plan. Its area would be somewhat less than that previously allocated in the adopted Local Plan, but probably less than 2ha of land. However, before finally making this allocation, WFDC should confirm that the extent of the proposed employment allocation is agreed by EA.

- 4.84 I have also borne in mind the more detailed assessment carried out on behalf of *Ernst & Young*, which suggests a greater area of development land could be provided as a result of further mitigation measures. Although a general assessment may probably be sufficient to determine the principle of allocating land for development, the translation of that principle into actual development would require a much more detailed assessment to ensure that any risks are minimised by appropriate mitigation measures. The level of detail provided with the objection does not, in my view, demonstrate conclusively that more developable land might be available on this site. These detailed matters would need to be considered carefully at the planning application stage, particularly having regard to the precautionary principle and sequential approach established in PPG25 (¶ 27-30). In terms of the Local Plan, I conclude that only that land which is beyond the definitive flood risk line should be allocated and proposed for employment development.
- 4.85 I therefore conclude that Policy E.2 should be amended, to include an allocation for employment development (Class B1, B2 & B8 uses) on land off Barracks Road, Stourport, limited to the area of the site outside the currently defined flood risk boundary. The Proposals Map, paragraph 4.17(ii) and Table E2 of the Plan, and the overall employment land provision figures should also be consequently amended.

Recommendation

- 4.86 **I RECOMMEND** that, *subject to confirmation by the Environment Agency, the Local Plan be modified by:*
- (i) *amending Policy E.2 to include an allocation for employment development (Class B1, B2 & B8 uses) on land off Barracks Road, Stourport, limited to the northern area of the site beyond the flood plain as defined under Policy NR.5 on the Proposals Map of the Revised Deposit Local Plan;*
- (ii) *amending the Proposals Map, paragraph 4.17(ii), Table E2 and the overall employment land provision of the Local Plan accordingly.*

Land at Worcester Road, Stourport-on-Severn

Objections First Deposit 565/001 – Thomas Vale Construction Ltd; 644/001 – Mr S Trickett;
653/001 – M J Kitchen.

Revised Deposit 565/100 – Thomas Vale Construction Ltd.

Key issues

- Should land fronting Worcester Road, Stourport be allocated for mixed-uses under Policy E.5, or for housing under Policy H.2.

Main considerations and Inspector’s conclusions

- 4.87 These objections essentially cover three areas of land fronting Worcester Road, north of the new houses in Pinta Drive. Firstly, the *Old Anchor* public house (now an IT training centre) fronting the main road; secondly, its sunken garden to the rear; and thirdly, a storage yard adjoining the houses in Pinta Drive. In the original objection, *Thomas Vale* sought to allocate the land along the Worcester Road frontage from Santa Maria Way to the A4025/B4193 junction for housing. In response, *WFDC* amended the designation of this land from employment to mixed-uses (*Change No. 038*), but retained the Policy E.2 designation for the land to the rear. In response, *Thomas Vale* suggests that this land should be designated for mixed uses under Policy E.5 to enable it to be developed for housing. *Mr Kitchen & Mr Trickett* also consider the land to the rear of the former public house and the storage yard should be allocated for housing purposes.
- 4.88 As I saw on my visit, there is no predominant land use along this part of the frontage to Worcester Road. It includes both residential and office uses, along with the IT Training Centre (which I understand has a temporary permission), representing a compatible mix of uses for which Policy E.5 is a wholly appropriate designation. This would enable the buildings or sites to be used for residential purposes and, consequently, *Change No. 038* essentially meets this element of these objections. The rear garden of the former public house is sunken and does not appear to be used much at present. *WFDC* agrees that this parcel of land does not relate well to the wider employment allocation under Policy E.2 and is happy to include this land within the Policy E.5 mixed-uses allocation. Having seen the site and noted its close physical relationship with the former public house, I share this view and recommend that the designation on the Proposals Map be amended accordingly.
- 4.89 The remainder of the land comprises a surfaced area with storage containers, accessed from within the *Thomas Vale* site. It directly adjoins a new office building and parking areas, and backs onto the landscaped space alongside the River Stour. In my view, because of its close relationship with the adjoining business area and its current use, this land is more appropriately incorporated within the Policy E.2 designation which applies to the rest of the *Thomas Vale* site. I understand that the site has been marketed for industrial development in the past, with little interest, and has groundworks problems. However, the recent construction of the adjoining new offices for an electronics company tends to confirm that this part of the site is both suitable and viable for employment uses and does not need the additional flexibility provided by Policy E.5.
- 4.90 I recognise that this part of the site backs on to the rear gardens of the houses in Pinta Drive, but the safeguards of Policy D.1(j) should ensure that residential amenity is protected. Business uses within Class B1, allowed under Policies E.1 & E.5, would not necessarily be inappropriate on this part of the site, since under the *Use Classes Order*, such uses are limited to those which can be carried out in any residential area without any detriment. I also consider it is important to safeguard existing employment land for these purposes, in order to ensure a satisfactory overall balance of land uses, provide job opportunities and ensure that land is available for business purposes in the future. As I have said before, there is sufficient housing land already committed or allocated to ensure that current housing requirements are met without needing to allocate additional or alternative sites such as this.
- 4.91 Consequently, I conclude that the rear part of the site is appropriately designated within the Policy E.2 employment area. Apart from amending the designation of the rear garden of the former public house from employment uses under Policy E.2 to mixed uses under Policy E.5, I consider no further amendments are needed in response to these objections.

Recommendation

4.92 **I RECOMMEND** that the Local Plan be modified by amending the designation on the Proposals Map of the rear garden of the former public house fronting Worcester Road from employment uses under Policy E.2 to mixed uses under Policy E.5, but that no further modifications be made in response to these objections.

Land at Stanklyn Lane, Stone (2 sites)

Objections First Deposit 640/001 – Trustees of D R Woodward; 659/001 – Trustees of G R Woodward

Revised Deposit There are no objections at the Revised Deposit stage.

Key issues

- Should these sites be removed from the Green Belt and allocated for employment uses under Policy E.2, rather than the proposal at Lea Castle Hospital.

Main considerations and Inspector's conclusions

- 4.93 These objection sites lie on the south-eastern fringe of Kidderminster, between the *Spennells* housing area and Stanklyn Lane. The eastern site lies towards the eastern end of Stanklyn Lane and is bounded by on three sides by agricultural land, with a public footpath running along the eastern boundary. The other site lies closer to the western end of Stanklyn Lane, bounded by the railway to the west, existing houses to the south and agricultural land to the east and south-east. Both sites lie in the approved Green Belt, and I deal with the question of removing them from the Green Belt later in my report (see Chapter 7).
- 4.94 The fact that these sites lie in the Green Belt is a major disadvantage to development. PPG2 (¶ 2.6-2.7) confirms that Green Belt boundaries defined in earlier local plans should only be altered in exceptional circumstances. But notwithstanding this constraint, I cannot see that these sites are in a more sustainable location than sites such as *Lea Castle Hospital* (which I deal with later in my report). Although these objection sites adjoin the existing urban area, they are not directly accessible by public transport and, apart from the existing public footpaths, there are no direct links between the existing housing area and these sites. They are also open undeveloped sites, in current use for agriculture, within the rural area south of Kidderminster.
- 4.95 In contrast, *Lea Castle Hospital* is not a *greenfield* site, but contains a variety of long-established buildings and has been identified as a *Major Developed Site in the Green Belt* in terms of PPG2 (Annex C) and Policy GB.4 in the Local Plan. That site is also adjacent to main road corridors (A449/A451), is capable of being served by an improved bus service and links into the network of cycle routes. None of these advantages apply to these objection sites. I also understand that, unlike *Lea Castle Hospital*, these sites contain Grade 2/3A farmland and comprise some of the *best and most versatile agricultural land* in the District. Consequently, development would be contrary to WCSP Policy CTC.7 and national policy in PPG7. Furthermore, the current limits of the built-up area are marked by a distinct ridge line along the northern boundary of these sites, and development to the south would breach this landscape feature.
- 4.96 The RDLP makes more than sufficient provision to meet current employment land requirements of the WCSP, in a variety of locations, including both town centre sites and

more peripheral employment areas. Moreover, as *greenfield* sites in the approved Green Belt, their allocation under Policy E.2 would extend urban development and encroach into the open countryside, as well as undermining the Plan’s emphasis on urban regeneration and the re-use of *previously developed land* in the main urban areas for employment. The objector provides little evidence in support of an employment allocation, and in the absence of any pressing need to identify additional or alternative employment sites to meet current needs and given the availability of other *brownfield* sites for employment use, I conclude that there is no justification to allocate these sites for this purpose.

Recommendation

4.97 I RECOMMEND no modifications to the Local Plan in response to these objections.

POLICY E.3: LEA CASTLE HOSPITAL

Objections First Deposit 57/001 – Wolverley & Cookley PC; 309/002 – Offmore Farm Partnership; 496/002 – Mr N Sadler; 531/001 – Mr & Mrs J Maver; 533/001 – Ms P Howell; 544/002 – Mr S Blick; 548/001 – Mr S Watts; 555/001 – Ms L Blakemore; 640/002 – Trustees of D R Woodward; 659/002 – Trustees of G R Woodward.

Revised Deposit 423/101 – NHS Estates; 555/100 – Ms L Blakemore.

Key issues

- Should the Plan allow part of this site to be redeveloped for employment purposes, having regard to its Green Belt status, the employment land supply situation, sustainability, and the implications for wildlife, traffic, access, and residents’ amenity.

Main considerations and Inspector’s conclusions

4.98 *Lea Castle Hospital* lies north-east of Kidderminster and south-east of Cookley, between the A449 Wolverhampton Road and the A451 Stourbridge Road. It extends to over 80ha, with an operational area of 26ha and about 25,000 sq m of buildings with a floorspace of 29,000 sq m, set within landscaped grounds, well screened from the surrounding farmland by extensive tree belts. Since the late 1950s, the site has been developed and used for a variety of NHS uses. At one time, it was a substantial hospital, with residential, day-care and outpatient facilities for those with learning difficulties, along with a paediatric disability assessment centre. However, in 1992, the Regional Health Authority confirmed that some rationalisation of health-care facilities was likely. In recent years, many of these activities have been relocated and consolidated, leading to a large part of the site becoming surplus to requirements.

4.99 In the adopted Local Plan [CD74], the site is subject to Policy HS.2, which confirms that any proposals for re-use or redevelopment will be considered in the light of PPG2 (Annex C). In the emerging Local Plan, the site is specifically identified as a *Major Developed Site in the Green Belt*, subject to Policy GB.4. At First Deposit stage, it was identified for both housing (80 dwellings) and employment purposes, but in response to objections from WCC and local residents, the housing element was deleted. At this stage, WCC also objected to the employment element on the basis that it had not been justified in terms of WCSP Policies SD.4, SD.7 & T.1. However, additional justification is now included in the RDLP (¶ 4.30A - *Change No. 040*) which meets WCC’s concerns. I deal with

objections to the housing and Green Belt elements of this site elsewhere in my report (see Chapters 3 & 7), and I have dealt with the alternative sites suggested by other objectors earlier in this section of my report, under Policy E.2.

- 4.100 In terms of overall employment land provision, this site is not needed solely to meet current quantitative requirements of the WCSP, since other sites are available and proposed, including *previously developed land* in the main urban areas. Indeed, WFDC is actively pursuing policies to recycle *brownfield* land in these areas, such as the *former British Sugar factory* and *Folkes Foundry*. The RDLP (¶ 4.31) confirms that the main reason for allocating this site is to provide *an opportunity for low density redevelopment with the potential to create a prestigious high quality employment development...making ...a positive contribution to a balanced portfolio of sites*. The allocation at *Lea Castle Hospital* is essentially needed to enhance the portfolio of employment land in qualitative terms, by providing a site within an attractive environment to attract new businesses, especially those in the high technology sector, which are currently under-represented in the District. WCSP Policy D.22 allows additional releases of employment land where a balanced portfolio is needed.
- 4.101 It is also important to recognise that the scale and location of any redevelopment on this site is constrained by the criteria in Policy GB.4. Any redevelopment proposals should have no more impact on the openness and purposes of the Green Belt than the existing development; should contribute to the objectives of Green Belt land; should not exceed the height of the existing buildings; and should not occupy a larger area than the footprint of the existing buildings, unless this would reduce the height and benefit visual amenity. I realise that it might result in a more intensive form of development than exists at present, but in the past, this site has been used for a variety of more intensive health-care and associated activities. Furthermore, the area earmarked for possible redevelopment for employment purposes is well contained within the lower southern part of the site, restricted to a 6ha area within the footprint of the existing buildings, with a site coverage ratio of 26%. This would help to minimise the impact of any redevelopment on the wider Green Belt and remove the risk of setting any precedent for further development.
- 4.102 The site is also well screened by peripheral tree belts, and additional woodland planting could take place to limit the visual impact of any redevelopment. I understand that some of the existing disused buildings on the periphery of the site would be demolished, with the land returned to parkland and landscaping. Any redevelopment for employment purposes would be restricted to Class B1 uses, with preference given to high-technology business employment, including research and development and office campus-type uses, rather than manufacturing or traditional industrial activities. Details of any redevelopment would be subject to a detailed development brief, with control over the nature of the uses and the extent of development, in accordance with PPG2 (Annex C4).
- 4.103 It seems to me that the redevelopment proposals for this site envisage a specific form of employment development, for which no other sites are available or have been identified within the District. Moreover, although the site lies beyond the existing urban area in the Green Belt, it does constitute *previously developed land*, and has been identified as a *Major Developed Site in the Green Belt* under PPG2 (Annex C) and Policy GB.4, as being appropriate for redevelopment. Bearing in mind the need to avoid the site becoming derelict and in the absence of any *NHS* requirements to use the land and buildings for health-care purposes, I consider there is a strong case to recognise its potential and identify the opportunity to redevelop part of the site for specific employment purposes.
- 4.104 As I found when considering the previous housing element of this proposal (see Chapter 3 of my report), there is some concern about the suitability of *Lea Castle Hospital* for redevelopment in terms of sustainability, particularly access to public transport and other

- facilities. I understand that the Highways Agency was originally concerned about the sustainability of the housing element of the proposal, and WCC confirms that improved public transport links and a robust Travel Plan would be essential for this employment proposal to be acceptable. The site does not lie within any existing urban area, but is not far from Kidderminster and Cookley. I also understand that existing bus services could be improved and diverted into the site, and employment development does not necessarily require the full range of services and facilities required by housing.
- 4.105 More particularly, any redevelopment proposals would be subject to a Transport Assessment, along with a Travel Plan, under Policies T19 & T.20, specifying measures to improve accessibility by all modes of transport, as confirmed in the RDLP (¶ 4.30A). Neither the Highways Agency nor DTp object to an employment allocation on this site, subject to these provisions and provided that the impact on the existing highway network is assessed under Policy T.9 of the Plan. Improved pedestrian and cycle routes could also be provided within and to and from the site. Moreover, in locational terms, any disadvantages have to be balanced against the high quality environment and setting of the site, and the fact that it has been used for a variety of health-care and associated activities for many years, employing up to 500 people and with some 600 patients.
- 4.106 W&CPC and local residents are particularly concerned about the impact of any redevelopment on existing wildlife and trees. I recognise that the site has diverse and abundant wildlife, but it is has not been identified as having any special wildlife importance. Any redevelopment proposals would be subject to an ecological appraisal under Policy NC.7, and other policies in the Plan would protect existing woodland, footpaths and ecological interests. No loss of existing woodland is envisaged, and a minimal number of trees are likely to be directly affected. Redevelopment would not extend the existing area of buildings or impinge on the surrounding parkland and woodland, and further woodland could be planted as part of any redevelopment proposals, benefiting wildlife. I also understand that there are no objections to the employment element of the proposal from *English Nature*, *WWT* or *WNCT*.
- 4.107 Local residents are also concerned about the traffic and access implications of any redevelopment proposals. Existing access is available from Park Gate Road (B4189) and from the A449, via The Crescent. The former access has served the site satisfactorily for many years, when the site was more intensively used for health-care facilities. The Plan envisages all access being off the B4189, along with any necessary improvements to the internal access roads and junctions with the B4189, A449 & A451. Through traffic, using both entrances, is not envisaged, apart from possibly buses and emergency vehicles, and practical measures are available to prevent this occurring. Detailed access arrangements would be addressed in the development brief. In this context, it is relevant to note that current traffic generation is much less than occurred in the heyday of the site, due to a running down of existing healthcare and support services, including the laundry.
- 4.108 There is also concern about the impact on the amenity of residents living in The Crescent, along with patients and others involved in the remaining health-care and educational facilities on the site. I realise that the character of the site may change, from low-key health-care facilities to offices and high-tech business uses. However, in the past, this was a busy site with plenty of activity from the health-care and associated facilities. Any redevelopment would be restricted to Class B1 uses (ie. those uses able to operate within a residential area), without causing unacceptable noise and pollution or harming residential amenity. I recognise that, at present, the site is secluded and quiet, with residents and patients benefiting from this pleasant parkland setting. However, any redevelopment would be restricted to a specific area of the site, and I cannot see that this would necessarily be incompatible with the retention of the *Alexander Patterson School* and

remaining health facilities. Nor would it necessarily curtail residents from roaming around the site or interfere with their rehabilitation and treatment.

- 4.109 Some residents emphasise the potential use of the site and buildings for other health-care uses, but *NHS* has confirmed that there are no other healthcare uses that could utilise the surplus buildings on this site. I can understand residents’ concerns about the nature of employment uses on the site, but provided that the development is marketed and controlled properly and limited to specified uses in the longer term, I cannot see that this would represent a serious amenity problem. As for local residents’ ongoing involvement in any detailed redevelopment proposals for the site, appropriate publicity and consultation could take place at the development brief and planning application stages.
- 4.110 Consequently, given its previous designation in the adopted Local Plan [CD74], the existing uses on the site, the fact that much of it is becoming surplus to requirements, and the limited visual impact of the existing buildings, I conclude that it is appropriate to identify this site for a limited amount of employment development, restricted to Class B1 uses and limited to a specific area within the site, in order to enhance the portfolio of employment land in the District. However, some minor changes, as agreed and recommended, would be necessary. Firstly, *WFDC* agrees that an employment allocation of 6ha at *Lea Castle Hospital* should be specifically included in Table E2 of the Plan, since this site would make a positive contribution to the overall quantity of employment land, as well as in qualitative terms. Secondly, *WFDC* also points out that the site coverage figure in para 4.31 of the Plan should be amended to **26%**, to reflect the deletion of the residential element [LPA/57/001/E.3/1].
- 4.111 Furthermore, at the First Deposit and RDLP stages, it was not certain precisely which area would be surplus to *NHS* requirements and suitable for redevelopment. However, *NHS* has provided further details of its needs and the surplus land and buildings [O/E.3/423/101/2], and *WFDC* has confirmed the area and location where redevelopment should be concentrated [LPA/57/001/E.3/1; Plan 1]. I therefore consider it would be helpful if a more exact location for the employment element of this proposal could be shown on the Proposals Map, in the interests of precision and certainty. With these minor amendments, I am satisfied that it would be appropriate to include proposals to redevelop part of this site for specific employment uses, as envisaged in the RDLP.

Recommendation

4.112 **I RECOMMEND** that the Local Plan be modified by amending Policy E.3 and the accompanying text as follows:

- (i) including a specific employment allocation of 6ha at *Lea Castle Hospital* within Table E2 of the Local Plan;
- (ii) amending the site coverage ratio referred to in paragraph 4.31 of the Plan to **26%**;
- (iii) specifying the location where redevelopment for employment purposes would be permitted on the Proposals Map;

but that no further modifications be made in response to these objections.

POLICY E.4: RUSHOCK TRADING ESTATE

Objections First Deposit 125/006 - CPRE

Revised Deposit There are no objections at the Revised Deposit stage.

Key issues

- Should Policy E.4 provide further clarification to maintain the separate identity of the various wartime sites and prevent them coalescing.

Main considerations and Inspector's conclusions

- 4.113 Policy E.4 permits employment development within the curtilage of *Rushock Trading Estate* provided that it is in accordance with Policy GB.4, which confirms that it is defined as a *Major Developed Site in the Green Belt*. CPRE does not object in principle to further employment development on this site, but, as confirmed at the inquiry, does not wish to see the various *Hartlebury MU* wartime sites coalesce. Two of these sites are in Wyre Forest District (*Rushock Trading Estate* and the former *Grain Intervention Store* off Cursley Lane), whilst the remaining 4 sites are in Wychavon District. All these sites are in the Green Belt. In Wyre Forest District, Policies GB.4, GB.5 & E.8 severely restrict development within the Green Belt, and so I cannot see that there is any real risk of these sites coalescing, particularly given the distance between them. They also tend to be rather isolated in the rural area, away from the main urban areas.
- 4.114 At the inquiry, CPRE confirmed that it was happy to confine any new employment development to within the curtilage of these sites and, having heard WFDC's explanation about Green Belt planning policies, were much more comfortable. Development is already occurring within the curtilage of *Rushock Trading Estate*, with recent planning permission, and will ensure that it is developed as an attractive high quality employment development that does not have an adverse impact on the surrounding countryside. The site clearly has a part to play in the portfolio of employment sites within the District and I conclude that no amendments to Policy E.4 or the accompanying text are necessary in response to this objection.

Recommendation

4.115 I RECOMMEND no modifications to the Local Plan in response to this objection.

POLICY E.5: AREAS ALLOCATED FOR MIXED USES

Objections First Deposit 136/013 – Worcestershire County Council (Environ. Services);
592/025 – West Midlands Region RSL Planning Consortium;
616/002 & 616/006 – Textron Automotive Ltd.

Revised Deposit There are no objections at the Revised Deposit stage.

Key issues

- Should this Policy apply the sequential approach to the location of development set out in WCSP Policy D.26;
- Should sites for mixed-use development be promoted throughout settlements and not just outside town centres;
- Should the Policy allow alternative mixed uses in the absence of an employment operator being identified;
- Should the range of appropriate uses include open space.

Main considerations and Inspector’s conclusions

- 4.116 Policy E.5 sets out the range of appropriate uses within areas allocated for mixed uses outside town centres. It covers two specific sites, at *Mill Street, Kidderminster* and *Mitton Street/Baldwin Road, Stourport*.
- 4.117 WCC argues that the Policy should apply a sequential approach to the location of office uses within Class B1, in line with WCSP Policy D.26. However, Policy E.5 only relates to two specific areas identified on the Proposals Map, both of which are near existing town centres, and confirms that Class B1 uses and residential development would be appropriate. These areas contain a mix of existing business and commercial uses in convenient locations. As WFDC says, Policy E.9 addresses other employment development outside allocated areas and applies the sequential approach to office development (*Change No. 044*), consistent with WCSP Policy D.26, whilst Policy TC.2 addresses business uses within town centres. I note that WCSP (¶ 6.80) allows LPAs to interpret Policy D.26 in the light of the local characteristics of settlements and the scale and type of offices proposed. In these circumstances, it seems to me that it is unnecessary to apply the sequential approach to Policy E.5, since it relates only to two specific areas which, in any event, would lie towards the top of the hierarchy of potential development sites for office uses.
- 4.118 WMRRSL supports the promotion of sites for mixed uses, but argues that such sites should be promoted throughout all settlements, rather than being limited to outside town centres. Policy CY.1 seeks to ensure the continued existence of mixed uses within the towns, villages and urban areas of Wyre Forest, and such uses are also promoted in town centres under Policy TC.2 and the other policies in that chapter. To positively promote mixed uses throughout settlements could undermine the overall strategy of the Local Plan and might conflict with strategic policies in the WCSP and RPG. Consequently, I consider it would be inappropriate to widen the scope of Policy E.5, as suggested.
- 4.119 *Textron* raises two points. I understand that it is WFDC’s intention that, unless allocated, employment sites cannot be redeveloped for a mix of uses under Policy E.5. Such an approach would be contrary to the development strategy of the Local Plan, as well as to the WCSP and RPG. Mixed-use developments could also undermine the local economy, particularly given the relative land values of employment and residential development. Moreover, the nature and type of any mixed uses are not suggested. Given the current housing land supply situation, the retail strategy of the Plan, and the sequential approach to the selection of potential development sites, it would be unlikely that these uses would be appropriate, except in specific locations. The second point, about including open space within the range of appropriate uses, is broadly covered under clause (ii) of the Policy, which refers to *other uses*. If the provision of open space was being considered, it would be addressed under the Leisure & Recreation policies in the Plan. I cannot therefore see that any amendments to Policy E.5 are justified in response to *Textron*’s objections.

Recommendation

4.120 I RECOMMEND no modifications to the Local Plan in response to these objections.

POLICY E.5: AREAS ALLOCATED FOR MIXED USES***SITE-SPECIFIC OBJECTIONS***

**Land at Hurcott,
Kidderminster**

Objections First Deposit 421/006 – Hurcott (Jersey) Ltd.

Revised Deposit There are no objections at the Revised Deposit stage.

Key issues

- Should this site be allocated for mixed uses under Policy E.5.

Main considerations and Inspector's conclusions

4.121 I have already dealt with the principle of allocating this site for employment development under Policy E.2 earlier in this section of my report, and I deal with the housing, Green Belt and *Area of Development Restraint* elements of the objections elsewhere in my report (see Chapters 3 & 7). In these other sections, I conclude that the RDLP makes sufficient provision for housing and employment land to meet current requirements, and that there is no case to remove the site from the Green Belt or identify it as an *ADR*.

4.122 Policy E.5 relates to two specific sites within the main urban areas, but outside the town centres, which contain a mixture of existing business and commercial uses. The site at Hurcott is a *greenfield* site outside the existing built-up area, and has no similarities with the sites identified under this Policy in terms of location or sustainability. The objector provides no evidence as to why this site might be particularly suitable for a mixed-use development, and in these circumstances and bearing in mind my conclusions on the other aspects of these objections, I can see no reason to identify this site under Policy E.5.

Recommendation

4.123 I RECOMMEND no modifications to the Local Plan in response to this objection.

POLICY E.6: HAZARDOUS SUBSTANCES

Objections There are no objections to this Policy at the First and Revised Deposit stages.

**POLICY E.7: EMPLOYMENT DEVELOPMENT IN THE RURAL AREAS
OUTSIDE THE GREEN BELT**

Objections First Deposit 136/014 – Worcestershire County Council (Environ. Services)

Revised Deposit There are no objections at the Revised Deposit stage.

Key issues

- Should this Policy be amended to accord with WCSP Policy D.27.

Main considerations and Inspector's conclusions

4.124 Policy E.7 sets out the Council's policy for employment development in the rural area beyond the Green Belt to the west of the River Severn. It generally limits such development to existing industrial/commercial sites and existing rural buildings, in order to protect the rural character and high quality landscape in this area. As a result of an

objection at First Deposit stage by *NFU*, clause (iii) of the Policy has been widened to include buildings *sited immediately adjacent to farm buildings (Change No. 041)*.

- 4.125 *WCC* points out that *WCSP* Policy D.27 allows new buildings and extensions for business uses in or adjacent to sustainable rural settlements meeting the criteria in *WCSP* Policy SD.8. Unlike Policy E.7, it does not restrict them to existing industrial/commercial sites and buildings. As *WFDC* explains, in this District, the rural areas beyond the Green Belt are characterised by small and scattered settlements, with close ties to agriculture and forestry. Emphasis is placed on existing businesses and, in particular, the conversion of existing rural buildings, in line with PPG7 & Policy AG.8 of the Plan. The re-use of existing buildings could also be more sustainable than the use of undeveloped land, particularly given the sensitive landscape and the provisions of Policy LA.2 of the Plan. Particular reference is made to *Bewdley Business Park*, at Long Bank, a significant business development providing valuable employment opportunities in this rural area. As such, Policy E.7 clearly sets out the approach towards rural businesses in this particular area, in line with PPG7 (¶ 3.11/3.14). *WCSP* (¶ 4.48) also allows LPAs to identify settlements which accord with Policy SD.8 (in this case, *Bliss Gate, Callow Hill, Clows Top, Far Forest & Rock*; *RDLP*: ¶ 3.22), and *WCSP* policies have to be interpreted in the light of local circumstances.
- 4.126 I recognise the importance of encouraging suitable employment opportunities in rural areas, promoting economic diversification and improving economic viability, whilst protecting the countryside for its own sake. However, to widen the policy to allow new buildings for employment purposes in or adjacent to the rural settlements in this part of the District could erode the rural character of the area, resulting in a proliferation of new buildings outside existing settlements, and potentially harming the landscape. Bearing in mind the nature of the rural settlements beyond the Green Belt in this District, particularly their proximity to the main towns of Kidderminster, Stourport and Bewdley, I am satisfied that the emphasis on existing industrial/commercial sites and re-using existing rural buildings is appropriate and justified.

Recommendation

4.127 I RECOMMEND no modifications to the Local Plan in response to this objection.

POLICY E.8: EMPLOYMENT DEVELOPMENT IN THE GREEN BELT

Objections First Deposit 78/004 – Kidderminster Foreign Parish Council; 125/005 – CPRE; 309/003 – Offmore Farm Partnership.

Revised Deposit There are no objections at the Revised Deposit stage.

Key issues

- Does Policy E.8 need further clarification restricting extensions to the footprint of the existing building;
- Should the Policy recognise that exceptions may be appropriate where there is an overriding need for employment land to achieve or maintain an appropriate portfolio of employment land;
- Should the Policy confirm that it does not apply to sites in the Green Belt which are specifically allocated for employment purposes;
- Is the reference in clause (vii) of the Policy correct.

Main considerations and Inspector’s conclusions

- 4.128 Policy E.8 sets out the policy towards employment development in the Green Belt, only permitting the re-use of existing buildings for small-scale industrial or commercial developments if various criteria are met. The RDLP confirms that Policy E.8 does not apply to *Major Developed Sites in the Green Belt* identified under Policy GB.4 (*Change No. 042*).
- 4.129 CPRE asks for the Policy to be strengthened so that *under no future circumstances will an extension beyond the footprint of the existing buildings be permitted*, based on experience of the re-use of existing farm buildings for rural businesses. However, as WFDC confirms, the first sentence of Policy E.8 rules out extensions to existing commercial and industrial premises, since they are defined as *inappropriate development* in the Green Belt. Criterion (v) of the Policy also confirms that the buildings should be *of sufficient scale to accommodate the proposed development without the need for extensions*, whilst criterion (viii) ensures that development is contained within *the existing operational curtilage of the site*.
- 4.130 CPRE is also concerned about similar developments in the rural area beyond the Green Belt. However, Policy E.7(ii) ensures that any extensions are confined to the operational curtilage of existing industrial/commercial sites or sited immediately next to farm buildings. In line with national policy and WCSP Policies D.27 & D.29, a slightly less restrictive approach is taken to such development in the rural area beyond the Green Belt in the interests of the rural economy, but in accordance with WCSP Policy D.28, a more restrictive approach towards new buildings for business development in the Green Belt is justified. It therefore seems to me that Policy E.8 provides sufficient control over the re-use of existing buildings in the Green Belt and no further clarification is required.
- 4.131 *Offmore Farm Partnership* raises two points about this Policy. Firstly, on the question of exceptions, the suggested approach would not only undermine the development strategy of the Local Plan, but also be contrary to national policy in PPG2 (¶ 3.3-3.4) and strategic policy in the WCSP, since such development would constitute inappropriate development in the Green Belt. In terms of the sequential approach to the selection of potential development sites set out in WCSP Policy SD.7, sites in the Green Belt would come towards the bottom of the hierarchy, and both national and WCSP policies emphasise the need to focus most new development on *previously developed land* in the main urban areas. Should additional employment land be required, in order to make up deficiencies or enhance the portfolio of sites, it should be brought forward through the development plan, after having applied this sequential approach, rather than being considered on an ad-hoc basis under an “exceptions” policy. On the second point, the exclusion of *Major Developed Sites in the Green Belt* (*Change No. 042*) meets this concern.
- 4.132 KFPC points out that the reference to Policy RB.9 in clause (vii) of the Policy is incorrect. However, in the RDLP, this has been corrected to *Policy RB.1* (*Change No. 042*), which meets this objection.
- 4.133 Consequently, I conclude that no further amendments are needed to Policy E.8 or the accompanying text in response to these objections.

Recommendation

4.134 I RECOMMEND no modifications to the Local Plan in response to these objections.

POLICY E.8: EMPLOYMENT DEVELOPMENT IN THE GREEN BELT

SITE-SPECIFIC OBJECTIONS

Land at Stanklyn Lane, Stone (2 sites)

Objections First Deposit 640/003 – Trustees of D R Woodward; 659/003 – Trustees of G R Woodward.

Revised Deposit There are no objections at the Revised Deposit stage.

Key issues

- Should these sites be allocated for employment development under Policy E.8, rather than land at Lea Castle Hospital.

Main considerations and Inspector’s conclusions

4.135 I have already dealt with the arguments relating to the development of these sites for employment purposes under Policy E.2, earlier in this section of my report (see above). Policy E.8 covers the very limited exceptions under which proposals for employment development may be permitted in the Green Belt, restricting such development to the re-use of existing buildings for small-scale industrial and commercial uses. This Policy would not apply to the construction of new buildings for employment purposes on *greenfield* sites within the Green Belt such as these. No further evidence or justification for the allocation of these sites under Policy E.8 is provided by these objectors, and so I conclude that these are not soundly-based objections.

Recommendation

4.136 I RECOMMEND no modifications to the Local Plan in response to these objections.

POLICY E.9: EMPLOYMENT DEVELOPMENT OUTSIDE ALLOCATED AREAS

Objections First Deposit 354/003-004 – Morbaine Ltd.

Revised Deposit 245/100 – Kidderminster Civic Society; 354/100 – Morbaine Ltd..

Key issues

- Should Policy E.9 restrict employment uses only to Class B1, or should Class B2 & B8 be permitted if they satisfy the relevant criteria;
- Should Policy E.9 be amended to apply the sequential approach to all relevant development;
- Para 4.50: Should the terms *small-scale* and *such as residential areas* in the third sentence be deleted;
- Should the title of Policy E.9 be amended.

Main considerations and Inspector's conclusions

- 4.137 Policy E.9 indicates that within the urban areas outside the areas designated under Policies E.2 & E.3, employment development will only be allowed for Class B1 uses. It also confirms that office development will be subject to a sequential approach and sets out criteria for light industrial uses. In the RDLP, the Policy has been amended in response to an objection from WCC at First Deposit stage (*Change No. 044*).
- 4.138 *Morbaine* considers Policy E.9 as originally drafted and amended is too restrictive and prescriptive, and suggests that Class B2 & B8 uses should also be allowed in these locations. *WFDC* explains that Policy E.9 provides the framework for considering proposals for office development, in the context of WCSP Policy D.26, and enables Class B1 uses to be suitably accommodated in areas outside the core employment areas. Such areas would be mainly limited to areas allocated for mixed uses and residential uses on the Proposals Map. Class B1 uses are those which can be carried out in any residential area without causing amenity problems. The sequential approach to office development places the emphasis on town centres for this form of development, in line with national policy in PPG6 & PPG13 and WCSP Policies SD.7 & D.26. In addition, small-scale Class B1 uses might be appropriate within residential areas, subject to Local Plan Policies H.8 & D.1(j).
- 4.139 As *WFDC* rightly says, widening the Policy to allow Class B2 & B8 uses in other locations could have serious consequences to local amenity, since they could raise noise, traffic and other considerations. Such uses might not be compatible with town centre locations or within residential areas. Moreover, it is important to recognise the context in terms of current employment land supply, where the Plan already makes sufficient provision for the requirements set out in the WCSP. Consequently, there is no need to make additional or alternative allocations for Class B2 & B8 uses outside the areas currently designated under Policies E.2-E.4.
- 4.140 As amended in the RDLP, Policy E.9 does not preclude office development at local centres, since these are specified in the sequential approach. As major traffic generating uses, office development should ideally be directed to town centres and locations with good accessibility to public transport and other employment areas. However, contrary to *WFDC*'s view, as drafted, the Policy does not indicate the circumstances when office development might be allowed in out-of-centre locations. Under the terms of PPG6 (¶ 1.11/1.15/2.18) and WCSP Policy D.26, such development is permissible as the final element in the sequential approach, provided that such locations are accessible by a choice of means of transport. For completeness and consistency, I consider this element of the sequential approach should be added to the second sentence of the second paragraph of the amended Policy. Other elements of Class B1 uses, such as light industry, may be suitable in other locations, subject to the environmental criteria set out in the final paragraph of the Policy.
- 4.141 *Morbaine* also raises concerns about certain terms in paragraph 4.50. In the third sentence, the term *small-scale* has already been deleted in the RDLP (*Change No. 043*).

Since Class B1 uses are defined as those suitable within residential areas, it is appropriate to include this reference as an example later in that sentence. As *WFDC* says, Class B2 & B8 uses are not generally appropriate outside the main employment areas. I understand that *Morbaine's* original site-specific objection, relating to land north of *Crossley Retail Park*, has been withdrawn.

- 4.142 *KCS* originally thought that the sequential approach should apply to all relevant development, not just for offices. But after discussing the matter at the inquiry, against the background of national guidance in PPG6, and learning that other policies covered this concern, the objection to Policy E.9 has now been withdrawn.
- 4.143 In response to an objection to Policy E.5 [136/013], *WFDC* suggests that the title of this Policy might be more appropriately worded as *The Consideration of Class B1 Business Uses*. I realise that the amendments to this Policy in the RDLP (*Change No. 044*) have clarified its application to Class B1 uses, rather than to all forms of employment development. In these circumstances, it would be appropriate to amend the title of this Policy and sub-section of the chapter to ***Business Development Outside Allocated Areas***. I recommend accordingly.

Recommendation

- 4.144 ***I RECOMMEND*** that the Local Plan be modified by:
- (i) amending the second sentence of the second paragraph of Policy E.9 to include out-of-centre locations that are accessible by a choice of means of transport, as the final element in the sequential approach to the location of office development;
- (ii) amending the title of Policy E.9 and this sub-section of the chapter to “Business Development Outside Allocated Areas”;
- but that no further modifications be made in response to these objections.

EMPLOYMENT POLICY OMISSION

Objections First Deposit 309/004 - Offmore Farm Partnership

Revised Deposit There are no objections at the Revised Deposit stage.

Key issues

- Are there any exceptional circumstances justifying the removal of this site from the Green Belt and its allocation for a rail-based park-and-ride scheme and a business park development under Policy E.2.

Main considerations and Inspector's conclusions

- 4.145 The land in question lies on the eastern fringe of Kidderminster, bounded by the A456 Birmingham Road to the north and the Offmore Farm housing estate to the west, and crossed by the Kidderminster-Birmingham railway line. To the east and south is similar agricultural land. The objector proposes an allocation of 10ha for a high quality business park, along with a park-and-ride scheme. I deal with the latter proposal under the Transportation policies (see Chapter 10 of my report). I also note that the objector provides no specific evidence about the details of this proposal and justification for the development.
- 4.146 Firstly, as I have said before, the RDLP makes more than sufficient provision to meet current employment land requirements, as set out in the WCSP. In making this provision, *WFDC* has followed the procedure advocated in WCSP Policy SD.7 in terms of the

- sequential approach to the selection of potential development sites. The portfolio of employment land, set out in the latest schedule of *Employment Land Availability [CD93] & Topic Paper 2 [CD111]*, contains a variety of sites, committed and proposed, both within and adjoining the main town centres and in more peripheral locations, such as in the Kidderminster-Stourport corridor, in accordance with WCSP Policies D.19-D.23. Although the focus is on *previously developed land* in the main urban areas, some *greenfield* sites are also included. Employment development at *Lea Castle Hospital*, in the Green Belt (see earlier), is also included in order to enhance the portfolio of employment sites and provide a high-quality location for business development.
- 4.147 Furthermore, there is no dispute that this objection site currently lies in the approved Green Belt, first defined in detail in 1989 in the WFUALP [CD72] and carried forward into the current adopted WFDLP [CD74]. The inspector dealing with objections to this latter plan considered the question of the longer-term development of land in the Green Belt east of Kidderminster, but concluded that this should await the next cycle of development plan review [CD73]. This issue was also addressed when the WCSP was reviewed, when the EIP Panel concluded that there was no case for reviewing the Green Belt boundaries in this locality in the longer term [CD62; ¶ 4.62-4.65]. In fact, the EIP Panel specifically recommended the deletion of a policy (D.38) which allowed consideration to be given to redefining the Green Belt boundaries in Wyre Forest District, having regard to employment requirements, along with a reference to identifying a 10ha prestige greenfield employment site in the District. The EIP Panel also found the eastern side of Kidderminster to be well-contained and was concerned about the impact of development on higher grade agricultural land. Little has changed since those conclusions were reached.
- 4.148 Having seen the site, I consider it serves at least three of the main purposes of including land in the Green Belt, set out in PPG2 (¶ 1.5). Firstly, it lies in the relatively narrow open gap between Kidderminster and Blakedown and, in its present open and undeveloped condition, helps to prevent Kidderminster merging with Blakedown, Hagley and the West Midlands conurbation. It also safeguards the countryside from encroachment. In this locality, the present Green Belt boundary is clearly and tightly defined around the existing built-up area, which also assists urban regeneration by directing attention to *previously developed land* in the main urban areas. Any development on this relatively exposed and prominent eastern edge of Kidderminster would be likely to be visible over a wide area, breaching the existing ridge line and contrary to the guidance in PPG2 (¶ 3.15). Furthermore, the site is not well-contained, and lacks any recognisable or defensible eastern boundary. By retaining land in agricultural use, the land also has a positive role to play in fulfilling the objectives for the Green Belt set out in PPG2 (¶ 1.6). I understand that the site contains higher quality farmland (Grades 2/3A), and so its allocation for employment development would result in the loss of some of the *best and most versatile agricultural land*, contrary to WCSP Policy CTC.7 and PPG7.
- 4.149 PPG2 (¶ 2.1/2.6-2.7) confirms that the essential characteristic of the Green Belt is its permanence and that Green Belt boundaries defined in earlier local plans should be altered only in exceptional circumstances. Bearing in mind that the RDLP already makes sufficient provision for employment land, both in quantitative and qualitative terms, and in the absence of any need to identify additional or alternative employment sites, I can find no exceptional circumstances which might justify removing this site from the Green Belt and allocating a new 10ha *greenfield* site for a new business park. Consequently, no amendments to the Plan are needed in response to this element of *Offmore Farm's* objection.

Recommendation

4.150 I RECOMMEND no modifications to the Local Plan in response to this objection.

CHAPTER 5: DESIGN

POLICY D.1: DESIGN QUALITY

Objections First Deposit 245/014 – Kidderminster Civic Society; 481/017 – House Builders Federation; 638/005 – Arab Investments Ltd.

Revised Deposit There are no objections at the Revised Deposit stage.

Key issues

- Should the criteria in Policy D.1 be amended or deleted.

Main considerations and Inspector’s conclusions

- 5.1 Policy D.1 sets out the Council’s design guidance for new development. In the RDLP, several of the criteria have been amended (*Change Nos. 045-048*). Objectors criticise several criteria in the Policy.
- 5.2 *HBF* considers criterion (a) is unnecessary, since accessibility is covered by the Building Regulations. However, PPG1 (¶ 33) confirms that development plans should take access issues into account. I also note that Policy D.2(ii) of the adopted Local Plan [*CD74*] contains similar guidance on the question of access. Although *Part M of Schedule 1* to the *1991 Building Regulations* imposes requirements to secure access to buildings for disabled people, given the importance of considering the needs of people with disabilities, I consider that it is wholly appropriate for this issue to form the subject of the Council’s general design criteria. *KCS* argues that disabled access should be emphasised, encouraging a “shop-mobility” scheme. However, the importance of ensuring disabled access is confirmed in paragraph 5.10 of the Local Plan. In my view, reference to a local “shop-mobility” scheme in Kidderminster is far too detailed for this Local Plan, and the general tone of criterion (a) fully reflects the guidance in PPG13 (¶ 31).
- 5.3 *KCS* considers that criterion (f) should encourage “exciting” new design features, if appropriate. *WFDC* explains that the Plan aims to *promote high quality design in all developments*. In my view, the creation of new assets *which contribute to local distinctiveness* (*Change No. 047*) is much wider and more appropriate in the context of this Local Plan, and could encompass new design features where appropriate. *Arab Investments* argues that this criterion is vague and subjective, but in my view, it adequately reflects the importance given in national policy to good design, set out in PPG1 (¶ 13-20) and *By Design* [*CD43*]. As *WFDC* says, it helps to set out a design framework within which decisions can be made without imposing unnecessarily prescriptive requirements on developers.
- 5.4 *Arab Investments* criticises criterion (h) for similar reasons, suggesting that such aspects should be covered in a Design Statement for specific sites. Although the Council would encourage Design Statements for appropriate sites, I consider the need to *form a suitable building footprint that complements the characteristics of the site and its surroundings* is a sound design principle which applies in a general and site-specific sense. The need for a Design Statement for all appropriate sites would impose yet another requirement on developers and architects, which may not be necessary in all cases. As drafted, I consider this criterion establishes a sound design principle and needs no amendment.
- 5.5 *HBF* argues that criterion (i) should be incorporated into Policy H.5, since it may not be possible to achieve the required densities without complementing and respecting the layout of adjoining properties. However, criterion (i) seems to cover a broader range of issues than merely the density of new development. *Change No. 048* amends the clause to

complement and respect any adjacent development which, to my mind, is a sound design principle.

- 5.6 *HBF* is also unclear as to how criterion (j) will be monitored, and suggests that planning conditions would better control these matters. However, matters such as dust, fumes, vibration, smell and other detrimental impacts on the amenity of nearby residents are clearly material considerations when development proposals are being assessed. There are established thresholds of impact, set out in national and other guidance, against which proposals can be considered. Consequently, I consider it is entirely appropriate to refer to these matters in general design guidance.
- 5.7 *HBF*'s original criticisms of criterion (k) have been met by its deletion (*Change No. 048*). *HBF* also considers the remaining criteria do not achieve any benefit and are difficult to substantiate. However, *WFDC* explains that the criteria flow from the key aims and objectives of the Design chapter and are clarified in the accompanying text. In my view, the criteria represent relevant design principles and are entirely appropriate for inclusion in a policy that sets out such principles.
- 5.8 Consequently, I conclude that no further amendments are needed to Policy D.1 or the accompanying text in response to these objections.

Recommendation

5.9 I RECOMMEND no modifications to the Local Plan in response to these objections.

POLICY D.2: TALL RESIDENTIAL AND COMMERCIAL BUILDINGS

Objections First Deposit 245/015 – Kidderminster Civic Society.

Revised Deposit There are no objections at the Revised Deposit stage.

Key issues

- Should the Policy not permit high-rise flats, only allow buildings of more than four storeys in exceptional circumstances, and look critically at any replacement of *Crown House* involving more than four storeys.

Main considerations and Inspector's conclusions

- 5.10 Policy D.2 seeks to ensure that the height of buildings is sympathetic to the location and generally restricts buildings over 4-storeys to identified sites in and around Kidderminster town centre. Like *WFDC*, I consider any policy which placed a blanket prohibition on high-rise flats could not be justified, especially given national policy which encourages higher density development. Similarly, a policy that only allowed buildings over 4-storeys high in exceptional circumstances would be unduly restrictive, particularly since specific sites have been identified which could accommodate taller buildings in and around Kidderminster town centre. I understand the concerns about *Crown House*, but as *KCS* says, it is important not to discourage its demolition and redevelopment. There are several buildings in and around the town centre of 4-storeys or more, and I cannot see any particular reason to single out this building for special treatment. As *WFDC* says, one of the most important considerations is to ensure that buildings do not adversely affect local amenity, views and vistas, conservation areas, listed buildings and other landmarks. That is exactly what the Policy says, and I am confident that its proper application will ensure that *KCS*'s main concerns are met.

Recommendation

5.11 I RECOMMEND no modifications to the Local Plan in response to this objection.

POLICY D.3: LOCAL DISTINCTIVENESS

Objections First Deposit 638/006 – Arab Investments Ltd.

Revised Deposit There are no objections at the Revised Deposit stage.

Key issues

- Is criterion (iv) too vague.

Main considerations and Inspector's conclusions

5.12 Policy D.3 provides further guidance on *local distinctiveness*, assessing local character and safeguarding existing landscape features. Criterion (iv) indicates that development proposals should, wherever possible, avoid the loss of existing features of local value. I recognise that the identification of such features may involve an element of subjectivity, but the accompanying text sets out the factors which contribute to local character and distinctiveness and the matters that require to be assessed. Such features would undoubtedly be identified in any Development Brief or in any pre-application discussions. The suggestion that these factors should be incorporated in a Design Statement would impose yet another requirement on developers, which as I have said before, may not be necessary in every case. Consequently, I conclude that no changes are needed to this criterion.

Recommendation

5.13 I RECOMMEND no modifications to the Local Plan in response to this objection.

POLICY D.4: DESIGN (EXISTING TREES)

Objections First Deposit 177/009 – David Wilson Estates; 481/018 – House Builders Federation;
638/007 – Arab Investments Ltd.

Revised Deposit There are no objections at the Revised Deposit stage.

Key issues

- Is Policy D.4 inflexible or too onerous in requiring a tree survey in all cases where sites contain trees of amenity value.

Main considerations and Inspector's conclusions

5.14 Policy D.4 aims to protect trees of amenity value and requires detailed tree surveys to be submitted where development proposals affect sites with or adjacent to such trees. *WFDC*

explains that trees of amenity value will include those protected by a Tree Preservation Order as well as those identified by the Council’s arboricultural officer. Paragraph 5.29 of the RDLP (*Change No. 049*) clarifies that factors such as the size, position, prominence and group value of the trees will be taken into account. This approach is consistent with Policy LA.16 in the adopted Local Plan [CD74].

- 5.15 I understand that some recent developments have resulted in damage to important, but unprotected trees, and this highlights the need for a full tree survey where proposals may affect existing trees on or adjoining a development site. It is also important to recognise that a planning permission takes precedence over an existing TPO and so the TPO cannot always be relied upon to safeguard the protected trees.
- 5.16 It is clearly important to ensure that trees of amenity value are safeguarded during the course of development and, in my view, Policy D.4 properly recognises that principle. These matters will undoubtedly be discussed at the planning application stage when, with the help of the Council’s arboricultural officer, such trees can be identified and measures drawn up for their protection. Consequently, I conclude that no further amendments to Policy D.4 or the accompanying text are needed in response to these objections.

Recommendation

5.17 **I RECOMMEND no modifications to the Local Plan in response to these objections.**

POLICY D.5: DESIGN OF DEVELOPMENT IN THE COUNTRYSIDE

Objections The objections to this Policy have been withdrawn.

POLICY D.6: SAFEGUARDING RESOURCES BY DESIGN

Objections There are no objections to this Policy at the First and Revised Deposit stages.

POLICY D.7: SUSTAINABLE DRAINAGE

Objections First Deposit There are no outstanding objections at the First Deposit stage.

Revised Deposit 481/107 – House Builders Federation.

Key issues

- Para 5.37-5.37A: Should the text recognise the potential problems associated with the adoption and maintenance of sustainable drainage systems.

Main considerations and Inspector’s conclusions

- 5.18 Policy D.7 encourages developments to include infrastructure that directs surface water to sustainable drainage systems rather than to sewers and watercourses. The accompanying text (paras 5.37-5.37A) has been amended to outline the principles and best practice of sustainable drainage (*Change No. 065*). *HBF* objects to this requirement, pointing out

potential problems, mainly due to the adoption and maintenance of such systems. *WFDC* explains that the text does not introduce a requirement to provide sustainable drainage systems, but only *encourages* such schemes *wherever practicable and subject to other layout, design and conservation considerations...* Much of the detailed wording in the explanatory text is based on the *Environment Agency’s Guide to Sustainable Urban Drainage* and reflects national guidance in PPG25 (¶ 40-42). The question of adopting and maintaining sustainable drainage systems is largely a matter to be considered at the development control stage. Consequently, I cannot see any need to amend either the Policy or the accompanying text in response to this objection.

Recommendation

5.19 I RECOMMEND no modifications to the Local Plan in response to this objection.

POLICY D.8: DESIGNING FOR MATERIALS RECYCLING

Objections First Deposit 481/019 – House Builders Federation.

Revised Deposit There are no objections at the Revised Deposit stage.

Key issues

- Is the Policy unduly restrictive.

Main considerations and Inspector’s conclusions

5.20 Policy D.8 requires proposals for the redevelopment of *brownfield* sites to maximise the use of existing materials on site. *HBF* points out the difficulties in demonstrating this, particularly since some existing materials may have to be removed and valuable materials are unlikely to be disregarded. However, as *WFDC* says, it is appropriate for the Local Plan to address the question of materials recycling, especially given the emphasis in the national *Waste Strategy 2000* and PPG10 (¶ 5). *WFDC* explains various ways in which developers could demonstrate how developments utilise existing on-site materials. These could include detailing the buildings or components which are to be retained or incorporated into new buildings, or reasons why this is not possible, or the means by which such materials may be reused by others. However, at present, the text accompanying Policy D.8 is very brief and does not give this type of explanation. In order to provide such guidance and encourage the maximum use of recycled building materials, I consider it would be helpful if further explanation were to be given in the accompanying text, summarising the examples in the Council’s rebuttal statement [*LPA/481/019/D.8/1*].

Recommendation

5.21 I RECOMMEND that the Local Plan be modified by amending the text accompanying Policy D.8 by providing further guidance on maximising the re-use of existing building materials, summarising the examples in the Rebuttal Statement [*LPA/481/019/D.8/1*].

POLICY D.9: DESIGN FOR MOVEMENT

Objections First Deposit 245/016 – Kidderminster Civic Society; 638/008 – Arab Investments Ltd.

Revised Deposit

There are no objections at the Revised Deposit stage.

Key issues

- Should Policy D.9 emphasise the need for suitable access and parking for the disabled and restrain cycle lanes within the ring road;
- Should criteria (iii) & (viii) be clarified and amended, indicating that such requirements will only be expected *where appropriate*.

Main considerations and Inspector’s conclusions

- 5.22 Policy D.9 sets out the requirements for new infrastructure, including roads and footpath layouts. Objectors criticise some criteria in the Policy.
- 5.23 In response to KCS’ point about the need for suitable disabled access and parking, criterion (ii) specifically refers to facilitating the safe and convenient movement of disabled people. In addition, Policy D.15(i)(f) specifically requires provision for disabled people in new or modified car parks (*Change No. 058*). I therefore consider that Policy D.9 gives sufficient emphasis to the needs of disabled people when read with other policies in the Plan. The question of whether cycle lanes are appropriate within the Kidderminster ring road and town centre is far too detailed to cover in a general policy such as this.
- 5.24 In response to *Arab Investments*, at the inquiry, WFDC agreed that the addition of the words *where appropriate* in criterion (iii) would recognise that traffic calming measures may not always be needed, for example, where *Home Zones* have been created. As for criterion (viii), WFDC explains the importance of “legibility” and recognising features that will direct people to their destination and lead to familiarity of place. This will be implemented through pre-application discussions and the design process, where views and vistas of important local buildings and other features can be identified and agreed. This seems to be a sound design principle which reflects the guidance in *By Design [CD43]*, as well as the underlying design aims of the Plan, without being too onerous a requirement for developers and designers.
- 5.25 In addition, I consider that the terms of this Policy in stating that layouts *must* incorporate the range of criteria is far too stringent and inflexible. The introductory part of the Policy would better be worded by using the term *should* rather than *must*. This would make the Policy less prescriptive in its requirements, and allow for exceptions without introducing too much flexibility. I recommend accordingly.

Recommendation

5.26 **I RECOMMEND** that the Plan be modified by amending Policy D.9 by:
 (i) replacing the word “*must*” with “*should*” in the introductory section of Policy D.9;
 (ii) adding the words “*where appropriate*” at the end of criterion (iii),
 but that no further modifications be made in response to these objections.

POLICY D.10: BOUNDARY TREATMENT**Objections**

There are no objections to this Policy at the First and Revised Deposit stages.

POLICY D.11: DESIGN FOR LANDSCAPING SCHEMES

Objections First Deposit 93/010 – Forestry Commission; 245/017 – Kidderminster Civic Society;
436/003 – National Farmers Union; 638/009 – Arab Investments Ltd.

Revised Deposit There are no objections at the Revised Deposit stage.

Key issues

- Should the Policy require detailed landscaping schemes in all cases;
- Should the Policy seek to create woodlands along transport corridors;
- Should the Policy be extended to provide for future maintenance and the control of litter and shopping trolleys in retail developments.

Main considerations and Inspector’s conclusions

5.27 Policy D.11 sets out criteria for the design of landscaping schemes in new development proposals. In the RDLP, minor amendments have been made to some of the criteria (*Change Nos. 052-053*). *NFU & Arab Investments* question whether detailed landscaping schemes are needed for all proposals. Like *WFDC*, I recognise that detailed landscaping schemes are not always submitted for all development proposals, particularly at the outline application stage. But at some point, either as part of the original planning application or when considering the reserved matters, details of landscaping will invariably be needed. Planning conditions will help to secure the implementation of any scheme, but I see no difficulty in the Local Plan requiring such details to be submitted and setting out the matters that need to be addressed in appropriate circumstances.

5.28 *WFDC* considers the *Forestry Commission’s* suggestion about creating new woodlands along transport corridors is reasonable, but has decided to cover this point in clause (vi) of Policy D.10 (Boundary Treatment) (*Change No. 051*). In my view, this is an appropriate policy for this requirement, and satisfactorily addresses the substance of this objection.

5.29 In response to *KCS’* points, the issue of future maintenance of landscaping is covered in clause (ix) of Policy D.11, with further clarification in para 5.47 of the Plan. In addition, S106 Agreements may be used, particularly where the land may pass into public ownership. As *WFDC* says, the responsibility for maintaining landscaping schemes in new developments is usually the responsibility of the landowner, developer or occupier. As regards control over litter and shopping trolleys, this is covered by other environmental legislation, and so a reference in Policy D.11 would be inappropriate and unnecessary.

5.30 Consequently, I conclude that no further amendments are needed to Policy D.11 or the accompanying text in response to these objections.

Recommendation

5.31 I RECOMMEND no modifications to the Local Plan in response to these objections.

POLICY D.12: PUBLIC ART

Objections There are no objections to this Policy at the First and Revised Deposit stages.

POLICY D.13: DESIGN OF AMENITY SPACES**Objections**

There are no objections to this Policy at the First and Revised Deposit stages.

POLICY D.14: STREET FURNITURE**Objections**

The objection to this Policy has been withdrawn.

POLICY D.15: CAR PARK DESIGN**Objections First Deposit**

60/004 – Mrs E F Foxall; 481/020 – House Builders Federation.

Revised Deposit

245/101 – Kidderminster Civic Society..

Key issues

- Should the explanatory text (para 5.62) be included in the Policy;
- Should the Policy refer to *DTLR Traffic Advisory Leaflet 5/95*;
- Should criterion (d) seek to achieve a quality of design that is comparable throughout the District;
- Should criterion (d) of the Policy be reinstated.

Main considerations and Inspector's conclusions

- 5.32 Policy D.15 sets out the design criteria for new car parks. Some of these criteria have been amended in the RDLP (*Change Nos. 056-058*), along with an addition to the explanatory text and Appendix 8 (*Change Nos. 055 & 140*).
- 5.33 *Mrs Foxall* argues that the text in paragraph 5.62 should be included in the Policy, particularly to give parking for the disabled a higher profile, and the car parking standards in Appendix 8 of the WFDLP should have regard to *DTLR Traffic Advisory Leaflet 5/95*, particularly in terms of distance between spaces and destinations. PPG13 (¶ 51) confirms that local authorities should require developers to provide designated spaces for disabled people in developments and should specify minimum parking standards. The changes in the RDLP make specific reference to *DTLR Traffic Advisory Leaflet 5/95* in paragraph 5.62 and in the notes accompanying Appendix 8. Criterion (i)(f) of the Policy also refers specifically to the needs of disabled people. In my view, these amendments adequately reflect the need for car parks to be designed with due regard to the provisions of *DTLR Traffic Advisory Leaflet 5/95*, and fully meet this objector's concerns. No further amendments or references are therefore necessary.
- 5.34 *HBF's* concerns have been met by the deletion of criterion (d) in the RDLP. This deletion ensures consistency in achieving high standards of design for car parks throughout the District and not just in and adjoining town centres. The text accompanying Policy D.15 (¶ 5.58) continues to emphasise the need to consider the layout of car parks, surface treatment, screening and planting, particularly within town centres and in edge-of-centre

locations. In my view, this adequately reflects national policy in PPG1 (¶ 15) and meets the concerns of KCS, and no further amendments are needed.

Recommendation

5.35 **I RECOMMEND no modifications to the Local Plan in response to these objections.**

POLICY D.16: DESIGNING FOR COMMUNITY SAFETY

Objections First Deposit There are no outstanding objections at the First Deposit stage

Revised Deposit 481/108 – House Builders Federation.

Key issues

- **Para 5.69:** does the amended text adequately reflect the requirements of *Circular 1/97*, in *seeking* rather than *requiring* planning obligations.

Main considerations and Inspector’s conclusions

5.36 Policy D.16 aims to secure community safety through the initial design of developments, reflecting national policy in *Circular 5/94 (Planning Out Crime)* and the Police initiative *Secured by Design*. Neither the Policy nor the accompanying text makes any reference to planning obligations being sought or required, and so *HBF*’s objection is not relevant to either *Change No. 059* or Policy D.16 and the explanatory text.

Recommendation

5.37 **I RECOMMEND no modifications to the Local Plan in response to this objection.**

POLICY D.17: DESIGN FOR RESIDENTIAL EXTENSIONS

Objections First Deposit 524/001 – Mr M G Bayton.

Revised Deposit 524/100-101 – Mr M G Bayton.

Key issues

- Is this Policy unduly restrictive and inflexible in terms of the design of residential extensions.

Main considerations and Inspector’s conclusions

5.38 Policy D.17 sets out the criteria for new extensions and alterations to existing residential properties. Some limited amendments to the Policy and accompanying text have been made in the RDLP (*Changes 061-062*). I also understand that *WFDC* has a guidance leaflet on *House Extensions* which sets out some general principles about the design of extensions. National guidance encouraging good design is set out in PPG1 (¶ 13-20).

- 5.39 *Mr Bayton* argues that the Policy is too restrictive and does not allow enough scope to design an extension to meet the occupier’s needs or suit the character of the original building. He considers there are many instances where extensions improve the appearance of a building or dominate it, and suggests more emphasis should be placed on paragraph 5.74 of the RDLP and a consideration of the extension as a new building in its own right. He also feels that the amendments to the Policy and accompanying text are too restrictive for good architectural design and contrary to PPG1 (¶ 19 & 36).
- 5.40 Firstly, I cannot see that the application of Policy D.17 would result in all extensions being of the same type and character, as *Mr Bayton* suggests. Criterion (i) of the Policy requires extensions to relate to the *original building*, and so any extension would be considered against the particular characteristics of the existing building, ensuring a variety of design and nature of extensions. Any extension would also have to be in scale and keeping with the original building, giving ample scope to design an extension to meet the needs of the occupier and reflect the character of the existing building. However, as *WFDC* rightly says, the particular needs of the applicant have to be balanced against the wider public interest. Furthermore, I cannot see how the Policy would preclude an extension resulting in an improvement to the appearance of the original building, since this would be considered under criterion (i), taking into account the particular merits and characteristics of the proposed extension and the original building.
- 5.41 As for the possibility of the extension dominating the existing building, I consider it is sound planning practice to ensure that extensions remain subservient and do not overwhelm the original building. This is covered in criterion (ii) of the Policy, is clarified in the amendment to para 5.74 (*Change No. 061*), and is consistent with national guidance in PPG1 (¶ 17) & PPG2 (¶ 3.6). As for the balance between the wording in the Policy and the accompanying text, I consider this is about right; relegating the criteria to the explanatory text would weaken the Policy. Since extensions invariably relate to an existing building, it would be inappropriate to consider them as new buildings in their own right. The Policy also has to take into account locational factors and the particular policy considerations that apply, for example, in the Green Belt and open countryside.
- 5.42 I therefore conclude that Policy D.17 and the accompanying text, as amended, is not unduly restrictive or inflexible in terms of considering extensions to existing residential properties, but reflects sound planning practice and the guidance in PPG1 (¶ 13-20).

Recommendation

5.43 I RECOMMEND no modifications to the Local Plan in response to these objections.

POLICY D.18: DESIGN FOR NON-RESIDENTIAL EXTENSIONS

Objections First Deposit 245/020 – Kidderminster Civic Society.

Revised Deposit There are no objections at the Revised Deposit stage.

Key issues

- Should the Policy include a specific reference to mezzanine floors.

Main considerations and Inspector’s conclusions

5.44 Policy D.18 sets out the criteria for new extensions and alterations to existing non-residential properties. *KCS* supports the Policy, but considers mezzanine floors should be

looked at critically and only be allowed on their merits in appropriate circumstances. In my view, the suggested reference would introduce too much detail into the Local Plan, contrary to national guidance in PPG1 (¶ 18) & PPG12 (¶ 3.14). I am not aware that mezzanine floors are a particular feature or problem in developments in this District. It seems to me that any proposals that require planning permission should be considered on their merits, in the light of relevant policies in the Local Plan. Consequently, I conclude that no amendments are needed in response to this objection.

Recommendation

5.45 I RECOMMEND no modifications to the Local Plan in response to this objection.

POLICY D.19: DESIGNING FOR ADAPTABILITY

Objections There are no objections to this Policy at the First and Revised Deposit stages.

POLICY AD.1: ADVERTISEMENTS (LOCAL CHARACTER, AMENITY & SAFETY)

Objections First Deposit 245/021 – Kidderminster Civic Society.

Revised Deposit There are no objections at the Revised Deposit stage.

Key issues

- Should the Policy distinguish between flagpoles for advertisement and those displaying national flags and “house” flags.

Main considerations and Inspector’s conclusions

5.46 Policy AD.1 sets out criteria for considering proposals for advertisements. The rules governing the display of advertisements are set out in the *T&CP Control of Advertisement Regulations 1992 (as amended)* and specify that such displays can be controlled in the interests of *amenity* and *public safety*. Further guidance is given in PPG19.

5.47 I understand that flagpoles displaying national flags are not normally classed as advertisements requiring consent under the *Advertisement Regulations*. Consequently, it would be difficult to distinguish and control the display of these flags, as KCS wishes. There are, however, certain restrictions and controls over flagpoles advertising particular companies or “house” flags. It is important that the Local Plan avoids excessive detail and concentrates on matters which provide the basis for considering proposals that require planning permission. In this instance, the control over flag advertisements is specified in national legislation and it would be inappropriate for this Local Plan to either extend or alter the legitimate areas of control.

5.48 Consequently, I conclude that no amendments are necessary to Policy D.19 or the accompanying text in response to this objection. However, I note an error in paragraph 5.85 of the WFDLP, which refers to *PPG20* rather than ***PPG19***. This should be corrected before the Plan is adopted.

Recommendation

5.49 **I RECOMMEND** *no modifications* to the Local Plan in response to this objection, but the Local Plan should be *modified* by correcting the reference in paragraph 5.85 of the Revised Deposit Local Plan to “PPG20” to **PPG19**.

POLICY AD.2: ADVERTISEMENTS (BUILT HERITAGE)

Objections There are no objections to this Policy at the First and Revised Deposit stages.

POLICY AD.3: ADVERTISEMENT HOARDINGS

Objections There are no objections to this Policy at the First and Revised Deposit stages.

POLICY AD.4: SHARED SIGNS

Objections There are no objections to this Policy at the First and Revised Deposit stages.

POLICY AD.5: ADVANCE WARNING SIGNS

Objections First Deposit 245/022 – Kidderminster Civic Society.

Revised Deposit There are no objections at the Revised Deposit stage.

Key issues

- Is this Policy unduly restrictive, discouraging tourists.

Main considerations and Inspector’s conclusions

5.50 Policy AD.5 sets out the Council’s policy on advance signs for business and tourist attractions. In the RDLP, the policy wording requiring signs to be *within* the premises has been replaced by *closely related to* (Change No. 063). As WFDC rightly says, it is important to avoid a proliferation of signs and advertisements which might have an adverse effect on the appearance of the local environment, as PPG21 (¶ 5.31) recognises. In my view, the amendment to the Policy provides the necessary guidance and control over the positioning of advance warning signs, enabling businesses and tourist attractions to attract and direct visitors without in any way discouraging tourists. I therefore conclude that no further amendments are necessary in response to this objection.

Recommendation

5.51 **I RECOMMEND** *no modifications* to the Local Plan in response to this objection.

POLICY AD.6: FREE STANDING SIGNS

Objections There are no objections to this Policy at the First and Revised Deposit stages.

CHAPTER 6: NATURAL RESOURCES

POLICY NR.1: DEVELOPMENT OF GREENFIELD LAND

Objections First Deposit 93/011 – Forestry Commission; 177/010 – David Wilson Estates; 421/007 – Hurcott (Jersey) Ltd; 481/021 – House Builders Federation.

Revised Deposit There are no objections at the Revised Deposit stage.

Key issues

- Is the Policy unduly restrictive by precluding any *greenfield windfall* sites and sites within the rural areas;
- Should the Policy give further details of how its provisions will be assessed, including information on the suitability and availability of previously developed sites;
- Should the Policy promote forestry by seeking opportunities to enhance built development by incorporating woodland and other green elements;

Main considerations and Inspector’s conclusions

- 6.1 Policy NR.1 normally only permits development proposals on *greenfield* land where no suitable previously developed sites are available. *HBF* argues that the Policy is overly restrictive, by ruling out any *greenfield* sites and sites in rural areas, and points out that not all new housing development will occur on *brownfield* sites. However, in my view, the Policy appropriately reflects national objectives and guidance in PPG1, PPG3 & PPG13, by giving priority to the development of *brownfield* sites. It also reflects WCSP Policies SD.3 & SD.7. Since the Policy is qualified by the word *normally*, it would not completely rule out development on *greenfield* sites, providing it was demonstrated that suitable *brownfield* sites were not available, or other exceptions, such as agricultural development, were applicable.
- 6.2 In applying the Policy, prospective developers would have to provide an assessment of suitable alternative *brownfield* sites which complied with Local Plan policies, along with an explanation of why these sites were not readily available or appropriate to the form of development proposed. *WFDC* has information about existing land resources, including previously developed sites, in its residential and employment land assessments. To my mind, this is a straightforward and common-sense approach which, given the national guidance in PPG1, PPG3 & PPG13, needs no further explanation in the Policy or accompanying text.
- 6.3 As for incorporating woodland and other green elements in development proposals, other policies in the Plan address this matter, such as Policies LA.9, D.3, D.4 & D.11. Furthermore, paragraph 7.39 of the RDLP specifically confirms that the Council wishes to encourage tree planting where appropriate. SPG for individual sites can also promote woodland in appropriate cases. Since Policy NR.1 essentially covers the sequential approach to the development of land, I consider the *Forestry Commission’s* concerns are adequately dealt with in other parts of the Plan.
- 6.4 Consequently, I conclude that no amendments are needed to Policy NR.1 or the accompanying text in response to these objections.

Recommendation

6.5 I RECOMMEND no modifications to the Local Plan in response to these objections.

POLICY NR.2: CONTAMINATED LAND

Objections First Deposit 597/010 – Railtrack plc (in Railway Administration)

Revised Deposit There are no objections at the Revised Deposit stage.

Key issues

- Should the Policy require *Railtrack* to be consulted where contaminated land adjoins railway property.

Main considerations and Inspector’s conclusions

6.6 Policy NR.2 sets out the requirements for the remediation of contaminated land prior to development. In the RDLP, paragraph 6.15 has been amended to confirm the *Environment Agency’s* role (*Change No. 064*). The procedures for consulting bodies such as *Railtrack* (or its successors) are set out in national legislation and guidance. This is a procedural matter which is best dealt with at the planning application stage as part of the normal development control process. I therefore consider it would be inappropriate to extend or refer to the statutory consultation arrangements in a specific policy such as this which deals only with contaminated land.

Recommendation

6.7 I RECOMMEND no modifications to the Local Plan in response to this objection.

POLICY NR.3: DEVELOPMENT ADJACENT TO LANDFILL SITES

Objections There are no objections to this Policy at the First and Revised Deposit stages.

POLICY NR.4: LAND STABILITY

Objections There are no objections to this Policy at the First and Revised Deposit stages.

POLICY NR.5: FLOODPLAINS

Objections First Deposit 481/022 – House Builders Federation;

Revised Deposit 177/100 – David Wilson Estates; 481/109 – House Builders Federation;

Key issues

- Does the Policy reflect the guidance in PPG25 (¶ 30) in terms of a risk-based approach to the sequential selection of sites in development plans;
- Should the Policy recognise that flood compensation measures and other mitigation can improve existing flooding threat and lead to wider benefits.

Main considerations and Inspector’s conclusions

- 6.8 Policy NR.5 sets out the precautionary principle for flood risk. Both the Policy and the accompanying text have been amended to reflect the latest national guidance in PPG25 (*Change No. 065*). These amendments largely overcome *HBF*’s original objection.
- 6.9 In my view, the amended Policy and explanatory text adequately reflects this latest national guidance, without interpreting it too rigidly. In view of recent serious flooding incidents, both nationally and in this District, it is wholly appropriate to include such a Policy in the Local Plan in order to ensure that new and existing development is not put under greater risk in terms of flooding. Mitigation measures are referred to in PPG25 (¶ 28), and since the *Environment Agency* confirms that they would be included in any flood risk assessment produced by developers, it is unnecessary to repeat this guidance in the Local Plan. Where such an assessment confirms that a proposed development would provide a net benefit in terms of land drainage through flood compensation or other mitigation measures, this could be taken into account in the wording of Policy NR.5.
- 6.10 Consequently, I conclude that the amended Policy and accompanying text adequately reflect the latest guidance in PPG25 and no further amendments are needed in response to these objections.

Recommendation

6.11 I RECOMMEND no modifications to the Local Plan in response to these objections.

POLICY NR.5: FLOODPLAINS

SITE-SPECIFIC OBJECTIONS

**Victoria Carpet Sports Ground,
Kidderminster**

Objections First Deposit 590/003 – Victoria plc.

Revised Deposit There are no objections at the Revised Deposit stage.

Key issues

- Should the boundary of the floodplain be reconsidered in the area of this site.

Main considerations and Inspector’s conclusions

- 6.12 *Victoria plc* is concerned about the designation of a large part of its private playing fields as within the floodplain, pointing out that there is no evidence that it is liable to flooding. *WFDC* confirms that, following discussions with the *Environment Agency*, the indicative area of land liable to flood along the Hoo Brook has been deleted from the Proposals Map, due to concerns about the accuracy of the data (*Change No. 065*). Intending developers

would therefore need to consult with *EA* to find out the latest information about land liable to flooding and whether a flood-risk assessment would be needed. Consequently, it seems that this objection has been overcome by the deletion of this flood-risk area from the Proposals Map and no further amendments are necessary.

Recommendation

6.13 I RECOMMEND no modifications to the Local Plan in response to this objection.

Land off Barracks Road, Stourport-on-Severn

Objections First Deposit 630/002 – Ernst & Young.

Revised Deposit There are no objections at the Revised Deposit stage.

Key issues

- Should the boundary of the area liable to flood be amended to reflect a more detailed assessment of flood risk and possible mitigation measures.

Main considerations and Inspector's conclusions

- 6.14 The land in question lies to the south of the Sandy Lane Industrial Estate, at the rear of the industrial units fronting Barracks Road and extending to Nelson Road behind a warehouse fronting the River Severn. It is level and low-lying and is currently an unused field. The land is also subject to objections seeking an employment allocation on the site, which I have dealt with earlier in my report (see Chapter 4).
- 6.15 I understand that the First Deposit version of the WFDLP [CD77] used a coarse flood outline based on information supplied by the *Environment Agency (EA)*. However, this was replaced in the RDLP by updated information, based on the well-documented 1947 flood level and approximates to the 1:100 year flood level, which reduced the area liable to flood (*Change No. 065*). This encompasses most of this objection site, but leaves a small part at the end of Barracks Road outside the area of flood risk. *EA* objects to the continued allocation of the land for employment purposes because it lies behind berm lines agreed in the 1970s which no longer conform to the latest national advice in PPG25. *EA* confirms that the extent of developable land should be restricted to that beyond the indicative flood line.
- 6.16 In considering this objection, I have taken into account the latest national guidance in PPG25 (2001), including the precautionary principle, the use of risk-based assessments and the sequential approach to site selection. In this instance, the area of land liable to flooding is well-documented and *WFDC* has photographic evidence which confirms that the land in question has flooded in the past. The objector has undertaken a further assessment which reveals that there may be scope to develop more of the site than that shown on the Proposals Map. I recognise that there may be the possibility of further mitigation works which might enable more land to be developed, by re-modelling and lowering part of the site. However, these are detailed matters which would need to be considered very carefully at the planning application stage, particularly having regard to the precautionary principle and sequential approach established in PPG25 (¶ 27-30).

6.17 In the meantime, I am satisfied that the flood risk line has been accurately plotted on the RDLP Proposals Map and that this should be the definitive line which is shown in the Local Plan. Consequently, I conclude that no further amendments to the Policy NR.5 floodplain boundary are necessary in response to this element of the objection. However, I draw attention to my recommendation in Chapter 4 concerning the possible re-allocation of part of this site for employment purposes.

Recommendation

6.18 **I RECOMMEND** no modifications to the Local Plan in response to this objection.

POLICY NR.6: DEVELOPMENT ADJACENT TO WATERCOURSES

Objections First Deposit There are no outstanding objections at the First Deposit stage

Revised Deposit 481/110 – House Builders Federation.

Key issues

- Should the Policy provide more clarification about the extent of access required for the access and maintenance of watercourses.

Main considerations and Inspector’s conclusions

6.19 Policy NR.6 requires developments to provide access for maintenance of watercourses, as well as conserving their ecological value and opening up culverts. In the RDLP, the Policy and accompanying text have been amended to overcome the *Environment Agency’s* objection at First Deposit stage (*Change No. 066*). *HBF* asks for more justification for the 5m/8m access strips, arguing that the provision of such spaces should be a guideline rather than a requirement of the Plan.

6.20 I understand that *EA* supports the need for access corridors alongside watercourses, and confirms that the basis for the corridor along Main Rivers stems from the *Water Resources Act 1991* and the *Land Drainage Byelaws*. There is no legislative basis for the 5m corridor alongside other watercourses, but *EA* confirms that the maintenance of such corridors for access, maintenance and flood conveyance is critical in reducing flood risk. It also helps to protect nature conservation interests. The reasons for needing these corridors are clarified in the amended explanatory text (¶ 6.29). It therefore seems to me that the need for access corridors alongside all watercourses is soundly based and fully justified, and is appropriately included in this Policy of the Local Plan.

Recommendation

6.21 **I RECOMMEND** no modifications to the Local Plan in response to this objection.

POLICY NR.7: GROUNDWATER RESOURCES

Objections There are no objections to this Policy at the First and Revised Deposit stages.

POLICY NR.8: WATER SUPPLY

Objections There are no objections to this Policy at the First and Revised Deposit stages.

POLICY NR.9: SEWAGE DISPOSAL

Objections There are no objections to this Policy at the First and Revised Deposit stages.

POLICY NR.10: AIR QUALITY

Objections First Deposit 421/015 – Hurcott (Jersey) Ltd.

Revised Deposit There are no objections at the Revised Deposit stage.

Key issues

- Should the Policy be amended to refer to *significant additional levels* of air pollution.

Main considerations and Inspector’s conclusions

6.22 Policy NR.10 seeks to maximise air quality standards, reflecting Objective 24 of the Plan. DETR guidance in “*Air Quality and land-use planning*” [DETR; LAQM.G4; 1997] confirms that the land-use planning system has an integral role in improving air quality and that development plans should have regard to national air quality objectives. As drafted, the Policy is already qualified by requiring any mitigation measures to ensure that any emissions do not cause harm to land-use, including health and the environment. The addition of a further qualification about the scale of any additional air pollution would, in my view, weaken the Policy and require further clarification in the explanatory text as to what constitutes *significant additional levels*. In view of the established national policy seeking to improve air quality and minimise air pollution, I consider the terms of Policy NR.10 are soundly based and require no amendment in response to this objection.

Recommendation

6.23 I RECOMMEND no modifications to the Local Plan in response to this objection.

POLICY NR.11: NOISE POLLUTION

Objections There are no objections to this Policy at the First and Revised Deposit stages.

POLICY NR.12: LIGHT POLLUTION

Objections There are no objections to this Policy at the First and Revised Deposit stages.

POLICY NR.13: DEVELOPMENT ADJACENT TO HIGH VOLTAGE OVERHEAD POWER LINES

Objections The objections to this Policy have been withdrawn.

POLICY NR.14: DEVELOPMENT ADJACENT TO HAZARDOUS ESTABLISHMENTS

Objections There are no objections to this Policy at the First and Revised Deposit stages.

POLICY NR.15: RECYCLING FACILITIES

Objections First Deposit 61/008 – Wyre Forest Friends of the Earth; 125/008 – CPRE.

Revised Deposit There are no objections at the Revised Deposit stage.

Key issues

- Should the Policy be strengthened to improve the collection of recyclable materials from premises and require recycling facilities to provide for recycling of all materials, including plastics;
- Should the Policy address the need for greater recycling of waste by doorstep collection.

Main considerations and Inspector's conclusions

6.24 Policy NR.15 sets out locational criteria for new recycling facilities. I understand that the collection and disposal of waste is the responsibility of the *Waste Planning Authority*, and policies covering these issues would normally be included in the County's *Waste Disposal Plan* or in the *Waste Collection Strategy*. WCSP includes policies for waste (Policies WD.1-4), but policies and proposals for the provision of recycling facilities for particular types of waste are outside the remit of a District-wide Local Plan. The RDLP amends Policy NR.15 to ensure that local community recycling schemes are considered in new residential and commercial developments (*Change No. 070*). I therefore conclude that Policy NR.15 goes as far as it can in responding positively to the points made by *FoE*.

6.25 I come to similar conclusions in response to CPRE’s objection. The issue of doorstep collection of waste does not directly have any land-use implications and so is not a matter that can be addressed by this Local Plan. I understand that WFDC is actively investigating the possibility of collecting recyclable materials from the doorstep, but no decision has yet been made. Much will depend on national and county waste policy and the need to devise strategies to recycle more waste and reduce the amount of waste going to landfill. Consequently, I cannot see how Policy NR.15 could legitimately address this matter and recommend no further amendments are needed in response to CPRE’s objection.

Recommendation

6.26 **I RECOMMEND no modifications to the Local Plan in response to these objections.**

POLICY OMISSION - RENEWABLE ENERGY

Objections First Deposit 11/019 – The Countryside Agency

Revised Deposit There are no objections at the Revised Deposit stage.

Key issues

- Should the Plan include a policy on renewable energy, in view of its importance to sustainable development.

Main considerations and Inspector’s conclusions

6.27 *Countryside Agency* argues that the Plan should include a policy on renewable energy, encouraging suitable schemes in both rural and urban areas, recognising the positive benefits of linking renewable energy with other activities, the importance of adopting an integrated approach to renewable energy, and the role of community-based renewable energy schemes. In support, it makes reference to the *Regional Renewable Energy Assessment Report (2001)* and the *Community Renewables Initiative (CRI)*. WFDC considers the inclusion of such a policy cannot be justified, since no related schemes have been proposed in this District.

6.28 National planning policy on renewable energy is set out in PPG22 and subsequent annexes. Both PPG12 & PPG22 confirm that general policies on renewable energy should be dealt with in Structure Plans. PPG22 advises Local Plans to include detailed policies for developing renewable energy sources, including broad locations or suitable sites for such projects. At Structure Plan level, WCSP Policy EN.1 supports renewable energy projects subject to other policies of the Plan, particularly those relating to the environmental effects. In the WFDLP, Policy D.6 requires sustainable energy sources to be utilised, where practicable, including solar and wind energy, passive ventilation and the use of recyclable building materials. In my view, this provides sufficient reference to renewable energy without the need for a more specific policy, particularly given the general policy context set in national and strategic planning policies.

6.29 Furthermore, I understand that the *Countryside Agency* does not currently have a Local Support Team for the *CRI* in Worcestershire, and I am not aware of when or if such a team would be established. Similarly, I am not aware of any current proposals for a *CRI* or sustainable energy project in this District, either in the past or in the future. Nor has the *Countryside Agency* provided any details of any community interest in such an initiative or predicted the demand for a *CRI* in the future. Moreover, despite an initial offer, the *Countryside Agency* has not suggested a suitable form of wording for a specific policy on

renewable energy. As *WFDC* says, it is likely that the emergence of such proposals would be infrequent and it seems to me that if any proposals did materialise, they could be adequately considered against other policies in the Plan, including Policy D.6.

- 6.30 I fully recognise the importance of initiatives such as those promoted by the *Countryside Agency*, particularly the wider benefits and links to the regeneration and diversification of towns and the countryside and to the general strategy of sustainable development. I also recognise the need to link renewable energy with other economic, social and environmental objectives. However, given the absence of any particular initiatives and proposals for renewable energy in this District, I conclude that it is unnecessary to include a particular policy on this subject in this Local Plan at this time. If further initiatives do materialise in the future, then they can be considered as part of a subsequent review of the Plan at the appropriate time.

Recommendation

6.31 I RECOMMEND no modifications to the Local Plan in response to this objection.

CHAPTER 7: COUNTRYSIDE

LANDSCAPE

POLICY LA.1: LANDSCAPE CHARACTER

Objections The objections to this Policy have been withdrawn.

POLICY LA.2: LANDSCAPE PROTECTION AREA

Objections First Deposit 9/003 – Government Office for the West Midlands.

Revised Deposit There are no objections at the Revised Deposit stage.

Key issues

- Is this Policy unduly restrictive and should it be reviewed in the light of national guidance.

Main considerations and Inspector's conclusions

- 7.1 Policy LA.2 establishes *Landscape Protection Areas* where development that would have a significant adverse effect on the area's quality or character is not normally permitted. The RDLP makes minor amendments to the wording of the Policy and introduces criteria covering exceptions, in response to an objection at First Deposit stage by WCC (*Change Nos. 072-073*). WFDC explains that the *Landscape Protection Area* covered by Policy LA.2 largely overlaps the non-statutory *Area of Great Landscape Value* first established in the WCDP in the 1950s and carried forward in subsequent Structure Plans. The *Landscape Protection Area* was first defined in the 1989 WFUALP [CD72] and has been carried forward in the adopted Local Plan [CD74].
- 7.2 At first sight, it seems that Policy LA.2 unnecessarily duplicates WCSP Policy CTC.4, since it covers areas similar to the AGLVs. It could also conflict with national policy in PPG7 (¶ 4.16) which advises that local landscape designations carry less weight than national designations and should not be used to restrict development. Both WFDC & WCC recognise the need to review the approach to landscape protection, particularly in the light of national guidance and the *Countryside Agency's* preferred approach based on landscape character.
- 7.3 I understand that WCC is currently preparing SPG on landscape character that will inform future policy towards landscape protection, and a draft *Landscape Character Assessment* has been published [CD66]. However, WCC intends to retain WCSP Policy CTC.4 at least until this SPG is published sometime in 2003 and adopted. Consequently, an adequate planning framework to replace or assist in a comprehensive review of Policy LA.2 has not yet been finalised. When the SPG has been adopted, WCC intends to review the WCSP landscape policies and WFDC will consider reviewing the landscape policies in this Local Plan, including Policy LA.2 at that time. I understand that the *Countryside Agency* accepts this approach and withdrew its original objection (11/020) to the First Deposit Local Plan when the situation was clarified.
- 7.4 It therefore seems to me that, rather than abandon the present approach to landscape protection through the designation of AGLVs in the WCSP and *Landscape Protection Areas* in this Local Plan, effectively leaving these areas with no landscape protection, it is appropriate to retain Policy LA.2 at least until the approach is reviewed following the

adoption of new SPG on *Landscape Character Areas*. In the meantime, the degree of protection afforded to *Landscape Protection Areas* by Policy LA.2 has been amended to more closely reflect that afforded to *AGLVs* by Policy CTC.4 in the WCSP. Similar amendments have also been made to Policies LA.3, LA.4 & LA.5.

- 7.5 Consequently, I consider the detailed wording of Policy LA.2, as set out in the RDLP, accurately reflects the degree of protection afforded to similar *AGLVs* in the WCSP, without unnecessarily duplicating this approach or unduly restricting development in such areas. No further amendments are therefore needed in response to *GO-WM's* objection. However, I would urge the Council to review the approach to landscape protection within its District as soon as *WCC's* SPG on *Landscape Character Areas* is finalised and adopted. The proposed introduction of *Local Development Frameworks* under the *Planning & Compulsory Purchase Bill* will provide an opportunity to undertake a full review of the landscape policies based on *WCC's* *Landscape Character SPG*.

Recommendation

- 7.6 ***I RECOMMEND no modifications*** to the Local Plan in response to this objection, but the approach to local landscape protection, including Policy LA.2, should be reviewed as soon as *WCC's* *Supplementary Planning Guidance on Landscape Character Areas* is finalised and adopted.

POLICY LA.2: LANDSCAPE PROTECTION AREA

SITE-SPECIFIC OBJECTIONS

Land at Bewdley Road North, Stourport-on-Severn

Objections First Deposit 516/001 – Mr E Coomber.

Revised Deposit There are no objections at the Revised Deposit stage.

Key issues

- Should this site be excluded from the *Landscape Protection Area*, in view of its landscape quality.

Main considerations and Inspector's conclusions

- 7.7 The land in question comprises a cultivated open field lying on the north-western edge of Stourport, fronting Bewdley Road North and the houses in Burlish Crossing/Elan Avenue. As I saw on my visit, it is largely devoid of any significant landscape features and its character is influenced by the adjoining housing. Nevertheless, as *WFDC* rightly says, it does contribute to the open setting of the attractive landscape of the wider *Severn Valley* which it adjoins. This role was accepted by the inspector dealing with a similar objection to the *WFUALP [CD71; ¶ 194]* as justifying designation in view of the overall quality of the *Landscape Protection Area* and to protect prominent views within it from urban intrusion. Little has changed since that conclusion was reached and, in the absence of any overriding considerations or pressing development needs, I can see no reason to exclude the site from this designation at least until the approach to landscape protection has been reviewed (see above). I deal with the associated objections to Green Belt and *Area of Development Restraint* policies later in this section of my report.

Recommendation

7.8 I RECOMMEND no modifications to the Local Plan in response to this objection.

POLICY LA.3: THE SEVERN VALLEY

Objections The objection to this Policy has been withdrawn.

POLICY LA.4: THE STOUR VALLEY

Objections The objection to this Policy has been withdrawn.

POLICY LA.5: STREAMS AND POOLS SYSTEMS EAST OF KIDDERMINSTER

Objections The objection to this Policy has been withdrawn.

POLICY LA.6: LANDSCAPE FEATURES

Objections First Deposit 481/023 – House Builders Federation.

Revised Deposit There are no objections at the Revised Deposit stage.

Key issues

- Should the Policy be amended to refer to a *material adverse impact*.

Main considerations and Inspector’s conclusions

7.9 Policy LA.6 seeks to protect important features within the landscape. In response to an objection at First Deposit stage from *GO-WM*, the RDLP replaces the phrase *material adverse impact* in the final sentence of the Policy with *significant adverse effect* (*Change No. 079*). This reflects the terms of WCSP Policy CTC.4 and is consistent with the amendment to Policy LA.2 (*Change No. 072*). *HBF*’s objection has therefore been overtaken by events, but I consider the latest change addresses the underlying concerns of this objector and no further amendments are necessary.

Recommendation

7.10 I RECOMMEND no modifications to the Local Plan in response to this objection.

POLICY LA.7: LANDSCAPE IMPACT OF HIGHWAY WORKS

Objections There are no objections to this Policy at First and Revised Deposit stages.

POLICY LA.8: LANDSCAPE IMPACT OF STRATEGIC ROAD PROPOSALS

Objections There are no objections to this Policy at First and Revised Deposit stages.

POLICY LA.9: NEW TREES AND WOODLANDS

Objections The objections to this Policy have been withdrawn.

GREEN BELT***General background to the Green Belt in Wyre Forest District***

- 7.11 The history and general background to the designation of the Green Belt in Wyre Forest District is set out in *Topic Paper 3 [CD112]*. The Green Belt was originally set out in the 1959 WCDP and carried forward in subsequent amendments, culminating in 1975 when much of the Green Belt around Kidderminster, Stourport and Bewdley was formally designated as “Interim” Green Belt. When approving the first WCSP in 1975, the Secretary of State confirmed that the detailed boundaries of these Green Belt areas would be defined in subsequent local plans. The 1989 WFUALP [CD72] defined detailed Green Belt boundaries around the main towns of Kidderminster, Stourport and Bewdley, including three *Areas of Development Restraint* to meet longer-term development needs. Subsequently, the 1996 WFDLP [CD74] defined detailed Green Belt boundaries in the remainder of the District, including those around the settlements of Cookley, Blakedown and Fairfield, and also identified adjacent *Areas of Development Restraint*.
- 7.12 The WCSP [CD63] provides the strategic context for the Green Belt. Policy D.38 sets out the five main purposes of the Green Belt and defines its general extent, shown on the Key Diagram. WCSP (¶ 6.127) confirms that the general extent of the Green Belt remains unchanged from the previous Structure Plan, reflecting RPG11, which confirms that there is no case for a fundamental review of Green Belt boundaries in the West Midlands. Policy D.39 covers the control of development in the Green Belt, reflecting the guidance in PPG2. Policy D.41 requires LPAs to review existing *Areas of Development Restraint* against the sustainability criteria in Policies SD.4 & SD.5, and also to consider whether new *ADRs* should be identified in the light of longer-term development needs beyond 2011. WCSP (¶ 6.135) confirms that there is no need for a general review of Green Belt boundaries to meet development requirements up to 2011, a view supported by the EIP Panel [CD62; ¶ 4.65] and in RPG11 [CD51/52]. However, it recognises that the Green Belt may be too tightly drawn around some settlements to enable sustainable patterns of development to be pursued, and so new *ADRs* may need to be identified to meet possible development needs beyond 2011, having regard to Policies SD.4, SD.5 & D.38.
- 7.13 *WFDC* confirms that an assessment of the existing *Areas of Development Restraint* was undertaken as part of the preparation of this Local Plan, reviewing them against the sustainability criteria in WCSP Policies SD.4 & SD.5, in line with Policy D.41, and as set out in the *Sustainability Appraisal [CD84]*. This confirmed that all the existing *ADRs* represent potentially sustainable locations for development if needed in the longer term. No limited adjustments to the Green Belt boundaries are therefore considered necessary as part of this Local Plan Review. *WFDC* confirms that the preparation of this Plan has also had regard to the sequential approach to the selection of development sites, as set out in

WCSP Policy SD.7. WFDC also confirms that the outstanding development needs of the District can be met on existing sites, including *previously developed land* in the main urban areas, without damaging the quality of the environment or requiring any revisions to current Green Belt boundaries.

- 7.14 National guidance in PPG2 (¶ 2.1/2.6-2.7) confirms that the essential characteristic of the Green Belt is its permanence and that Green Belt boundaries defined in earlier local plans should be altered only exceptionally. PPG2 (Annex C) also outlines specific policies for *Major Developed Sites in the Green Belt* identified in local plans. The WFDLP identifies two such sites, at *Lea Castle Hospital* and *Rushock Trading Estate*.
- 7.15 In considering the question of the Green Belt and the associated objections, I have also had regard to the guidance in the current RPG11 [CD51], the latest draft RPG11 [CD52] and the Panel Report [CD56].

POLICY GB.1: CONTROL OF DEVELOPMENT IN THE GREEN BELT

Objections First Deposit 76/001 – Kidderminster Foreign Parish Council; 77/001 – Upper Arley Parish Council; 136/019 – Worcestershire County Council (Env. Services); 309/007 – Offmore Farm Partnership; 643/001 – Mr C W Jackson;

Revised Deposit 618/100 – Stansgate Planning Consultants; 669/001 – S Cartwright; 670/001 – S Roberts; 671/001 – Miss L Butler.

Key issues

- Should clause (iii)(c) of the Policy clarify that infill development is only for local needs, in accordance with WCSP Policy D.12;
- Should the Policy allow for the development of land for high quality employment purposes in order to maintain a proper portfolio of employment land; and should it refer to the potential for rail-based park-and-ride facilities in the Green Belt to the east of Kidderminster;
- Should the Policy only allow *infilling* within the existing boundaries of Green Belt settlements, rather than on small sites immediately adjoining a settlement;
- Note 1: should this refer to other settlements in addition to Chaddesley Corbett; should the list of facilities and services not be seen as the only measure of sustainability; is the definition of *infilling* misleading; and are the criteria unduly prescriptive in terms of national policy;
- Note 1: should the amended text defining a *village* be deleted and the term *settlement* be reinstated;
- Note 2: does the requirement for replacement dwellings to be permitted only in *exceptional circumstances* reflect national planning policy.

Main considerations and Inspector’s conclusions

- 7.16 Policy GB.1 covers the control of development in the Green Belt, confirming that development will not be permitted except in very special circumstances, apart from specified exceptions. In the RDLP, the wording of some clauses of the Policy and accompanying text have been amended in response to objections at the First Deposit stage (*Change Nos. 082-085*).

- 7.17 WCC points out that WCSP Policy D.12 restricts housing development in Green Belt settlements to local needs housing only, but clause (iii)(c) of Policy GB.1 allows infilling for other than local needs. In considering this issue, I note that national policy in PPG2 does not restrict infilling in Green Belt settlements to local needs only. In addition, *Note 1* confirms that clause (iii) of the Policy only relates to one village - Chaddesley Corbett. I understand that no detailed assessment of local housing needs for this parish has been undertaken and so it would be difficult to apply this restriction to an unknown quantum. However, I am sure that WFDC recognises the importance of undertaking local housing needs assessments in this District, particularly since further advice is now available on the matter (*Local Housing Needs Assessment: a Guide to Good Practice [CD120]*).
- 7.18 Secondly, it would be difficult to ensure that any housing provided under this clause of the Policy continued to be occupied by a household meeting the “local needs” definition, either by planning condition or S106 Agreement. Any agreement or condition would require long-term monitoring to ensure compliance, which would be difficult to enforce, particularly given the lack of any local housing needs assessment. I realise that there is a definition of *Local Housing Needs* in the WCSP Glossary and in PPG3 (¶ 12-13), with further guidance in this Local Plan (¶ 3.88). However, the question of long-term monitoring and enforceability would remain. I also understand that the scale of housing provision likely to result in Chaddesley Corbett as a result of clause (iii)(c) of the Policy would be small, possibly no more than 5 plots (less than 1% of the total housing stock in the village).
- 7.19 Consequently, the implications of this element of the Policy would only have a marginal impact on the existing housing stock in the District. Although there is a point of principle here, I am satisfied that the restricted application of clause (iii)(c) of Policy GB.1 to one settlement in the Green Belt, resulting in an extremely limited number of additional dwellings, would not be significant in strategic terms or undermine the strategy of the WCSP. I cannot therefore see that any further amendments to Policy GB.1 or the explanatory text are needed in response to WCC’s objection.
- 7.20 *Offmore Farm*’s concerns are directly associated with a site-specific objection relating to Offmore Farm, which I deal with later in this section of my report. In terms of overall employment land supply, I am satisfied that the Plan makes sufficient provision for current WCSP requirements without the need to take further land from the Green Belt. Moreover, a policy which specifically allowed for sites in the Green Belt to be used for high quality employment purposes would directly contravene long-standing national Green Belt policy in PPG2, as well as WCSP Green Belt and employment policies.
- 7.21 I deal with the possibility of a park-and-ride site in the Green Belt east of Kidderminster in the Transport chapter of the Plan (¶ 10.60H-K), and in the Employment section of my report (see Chapter 4). Notwithstanding my conclusions in these parts of my report, I consider it is unnecessary and inappropriate for Policy GB.1 to refer to this possibility. Following the inconclusive nature of *WMAMMS [CD54]*, the Kidderminster-Blakedown-Hagley By-Pass is no longer safeguarded and further studies will be needed to consider detailed transport options and the need for a Kidderminster Eastern By-Pass. Should the study identify a need for a new park-and-ride site to serve Kidderminster, and a detailed assessment of potential sites (including a potential Green Belt site east of Kidderminster) establishes that this the most appropriate and sustainable option, then subject to various safeguards, PPG13 (Annex E) confirms that such a proposal might not represent inappropriate development in the Green Belt. In response to this element of *Offmore Farm*’s objection, I therefore consider it would be premature to specifically indicate in Policy GB.1 that a park-and-ride site in the Green Belt east of Kidderminster might be appropriate.

- 7.22 *Mr Jackson* is concerned that developers might exploit a loophole by proposing to develop on land beyond the existing boundary of a settlement in the Green Belt. He refers to Policy H5(iii) in the adopted Local Plan [CD74] which relates to sites for “rural exceptions” affordable housing schemes. However, WFDC considers this policy is too restrictive for these affordable housing schemes, and points to national guidance in PPG3 (¶ 18) which confirms that sites *within or adjoining existing villages* may be appropriate for “rural exceptions” affordable housing schemes. Policy H.11(iii) in the WFDLP reflects this guidance and I draw attention to my conclusions on this issue in that section of my report (see Chapter 3). As far as Policy GB.1 is concerned, clause (iii)(b) refers to *small-scale, low-cost housing, reserved for local needs...which...accords with Policy H.11*. There is no indication in Policy GB.1 or the accompanying text that land outside the settlement would be used for building new houses, whether for affordable housing or otherwise. As WFDC says, any proposals for affordable housing beyond the edge of a settlement would have to meet the tests of local need and environmental acceptability. Consequently, I consider *Mr Jackson’s* concerns are misplaced and no amendments are needed to Policy GB.1 or the accompanying text.
- 7.23 *KFPC & UAPC* are concerned about the criteria in *Note 1* to the Policy, particularly the list of villages and facilities and the definition of *infilling*. WFDC confirms that all other settlements with more than 400 people (such as Cookley, Blakedown and Fairfield) have been excluded from the Green Belt, as confirmed in amended paragraph 7.46 of the Plan (*Change No. 083*). WFDC also agrees that the list of facilities set out in *Note 1* is unduly prescriptive and has deleted it in the RDLP (*Change No. 085*). The term *settlement* has also been replaced with *village* to more accurately reflect PPG2. The definition of *infilling* is clearly set out in clause (iii)(c) of Policy GB.1. I understand that although the infilling policy is restricted to Chaddesley Corbett, development is not precluded in other settlements “washed-over” by the Green Belt where it is required for affordable housing under Policy H.11. I share some of *UAPC’s* concern about the restrictions on development in small settlements like Upper Arley and the possibility of rural decline. However, this has to be seen in the context of the Green Belt and national planning policy in PPG2 & PPG7. It seems to me that a restrictive policy will help to ensure that Green Belt objectives are not compromised, whilst maintaining a vital and dynamic community life, in line with the *Rural White Paper*. Work on Village Plans will also help to assess local needs and opportunities. I therefore conclude that the amendments already made to *Note 1* and paragraph 7.46 adequately respond to the concerns of these objectors.
- 7.24 *Messrs Cartwright & Roberts & Miss Butler* consider the revised text of *Note 1* arbitrarily restrains appropriate development to a specific population threshold, which will vary over time, and to an undefined range of services and facilities. WFDC explains that the approach to development in villages reflects PPG2 and WCSP Policy D.12, particularly in terms of providing insets for certain Green Belt villages (Cookley, Blakedown & Fairfield) and specifying Chaddesley Corbett as the only “washed-over” village suitable for infilling. In my view, this adequately reflects national guidance and WCSP Green Belt policy, particularly bearing in mind the absence of any need to identify additional sites for new housing within the current Plan period. Clause (iii)(b) would also allow small-scale low-cost affordable housing to meet local needs. In response to these specific objections, the population threshold in the RDLP remains at 400, which I consider is a reasonable starting point in terms of this District. Secondly, the deletion of the list of facilities and services makes the application of the policy less prescriptive, and the replacement of the term *settlement* with *village* more accurately reflects the terminology in PPG2 (¶ 2.11). Consequently, I cannot see any justification for any further amendments to *Note 1*.
- 7.25 In *Note 2*, the RDLP replaces the term *certain* with *exceptional* (*Change No. 085*), thus permitting replacement dwellings in the Green Belt only in *exceptional circumstances*.

PPG2 (¶ 3.6) confirms that the replacement of existing dwellings need not be inappropriate development in the Green Belt, subject to the scale of the replacement dwelling, and requires development plans to indicate the circumstances under which replacement dwellings are acceptable. The issue of setting out the particular circumstances when replacement dwellings may be permitted is clearly a matter to be addressed in this Local Plan. *WFDC* is concerned about the visual amenity of the Green Belt being eroded as a result of the loss of local buildings of interest and other attractive properties, and considers that their replacement should be limited to exceptional circumstances.

- 7.26 However, in my view, this is a far too restrictive and harsh test and would result in virtually no existing dwellings being replaced. This would neither accord with national policy in PPG2 or WCSP Policies D.12 & D.39, nor reflect the definition given in clause (iv) of Policy GB.1. The concerns about the loss of buildings of local interest would be covered by Policies LB.1-5 in the Local Plan and does not, in my view, justify allowing replacement dwellings in the Green Belt only in *exceptional circumstances*. In response to *Stansgate's* objection, I therefore recommend that *Note 2* is either deleted or amended to indicate the Council's concerns about the loss of local buildings of interest. However, no further amendments are necessary in response to the other general objections to Policy GB.1.

Recommendation

7.27 ***I RECOMMEND*** that the Local Plan be modified by deleting Note 2 accompanying Policy GB.1 or amending the text to indicate the concern about the loss of buildings of local interest, but that no further modifications be made in response to these objections.

POLICY GB.1: CONTROL OF DEVELOPMENT IN THE GREEN BELT

SITE-SPECIFIC OBJECTIONS

Land at Hurcott, Kidderminster

Objections First Deposit 421/017 – Hurcott (Jersey) Ltd.

Revised Deposit There are no objections at the Revised Deposit stage.

Key issues

- Are there any exceptional circumstances justifying the removal of this site from the Green Belt and its allocation for housing or employment development or identification as an *Area of Development Restraint*.

Main considerations and Inspector's conclusions

- 7.28 The land in question lies on the north-eastern fringe of Kidderminster, bounded by the A456 Birmingham Road, Hurcott Lane, Hurcott Road and the houses in Baldwin Road. Currently used for grazing and covering some 16.3ha, it is elevated land on the edge of the urban area, with a steep-sided valley running in an east-west direction across the site. I have dealt with associated objections suggesting that the site should be allocated for housing or employment development earlier in my report (see Chapters 3 & 4), where I conclude that there is no overriding or pressing need to identify additional or alternative

housing and employment sites to meet current requirements. I deal with the issue of identifying the site as an *Area of Development Restraint* later in this section of my report.

- 7.29 There is no dispute that this site currently lies within the approved Green Belt, first defined in the 1989 WFUALP [CD72]. National guidance in PPG2 (¶ 2.1/2.6-2.7) confirms that the essential characteristic of the Green Belt is its permanence and that Green Belt boundaries defined in earlier local plans should be altered only exceptionally. WCSP (¶ 6.135) also confirms that there is no case for a general review of Green Belt boundaries in this locality, a view supported by the EIP Panel [CD62; ¶ 4.65] and reflected in WFDC's Green Belt Topic Paper [CD112]. I also note that the inclusion of this site within the Green Belt was considered by the inspector who examined the now adopted WFDLP [CD74]. At that time, he considered the site served Green Belt purposes by helping to prevent the merging of Kidderminster and Blakedown, and there were no exceptional circumstances to justify removing it from the Green Belt. Little has changed since that conclusion was made [CD73; ¶ 2.3.8]. Moreover, the objector has provided little evidence to support the case for removing this site from the Green Belt.
- 7.30 Having seen this site, I concur with WFDC's view that, in its present open and undeveloped condition, the land serves three of the key purposes of including land in the Green Belt, set out in PPG2 (¶ 1.5). Firstly, it lies within the relatively narrow open area of land between Kidderminster and Blakedown and helps to maintain this strategic gap, as well as preventing neighbouring towns and settlements from merging into one another. Secondly, it helps to prevent urban sprawl and safeguards the open countryside from encroachment. Thirdly, the Green Belt boundary in this locality is clearly and tightly drawn along the rear of properties in Baldwin Road, which assists urban regeneration by encouraging the recycling of land in the main urban areas. The site also has a positive role to play by retaining land in agricultural and related uses, in line with the Green Belt objectives set out in PPG2 (¶ 1.6).
- 7.31 Furthermore, this is a readily perceived and visually prominent area of land, particularly given its elevated position, up to 75m AOD high at the ridge line. Consequently, any development would inevitably be visible over a wide area, impinging on local views across the site and towards the Clent Hills. The eastern edge of the built-up area of Kidderminster is currently screened by this ridge line, which provides the setting for this well contained urban area, as confirmed by the WCSP EIP Panel [CD62; ¶ 4.63].
- 7.32 In the absence of any pressing needs to find additional or alternative development sites to meet current housing and employment land requirements, and bearing in mind the physical and visual prominence of this site, the likely impact of development on the landscape, and its role in providing the setting for the urban area and maintaining the strategic gap between the edge of Kidderminster and Blakedown, I conclude that there is no justification for removing this site from the Green Belt.

Recommendation

7.33 I RECOMMEND *no modifications* to the Local Plan in response to this objection.

Land off Stanklyn Lane, Stone

Objections First Deposit 445/001 – Octavian Development & Construction.

Revised Deposit There are no objections at the Revised Deposit stage.

Key issues

- Are there any exceptional circumstances justifying the removal of this site from the Green Belt and its allocation for affordable housing.

Main considerations and Inspector's conclusions

- 7.34 This objection site lies to the rear of houses along Stanklyn Lane, fronting the A448 Kidderminster-Bromsgrove road at Stone. Currently paddocks and pasture fields, it extends to over 4ha, considerably larger than the 2.9ha quoted by the objector. It lies in the Green Belt to the east of Kidderminster, just off Stone Hill. I have already dealt with the issues relating to the allocation of this site for affordable housing (see Chapter 3 of my report).
- 7.35 There is no dispute that the site currently lies in the approved Green Belt, originally confirmed as such in the 1989 WFUALP [CD72] and carried forward into the current adopted WFDLP [CD74]. National guidance in PPG2 (¶ 2.1/2.6-2.7) confirms that the essential characteristic of the Green Belt is its permanence and that Green Belt boundaries defined in earlier local plans should be altered only exceptionally. WCSP (¶ 6.135) also confirms that there is no case for a general review of Green Belt boundaries in this locality, a view supported by the EIP Panel [CD62; ¶ 4.65] and reflected in WFDC's Green Belt Topic Paper [CD112], and also confirmed in RPG11 [CD51/52].
- 7.36 In this Local Plan, Stone is not identified as a settlement suitable for further growth, or even for infilling, given its Green Belt context. Moreover, having seen the site, I consider that in its present open and undeveloped condition, it performs several important purposes of Green Belt land, as set out in PPG2 (¶ 1.5). Firstly, it forms an integral part of the wider swathe of Green Belt lying between Kidderminster and Hagley, helping to maintain the integrity of this important strategic gap and preventing neighbouring towns and settlements from merging. It also helps to safeguard the countryside from encroachment by urban development. Furthermore, tight restrictions on development in the Green Belt assists urban regeneration by directing attention to *previously developed land* in the main urban areas. By retaining land in agriculture and associated uses, the use of this site also helps to fulfil one of the main objectives of Green Belt land, set out in PPG2 (¶ 1.6).
- 7.37 I recognise the locational characteristics of this site, within the *Central Crescent* identified for further growth in RPG11. However, this has to be balanced against its important position in the wider Green Belt between Kidderminster and the West Midlands conurbation. There is nothing in current or emerging regional and strategic guidance which suggests that development, even for affordable housing, would require a review of Green Belt boundaries and the allocation of Green Belt sites for this purpose. Furthermore, this objection site lies outside the existing built confines of the settlement and its identification for development for affordable housing would extend the outward limits of the built-up area into the surrounding countryside, contrary to WCSP rural settlement policies.
- 7.38 Consequently, I can see no exceptional circumstances to justify either a review of Green Belt boundaries in this locality or the removal of this site to accommodate some affordable housing. As I have said earlier, if a demonstrable need for affordable housing can be shown in a detailed Housing Needs Assessment, it should be dealt with through Policy H.11 of the Plan, rather than by a specific allocation at this time. Accordingly, I conclude that there is no case for removing this site from the Green Belt and allocating it for affordable housing.

Recommendation

7.39 I RECOMMEND no modifications to the Local Plan in response to this objection.

Land at Ferndale, Kidderminster

Objections First Deposit 514/004 – Mr R H Brazier.

Revised Deposit There are no objections at the Revised Deposit stage.

Key issues

- Are there any exceptional circumstances that would justify removing this site from the Green Belt and allocating it for housing development.

Main considerations and Inspector's conclusions

- 7.40 The land in question comprises fields and paddocks lying on the northern fringe of Habberley, off Sandy Lane, behind the houses fronting Ferndale Crescent, Harvington Close and Corbett Road. I have dealt with objections to the housing policies earlier in my report (see Chapter 3). Here I concluded that there were no pressing reasons to find additional or alternative housing sites on *greenfield* land beyond the urban area in the Green Belt such as this, in order to meet current housing requirements. In this section, I concentrate on the Green Belt aspects of the objection.
- 7.41 There is no dispute that this site lies within the approved Green Belt, first defined in the WFUALP [CD72] in 1989. National policy in PPG2 (¶ 2.1/2.6-2.7) confirms that the main characteristic of the Green Belt is its permanence and that Green Belt boundaries defined in earlier local plans should be altered only exceptionally. The WCSP (¶ 6.135) also confirms that there is no case for generally reviewing Green Belt boundaries in this locality. In this case, the objector has provided little evidence to support the case for removing this site from the Green Belt.
- 7.42 Having seen this objection site, I share WFDC's view that it serves two of the main purposes of Green Belt land set out in PPG2 (¶ 1.5). Firstly, lying in the countryside on the northern fringe of Kidderminster and in its present open and undeveloped condition, it helps to prevent urban sprawl and safeguards the countryside from encroachment. Secondly, the existing Green Belt boundary is clearly and tightly defined around the existing built-up area, which assists urban regeneration by encouraging the recycling of land within the main urban areas. By retaining land in agricultural and related uses, the site also helps to meet the Green Belt objectives set out in PPG2 (¶ 1.6).
- 7.43 Consequently, I am satisfied that the existing Green Belt boundary is appropriately defined and, in the absence of any overriding need to find additional or alternative housing sites, there are no exceptional circumstances that would justify removing this land from the Green Belt and allocating it for residential development .

Recommendation

7.44 I RECOMMEND no modifications to the Local Plan in response to this objection.

Land at Bewdley Road North, Stourport-on-Severn**Objections First Deposit** 516/002 – Mr E Coomber.**Revised Deposit** There are no objections at the Revised Deposit stage.**Key issues**

- Are there any exceptional circumstances to justify removing this site from the Green Belt and identifying it as an *Area of Development Restraint*.

Main considerations and Inspector's conclusions

7.45 This objection site comprises a 6.1ha cultivated open field lying on the north-western edge of Stourport, fronting Bewdley Road North and the houses in Burlish Crossing/Elan Avenue. I understand that the detailed Green Belt boundary in this locality was first defined in the WFUALP [CD72] in 1989. When dealing with a similar objection at that time, the inspector concluded that the existing Green Belt boundary was firm and clear and that developing this site would lead to urban intrusion [CD71; ¶ 190-194]. Having seen the site, I concur with this view. I have also looked at this site in the context of the Council's approach in the Green Belt Topic Paper [CD112], and conclude that there are no grounds for reviewing or revising the Green Belt boundary in this general locality, as WCSP (¶ 6.135) confirms.

7.46 More particularly, in its present undeveloped condition, I agree with WFDC that the land serves three important purposes of Green Belt land set out in PPG2 (¶ 1.5). Firstly, it lies within the relatively narrow gap between Stourport and Bewdley and helps to prevent these neighbouring towns from merging. It also helps to safeguard the countryside from encroachment, and the present tight Green Belt boundary assists urban regeneration by encouraging the recycling and redevelopment of land in the main urban areas. By retaining the land in agricultural use, providing an open setting for the proposed cycle route between Stourport and Bewdley, and complementing the attractive landscape of the Severn Valley, it also fulfils the objectives of Green Belt land set out in PPG2 (¶ 1.6).

7.47 I deal with associated objections to the *Landscape Protection Area & Area of Development Restraint*, including the approach to designating these areas and future housing requirements, in other parts of this section of my report. However, it is important to bear in mind the degree of permanence required of Green Belt boundaries and the need to avoid altering boundaries established in earlier adopted Local Plans, as confirmed in PPG2 (¶ 2.1/2.6-2.7). Consequently, in the absence of any exceptional circumstances or pressing development needs, I can see no justification for removing this site from the Green Belt on the basis of the arguments put forward on behalf of this objector.

Recommendation

7.48 ***I RECOMMEND no modifications to the Local Plan in response to this objection.***

Land at Birmingham Road/Station Drive, Blakedown**Objections First Deposit** 528/003 – Marmaris Investments Ltd.**Revised Deposit** There are no objections at the Revised Deposit stage.

Key issues

- Whether there are any exceptional circumstances to justify amending the Green Belt boundary in this locality and allocating the site for a mixed-use development, comprising new housing (including affordable housing), car parking and open space, or alternatively identifying the site as an *Area of Development Restraint*.

Main considerations and Inspector's conclusions

- 7.49 The land in question is a 2.6ha field lying on the north-eastern edge of Blakedown, bounded by the A456 Birmingham Road, Station Drive, the Kidderminster-Birmingham railway line and a brookcourse, adjoining Blakedown station. It lies in the approved Green Belt, with the boundary currently running along the rear of houses in Sculthorpe Drive/The Croft and along the opposite side of Station Drive. To the north, the site adjoins the Blakedown stream and pools system protected under Policy LA.5.
- 7.50 *Marmaris* seeks to remove this site from the Green Belt and allocate it for a mixed-use development (including housing, station car parking and open space), or alternatively, identify it as an *Area of Development Restraint*. I have already concluded that there are no compelling reasons to release the site for development on housing grounds (see Chapter 3) and I deal with the parking and open space considerations in later parts of my report (see Chapters 10 & 11). In this section of my report, I deal with the Green Belt considerations, including the function of the site in Green Belt terms and the particular reasons that might justify amending the Green Belt boundary in this locality and allocating the site for development or identifying it as an *ADR*.
- 7.51 I understand that the detailed Green Belt boundary around Blakedown was first defined in 1996 when the previous Local Plan [CD74] was adopted. At that time, the Local Plan inspector confirmed the important function of the Green Belt in this narrow gap between Kidderminster and West Hagley [CD73; ¶ 2.7.3-2.7.9]. In physical and visual terms, little has changed since then, and I share his view that building on this site would reduce the gap between the settlements and erode the open character of this important area of Green Belt. It would also conflict with the acknowledged purposes of the Green Belt in terms of safeguarding the countryside from encroachment and preventing neighbouring towns from merging. The allocation of this *greenfield* site could also deflect attention away from the regeneration of sites in the urban areas, another recognised role for the Green Belt.
- 7.52 The existing Green Belt is well defined along defensible boundaries around the built-up area of Blakedown, with well-vegetated boundaries helping to screen much of the residential areas from view when driving along the main A456. It therefore seems to me that the site currently performs three recognised functions of the Green Belt and helps to safeguard the open character of this narrow wedge of open countryside on the northern fringe of Blakedown. Furthermore, by retaining land in agricultural or related uses, the site helps to meet the objectives for Green Belt land set out in PPG2 (¶ 1.6).
- 7.53 There are, however, two circumstances that have changed since this site was last examined in Green Belt terms. Firstly, proposals for the Western Orbital Route in the *WMAMMS* [CD54] have now been abandoned. Proposals for Western By-Passes around Wolverhampton and Stourbridge were included in the Draft Regional Guidance [CD52], but are not supported by the EIP Panel [CD56]. Any possible threat to the openness of the Green Belt to the west of Stourbridge and between Blakedown and Hagley as a result of road proposals therefore seems to have receded. Secondly, DTp policy on new accesses off Trunk Roads has been reviewed, and the Highways Agency confirms the possibility of access to this site being allowed off the main A456. In view of the apparent difficulty of gaining access to the site from Station Drive due to junction distances, a new access off

the A456 would seem to be a more likely option. However, this in itself would require the removal of boundary vegetation and could, at least in the short-term, result in the site being opened up to wider view from the adjoining road. Neither of these factors would support releasing this site from the Green Belt.

- 7.54 *Marmaris* advances several reasons why the Green Belt boundary should be reviewed in this locality. Firstly, WCSP Policy D.41 allows limited adjustments to such boundaries where they are too tightly drawn around settlements to enable sustainable patterns of development to be pursued. However, this is not the case in this District, where sustainable patterns of development are taking place within the existing town centres and current development needs can be met without allocating fresh greenfield land or reviewing Green Belt boundaries. I also note that neither the WCSP (¶ 6.135), nor the emerging RPG11 & EIP Panel Report [CD52/56] recommend a general review of Green Belt boundaries in this locality. In any event, Policy D.41 only refers to identifying *Areas of Development Restraint* for possible future development, rather than allocating specific sites for development within the current Plan period. In Blakedown, an *ADR* has already been identified in the adopted Local Plan at the nursery in Belbroughton Road, which would provide an opportunity for sustainable development within the village in the future.
- 7.55 The other factors mentioned, such as the well-contained nature of the site, the increased opportunity to use rail transport, improved access to the countryside and the provision of additional informal recreation facilities and affordable housing, do not, in my view, provide the type of exceptional circumstances necessary to justify releasing this site from the Green Belt or identifying it as an *Area of Development Restraint*. In the event of additional car parking being needed or provided at the railway station, on a Park-and-Ride basis, this would not necessarily require the removal of the site from the Green Belt, as PPG13 (Annex E) confirms.
- 7.56 Consequently, I can find no compelling reasons or exceptional circumstances that would justify releasing this site from the Green Belt and its allocation for a mixed-use development or identification as an *Area of Development Restraint*.

Recommendation

7.57 I RECOMMEND no modifications to the Local Plan in response to this objection.

Stourport-on-Severn High School & Burlish First School, Stourport-on-Severn

Objections First Deposit 646/001 – Worcestershire County Council Property Services.

Revised Deposit There are no objections at the Revised Deposit stage.

Key issues

- Are there any exceptional circumstances justifying the removal of this land from the Green Belt and designating it under Policy CY.5 for educational establishments, in line with other schools in the District.

Main considerations and Inspector's conclusions

- 7.58 This objection site extends to about 12.8ha and accommodates Stourport High School & Burlish First/Middle Schools, along with adjoining playing fields and sports facilities. It adjoins existing residential areas off Windermere Way on the northern fringe of Stourport and is bounded by Kingsway to the north. The site lies in the approved Green Belt, first

- defined in the WFUALP [CD72] in 1989. National policy in PPG2 (¶ 2.1/2.6-2.7) advises that Green Belt boundaries defined in earlier local plans should be altered only exceptionally, and WCSP (¶ 6.135) confirms that there is no case for a general review of Green Belt boundaries in this locality. I am also aware of the latest national guidance in PPG17 (2002) about the development of school playing fields.
- 7.59 Having seen the site, it seems to me that the land performs three important purposes of Green Belt land, as set out in PPG2 (¶ 1.5). Firstly, it lies within the relatively narrow wedge of open land between the built-up areas of Kidderminster and Stourport, here barely 1200m wide. Like *WFDC*, I consider it forms an integral part of this strategically important, narrow and vulnerable gap, which prevents these neighbouring settlements from merging. In its present largely open and undeveloped condition, it also helps to safeguard the adjoining countryside from encroachment. Furthermore, the present Green Belt boundaries are clearly and tightly defined around the existing built-up area, which helps to assist urban regeneration by encouraging the use of *previously developed land* in the main urban areas. In providing opportunities for outdoor sport and recreation near the urban area, it also has a positive role in terms of meeting the Green Belt objectives outlined in PPG2 (¶ 1.6).
- 7.60 *WCC* refers to three other schools that are designated under Policy CY.5 as existing education sites outside the Green Belt. However, this objection site is not alone in being “washed-over” by the Green Belt. I understand that there are other state schools within the designated Green Belt, including Sion Hill Middle School, Wolverley High & First Schools and Chaddesley Corbett First School, along with some private schools. I cannot see that inclusion within the Green Belt necessarily gives rise to problems about the maintenance and further development of the schools on these sites, or on this objection site. In fact, some of the school buildings on the southern boundary of the site are already excluded from the Green Belt and designated under Policy CY.5.
- 7.61 *WCC* also refers to the current review of schools provision in this District and the possible need for future expansion, including a community arts centre. However, I understand that, in the past, similar extensions have been considered on their merits in terms of their impact on the openness and visual amenity of the Green Belt, on the basis of the *very special circumstances* which may exist. I can see no reason why future proposals for extensions or other development on this site cannot be considered on a similar basis. Neither this possibility, nor the current review constitutes the type of exceptional circumstances which, in my view, would be necessary to justify removing this site from the Green Belt, particularly bearing in mind the relatively extensive and very visible area of land involved and the fact that much of it comprises open land used as playing fields.
- 7.62 Alternatively, *WCC* suggests amending Policy GB.1 to specify educational buildings as one of the exceptions to inappropriate development in the Green Belt. However, this would be contrary to national guidance in PPG2 (¶ 3.4) and would not accord with similar policies in the WCSP (Policy D.39 & ¶ 6.128). In later representations, *WCC* also seems to challenge the inclusion of the site within the *Landscape Protection Area*, but this is effectively a new matter and is not part of the original duly made objection. *WFDC* does not respond to this point which, strictly speaking, is not before me and does not directly impinge on the main focus of this objection. Having considered all the relevant arguments, I can therefore see no soundly-based case justifying the removal of this site from the Green Belt.

Recommendation

7.63 I RECOMMEND no modifications to the Local Plan in response to this objection.

Land at Wyre Forest Golf Club, Birchen Coppice, Kidderminster**Objections First Deposit** 657/001 – Wyre Forest Golf Club.**Revised Deposit** There are no objections at the Revised Deposit stage.**Key issues**

- Are there any exceptional circumstances to justify removing the area of land in the vicinity of the existing clubhouse and car park from the Green Belt, bearing in mind that the site adjoins existing development.

Main considerations and Inspector's conclusions

- 7.64 The land in question comprises a cleared area forming part of the car park for the existing golf course and clubhouse. To the north is Birchen Coppice housing estate, to the east is the *Ceramaspeed* factory premises, to the west is the Burlish Top nature reserve, and the clubhouse and golf course lie to the south. I understand that this site was formerly open *greenfield* land and the recent clearance work to create a car park is unauthorised.
- 7.65 Although *WFGC* argues that this Local Plan provides the opportunity to review Green Belt boundaries, the current WCSP (¶ 6.135) confirms that a general review of Green Belt boundaries is not justified in the period up to 2011. In addition, national guidance in PPG2 (¶ 2.1/2.6-2.7) confirms that the essential characteristic of Green Belts is their permanence and that Green Belt boundaries defined in earlier adopted Local Plans should be altered only exceptionally. Having seen the site, I share *WFDC*'s view that, in its present undeveloped condition, it currently performs several important Green Belt functions. Firstly, it lies within the relatively narrow open gap between Kidderminster and Stourport and helps to prevent these neighbouring towns from merging. It also helps to safeguard the countryside from encroachment and a tightly drawn Green Belt boundary can help to encourage regeneration and the recycling of land in the main urban areas. It also lies on elevated rising ground and is visible from the adjoining footpath and surrounding land, much of which is in the Green Belt.
- 7.66 The suggested Green Belt boundary would be no more definitive or enduring than the existing clearly defined boundary around the existing housing and employment areas. More particularly, it could open up the possibility of a significant amount of development, eroding the present open character of the area and weakening the overall integrity of this important and vulnerable area of Green Belt. I realise that including this land within the Green Belt restricts its use and could inhibit the provision of additional facilities. I also recognise that the site is bounded on at least two sides by existing development. However, I understand that the existing golf club premises replaced former farm buildings and *WFDC* confirms that these facilities are essential for the golf club and are appropriate in the Green Belt. Any proposals for further development on this or the surrounding land would have to be considered in the context of this Green Belt location, the needs of the golf club and, in particular, whether any *very special circumstances* could be shown. In the meantime, I am satisfied that the land is appropriately included within the Green Belt and that there are no exceptional circumstances to justify its exclusion.

Recommendation

7.67 I RECOMMEND <u>no modifications</u> to the Local Plan in response to this objection.
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Land at Stanklyn Lane, Stone (2 sites)

Objections First Deposit 640/004 – Trustees of D R Woodward; 659/004– Trustees of G R Woodward

Revised Deposit There are no objections at the Revised Deposit stage.

Key issues

- Are there any exceptional circumstances justifying the removal of these sites from the Green Belt and their allocation for employment uses, rather than the proposal at Lea Castle Hospital.

Main considerations and Inspector’s conclusions

- 7.68 These objection sites lie on the south-eastern fringe of Kidderminster, between the Spennells housing area and Stanklyn Lane. The western site lies towards the western end of Stanklyn Lane, bounded by the railway and existing houses, with agricultural land to the east and south-east. The other site lies at the eastern end of Stanklyn Lane, bounded on three sides by agricultural land, with a public footpath running along the eastern boundary. Both sites lie within the approved Green Belt.
- 7.69 These objections have been recorded against Policy GB.4, since they concern the proposed employment site at *Lea Castle Hospital*, which I deal with below. However, it is convenient to consider the Green Belt issues relating to these objection sites at this point. I have already covered the question of allocating these sites for employment purposes earlier in Chapter 4 of my report, where I conclude that there is no overriding reason to allocate additional or alternative employment land to meet current WCSP requirements.
- 7.70 I understand that the detailed Green Belt boundary in this part of the Plan area, including these sites in the Green Belt, was defined in the 1989 WFUALP [CD72]. National guidance in PPG2 (¶ 2.1/2.6-2.7) confirms that the essential characteristic of the Green Belt is its permanence and that Green Belt boundaries established in earlier local plans should only be altered in exceptional circumstances. WCSP (¶ 6.135) also confirms that there is no case for a general review of Green Belt boundaries in this locality. Having seen these sites, I consider they serve several key purposes of Green Belt land, as set out in PPG2 (¶ 1.5). Firstly, in their present open and undeveloped condition, they help to prevent urban sprawl and safeguard the countryside from encroachment. The existing Green Belt boundary is clearly and tightly defined around the existing built-up area bounded by the Spennells housing estate. This helps to assist urban regeneration by directing attention to recycling *previously developed land* in the main urban areas of Kidderminster and Stourport. The sites also have a positive role to play in retaining land in agricultural use, here some of the best and most versatile Grade 2/3A farmland, in accordance with the Green Belt objectives set out in PPG2 (¶ 1.6).
- 7.71 Apart from the comparison with *Lea Castle Hospital*, the objectors provide no further evidence to justify the removal of these sites from the Green Belt. Consequently, and bearing in mind my earlier conclusions on the possibility of allocating these sites for employment purposes, I can see no exceptional circumstances that would warrant removing these sites from the Green Belt.

Recommendation

7.72 I RECOMMEND no modifications to the Local Plan in response to these objections.

POLICY GB.2: DEVELOPMENT IN THE GREEN BELT

Objections There are no objections to this Policy at First and Revised Deposit stages.

POLICY GB.3: OUTDOOR SPORT AND RECREATION

Objections There are no objections to this Policy at First and Revised Deposit stages.

POLICY GB.4: MAJOR DEVELOPED SITES IN THE GREEN BELT

SITE-SPECIFIC OBJECTIONS

Lea Castle Hospital, north east of Kidderminster

Objections First Deposit 309/008 – Offmore Farm Partnership; 423/001 – NHS Estates; 525/001 – Ms R Blount; 529/001 – Mr J Swift & Miss E Brice; 535/001 – R A Jones; 537/001 – Mr J S Masefield & Miss E White; 544/001 – Mr S Blick; 546/001 – Nigel & Dawn Seal; 556/001-002 – Mr G E Meredith; 562/001 – Mr & Mrs T A J Griffiths; 640/004 – Trustees of D R Woodward; 659/004 – Trustees of G R Woodward.

Revised Deposit There are no objections at the Revised Deposit stage.

Key issues

- Should this site be identified under Policy GB.4 as a *Major Developed Site in the Green Belt* and allocated for development.

Main considerations and Inspector's conclusions

7.73 *Lea Castle Hospital* lies north-east of Kidderminster and south-east of Cookley, between the A449 Wolverhampton Road and the A451 Stourbridge Road. It contains a variety of buildings set within landscaped grounds, well screened from the surrounding farmland by extensive tree belts. The site has been developed since the late 1950s and used for a variety of NHS uses. At one time, it was a substantial hospital facility, with residential, day-care and outpatient facilities for those with learning difficulties, along with a paediatric disability assessment centre. However, in 1992, the Regional Health Authority confirmed that some rationalisation of health-care facilities at *Lea Castle Hospital* was likely. In recent years, many of these activities have been relocated and consolidated, leading to a large part of the site becoming surplus to requirements. In the adopted Local Plan [CD74], the site is subject to Policy HS.2, which confirms that *WFDC* will consider any proposals for re-use or redevelopment in the light of PPG2 (Annex C). At First

- Deposit stage, the site was identified for both housing and employment purposes, but in response to objections, the housing element has been dropped in the RDLP. I have dealt with the objections to the housing and employment elements of the site earlier in my report (see Chapters 3 & 4). Here I concentrate on the Green Belt aspects of the proposal.
- 7.74 I understand that this site was first included in the Green Belt in the 1975 WCDP, a designation continued in the adopted WFDLP [CD74]. In fact, the site was effectively identified as a *Major Developed Site in the Green Belt* in that Plan, under Policy HS.2. The latest Local Plan continues that designation, but provides more detailed guidance in terms of the scale and nature of any proposed development. In this context, Policy GB.4 has several important qualifications:- any redevelopment proposals should have no more impact on the openness and purposes of the Green Belt than the existing development, and should contribute to the objectives of Green Belt land; it should also not exceed the height of the existing buildings and not occupy a larger area than the footprint of the existing buildings, unless this would reduce the height and benefit visual amenity.
- 7.75 Having examined the site in the context of PPG2 (Annex C), I consider it meets the relevant criteria. It covers an extensive area of over 80ha, of which the operational area occupies some 26ha, with about 25,000 sq m of buildings covering 29,000 sq m of floorspace. As WFDC rightly says, it would be most undesirable for a large part of the site to fall into dereliction and disuse, which would have an adverse visual impact on the Green Belt and represent a wasteful use of existing resources. In view of the scale of the site and the nature and size of the building footprint, I share WFDC's view that it is appropriate to identify the site as suitable for redevelopment under PPG2 (Annex C4-10/C14). However, in response to NHS' point about the lack of any definition of the *footprint* in Policy GB.4(iv), I consider this term should be clarified in the accompanying text, along the lines of the definition set out in PPG2 (Annex C5). I understand that WFDC has no objection to this clarification [LPA/423/001].
- 7.76 I recognise that it is important to avoid any redevelopment having a greater impact on the openness and function of the Green Belt. However, the existing woodland belts around the main built area of the site help to minimise the visual impact of any buildings on the wider Green Belt and limit the impact on the important gap between Kidderminster and Cookley. Furthermore, the area earmarked for possible redevelopment for Class B1 employment uses is well contained within the lower southern part of the site, restricted to an area of 6ha within the footprint of the existing buildings, and with a site coverage ratio of 26%. This would help to minimise the impact of any redevelopment on the Green Belt and avoid encroaching into the surrounding countryside. With additional woodland planting, areas for informal recreation, community access and the retention of an attractive landscaped setting, I consider the identification of this land as a *Major Developed Site in the Green Belt* would help to achieve the general objectives of Green Belt land set out in PPG2 (¶ 1.6). In my view, Policy GB.4, when read together with Policy E.3, fully reflects the national guidance in PPG2 (Annex C).
- 7.77 I realise that identification of the site under PPG2 (Annex C) and Policy GB.4 might result in a greater intensity of development, with some infilling and redevelopment. However, I understand that some of the existing disused peripheral buildings would be demolished, with the land returned to parkland and landscaping. Details of the precise nature and extent of any redevelopment would be addressed through a detailed development brief, approved by WFDC before considering any planning application [RDLP; ¶ 4.31]. Although several local residents are disappointed about the loss of the existing healthcare facilities, NHS has confirmed that there are no other healthcare uses that could utilise the surplus buildings on this site. Identification of part of the site for redevelopment would be unlikely to seriously interfere with the remaining health and education facilities on the site, given the high-technology business nature of the proposed employment uses.

Furthermore, any redevelopment proposals need not result in any further encroachment into the surrounding woodland and open countryside, or narrowing of the important open gap between Kidderminster and Cookley, particularly given the existing woodland shelter belts and the restrictions in clauses (i)-(ii) of Policy GB.4.

- 7.78 Local residents are understandably concerned about the details and extent of any redevelopment, particularly in terms of the possible impact on wildlife and traffic and access considerations. I have addressed these points earlier in my report (see Chapter 4), where I conclude that existing policies in the Plan would protect nature conservation interests, and detailed traffic and access matters would be addressed in the development brief for the site and in the context of Policies T.9, T.19 & T.20 of the Plan.
- 7.79 Consequently, given the background, previous designation of the site in the adopted Local Plan [CD74], the fact that much of it is becoming surplus to requirements, and the limited visual impact of the existing buildings, I conclude that it is appropriate to identify this as a *Major Developed Site in the Green Belt* under PPG2 (Annex C) for possible redevelopment, subject to the restrictions on the scale and nature of any redevelopment provided by Policies E.3 & GB.4. However, as indicated above, the term *footprint* should be clarified in the accompanying text of the Policy. I also understand that the reference to paras 6.4.2-6.4.3 in clause (ii) of the Policy is incorrect. This should be corrected to paras 7.44 & 7.45 of the Plan, as confirmed by WFDC [LPA/57/001/E.3/2]. Apart from these minor amendments, no further changes are needed to Policy GB.4 and the accompanying text in response to these objections.

Recommendation

- 7.80 **I RECOMMEND** that the Local Plan be modified by:
- (i) clarifying the definition of “footprint” in the text accompanying Policy GB.4, along the lines of the definition set out in PPG2 (Annex C5);
 - (ii) correcting the reference to paragraphs 6.4.2-6.4.3 in clause (ii) of Policy GB.4 to paragraphs 7.44 and 7.45;
- but that no further modifications be made in response to these objections.

Hartlebury Grain Store, Cursley Lane, Stone

Objections First Deposit 594/001 – Intervention Board.

Revised Deposit There are no objections at the Revised Deposit stage.

Key issues

- Should this site be identified under Policy GB.4 as a *Major Developed Site in the Green Belt*.

Main considerations and Inspector’s conclusions

- 7.81 The land in question accommodates storage buildings fronting Cursley Lane, a short distance north of the main A442 Droitwich Road, in the countryside some 2.8km south-east of Kidderminster. About 2.2ha of this 9.8ha site is covered by buildings (22,804m²). I understand that the site formed part of the network of military sites and buildings in this area, originally constructed on an emergency basis during World War II. Until recently, the buildings were used for grain storage, but the site is now surplus to requirements. The objector argues that it should be identified as a *Major Developed Site in the Green Belt* in terms of PPG2 (Annex C), which would enable re-use or redevelopment.

- 7.82 There is no dispute that this site lies in the approved Green Belt, first defined in detail in the adopted Local Plan [CD74]. I also recognise that the re-use of the existing buildings could be of economic benefit to the area and I understand that the site is being marketed for employment uses. However, as *WFDC* says, there are several reasons why this site should not be identified as a *Major Developed Site in the Green Belt*. Firstly, the site is in the countryside, well beyond any existing urban area or recognised settlement. As such, it would not constitute a sustainable location in employment terms, since it would not minimise the need to travel or be easily accessible by public transport. Consequently, it would fail to meet WCSP Policies SD.4, SD.6, SD.7 & T.1, and would not accord with national guidance in PPG13 (¶ 6). I realise that there are other rural industrial estates which formed part of the same network of former military sites (eg. *Hartlebury*, *Rushock* and *Ikon Trading Estates*), but the present circumstances, nature and extent of development is somewhat different at these other sites.
- 7.83 Secondly, identification as a *Major Developed Site in the Green Belt* would permit a wider range of activities, possibly involving alterations, extensions or even total redevelopment of the site for employment purposes. I have already concluded that this is not a sustainable location in employment terms. The redevelopment of the existing buildings, as might be allowed for under PPG2 (Annex C), could potentially have a much greater impact on the openness and visual amenity of the Green Belt. In this context, I note that the objector has not provided any comprehensive or long-term plans showing how part of the site would be re-used or redeveloped, which might demonstrate how the environment would be improved or the visual impact on the Green Belt would be minimised, as suggested under PPG2 (Annex C7). From the representations, the objector merely seems to be seeking much greater flexibility for potential future uses, rather than specifically addressing environmental and Green Belt matters.
- 7.84 Thirdly, PPG2 (Annex C4) suggests that the complete or partial redevelopment of such a site could provide the opportunity for environmental improvement. This would be unlikely in this instance, since the alteration or extension of the existing buildings could affect their character, whilst total demolition would result in the loss of original buildings with an element of history. Although the existing buildings cover a substantial area, their impact on the openness and visual amenity of the Green Belt is limited by their individual appearance, with uncluttered lines, non-reflective materials and lack of windows and external lighting. With the surrounding grassed areas and lack of surfaced areas, external storage, parking and signage, the existing buildings have a limited visual impact on the surrounding area, particularly bearing in mind the screening provided by existing trees and hedgerows. They are certainly not an eyesore, as suggested by the objector.
- 7.85 *WFDC* also points to the heritage aspects of the existing buildings, and is keen to preserve their character as far as possible. I understand that the site and the buildings survive in near original condition, but they are not formally recognised as having any architectural or historic value. Without knowing the history and background to their development, it would be difficult to distinguish any particular architectural or historic value, since on the face of it, these are undistinguished utilitarian buildings. Nevertheless, they seem to be in reasonable condition and their re-use for storage or other similar purposes would not be out of the question. *WFDC* confirms that the site has a lawful existing use for storage, and I note that the re-use of the existing buildings could be considered under Policy GB.5 & GB.6. Although I do not consider that the historic significance of the existing buildings necessarily warrants their long-term protection or formal statutory listing, there is little to prevent their practical re-use for low-key storage or similar uses, which could be considered without designating this as a *Major Developed Site in the Green Belt*.
- 7.86 I also note that *WFDC* is concerned about the highway and traffic aspects of any re-use or redevelopment of the site. These are particularly relevant, given the nature of Cursley

Lane, its previous limited use by grain vehicles, the presence of existing residential properties and the need for possible improvements to Cursley Lane and its junction with the A442.

- 7.87 It therefore seems to me that, although the existing buildings may have some potential for economic re-use for storage or other similar uses, any proposals for these or other similar developments would be more appropriately considered under Policy GB.5 & GB.6 of the Local Plan, rather than permitting a wider-scale redevelopment of the site which might be allowed under PPG2 (Annex C). Consequently, I conclude that this site does not fully meet the criteria in PPG2 (Annex C) and I can see no need or justification for designating this as a *Major Developed Site in the Green Belt*, as suggested by this objector.

Recommendation

7.88 I RECOMMEND no modifications to the Local Plan in response to this objection.

Drakelow Bunker, Kingsford Lane, Wolverley

Objections First Deposit 596/001 – Mr C W Robinson.

Revised Deposit There are no objections at the Revised Deposit stage.

Key issues

- Should this site be identified as a *Major Developed Site in the Green Belt*, in view of its previous military use and existing buildings.

Main considerations and Inspector's conclusions

- 7.89 Drakelow Bunker lies in the countryside north of Fairfield and was one of a number of military sites in this area established during World War II. It comprises a network of underground passages and chambers, with a few external buildings and hardstandings. After the war, I understand that the northern tunnels were used as an emergency HQ for Regional Government, whilst the southern tunnels were abandoned. In the 1980s, most of the external buildings were demolished and, in the 1990s, the tunnels were cleared and the site was sold. In 1996, planning permission was granted for the use of the northern tunnels for document storage, but this was not implemented and the consent has lapsed. WFDC considers there is now no lawful use of the site, other than Crown use. On the RDLP Proposals Map, the site lies in the Green Belt and *Landscape Protection Area*.
- 7.90 As WFDC says, there are several reasons why this should not be identified as a *Major Developed Site in the Green Belt*. Firstly, the site is in a rural area, well beyond any major urban area and inaccessible by public transport, and so it would not represent a sustainable employment location in terms of WCSP Policies SD.4, SD.7 & T.1 or PPG13 (¶ 6). Secondly, the surrounding roads are narrow winding lanes which are unsuitable for additional traffic, particularly heavy lorries, and could not be improved without some

environmental impact. In this context, I understand that the 1996 planning permission for storage envisaged a very limited number of vehicle journeys.

- 7.91 Furthermore, most of the potentially re-usable space lies underground. The few remaining buildings above ground level do not meet the tests of a *major developed site* set out in PPG2 (Annex C1), since most are small, derelict or redundant. In fact, there is very little above ground which could be redeveloped, and hardstandings are specifically excluded for redevelopment in PPG2 (Annex C5). Moreover, the extent of previously developed land and the underground component of the site do not meet the test of environmental improvement set out in PPG2 (Annex C4), since the site is beginning to naturally regenerate into the surrounding woodland and the underground areas have minimal impact on the external environment and landscape.
- 7.92 In addition, the site is covered by several other important designations. These include a Scheduled Ancient Monument (*Solcum Farm Fort*) and Listed Building (*Baxter Monument*), a Special Wildlife Site and a Tree Preservation Order, in addition to the Green Belt and *Landscape Protection Area* designations. It also adjoins a Country Park and a Regional Recreational Footpath (*North Worcestershire Way*).
- 7.93 WFDC recognises that some of the underground parts of the site may have potential for low-key re-use, as confirmed in the 1996 permission for document storage. However, in order for this to take place, there is no need for the site to be specifically identified in the Plan. I share WFDC's view that it would be more appropriate to consider any proposals for the re-use of the site on the basis of a specific planning application, in the context of Green Belt policies, the *very special circumstances* test and other material considerations.
- 7.94 It therefore seems to me that, although this site may have been a major military establishment in the past, bearing in mind that most of the re-usable space is underground, the limited number of external buildings remaining and the lack of environmental impact of the site and its remaining structures, there are no soundly-based grounds to identify this as a *Major Developed Site in the Green Belt*.

Recommendation

7.95 ***I RECOMMEND no modifications to the Local Plan in response to this objection.***

**POLICY GB.5: RE-USE OF EXISTING INDUSTRIAL PREMISES
IN THE GREEN BELT**

Objections There are no objections to this Policy at First and Revised Deposit stages.

POLICY GB.6: PROTECTION OF VISUAL AMENITY

Objections There are no objections to this Policy at First and Revised Deposit stages.

POLICY DR.1: AREAS OF DEVELOPMENT RESTRAINT

*SITE-SPECIFIC OBJECTIONS**Land at Stourbridge Road/Hurcott Lane,
Kidderminster*

Objections First Deposit 125/009 – CPRE; 155/001 – Mr & Mrs S Griffin; 193/001 – Hurcott Village (Management) Ltd; 539/001 – Mr M Thurston; 541/001 – Miss L Shipton; 542/001 – Ms M S Wagner; 545/001 – Mr M D Wagner; 547/001 – Mrs B Reading; 549/001 – Mr C T Richardson; 550/001 – Mr & Mrs J Crampton; 557/001 – Mr & Mrs J Saunders; 563/001 – Mr P Crane; 566/001 – Mr C Davis; 567/001 – Ms J Davis; 568/001 – Ms C Davis; 583/001 – Mr A Morgan; 584/001 – Ms L C Morgan; 585/001 – Mr A J Morgan; 600/001 – I S Clewer; 601/001 – K D Hutchinson; 602/001 – Mr M Phillips; 603/001 – Ms C Brice; 604/001 – Mr A Foxall; 605/001 – H M Johnson; 606/001 – Mr T Brice; 607/001 – Mr M Davies; 608/001 – Mr I Lander; 609/001 – Ms J K A & Mr P A Thompson; 610/001 – Mr J O’Brien; 611/001 – Mr B Shufflebotham; 649/001 – J Ward; 650/001 – Mr P Mardon; 651/001 – Ms S Mardon.

Revised Deposit There are no objections at the Revised Deposit stage.

Key issues

- Are there any exceptional circumstances to justify including this site within the Green Belt;
- Should the designation of this site as an *Area of Development Restraint* be carried forward into this Local Plan, in view of the nature conservation implications, its suitability for development in the longer term and the existence of a possible alternative area of land at Park Gate, Kidderminster.

Main considerations and Inspector’s conclusions

7.96 The land in question lies to the north of Hurcott village, fronting Stourbridge Road and Hurcott Lane and behind the houses in Kendlewood Road, on the north-eastern fringe of Kidderminster. Covering some 13.9ha, the northern and southern parts of the site are relatively level, with a distinct valley running across the site in a northeast-southwest direction. The land is currently used for grazing and agriculture.

7.97 The site was originally designated as *Interim Green Belt* in the 1975 WCDP, but as part of the preparation of the WFUALP [CD72], it was excluded from the Green Belt and identified as an *Area of Development Restraint*. When examining the current adopted Local Plan [CD74], the inspector confirmed that the site should remain as one of the reserves of land to be considered for longer-term development [CD73; ¶ 2.3.4]. In the emerging Local Plan, the site is retained as an ADR under Policy DR.1, which confirms that it will not be released *unless and until identified for development in a future review of the Local Plan*. In the meantime, any proposals for development will be assessed against Green Belt policies. Consequently, this land has already been removed from the Green Belt, but in this Local Plan, up to 2011 and until it is decided to release it for development, Green Belt policies apply.

7.98 In this context, I note that PPG2 (¶ 2.1/2.6-2.7) confirms that the essential characteristic of the Green Belt is its permanence and that Green Belt boundaries defined in earlier local plans should be altered only exceptionally. Although the WCSP (¶ 6.135) confirms that

there is no case for a general review of Green Belt boundaries in this locality, Policy D.41 requires existing *ADRs* to be reviewed against the sustainability criteria set out in Policies SD.4 & SD.5. *WFDC* undertook this exercise when preparing this Local Plan, and the appraisal confirmed that this *ADR* satisfied the necessary criteria [*CD84*; p.256/259]. I am satisfied that the site would represent a potentially sustainable location for longer-term development, if needed. It is well contained by Hurcott Lane and woodland, and development would not result in urban sprawl. Bearing in mind the need to avoid altering Green Belt boundaries in the short-term, and since all current development requirements can be met on existing sites and *previously developed land* in the main urban areas, I can see no exceptional circumstances in Green Belt terms that would justify including this site within the Green Belt.

- 7.99 *Hurcott Village (Management) Ltd & CPRE*, along with many local residents, are particularly concerned about the impact of this designation on adjoining nature conservation areas. To the south, the site immediately adjoins the *Hurcott Pasture SSSI*, important for its semi-natural grassland, beyond which is the *Hurcott & Podmore Pools SSSI*, an important wetland complex. On the opposite side of Hurcott Lane is the *Hurcott Woods & Pools Local Nature Reserve*, protected under Policies NC.2 & LA.5. Residents refer to the need to designate a “buffer zone” to protect these nature conservation sites. However, *English Nature* was fully aware of the presence of this *ADR* when it designated the *Hurcott Pasture SSSI* in 1995 and was satisfied that the nature conservation policies in the Local Plan would provide the necessary protection. I also understand that neither *EN* nor *WWT* have objected to the continued designation of this *ADR* in this Local Plan.
- 7.100 I share some of the objectors’ concerns about the impact that the future development of this land might have on nature conservation interests in this locality, particularly in view of the proximity of the *SSSIs*, Special Wildlife Sites and the Local Nature Reserve. However, designation as an *ADR* does not mean that development will automatically follow, and certainly not within the current Plan period. In the meantime, Green Belt policies will apply, and in the event that development was proposed, Policies NC.1 & NC.2 of the Plan would protect nature conservation interests. Under Policy NC.7, any development proposals would also have to be informed by a detailed ecological appraisal, along with any mitigation measures, which could include a buffer zone, if necessary. *WFDC* accepts that an appropriate buffer zone might be needed, but the precise extent of any development and any mitigation measures would need to be considered as part of a subsequent review of the Local Plan, or at the planning application stage, and need not reduce the extent of the *ADR* designation. Similarly, the impact of any development on particular flora, fauna and wildlife habitats, including the wildlife corridor along Hurcott Pools and Blakedown Brook, could be considered at the detailed stage. Consequently, I am satisfied that national, Structure Plan and Local Plan policies would adequately protect nature conservation interests in both the short and longer term, particularly bearing in mind the increased emphasis given to nature conservation and biodiversity in this emerging Local Plan.
- 7.101 Local residents also highlight the topography of the site and the implications of development for local drainage. As I saw on my visit, a distinctive tree-lined “dry valley” feature with relatively steep sides crosses the site, but this takes up no more than 20% of the site area. If appropriate, this feature could be retained, and I am confident that the remainder of the site is not physically unsuitable for development. The extent of any development would need to be considered in a future review of the Local Plan, if this site needed to be developed. Similarly, drainage is a detailed matter for consideration when a decision has been made to release the site for development. In this context, I note that Policy D.7 of the Plan requires surface water from development to be directed to sustainable drainage systems, rather than to watercourses. This would help to protect the

- vulnerable eco-systems and wetland areas to the south of the site and ensure that nature conservation interests were not prejudiced. In my view, neither the topography of the site, nor the drainage implications would preclude the future development of this site.
- 7.102 Local residents are also concerned about the highways and traffic implications of any future development, along with the lack of local facilities and public transport. These points relate to the overall sustainability of this location which *WFDC* has assessed against the relevant criteria. I recognise that any development of the site would generate additional traffic, and I am aware of the current problems and narrow nature of Hurcott Lane, along with its junctions with the A456 & A451 and the existing car park for the nature reserve. However, detailed questions of access, traffic routes and junction/road improvements would need to be considered as part of any decision to release the land and at the development control stage. I understand that *WCC* as highway authority has not objected to the principle of designating this *ADR* on highways and traffic grounds, and any development would need to be subject to a Transport Assessment under Policy T.19 of the Plan. In my view, traffic and access considerations would not necessarily rule out the principle of the future development of this site in the longer term.
- 7.103 As for local facilities, shops and schools are available at Broadwaters, less than 1.5km away, and the town centre is no more than 2.5km away. The site is theoretically within 5 minutes of Kidderminster railway station and local bus services could be improved, if necessary. Because of the relatively compact form of Kidderminster, it compares favourably with many other peripheral sites. The question of the scale and nature of local healthcare facilities and the role of Kidderminster Hospital is not one that directly affects the designation of this *ADR*. I am satisfied that none of these factors would rule out the potential future development of this site, if it is needed in the longer term.
- 7.104 I realise that designation as an *ADR* might make this site a potential target for developers, but given the current surplus of housing land during the present Plan period, I cannot see that it is at risk of development in the short term. Moreover, in terms of PPG3, it would represent an *greenfield urban extension*, and any decision to release it would have to apply the sequential test to the selection of potential development sites, after considering the opportunities for development on *previously developed land* and other sites within the urban areas. It would also have to take account of future development requirements and the outcome of the emerging RPG. Until that decision is taken in a subsequent review of the Local Plan, the site will be covered by Green Belt policies. I fully understand the disquiet of local residents, but in my view, their concerns are somewhat premature, pending a decision to consider and actually release this site for development. As for the alternative area of land suggested at Park Gate, I deal with this site later in this section of my report. Consequently, I conclude that none of the points made, including the concerns about the impact on nearby sites of nature conservation importance, seriously question the continuing designation of this site as an *Area of Development Restraint*.

Recommendation

7.105 I RECOMMEND no modifications to the Local Plan in response to these objections.

Land at Park Gate, Kidderminster

Objections First Deposit 177/011 – David Wilson Estates.

Revised Deposit There are no objections at the Revised Deposit stage.

Key issues

- Are there any exceptional circumstances justifying removing this site from the Green Belt and designating it as an *Area of Development Restraint*.

Main considerations and Inspector's conclusions

- 7.106 This site lies on the north-eastern fringe of Kidderminster, adjoining the houses in Heath Drive and bounded by the A451 Stourbridge Road/A449 Wolverhampton Road/B4189 Park Gate Road. Currently in agricultural use, it comprises elevated land, sloping down to the north. I have dealt with the associated objection seeking a housing allocation on this site earlier in my report (see Chapter 3), where I conclude that there is no pressing need to find additional or alternative sites to meet current housing requirements.
- 7.107 This site lies within the approved Green Belt, first defined in detail in the 1989 WFUALP [CD72]. PPG2 (¶ 2.1/2.6-2.7) confirms that the essential characteristic of the Green Belt is its permanence and that Green Belt boundaries defined in earlier local plans should be altered only exceptionally. WCSP (¶ 6.135) confirms that there is no case for a general review of Green Belt boundaries in this locality. Having seen this site, I share WFDC's view that it performs three key purposes of Green Belt land, as set out in PPG2 (¶ 1.5). It lies within the relatively narrow open gap between Kidderminster and Cookley and, in its present undeveloped condition, helps to prevent these neighbouring settlements from merging. It also helps to safeguard the adjoining countryside from encroachment. The Green Belt boundaries in this locality are clearly and tightly defined around the existing built-up area, which also assists urban regeneration by encouraging the recycling of land in the main urban areas. In terms of the Green Belt, I can see no exceptional reasons to amend the existing boundaries to remove this site from the Green Belt.
- 7.108 The objector has provided little evidence to support the case for identifying this site as an *ADR*. In this context, not only has sufficient land been identified to meet current development requirements, but other *ADRs* have also been identified. These include land at Hurcott on the other side of Stourbridge Road (see above). Compared with this land, the Park Gate site would not only have more impact on the Green Belt, narrowing the gap between Kidderminster and Cookley and encroaching into the open countryside, but it is also more prominent in the wider landscape, especially given its visual prominence and elevated, north-facing location. I also understand that the Park Gate site contains areas of Grade 2/3A farmland, some of the best and most versatile agricultural land. Its retention in agricultural use has a positive role to play in Green Belt terms, as confirmed in PPG2 (¶ 1.6). In terms of sustainability, availability of facilities and public transport, there is little to choose between these peripheral sites, but I consider the Park Gate site is more important in terms of Green Belt, landscape and agriculture.
- 7.109 It is also relevant to note that none of the current *ADRs* are needed for development within the current Plan period, so the identification of additional *ADRs*, as suggested in WCSP Policy D.41, is not necessary at this time. Should further development land be required in the future, this site can be considered, along with all other development options, in terms of PPG3 in a subsequent review of the Local Plan. Consequently, I can see no case justifying the designation of this site as an *Area of Development Restraint*.

Recommendation

7.110 I RECOMMEND no modifications to the Local Plan in response to this objection.

Land at Hurcott, Kidderminster

Objections First Deposit 421/018 – Hurcott (Jersey) Ltd.

Revised Deposit There are no objections at the Revised Deposit stage.

Key issues

- Should this site be removed from the Green Belt and identified as an *Area of Development Restraint*.

Main considerations and Inspector's conclusions

- 7.111 I have already dealt with the question of removing this site from the Green Belt earlier in this section of my report, and I deal with the housing and employment elements of the objections elsewhere in my report (see Chapters 3 & 4). In these other sections, I conclude that the RDLP makes sufficient provision for housing and employment land to meet current requirements, and that there are no exceptional circumstances justifying the removal of the site from the Green Belt.
- 7.112 I have outlined the context of identifying *Areas of Development Restraint* in other similar objections. In essence, *ADRs* are essentially identified to meet longer-term (post-2011) development needs; no further *ADRs* are needed because current development requirements can be met from existing land resources; and the currently identified *ADRs* will provide land for future development beyond the current Plan period. Furthermore, an *ADR* has already been identified in the Kidderminster area on land to the north of this objection site beyond Hurcott village (see above). The outstanding issue in this objection largely concerns a comparison between the land already identified as an *ADR* and this objection site.
- 7.113 Having seen both sites, I consider that the current objection site is much more prominent in the wider landscape, largely because of its greater elevation (up to 75m AOD), the distinctive ridge line, its contribution to the setting of Kidderminster, and its presence in local views in the surrounding landscape. Unlike the currently identified *ADR* north of Hurcott village, it is not contained by woodland and lies in a much narrower part of the open gap between Kidderminster and Blakedown/Cookley. That *ADR* has been the subject of a sustainability appraisal in accordance with WCSP Policy D.41, with which I concur. Whilst there may be little to choose between these peripheral *greenfield* sites in terms of sustainability, access to local facilities and public transport, I see no reason to favour the current objection site, particularly in view of its greater prominence and location in terms of the surrounding countryside and landscape.
- 7.114 The objector has provided little evidence to support the case for identifying this site as an *ADR*, and in the current land supply circumstances, I can see no reason for either identifying another *ADR* or replacing this site with the area already allocated. If additional sites do need to be found in the future, then this land can be considered, along with all other options, in a subsequent review of the Local Plan. Consequently, and bearing in mind my conclusions on the other elements of this objection and other nearby sites, I conclude that there are no grounds for identifying this site as an *Area of Development Restraint*.

Recommendation

7.115 I RECOMMEND no modifications to the Local Plan in response to this objection.

Land at Bewdley Road North, Stourport-on-Severn**Objections First Deposit** 516/003 – Mr E Coomber.**Revised Deposit** There are no objections at the Revised Deposit stage.**Key issues**

- Should this site be excluded from the Green Belt and identified as an *Area of Development Restraint*.

Main considerations and Inspector's conclusions

- 7.116 I have already dealt with associated objections to the inclusion of this site within the *Landscape Protection Area* and Green Belt earlier in this part of my report. Here I have concluded that, in the absence any exceptional circumstances or overriding development needs, there is no justification to exclude the site from these designations.
- 7.117 I understand that the *Areas of Development Restraint* were first identified in the adopted Local Plan [CD74]. WFDC has reviewed these allocations in the light of WCSP Policy D.41 and confirmed that all meet the necessary criteria. In Stourport, an ADR has been identified on the south-eastern fringe of the urban area, not far from the town centre, and other land is available as part of town centre redevelopment proposals. Although this objection site is located on the outer fringe of Stourport and would form an *urban extension* in terms of national guidance in PPG3, it is a *greenfield* site which should not be allocated for development until all opportunities to develop *previously developed land* in the main urban areas have been realised. As a *greenfield* site in the Green Belt, outside the existing urban area, it falls some way down the hierarchy of potential development sites in the sequential approach advocated by PPG3 and set out in WCSP Policy SD.7.
- 7.118 Moreover, ADRs are essentially identified to meet longer-term (post-2011) development needs. Future development needs beyond 2011 are not yet known, but there are several factors which suggest that the need to identify additional ADRs is not imminent. Firstly, WCSP (¶ 6.135) confirms that Green Belt boundaries will not need to be generally reviewed in the period up to 2011. Secondly, the ADRs identified in this Local Plan will not be needed to meet current WCSP development requirements within the current Plan period. Thirdly, the EIP Panel examining the draft West Midlands RPG [CD52/56] has accepted the general strategy of increasing building rates in the major urban areas and reducing past build rates in the shire counties, including a reduction in the annual average housing requirement for Worcestershire. The Panel also recommended that other large settlements (such as Kidderminster) and market towns (like Stourport) should largely accommodate local housing needs within their urban areas, as opposed to sub-regional foci (such as Worcester) which have a role in providing for limited overspill from the main urban areas. These factors point to a continuing longer-term requirement to avoid developing land in the Green Belt within this District.
- 7.119 It therefore seems to me that there is no present need for additional *Areas of Development Restraint* in this part of the Local Plan area to meet current WCSP or likely future development requirements beyond 2011. If additional sites do need to be found in the future, then this land can be considered, along with all other options, in a subsequent review of the Local Plan. Consequently, and bearing in mind my conclusions on the

Green Belt and *Landscape Protection Area* objections, I can see no case to identify this land as an *Area of Development Restraint* within the current Plan period.

Recommendation

7.120 I RECOMMEND no modifications to the Local Plan in response to this objection.

AGRICULTURE

POLICY AG.1: AGRICULTURAL LAND QUALITY

Objections First Deposit There are no outstanding objections at the First Deposit stage.

Revised Deposit 177/101 – David Wilson Estates.

Key issues

- Should the Policy indicate that agricultural land quality should be balanced against other material considerations.

Main considerations and Inspector’s conclusions

7.121 Policy AG.1 seeks to protect the best and most versatile agricultural land (Grades 1, 2 & 3A) from development. In the RDLP, the Policy has been redrafted to exclude reference to *exceptional circumstances* and set out a sequential test, in response to objections from GO-WM & WCC at First Deposit stage (*Change Nos. 086-087*). These amendments bring the Policy into line with national policy in PPG7 and WCSP Policy CTC.7.

7.122 PPG7 (¶ 2.17-2.18 as amended in 2001) confirms that the development of the *best and most versatile agricultural land* should not be permitted unless opportunities have been assessed for accommodating development on *previously developed land* within existing urban areas. Where development on agricultural land is unavoidable, poorer quality land should be used, unless sustainability factors suggest otherwise. PPG7 (Annex B) outlines other agricultural considerations. This guidance confirms the importance that Government continues to place on the protection of high-grade farmland. The objector’s suggestion would reduce the importance given to this matter and would not accord with national guidance in PPG7 or WCSP Policy CTC.7. Questions about other sustainability issues, such as access to services and modal choice, could be addressed in terms of the national guidance in PPG7 (¶ 2.17). In my view, the amended Policy fully reflects national and strategic planning policy on the protection of higher-grade farmland and no further amendments are needed in response to this objection.

Recommendation

7.123 I RECOMMEND no modifications to the Local Plan in response to this objection.

POLICY AG.2: AGRICULTURAL AND FORESTRY WORKERS’ DWELLINGS

Objections The objection to this Policy has been withdrawn.

**POLICY AG.3: AGRICULTURAL AND FORESTRY WORKERS' DWELLINGS
- REMOVAL OF CONDITIONS**

Objections There are no objections to this Policy at First and Revised Deposit stages.

POLICY AG.4: NEW AGRICULTURAL BUILDINGS

Objections The objection to this Policy has been withdrawn.

POLICY AG.5: INTENSIVE LIVESTOCK UNITS

Objections The objections to this Policy have been withdrawn.

POLICY AG.6: DEVELOPMENT ADJACENT TO LIVESTOCK UNITS

Objections There are no objections to this Policy at First and Revised Deposit stages.

POLICY AG.7: FARM SHOPS

Objections First Deposit 9/006 – Government Office for West Midlands

Revised Deposit There are no objections at the Revised Deposit stage.

Key issues

- Should the Policy include some flexibility to allow for the continuity of supply due to the seasonality of produce.

Main considerations and Inspector's conclusions

7.124 Policy AG.7 sets out the Council's policy towards farm shops where they require planning permission. In the RDLP, the Policy has been amended in response to objections at the First Deposit stage from GO-WM & WCC (*Change Nos. 092-093*). PPG7 (Annex C13-C16) outlines national policy on farm shops, confirming that local authorities should take into account the need to provide a service throughout the year, *which may require bringing in non-local produce to overcome the problems of seasonality...* In the WCSP, the text accompanying Policy D.36 (¶ 6.118) acknowledges that *...the range of products sold may need to be sufficiently broad to overcome problems of seasonality...but ...non-local produce should not be the predominant element of the retail offer...*

7.125 Although there is reference to the viability of the enterprise, neither Policy AG.7, nor the accompanying text recognise the possibility of introducing some non-local produce to allow for the continuity of supply due to the seasonal nature of locally grown produce. In

order to recognise the need to provide a broad range of produce and continuity of employment to ensure an all-year-round service, I consider the accompanying text should specifically acknowledge the need to introduce some non-local produce to overcome the problems of seasonality, provided that non-local produce does not predominate. This would reflect national guidance in PPG7 and WCSP Policy D.36 (¶ 6.118), without undermining the vitality and viability of local village shops. I recommend accordingly.

Recommendation

7.126 **I RECOMMEND** that the Local Plan be modified by amending the text accompanying Policy AG.7 to specifically recognise the need to introduce some non-local produce to ensure continuity of supply to overcome the problems of seasonality, provided that non-local produce does not predominate.

POLICY AG.8: FARM DIVERSIFICATION

Objections The objections to this Policy have been withdrawn.

RE-USE AND ADAPTATION OF RURAL BUILDINGS

INTRODUCTION

Objections First Deposit There are no objections at the First Deposit stage.

Revised Deposit 436/100 – National Farmers Union..

Key issues

- Para 7.94: Should the Policy indicate that permitted development rights will only be removed in exceptional circumstances.

Main considerations and Inspector’s conclusions

7.127 Paragraph 7.94 of the Local Plan (as amended by *Change No. 096*) states that the Council will consider removing permitted development rights where the openness of the Green Belt or the landscape character of the surrounding countryside, or the setting, architectural qualities or conservation value of the buildings would be adversely affected by future development. *WFDC* confirms that this requirement only relates to the re-use and adaptation of existing buildings, rather than to new buildings, which is *NFU*’s main concern. *Circular 11/95* (¶ 87-88) advises that permitted development rights should only be restricted or withdrawn in exceptional circumstances, where the development would have serious adverse effects on the environment or amenity. In this case, the text confirms that permitted development rights will only be withdrawn in specific circumstances, which relate to the openness of the Green Belt, the character of the landscape or the setting and qualities of the existing buildings. Contrary to *NFU*’s view, it is not a “blanket” withdrawal of such rights, but specifies the nature of the circumstances. Consequently, I conclude that this requirement is not unduly onerous or unreasonable.

Recommendation

7.128 **I RECOMMEND** no modifications to the Local Plan in response to this objection.

**POLICY RB.1: RE-USE AND ADAPTATION OF RURAL BUILDINGS
– CONVERSION CRITERIA**

Objections First Deposit 9/008 – Government Office for West Midlands.

Revised Deposit There are no objections at the Revised Deposit stage.

Key issues

- Should the Policy indicate the circumstances in which permitted development rights will be withdrawn.

Main considerations and Inspector’s conclusions

7.129 Policy RB.1 sets out the criteria for permitting the conversion of agricultural and other rural buildings to other uses. The wording of some of the criteria and accompanying text has been amended in the RDLP (*Change Nos. 096-097*). *GO-WM* considers there would have to be a very persuasive argument to justify removing permitted development rights, since *Circular 11/95* advises that such rights should only be removed in exceptional circumstances. However, the precise wording of the final sentence of Policy RB.1 only implies that the withdrawal of permitted development rights will be *considered*; it does not indicate that such rights will be removed in all circumstances. As I found when considering the previous objection (see above), paragraph 7.94 of the Plan (as amended in the RDLP) sets out the specific circumstances where the Council will consider removing permitted development rights:- where the openness of the Green Belt or the landscape character of the surrounding countryside, or the setting, architectural qualities or conservation value of the buildings would be adversely affected by future development. In my view, this adequately clarifies the situation and I can see no need for any further amendments to this Policy or the accompanying text.

Recommendation

7.130 I RECOMMEND no modifications to the Local Plan in response to this objection.

**POLICY RB.2: RE-USE AND ADAPTION OF RURAL BUILDINGS –
APPROPRIATE USES**

Objections First Deposit There are no objections at the First Deposit stage.

Revised Deposit 481/111 – House Builders Federation; 618/101 – Stansgate Planning Consultants.

Key issues

- Para 7.97: is the requirement to market non-traditional rural buildings for business/commercial use for a period of 6 months unduly onerous.

Main considerations and Inspector’s conclusions

7.131 Policy RB.2 seeks to ensure that a reasonable effort has been made to secure a suitable business or commercial use before the re-use or adaptation of existing rural buildings for residential use is considered. In the RDLP, an addition to paragraph 7.97 requires such properties to be actively marketed for business/commercial uses for at least 6 months

(Change No. 098). I understand that this amendment was made in response to an objection to Policy RB.3 at First Deposit stage by GO-WM, which has been withdrawn on the basis of this change and the consequent deletion of that policy (Change No. 099).

- 7.132 As GO-WM previously confirmed, the wording of Policy RB.2 is a correct interpretation of national policy in PPG7 (¶ 3.14-3.17 & Annex G) on the conversion of existing rural buildings to residential use. National guidance clearly favours re-use and adaptation of existing rural buildings for business/commercial uses in the interests of the rural economy and local employment. Although no minimum period is specified in national guidance, the active marketing of such buildings for business/commercial use for a reasonable period will help to confirm whether the building is suitable for such purposes. In the context of the local property market, a six-month period is not unduly onerous or unreasonable.
- 7.133 As for owners not wishing to market or sell a building, Policy RB.2 only requires them to show that *a reasonable effort has been made to secure a suitable business or commercial use, or that this is not practical*. This would cover the situation where the building is let or otherwise leased or tenanted or where they wish to keep it under their control. As for the question of monitoring and enforcement, the onus is clearly placed on the owner/developer to demonstrate that marketing has been active for the required period. Neither objector puts forward any specific examples of buildings or circumstances where this requirement might be inappropriate, and so I consider the amended text adequately clarifies what is required without being unduly onerous. In the context of national policy and local circumstances, I conclude that the requirement is adequately justified.

Recommendation

7.134 I RECOMMEND no modifications to the Local Plan in response to these objections.

**POLICY RB.3: RE-USE AND ADAPTATION OF RURAL BUILDINGS
- TRADITIONAL AND NON-TRADITIONAL BUILDINGS**

Objections The objection to this Policy has been withdrawn, as the Policy has been deleted.

**POLICY RB.4: RE-USE AND ADAPTATION OF RURAL BUILDINGS
- IMPACT OF EXISTING USES**

Objections There are no objections to this Policy at the First and Revised Deposit stages.

**POLICY RB.5: RE-USE AND ADAPTATION OF RURAL BUILDINGS
- OPERATIONAL SPACE**

Objections There are no objections to this Policy at the First and Revised Deposit stages.

**POLICY RB.6: RE-USE AND ADAPTATION OF RURAL BUILDINGS
- EXTENSIONS AND CURTILAGE BUILDINGS**

Objections There are no objections to this Policy at the First and Revised Deposit stages.

POLICY RB.7: PROVISION FOR PROTECTED SPECIES

Objections There are no objections to this Policy at the First and Revised Deposit stages.

POLICY RB.8: LISTED BUILDINGS

Objections There are no objections to this Policy at the First and Revised Deposit stages.

CHALETS

POLICIES CH1 - CH4: CHALETS

Objections There are no objections to these Policies at the First and Revised Deposit stages.

DEVELOPMENT INVOLVING HORSES

POLICY EQ.1: DEVELOPMENT FOR COMMERCIAL EQUESTRIAN ACTIVITIES

Objections First Deposit 9/015 – Government Office for West Midlands.

Revised Deposit There are no objections at the Revised Deposit stage.

Key issues

- Is this Policy unduly restrictive, bearing in mind the current economic and social circumstances in rural areas.

Main considerations and Inspector’s conclusions

- 7.135 Policy EQ.1 confirms that the development of commercial equestrian uses will be rigorously examined and carefully controlled. *GO-WM* suggests a more permissive policy, permitting such activities provided that certain criteria are met. PPG7 (¶ 3.4 - as amended in 2001) asks local authorities to support well-conceived farm diversification schemes for business purposes that are consistent with their scale and rural location, whilst Annex F gives further guidance on development involving horses. *WFDC* explains that the keeping of horses and erection of stables can sometimes change the character of rural areas and detract from the landscape, as confirmed in paragraph 7.114 of the Plan.
- 7.136 Outside the main urban areas, much of the District is subject to Green Belt and *Landscape Protection Area* policies, and I am not aware of any particular economic problems in the rural parts of the District. Based on *WFDC*’s experience, a more permissive policy could result in a larger number of commercial equestrian activities which could have a serious impact on the landscape character, visual amenity and openness of the countryside, as well as having implications for highway safety. As currently drafted, Policy EQ.1 does not imply an embargo on such developments, merely that they will be carefully controlled, and sets out the aspects that will be rigorously examined, based on an input from the Council’s development control officers. In my view, this provides a sound basis to consider such proposals without being unduly onerous or unnecessarily restrictive in the particular circumstances of this District.

Recommendation

7.137 I RECOMMEND no modifications to the Local Plan in response to this objection.

POLICY EQ.2: STABLES AND FIELD SHELTERS FOR LEISURE ACTIVITIES

Objections First Deposit 175/001 – J Christopher Ashton

Revised Deposit There are no objections at the Revised Deposit stage.

Key issues

- Para 7.117: Should the text indicate specific sizes for stables, or should proposals be considered on their merits, in line with Policies EQ.3 & LA.2.

Main considerations and Inspector’s conclusions

- 7.138 Policy EQ.2 sets out the criteria for stables and field shelters, with paragraph 7.117 specifying the maximum size for stables for leisure uses, as recommended by the *British Horse Society*. National guidance on this matter is set out in PPG7 (Annex F), which confirms that local authorities should bear in mind recommended standards for the safety and comfort of horses, as well as other material planning considerations.
- 7.139 Like *WFDC* and this objector, I recognise that Policies EQ.3 & LA.2 provide some safeguards by preventing developments that would have an adverse impact on the quality and character of the landscape. However, nowhere else in the Plan are any recommended standards relating to the size of stables set out. Such developments can, if not carefully controlled, detract from the landscape and erode the rural character of the locality, and I therefore consider it is important to indicate the recommended size and scale for horse stables for leisure use. Together with the criteria set out in Policy EQ.2 and the general protection afforded by Policies LA.2 & EQ.3, this will help to ensure that proposals for

stables do not individually or cumulatively erode the quality of the landscape and the rural character of the countryside. I therefore conclude that no amendments to Policy EQ.2 or the accompanying text are justified in response to this objection.

Recommendation

7.140 I RECOMMEND no modifications to the Local Plan in response to this objection.

POLICY EQ.3: LANDSCAPE IMPACT OF DEVELOPMENT INVOLVING HORSES

Objections

There are no objections to this Policy at the First and Revised Deposit stages.

CHAPTER 8: HERITAGE

HERITAGE CHAPTER AIMS

Objections First Deposit 245/023 – Kidderminster Civic Society.

Revised Deposit 245/102 – Kidderminster Civic Society.

Key issues

- Para 8.1 (*Change No.100*): Should the aim refer to the *built and historic environment*;
- Para 8.11: Should the Plan include a policy clarifying how the Local List will be compiled and the arrangements for public consultation; should examples of buildings for inclusion be given; and should there be a policy for urgent action if a building comes under threat.

Main considerations and Inspector’s conclusions

- 8.1 The introduction to this chapter sets out the Plan’s aims and objectives in relation to heritage, and sets out the procedures and types of statutorily and non-statutorily listed buildings and structures.
- 8.2 In paragraph 8.1, *KCS* considers the amended aim, referring to the *historic environment* is too vague and suggests adding the words *built and...*. I understand that this amendment (*Change No. 100*) was introduced at the request of *English Heritage* after the First Deposit stage, to reflect the fact that the District’s heritage includes not only buildings, but landscape, archaeology and gardens. I agree with *WFDC* that confining the aim just to the *built* environment is far too narrow to encompass the range of heritage assets within the District. Since this chapter is concerned with the *heritage* of the entire District, rather than solely its built form, I am satisfied that the word *historic* is appropriate in this context.
- 8.3 In paragraph 8.11, *KCS* is concerned about the list of locally important buildings and structures, the type of buildings to be included and the means of protecting them. I understand that *WFDC* is in the process of preparing this list, but it has not yet been completed. Detailed criteria for the inclusion of buildings in the list will be drawn up when the scoping survey is completed. An example of potential buildings is given in paragraph 8.13, such as those associated with carpet manufacturing. Locally listed buildings do not enjoy the full protection of those included on the statutory list. However, at the inquiry, *WFDC* confirmed that Policies LB.1-LB.5 cover both statutorily and non-statutorily listed buildings. Other powers are also available, such as *Article 4 Directions*, which may help to protect such buildings and which do not require a specific Local Plan policy, as paragraph 8.12 confirms. As *WFDC* says, the preparation of the local list, the criteria for including buildings and the nature of any public consultation are detailed matters which will be drawn up in due course and clarified at the next review of the Local Plan. I return to this issue at the end of this chapter of my report, where I recommend an addition to the text of paragraph 8.11.

Recommendation

8.4 I RECOMMEND no modifications to the Local Plan in response to these objections.

POLICY LB.1: DEVELOPMENT AFFECTING A LISTED BUILDING

Objections There are no objections to this Policy at the First and Revised Deposit stages.

POLICY LB.2: REPAIRS, ALTERATIONS, EXTENSIONS AND CONVERSIONS

Objections There are no objections to this Policy at the First and Revised Deposit stages.

POLICY LB.3: FIXTURES AND FITTINGS

Objections There are no objections to this Policy at the First and Revised Deposit stages.

POLICY LB.4: PARKS AND GARDENS

Objections First Deposit 245/025 – Kidderminster Civic Society.

Revised Deposit There are no objections at the Revised Deposit stage.

Key issues

- Should the Policy be extended to cover the repair and maintenance of parks and gardens.

Main considerations and Inspector’s conclusions

8.5 Policy LB.4 seeks to retain parks and gardens associated with statutorily and non-statutorily listed buildings, along with their special features. KCS is concerned about the condition of some of the District’s parks and gardens and suggests that the Policy should require their repair and maintenance, along with listed buildings. S54(A) of the TCPA 1990 confirms the status of local plan policies and the need to adhere to them. Policy LB.2 covers repairs to listed buildings, whilst Policy LB.4 seeks to conserve any special features in parks and gardens, in line with the national guidance in PPG15 (¶ 2.24). The Plan itself cannot require landowners to maintain or repair land or buildings in their ownership, and a policy of encouragement would be little more than a statement of intent which is discouraged in terms of good local plan practice. It therefore seems to me that the Plan goes as far as it can in conserving special features in historic parks and gardens, and no further clarification is necessary.

Recommendation

8.6 I RECOMMEND no modifications to the Local Plan in response to this objection.

POLICY LB.5: NEW DEVELOPMENT AFFECTING THE SETTING OF LISTED BUILDINGS

Objections There are no objections to this Policy at the First and Revised Deposit stages.

POLICY CA.1: DEVELOPMENT IN CONSERVATION AREAS

Objections First Deposit 620/006 – Tube Plastics Ltd; 655/001 – Mercia Waste Management Ltd.

Revised Deposit There are no objections at the Revised Deposit stage.

Key issues

- Is the Policy unclear, vague and too prescriptive in relation to development adjoining an existing or proposed Conservation Area;
- Should the Policy be amended to more clearly reflect S72 of the *Planning (Listed Buildings & Conservation Areas) Act 1990* by deleting the phrase: *...and otherwise harmonises with...;*

Main considerations and Inspector’s conclusions

8.7 Policy CA.1 covers development within Conservation Areas. In the RDLP, the wording of the Policy has been amended to exclude development *adjoining* a Conservation Area, but adds development *which affects its setting, or views into or out of the area (Change No. 101)*. PPG15 (¶ 4.14) confirms that the desirability of preserving or enhancing the area should be a material consideration when dealing with development proposals outside a Conservation Area which would affect its setting, or views into or out of the area. The amendment to Policy CA.1 better reflects the extent to which this matter can be taken into account, in line with national guidance. Further clarification is given in the *Conservation Area Character Appraisals*, referred to in the Policy, along with the descriptions given in Appendix 6 of the Plan. In my view, the amendment in the RDLP fully meets *Mercia Waste Management’s* objection.

8.8 *Tube Plastics* are mainly concerned about the *Cheapside* site in Severn Street, Stourport, but are also concerned about the need for all development to harmonise with the special character of the area. However, PPG15 (¶ 4.18) confirms that *general planning standards should be applied sensitively in the interests of harmonising the new development with its neighbours in the conservation area*. Policy CA.1 also reflects similar wording in the adopted Local Plan [CD74]. In my view, the wording of the Policy adequately reflects the statutory duties under S72 of the *Planning (Listed Buildings & Conservation Areas) Act 1990* and national guidance in PPG15. No further amendments are therefore needed in response to this element of *Tube Plastics’* objection.

Recommendation

8.9 **I RECOMMEND no modifications to the Local Plan in response to these objections.**

POLICY CA.2: DEMOLITION IN CONSERVATION AREAS

Objections There are no objections to this Policy at the First and Revised Deposit stages.

POLICY CA.3 SHOPFRONTS IN CONSERVATION AREAS

Objections There are no objections to this Policy at the First and Revised Deposit stages.

POLICY CA.4: TREES AND HEDGEROWS IN CONSERVATION AREAS

Objections There are no objections to this Policy at the First and Revised Deposit stages.

POLICY CA.5: HIGHWAY WORKS IN CONSERVATION AREAS

Objections There are no objections to this Policy at the First and Revised Deposit stages.

POLICY CA.6: OTHER AREAS OF SPECIAL CHARACTER OR APPEARANCE

Objections First Deposit 481/024 – House Builders Federation.

Revised Deposit There are no objections at the Revised Deposit stage.

Key issues

- Is the Policy sufficiently clear, or should all development be encouraged to contribute to the character and appearance of areas, irrespective of location.

Main considerations and Inspector's conclusions

8.10 Policy CA.6 requires development to preserve or enhance the character or appearance of the older parts of towns and villages outside Conservation Areas. It refers particularly to 19th & early 20th century buildings and resists the demolition of buildings and structures that contribute positively to the character and appearance of areas with special character of value to local heritage and distinctiveness. The Policy helps to preserve or enhance the period character of such areas, in line with national guidance in PPG15 (¶ 1.1 & 1.6). It may also help to retain some of the buildings and structures that make a positive contribution to existing urban areas and *brownfield* sites. As such, I find the Policy to be

clear, concise and well-focused, addressing the main areas of its concern, and can find no reasons justifying its deletion or amendment.

Recommendation

8.11 I RECOMMEND no modifications to the Local Plan in response to this objection.

POLICIES AR.1-AR.4: ARCHAEOLOGICAL SITES

Objections There are no objections to these Policies at the First and Revised Deposit stages.

POLICY HL.1: HISTORIC LANDSCAPES

Objections The objection to this Policy has been withdrawn.

POLICY ED.1: ENABLING DEVELOPMENT

Objections The objection to this Policy has been withdrawn.

POLICY HA.1: HERITAGE ASSETS

Objections There are no objections to this Policy at the First and Revised Deposit stages.

HERITAGE POLICY OMISSION

Objections First Deposit 245/024 – Kidderminster Civic Society

Revised Deposit There are no objections at the Revised Deposit stage.

Key issues

- Should the Plan include a policy or text dealing with the compilation of a list of non-statutorily listed buildings.

Main considerations and Inspector’s conclusions

8.12 This objection follows from KCS’ earlier concern in the aims of this chapter [245/102] about the need for a formal list of historic buildings and structures not already protected as statutory listed buildings. At the inquiry, WFDC confirmed that Policies LB.1-LB.5 cover both statutorily and non-statutorily listed buildings, and paragraphs 8.11-8.14 of the Plan

refer to the Council's intention to identify and protect non-statutorily listed buildings. WFDC also confirmed that a Conservation Officer has now been appointed, whose task it is to compile a list of such buildings, which could be completed by mid-2004. WFDC intends to consult bodies like KCS not only about the criteria to be adopted in selecting buildings, but also on the buildings to be included in the list, as confirmed in recent correspondence [LPA/245/024/Appx 1]. At the inquiry, WFDC agreed an amendment to the text of paragraph 8.11, adding the words *and would aim for early completion, in consultation with relevant bodies, and would review the list from time to time*, in order to give greater commitment to the preparation of this list. This addition would go a long way to overcoming this objection and I recommend accordingly.

Recommendation

8.13 ***I RECOMMEND*** that the Local Plan be modified by adding the following words to the end of paragraph 8.11: “...***and would aim for early completion, in consultation with relevant bodies, and would review the list from time to time***”.

CHAPTER 9: NATURE CONSERVATION

POLICY NC.1: AREAS OF NATIONAL IMPORTANCE

Objections First Deposit 13/004 – Sport England; 61/009 – Wyre Forest Friends of the Earth;
128/016 – English Nature.

Revised Deposit There are no objections at the Revised Deposit stage.

Key issues

- Should the Policy be worded more positively, to ensure the protection, expansion and enhancement of outdoor sports and recreation pursuits where this is compatible with nature conservation interests;
- Should the Policy prohibit any development on designated sites;
- Should the Policy also refer to Policy NC.7.

Main considerations and Inspector’s conclusions

- 9.1 Policy NC.1 confirms that development proposals affecting areas of national importance to nature conservation will be subject to the most rigorous examination, and sets out the particular criteria to be met. The wording of the introductory sentence has been amended in the RDLP (*Change No. 105*), replacing *would* with *may*, and meeting the main element of *English Nature’s* original objection.
- 9.2 *Sport England* is concerned about protecting outdoor sports and recreation pursuits that take place within areas of nature conservation importance. However, as *WFDC* points out, Policy NC.1 does not necessarily rule out such activities, provided there is no *adverse effect* on nature conservation interests and they meet the specific criteria set out. Provision for public access to nature conservation sites is made under Policy NC.8 of the Plan, whilst Policy NC.7(ii) addresses the need for mitigation measures and management arrangements. Moreover, it is important to recognise that there is nothing in national or WCSP planning policies that requires leisure and recreation activities to be safeguarded in areas of importance to nature conservation. Indeed, PPG17 (2002) (¶ 29) confirms that planning permission for sporting and recreational activities in or near SSSIs should only be granted with conditions which would prevent damaging impacts on the SSSI, or where other material factors override nature conservation considerations. Within such areas, it is clear that nature conservation interests should be given the highest priority, particularly where nationally important sites are concerned.
- 9.3 *WFFoE* suggests a blanket prohibition on all new development within nationally important nature conservation sites. However, this would be unnecessarily restrictive and would not accord with national policy in PPG9 or WCSP Policy CTC.11.
- 9.4 *English Nature* also suggests making a reference to Policy NC.7 in this policy. However, reference to this Policy and the need for an ecological survey and mitigation plan is already made in the explanatory text (¶ 9.11). In my view, this makes a similar reference in the text of Policy NC.1 unnecessary.
- 9.5 Consequently, I conclude that no further changes to Policy NC.1 and the accompanying text are needed in response to these objections.

Recommendation

9.6 I RECOMMEND no modifications to the Local Plan in response to these objections.

POLICY NC.2: AREAS OF REGIONAL, COUNTY OR LOCAL IMPORTANCE

Objections First Deposit 13/005 – Sport England; 61/010 – Wyre Forest Friends of the Earth;
128/017 – English Nature.

Revised Deposit There are no objections at the Revised Deposit stage.

Key issues

- Should the Policy be worded more positively, to ensure the protection, expansion and enhancement of outdoor sports and recreation pursuits where this is compatible with nature conservation interests;
- Should the Policy prohibit any development on designated sites;
- Should the Policy also refer to Policy NC.7.

Main considerations and Inspector’s conclusions

9.7 Policy NC.2 confirms that development proposals affecting areas of regional, county or local nature conservation importance will not be permitted unless two specific criteria are met. As with Policy NC.1, the wording of the introductory sentence has been amended in the RDLP (*Change No. 109*), replacing *would* with *may*, and meeting the main element of *English Nature’s* original objection. Other changes update and correct specific sites designated under this Policy (*Change Nos. 106-108*).

9.8 The objectors make similar points to those made under Policy NC.1 and I come to the same conclusions. In response to *Sport England*, Policy NC.2 does not preclude leisure and recreational pursuits within these nature conservation sites, provided they have no *adverse effect* on nature conservation interests and meet the specific criteria set out. There is nothing in national or WCSP planning policies that puts leisure and recreation interests before those of nature conservation on designated sites, and public access to such areas is provided by Policy NC.8 of the Plan. Similarly, a blanket restriction on all forms of development within these sites, as suggested by *WFFoE*, would be unduly restrictive and would not accord with national policy in PPG9 and WCSP Policy CTC.12. Reference to Policy NC.7 and the need for an ecological survey and mitigation plan is already made in paragraph 9.17 of the Plan. In my view, this is sufficient in this instance and addresses *English Nature’s* outstanding concerns. Consequently, no further changes are needed to Policy NC.2 or the accompanying text in response to these objections.

Recommendation

9.9 ***I RECOMMEND no modifications to the Local Plan in response to these objections.***

POLICY NC.2: AREAS OF REGIONAL, COUNTY OR LOCAL IMPORTANCE

SITE-SPECIFIC OBJECTIONS

Land at Drakelow Lane, Wolverley

Objections First Deposit 570/001 – A.J.M.Properties

Revised Deposit There are no objections at the Revised Deposit stage.

Key issues

- Should land near Drakelow Lane, Wolverley be excluded from the Special Wildlife Site designation under Policy NC.2.

Main considerations and Inspector’s conclusions

9.10 The site in question lies off Drakelow Lane to the south of the former *Drakelow Bunker*. I understand that the land was originally identified by *WWT* as part of a larger site worthy of designation as a Special Wildlife Site. However, they point out that, in the past, tipping, levelling and agricultural operations have been undertaken on this part of the site, and consequently, it no longer fulfils the criteria for designation under Policy NC.2. Accordingly, the designation of this land as a Special Wildlife Site has been deleted in the *RDLP (Change No. 111)*. This seems to have met the objector’s concerns and no further changes are necessary.

Recommendation

9.11 I RECOMMEND no modifications to the Local Plan in response to this objection.

Land at Honeybrook, Kidderminster

Objections First Deposit 586/001 – Ms L Phillips

Revised Deposit There are no objections at the Revised Deposit stage.

Key issues

- Should the area of land designated as a Special Wildlife Site at Honeybrook be reduced in size to coincide with the area on which the plant concerned grows.

Main considerations and Inspector’s conclusions

- 9.12 This objection site lies on the corner of Bridgnorth Road at Honeybrook, north of Kidderminster. I understand that the land was originally identified by WWT who advised that although the site is important for the *Cyprus Spurge*, it was also designated for its wider acidic grassland. In response to the original objection, an area adjoining the buildings and manège of Honeybrook Stud has been removed from the Special Wildlife Site designation in the RDLP (*Change No. 110*). At the same time, WFDC resolved to review the appropriateness of a further amendment if subsequent information became available. I understand that WWT have revisited the site and confirm that it still meets the criteria for designation as a Special Wildlife Site based on the acidic grassland community, along with the presence of *Cyprus Spurge* and visits by the *Hornet Robber Fly*, both of which are rare species in Worcestershire.
- 9.13 I recognise that the presence of these valued species has much to do with the environmental concerns of this objector. However, now that the buildings and manège at Honeybrook Stud have been excluded from the area designated under Policy NC.2 and WWT confirm that the remainder of the site fulfils the criteria for a Special Wildlife Site, I am satisfied that the amended designation is soundly based. If further information becomes available on the nature conservation significance of the site, WFDC has confirmed that the designation will be reviewed. Consequently, I conclude that no further alterations are needed to the designation of this land under Policy NC.2.

Recommendation

9.14 I RECOMMEND no modifications to the Local Plan in response to this objection.

POLICY NC.3: WILDLIFE CORRIDORS AND STEPPING STONES

Objections First Deposit 13/006 – Sport England; 128/018 – English Nature; 597/011 – Railtrack plc (in Railway Administration).

Revised Deposit There are no objections at the Revised Deposit stage.

Key issues

- Should the Policy be worded more positively to protect, enhance and promote existing and new sports pitches within wildlife corridors;
- Should the Policy also refer to Policy NC.7;
- Should the Policy exclude railway lines and adjoining areas.

Main considerations and Inspector’s conclusions

- 9.15 Policy NC.3 does not permit development that may adversely affect nature conservation features unless it meets specific criteria. Two amendments to the wording of the Policy have been made in the RDLP, replacing *would* with *may* in the first sentence, and amending the penultimate clause of the Policy (*Change Nos. 112-113*). These changes meet the main points of *English Nature’s* original objection.
- 9.16 In response to *Sport England*, as with earlier nature conservation policies, Policy NC.3 does not preclude sporting or recreational activities within wildlife corridors and stepping stones, provided there is no *adverse effect* on nature conservation features. Policy NC.8 also makes positive provision for public access to such areas. As WFDC says, the

protection of wildlife corridors accords with national guidance in PPG9 (¶ 15-16 & 25), WCSP Policy CTC.14 and the *European Habitats Directive 92/43*. I know of no guidance at national, regional or Structure Plan level that promotes sporting activities in wildlife corridors, as suggested by *Sport England*. In such areas, nature conservation interests should clearly take priority, and sporting and recreational activities should only take place where the scale of activity is compatible with the objectives of the designation and does not adversely affect nature conservation features.

- 9.17 In response to *English Nature's* outstanding point, reference to Policy NC.7 and the need for an ecological survey and mitigation plan is already made in paragraph 9.21 of the Plan. I consider this is sufficient without referring to this Policy in the text of Policy NC.3.
- 9.18 *Railtrack* is concerned about the possible implications of nature conservation designations on the operation, management, maintenance and upgrading of the railway network. However, I understand that no existing railway line or adjoining embankment is designated for its nature conservation value. Only one railway cutting (near Arley Station on the *Severn Valley Railway*) is designated as a SSSI and for its geological value under Policies NC.1 & NC.2. This reflects the importance of this railway cutting and is fully in accord with PPG9 (¶ 12 & 17) and WCSP Policies CTC.11-12. Railway embankments and cuttings are often vegetated and may have importance as wildlife corridors, sometimes providing a home for statutorily protected species. Under the terms of PPG9 (¶ 15-16, 24-25 & 44-48), WCSP Policies CTC.11-14, the *Wildlife & Countryside Act 1981*, the *European Habitats Directive 92/43* and the *Conservation (Natural Habitats) Regulations 1994*, it is important that such areas are properly protected. The designations under Policies NC.1-3 would achieve just that, without unduly affecting operational railway interests.
- 9.19 Consequently, I conclude that no further changes are needed to Policy NC.3 or the accompanying text in response to these objections.

Recommendation

9.20 **I RECOMMEND** *no modifications* to the Local Plan in response to these objections.

POLICY NC.4: PROTECTED SPECIES

Objections First Deposit 128/019 – English Nature; 481/025 – House Builders Federation.

Revised Deposit There are no objections at the Revised Deposit stage.

Key issues

- Should the Policy also refer to Policy NC.7;
- Is criterion (iv) of the Policy soundly based.

Main considerations and Inspector's conclusions

9.21 Policy NC.4 seeks to safeguard protected species, setting out various criteria which development that may adversely affect such species has to meet. The wording of the Policy has been amended in the RDLP, replacing *would* with *may* in the first sentence, and amending criterion (iii) by incorporating criterion (iv) (*Change Nos. 114-115*). These changes effectively meet the main points of *English Nature's* original objection. On *EN's* outstanding point, reference to Policy NC.7 and the need for an ecological survey and

mitigation plan is already made in paragraph 9.28 of the Plan, which I consider is sufficient in this instance.

- 9.22 In response to *HBF*, *WFDC* explains that the elements of criterion (iv) concerning *imperative reasons of public interest* and *conservation status of a population* are taken from the *European Council Habitats Directive 92/43*, as clarified in paragraph 9.24 of the Plan. I agree that the relevance of this criterion to species protected under European law is made clearer by incorporating these elements in criterion (iii) of Policy NC.4. This makes the operation of the Policy much clearer and removes any doubts about the applicability of these requirements of the Policy, addressing *HBF*'s points.
- 9.23 Consequently, I conclude that no further changes are needed to address the outstanding points made by these objectors.

Recommendation

9.24 **I RECOMMEND** *no modifications* to the Local Plan in response to these objections.

POLICY NC.5: BIODIVERSITY

Objections First Deposit 128/020 – English Nature; 132/020 – Worcestershire Wildlife Trust.

Revised Deposit 128/106 – English Nature.

Key issues

- Should the Policy give stronger protection to biodiversity and the District's *Biodiversity Action Plan*;
- Should the Policy be reworded, replacing the word *recreate* with *reintroduce* in the first sentence of the policy;
- Should the word *recreate* in the amended text of the Policy only apply to habitats rather than species.

Main considerations and Inspector's conclusions

- 9.25 Policy NC.5 aims to ensure that development retains, enhances, manages and, if appropriate, recreates the District's indigenous biodiversity. Following the original objections from *English Nature & WWT*, *WFDC* has amended the wording of the Policy to reflect the changes sought by these objectors (*Change Nos. 117-118*). *EN* is still concerned about the proposed rewording, but I understand that *WFDC* has reached an agreed position with these objectors, replacing the word *recreate* with *reintroduce* in the first sentence of the Policy [*LPA/128/106/NC.5/1 & LPA/132/020/NC.5/1*].
- 9.26 *WFDC* recognises that it is unlikely to be feasible or possible to *recreate* extinct species and agrees that it would be unreasonable to require this in the Policy. The suggested amendment would remove any potential confusion requiring the recreation of lost species. In my view, it would represent a sensible alteration to the wording that would improve the clarity and application of the Policy and I recommend accordingly. I understand that *EN* would withdraw its objection if this amendment is made. For the avoidance of doubt, the first part of the first sentence of Policy NC.5 should therefore be worded as follows:

“Development should whenever possible and feasible, retain, enhance, manage and, if appropriate, **reintroduce** the District’s indigenous biodiversity;”.

9.27 The Policy already refers to both the County’s *Biodiversity Action Plan* and the District’s *Biodiversity Action Programme*. No further changes are therefore needed to the amended Policy or accompanying text.

Recommendation

9.28 **I RECOMMEND** that the Local Plan be modified by amending the first sentence of Policy NC.5 as set out in the Council’s rebuttal proof LPA/128/106/NC.5/1 and confirmed in paragraph 9.26 of my report.

POLICY NC.6: LANDSCAPING SCHEMES

Objections The objection to this policy has been withdrawn.

POLICY NC.7: ECOLOGICAL SURVEYS AND MITIGATION PLANS

Objections The objections to this policy have been withdrawn.

POLICY NC.8: PUBLIC ACCESS

Objections First Deposit 245/026 – Kidderminster Civic Society.

Revised Deposit There are no objections at the Revised Deposit stage.

Key issues

- Should the Policy cover disabled access, including parking.

Main considerations and Inspector’s conclusions

9.29 Policy NC.8 seeks to provide public access to areas designated under Policies NC.1-6. Following consideration of objections at First Deposit stage, WFDC has agreed to amend the Policy to refer to the provision of disabled access, including limited disabled car parking space nearby (*Change No. 122*). I consider that this amendment would meet KCS’s concerns, particularly bearing in mind the possible difficulty of providing on-site disabled car parking without adversely affecting nature conservation interests. I therefore conclude that no further amendments are needed in response to this objection.

Recommendation

9.30 **I RECOMMEND** no modifications to the Local Plan in response to this objection.

CHAPTER 10: TRANSPORT AND COMMUNICATIONS

POLICY TR.1: BUS INFRASTRUCTURE

Objections First Deposit 66/004 – Mr G Angell; 245/027 – Kidderminster Civic Society.

Revised Deposit There are no objections at the Revised Deposit stage.

Key issues

- Should Policy TR.1 be strengthened to give more priority to measures to improve bus priority and infrastructure;
- Should the Plan make provision for a single bus station within Kidderminster town centre.

Main considerations and Inspector's conclusions

- 10.1 Policy TR.1 does not permit development which would have an adverse impact on the proposed bus priority route network, and sets out the circumstances when S106 Obligations will be sought. In the RDLP, the upgrading of bus infrastructure in Kidderminster, Stourport and Bewdley is an added criterion (*Change No. 123*).
- 10.2 *Mr Angell* argues that Policy TR.1 should give more commitment to bus priority measures to enable Wyre Forest to play its part in increasing bus patronage. *WFDC* considers the Policy contributes to the Plan's main aims by helping to reduce car usage and promote other ways of travelling and improvements in public transport infrastructure. Much of this is based on *WCC's Bus Strategy*, set out in the *WLTP [CD64; p.54-56]*. I understand that the implementation of detailed measures, such as bus lanes, is the responsibility of *WCC* as *Highway & Passenger Transport Authority*. The Local Plan does not include any detailed proposals for bus priority measures because there is no published list of schemes in the *WLTP* or elsewhere. In any event, these would be for *WCC* to implement. However, the Proposals Map does show the *Bus Priority Network* under Policy TR.1.
- 10.3 I understand that *WCC* is looking at working up plans to improve links between Kidderminster town centre and the railway station. It is also undertaking a study for bus priority measures in Kidderminster, including the possibility of a new bus station in the northern part of the town centre. In addition, *WFDC* has agreed to set up a *Bus Quality Partnership* with *WCC* and local bus operators to facilitate improvements to the quality and frequency of bus services within the District, in line with the *WLTP [CD64; p.242]*. Any detailed measures or firm proposals for bus priority emerging from these studies could be included in the Plan when it is next reviewed. In these circumstances, and in view of the guidance in PPG12 (¶ 5.1-5.23), I consider the Local Plan gives sufficient priority to bus infrastructure and the land-use implications of bus services.
- 10.4 *KCS* points out the current problems with bus station provision in Kidderminster town centre and the need for a single bus station. A new bus station has now been provided and is operational, as part of the Policy KTC.1 redevelopment site. I realise that this mainly serves buses that enter from the southern end of the town centre, but the existing Ring Road assists in the general circulation of buses around the town centre. Paragraph 10.11 of the *WFDLP* specifically outlines the provision and implementation of a new bus station in Kidderminster town centre, and a specific site is shown on the Proposals Map. Consequently, I consider the Plan satisfactorily addresses the provision of a bus station for Kidderminster town centre without the need for any further amendments.

Recommendation

10.5 I RECOMMEND no modifications to the Local Plan in response to these objections.

**POLICY TR.2: INTERCHANGE IMPROVEMENTS AT
KIDDERMINSTER RAILWAY STATION**

Objections First Deposit 136/026 – Worcestershire County Council (Environ. Services); 245/028 – Kidderminster Civic Society; 309/005 – Offmore Farm Partnership; 528/005 – Marmaris Investments Ltd; 597/014 – Railtrack plc (in Railway Administration).

Revised Deposit 528/101 – Marmaris Investments Ltd..

Key issues

- Should Policy TR.2 include reference to using S106 Obligations for neighbouring developments to fund improvements to interchange facilities at Kidderminster station;
- Should Policy TR.2 be expanded to promote a possible tramway linking the railway station with the town centre;
- Should Policy TR.2 recognise the role which a Park-&-Ride station to the east of Kidderminster could play in relieving the pressure on Kidderminster station;
- Should Policy TR.2 refer to the possibilities of improving parking and other facilities at Blakedown station, as part of development proposals on adjoining land and as a result of improvements to the rail service;
- Is the proposed area of safeguarded land around Kidderminster railway station excessive.

Main considerations and Inspector’s conclusions

- 10.6 Policy TR.2 safeguards land at Kidderminster railway station for future railway-related developments and does not permit proposals which would be detrimental to proposed interchange improvements. I note that proposals to improve the interchange facilities at Kidderminster railway station are included in the *WLTP [CD64; p. 48]*. In the RDLP, para 10.19 has been amended to update the situation as regards *Chiltern Railways* services from Kidderminster (*Change No. 125*).
- 10.7 WCC asks for Policy TR.2 to include the use of S106 obligations for nearby developments to fund improvements to interchange facilities at Kidderminster station. PPG13 (¶ 84) confirms that planning obligations may be used to achieve improvements to public transport where such measures would be likely to influence travel patterns. However, *Circular 1/97* indicates that the requirements for a planning obligation should be directly related to the proposed development, and advises that such obligations should not be sought where there is a remote or no connection with the proposed development. Policy IMP.1 confirms the intention to implement S106 Obligations in appropriate circumstances, in connection with, or as a consequence of, development taking place. Policy TR.18 also includes S106 Obligations as part of measures to improve public transport, where this is likely to influence travel patterns.
- 10.8 However, in the case of Kidderminster railway station, the Proposals Map shows no major development proposals nearby during the current Plan period. It would therefore be difficult to justify a reference to the possibility of using S106 Obligations for improvements to interchange facilities in relation to nearby development proposals.

Should development proposals come forward which have a connection with the need to improve interchange facilities at the station, S106 Obligations could be sought through Policies IMP.1 & TR.18.

- 10.9 *KCS* suggests that Policy TR.2 should promote a possible tramway along Comberton Hill, linking the railway station with the town centre. Although such a link may have been discussed in the local press, and might benefit both residents and tourists, neither the WCSP nor the current *WLTP [CD64]* contains any reference to such a proposal. As far as I am aware, there are no firm or even tentative proposals for such a link, and there is no certainty that such a scheme would go ahead during the current Plan period. PPG12 (¶ 5.17) specifically states that transport proposals should only be included in development plans if they have a reasonable degree of certainty of proceeding within the Plan period, and that such proposals should be included within the LTP. In these circumstances, I conclude that it would be premature and inappropriate to include any proposal for a tramway linking the railway station with the town centre in the current Local Plan.
- 10.10 *Offmore Farm Partnership* argues that Policy TR.2 should recognise the role that a Park-and-Ride station to the east of Kidderminster could play in relieving pressure at Kidderminster station, to the benefit of non-car based access. This objection is linked to a proposal to develop land at *Offmore Farm* for employment purposes (see Chapter 4 of my report), and which I also address as an omission to the transport policies (see paras 10.91-10.92 below). I am aware that *WMAMMS [CD54]* identifies the need for future studies into transport options for the Kidderminster A449/A456 corridor, which might demonstrate a need for a parkway station to improve accessibility to the West Midlands conurbation. However, if such a study identifies the need for a new Park-and-Ride site to the east of Kidderminster, a detailed assessment of potential sites would be needed. If this assessment demonstrates that a Green Belt site is the most sustainable option, PPG13 (Annex E) confirms that it might not be inappropriate in the Green Belt. The RDLP makes specific reference to this possibility in paras 10.60H-10.60K (*Change No. 131*), but confirms that until conclusive results from detailed studies are known, it would be premature to protect or identify a specific site in this Local Plan. For similar reasons, I share this view and address this matter in further detail at the end of this chapter.
- 10.11 *Marmaris* promotes a site lying on the north-eastern edge of Blakedown, bounded by the A456 Birmingham Road and the Kidderminster-Birmingham railway line, and adjoining Blakedown station. *Marmaris* seeks to remove this site from the Green Belt and allocate it for a mixed-use development (including housing, station car parking and open space), or alternatively, identify it as an *Area of Development Restraint*. I have already concluded that there are no reasons to release this site for development on housing or Green Belt grounds (see Chapters 3 & 7), and I deal with the open space considerations later in my report (see Chapter 11). In this section of my report, I deal with the transportation aspects, including the possibility of additional car parking at the railway station.
- 10.12 *Marmaris* seeks a reference in Policy TR.2 to opportunities to improve the parking and other facilities at Blakedown station linked to other development proposals at this site, along with reference to likely increased demand for the station as a result of recent improvements to the rail service. *Central Trains* supports the idea, confirming that a car park for about 80 vehicles would be useful. I understand that it would be a facility for local residents and an intermediate, rather than strategic, Park-and-Ride site between Kidderminster and Stourbridge Junction stations. Blakedown station currently enjoys a regular train service to Birmingham, Kidderminster and Worcester, with an occasional service to and from London Marylebone. At present, there are very limited parking areas at the station; I saw no more than 10 cars parked there at times when I passed the site, and currently there are no parking restrictions along Station Drive.

- 10.13 I understand that any proposals to provide additional car parking at this station would be associated with housing and other development on the land fronting Station Drive. However, any car parking proposals would need to be the subject of a robust assessment under the terms of PPG13 (¶ 61), including consideration of alternative sites, amenity and traffic impact. This would be particularly important where Green Belt land is affected and where, under the terms of PPG13 (¶ 62), such locations should be the most sustainable of the available options. No such assessment has yet been undertaken, and so this may clearly not be the case as regards Blakedown. I also understand that *WFDC* wishes to focus public transport improvements on Kidderminster station, where car parking facilities exist and frequent bus services link with the town centre and other localities, as Policy TR.2 confirms. Moreover, the *Highways Agency* confirms the limitations of Blakedown station compared with the level of service and facilities at Kidderminster station.
- 10.14 To some extent, this idea is related to the possibility of Park-and-Ride facilities to serve Kidderminster, referred to in *WMAMMS [CD54]* & emerging Regional Guidance [*CD52*]. But I agree with *WFDC* that further clarification of this possibility is needed, particularly whether such a proposal should be linked with a Parkway station. I also understand that a detailed study into transport options for the A449/A456 corridor, including the possibility of a Parkway station, is being examined by *Centro [RDLP; ¶ 10.60JK]*. Until these matters are clarified and a full assessment of the proposal in terms of PPG13 is undertaken, I cannot be certain that Blakedown is the most appropriate location for additional car parking to serve rail-based passengers. I also realise that it might not be necessary to remove this site from the Green Belt if a Park-and-Ride site is justified in this area, as PPG13 (Annex E) confirms. It therefore seems to me that any proposals to provide additional car parking at Blakedown station, whether associated with other development or not, would be premature and unjustified at this stage. Consequently, in view of the current uncertainty and the references to transport options for the Kidderminster A449/A456 corridors in paras 10.60A-1060K in the RDLP, I conclude that no reference to this possibility is needed in Policy TR.2 or the accompanying text.
- 10.15 *Railtrack* supports Policy TR.2, but considers the area of safeguarded land is excessive, arguing that the relevant *TOCs* are best placed to identify future passenger demands. In addition, the Policy does not consider the potential for development of sites within the safeguarded area in the event that they become surplus to operational requirements. However, as *WFDC* says, by merely safeguarding land around the railway station for interchange improvements, Policy TR.2 cannot be said to be unduly prescriptive in its application. Proposals to improve interchange facilities at Kidderminster railway station are included in the current *WLTP [CD64]*, whilst the RDLP (¶ 10.19) recognises that usage of the station is likely to increase with the new *Chiltern Railways* peak time services direct to London Marylebone (*Change No. 125*). I realise that the area of safeguarded land covers an extensive area, but it also includes land occupied by the *Severn Valley Railway*, including the new carriage shed, station and running line, and I am not aware of any objections to the Policy from this organisation. I also note the support for Policy TR.2 from *Centro, Chiltern Railways & Strategic Rail Authority*.
- 10.16 PPG13 (¶ 20) confirms that strategies in the development plan and LTP should be complementary, and it seems to me that the proposals in the WFDLP reflect this guidance. Should land within the safeguarded area become surplus to operational requirements, then provided that proposals for development did not prejudice proposed improvements to interchange facilities, such proposals could be considered under other relevant policies in the Plan. In the absence of any specific detailed proposals indicating the scale and land requirements for any interchange improvements, I conclude that it is appropriate to retain the area of safeguarded land as shown on the Proposals Map.

10.17 I therefore conclude that no further amendments are needed to Policy TR.2 or the accompanying text in response to these objections.

Recommendation

10.18 I RECOMMEND no modifications to the Local Plan in response to these objections.

POLICY TR.3: SUSTAINABLE TRANSPORT ROUTE

Objections There are no objections to this Policy at the First and Revised Deposit stages.

POLICY TR.4: ACCESS TO RAIL FREIGHT

Objections There are no objections to this Policy at the First and Revised Deposit stages.

POLICY TR.5: LORRY ROUTE NETWORK

Objections First Deposit 597/016 – Railtrack plc (in Railway Administration).

Revised Deposit There are no objections at the Revised Deposit stage.

Key issues

- Should Policy TR.5 be re-worded to permit development generating significant goods traffic in locations away from the lorry route network where potential exists for substantial freight transport by rail.

Main considerations and Inspector's conclusions

10.19 Policy TR.5 allows development likely to generate significant goods vehicle traffic only where it is close to the lorry route network, shown on the Proposals Map, and does not permit proposals that would have an adverse impact on residential areas. *WFDC* confirms that the Policy primarily relates to the lorry route network, rather than rail-based developments. Policy TR.4 identifies the *British Sugar factory site* as having potential for connection to the rail network for freight transport, whilst paragraph 10.28 confirms *WFDC's* support for the principle of locating developments likely to generate significant freight movements at appropriate sites with existing or potential access to the rail network.

10.20 *Railtrack's* suggested amendment makes no reference to the question of road access to development sites and, when read in isolation, it could establish a precedent for development in areas away from the lorry route network which could have a detrimental effect on the countryside, local communities and the local road network. I recognise that national policy in PPG13 (¶ 45) seeks to increase the use of the rail network for freight traffic, but recognises that road transport will remain the main mode for many freight movements in the foreseeable future. In these circumstances, I consider it would be inappropriate to widen the scope of Policy TR.5 to allow development generating significant volumes of freight traffic in locations away from the designated lorry route network.

Recommendation

10.21 I RECOMMEND no modifications to the Local Plan in response to this objection.

POLICY TR.6: CYCLING INFRASTRUCTURE

Objections First Deposit 78/004 – Bewdley Town Council; 245/029 – Kidderminster Civic Society.

Revised Deposit There are no objections at the Revised Deposit stage.

Key issues

- Should the Plan aim to keep cycle routes and footpaths separate;
- Should further thought be given to the proposed cycle routes, especially where they are not segregated from the main carriageway and within the Kidderminster Ring Road.

Main considerations and Inspector's conclusions

10.22 Policy TR.6 does not permit development that would be detrimental to the designated cycle route network shown on the Proposals Map, and requires major new developments to conform to the cycle parking standards in Appendix 8. PPG13 (¶ 78-79) indicates that LPAs should review existing provision and identify priority routes for cyclists, seek the provision of cycle routes and cycle priority measures, and assist in completing the national cycle network, providing additional key links and promoting local cycle networks.

10.23 *WFDC* confirms that the cycle network was developed following consultation with *WCC*, *Sustrans* & *Wyre Forest Cycle Forum*. I also understand that the *Wyre Forest Cycle Strategy [CD98]* was adopted as SPG in April 2002. Consequently, it seems to me that the proposed cycle network is appropriate and represents an integrated approach towards cycle infrastructure provision. Although it might be desirable in some locations to keep pedestrian and cycle routes separate, I am satisfied that the proposed routes are appropriate and would not lead to undue conflict between pedestrians and cyclists. I therefore conclude that Policy TR.6 reflects national policy towards cycling and provides a mechanism to help achieve an integrated network of cycle routes within the District without resulting in unnecessary conflict between pedestrians and cyclists. No amendments are therefore necessary to meet *BTC*'s objection.

10.24 *KCS* supports Policy TR.6, but considers cycle routes should be segregated from the main carriageways and should not be permitted within the Kidderminster Ring Road. This objection raises similar points to those in the previous objection and I come to similar conclusions. These are detailed points about the precise location and route of cycleways which have already been considered in the *Wyre Forest Cycle Strategy*, and discussed with key policy makers and cycle users. In particular, I note that the *WFCS [CD98; ¶ 6.1]* considers that improvements to access to Kidderminster town centre are essential to promote cycling as a viable form of local transport. The removal of cycle routes from within the Ring Road and town centre would be directly contrary to this aim and would not help to increase the modal shift towards cycling. Consequently, I consider no action should be taken in respect of this objection.

Recommendation

10.25 I RECOMMEND no modifications to the Local Plan in response to these objections.

POLICY TR.7: PROVISION FOR PEDESTRIANS

Objections First Deposit 66/006 – Mr G Angell; 245/007 & 030 - Kidderminster Civic Society.

Revised Deposit There are no objections at the Revised Deposit stage.

Key issues

- Should Policy TR.7 include a commitment to improve pedestrian safety by filling in existing subways in Kidderminster town centre and improving the overall environment and safety for pedestrians;
- Should Policy TR.7 specify that sufficient width for disabled cars should be provided to allow car doors to be opened on both sides;
- Paras 10.37-10.41: should the accompanying text aim to provide bridges, rather than underpasses, across the Ring Road, especially between Church Street and Crossley Retail Park.

Main considerations and Inspector's conclusions

10.26 Policy TR.7 requires the design and layout of new developments to make proper provision for safe, convenient and easy pedestrian movement, including for those with impaired mobility. The importance of safe, direct and secure walking routes is highlighted in PPG13 (¶ 75-77) as part of a strategy promoting walking through development plans, related to the implementation of new development. The *WLTP [CD64; p.80-86]* outlines a *Walking Strategy* for the County, which advocates the upgrading of existing routes and provision of new pedestrian routes where appropriate. *WFDC's Town Centre Management Strategies* for Kidderminster, Stourport and Bewdley [*CD100-102*] also include proposals to improve pedestrian links and accessibility to these town centres.

10.27 *Mr Angell* is principally concerned about the condition and safety of existing subways in Kidderminster town centre and argues that they should be filled in and replaced by surface-level crossings or bridges. He also refers to the need to improve the quality of pedestrian routes and the pedestrian environment. *WFDC* refers to police reports of subway robberies in Kidderminster which recognise some history of incidents, but record only 3 reported incidents between April 2001-October 2002. Reference is also made to *WCC's Walking Strategy*, included in the *WLTP [CD64; p.80-86]*, but this includes no detailed proposals for improving the pedestrian environment. *WFDC* envisages including designated *Walking Routes* in the next review of the Local Plan. Other proposals are included in the *Town Centre Strategy & Action Plan for Kidderminster [CD100]*, including improvements to signage, and further measures would be implemented in the context of Policies TC.4 & KTC.3-4.

10.28 I am aware that subways are the responsibility of *WCC* as *Highway Authority*, and any improvements or replacement would be for *WCC* to consider. I understand there are no

current plans to improve or replace existing subways with surface-level crossings or bridges. Personal safety issues could be addressed when the *WLTP* is reviewed, and any proposals for improving or replacing subways could be included in the next review of the Local Plan, in line with the guidance in PPG12 (¶ 5.4-5.8). This is particularly important in the case of the subways at the Comberton Hill roundabout, which form one of the main links between the town centre and the railway station. Both *WCC* & *WFDC* recognise that this route needs improving, as confirmed in the *WFDLP* (¶ 10.39) and in the *Town Centre Strategy & Action Plan*. However, the pedestrian environment of streets, including pavement parking and traffic speed, is largely outside the remit of this Local Plan.

- 10.29 Consequently, it seems to me that Policy TR.7 goes as far as it can in ensuring that proper provision is made for safe, convenient and easy pedestrian movement. In the absence of any firm proposals to improve or replace the existing subways in Kidderminster town centre, it would be inappropriate to include such a commitment in this Local Plan.
- 10.30 *KCS* suggests that Policy TR.7 should specify sufficient width for disabled car spaces, so that car doors can be opened on both sides. However, the design and layout of car parks is addressed in Policy D.15, including provision for disabled people. Para 5.62 specifically refers to the need for such provision to meet the standards set out in *DETR's Traffic Advisory Leaflet 5/95*, which sets out space standards for disabled car parking. A similar reference is made in Appendix 8 of the Plan. PPG13 (¶ 51) confirms that developers should be required to provide designated parking spaces for disabled people in line with current good practice. Minimum requirements and standards for disabled parking are set out in Appendix 8 of the Plan. It therefore seems to me that the *WFDLP* already addresses *KCS'* concerns about the minimum space standards for disabled car parking spaces. Consequently, I conclude that it would be inappropriate to make further reference to this matter in Policy TR.7 or the accompanying text, which essentially deals with provision for pedestrians, rather than car parking for disabled people.
- 10.31 Paragraphs 10.37-10.41 outline *WFDC's* strategy towards pedestrian movement and the promotion of walking as a viable means of personal transport. As part of the *WLTP's Walking Strategy*, personal safety issues relating to the underpasses within Kidderminster will be assessed through the *WLTP*. As I have said earlier, should specific proposals for the provision of new pedestrian bridges or the replacement of underpasses across the Ring Road be identified, then these can be dealt with at the appropriate time or considered as part of a future review of the Local Plan. Paragraph 10.39 highlights the importance of improving pedestrian links between Kidderminster town centre and the bus and rail stations, including improvements to the Comberton Hill underpass, which is included within the *Town Centre & Action Plan for Kidderminster [CD100]*. Consequently, I cannot see that any further amendments are needed to Policy TR.7 or the accompanying text in response to this element of *KCS'* objection.

Recommendation

10.32 I RECOMMEND no modifications to the Local Plan in response to these objections.

POLICY TR.8: HIGHWAY NETWORK

Objections

The objection to this Policy has been withdrawn.

POLICY TR.9: IMPACTS OF DEVELOPMENT ON THE HIGHWAY NETWORK

Objections The objections to this Policy have been withdrawn.

POLICY TR.10: ENVIRONMENTAL IMPACT OF HIGHWAY WORKS

Objections There are no objections to this Policy at the First and Revised Deposit stages.

POLICY TR.11: DEVELOPMENTS FRONTING UNMADE ROADS

Objections There are no objections to this Policy at the First and Revised Deposit stages.

POLICY TR.12: AREA-WIDE TRAFFIC MANAGEMENT SCHEMES

Objections The objection to this Policy has been withdrawn.

POLICY TR.13: THE HORSEFAIR, KIDDERMINSTER

Objections There are no objections to this Policy at the First and Revised Deposit stages.

POLICY TR.14: A449 & A451 KIDDERMINSTER – WALL HEATH & STOURBRIDGE

Objections First Deposit There are no objections to the First Deposit Plan

Revised Deposit 66/102 – Mr G Angell; 128/101 – English Nature; 245/105 – Kidderminster Civic Society.

Key issues

- Does Policy TR.14 reflect the latest position on the A449/A451, by safeguarding these routes for on-line improvement;
- Should the Policy consider the most sustainable transport option, since on-line road improvement may result in loss of habitat and species and reduce biodiversity;
- Should the words *safeguard* and *prejudice* be defined more specifically;
- Para 10.60K: Could the reference to a new Park-and-Ride site lead to an increase in car traffic.

Main considerations and Inspector's conclusions

10.33 Policy TR.14 and the accompanying text have been substantially amended since the First Deposit Plan. Previously the Policy protected the line of the proposed A449/A456 Kidderminster, Blakedown and Hagley By-Passes, reflecting the inclusion of this scheme

in the WCSP (Policy T.12) and within the consideration of *WMAMMS [CD54]*. However, the final outcome of *WMAMMS* did not recommend the implementation of this scheme, favouring on-line improvements along the A449/A451 to deliver increased highway capacity, remove bottlenecks and improve safety. Consequently, the continued safeguarding of this route can no longer be justified. The RDLP therefore safeguards proposals for the on-line improvement of the A449 (Kidderminster-Wall Heath) & A451 (Kidderminster-Stourbridge) routes, preventing physical development which prejudices these proposals (*Change Nos. 130-131*). In addition, the accompanying text has been substantially rewritten to take account of these changes, along with the possibility of a strategic Park-and-Ride site/Parkway station for Kidderminster.

- 10.34 *Mr Angell* welcomes *WMAMMS*' endorsement to improve safety on the A449/A451, but is concerned that safeguarding these routes for on-line improvement anticipates them becoming feeder roads for possible new by-passes around Wolverhampton/Wall Heath /Stourbridge. *WMAMMS* recommended immediate feasibility work be undertaken on the A449/A456, in conjunction with the Stourbridge Western By-Pass, along with on-line improvements to the A451/A449 [*CD54*; ¶ 6.3.1-6.3.2]. However, the Panel examining the latest draft RPG11 concluded that the regeneration benefits of the Wolverhampton & Stourbridge Western By-Passes are unconvincing and that it is not necessary or appropriate to include these schemes as part of the Regional Transport Strategy [*CD56*; ¶ 8.5.5-8.5.15]. Any proposals for road improvements would be subject to the approach advocated in the *New Deal for Trunk Roads in England: Guidance on the New Approach to Appraisal (1998)*, in line with PPG13 (¶ 4). RDLP Policy TR.14 directly reflects the latest position and this approach.
- 10.35 More particularly, there is nothing in Policy TR.14 or in this Local Plan that envisages these routes becoming feeder roads for possible new by-passes which have now been abandoned. Policy TR.14 and the accompanying text fully reflect this fact, and I therefore consider *Mr Angell's* concerns on this issue are misplaced. However, in view of the Panel's conclusions on the latest RPG11 on these matters and the information provided by *WFDC* in the Briefing Note [*CD132*], I consider it would be helpful if the text accompanying Policy TR.14 is updated to reflect the latest position at the time the Local Plan is modified and adopted. I recommend accordingly.
- 10.36 *EN* argues that on-line improvement of these roads may not be the most sustainable option, since it could lead to the loss of wildlife habitats and reduce biodiversity. However, such improvements are recommended in *WMAMMS [CD54]*; ¶ 6.3.2] and in the latest draft RPG11 Panel Report [*CD56*], in order to improve accessibility and strengthen the road hierarchy. PPG13 (Annex C4) emphasises the need to explore the full range of alternative solutions to road problems, including measures other than road enhancement. *WFDC* confirms that any proposals for on-line improvement of these roads would be subject to the *NATA* approach advocated in the *New Deal for Trunk Roads in England: Guidance on the New Approach to Appraisal (1998)*, which includes specific objectives covering the Environment, Safety, Economy, Accessibility and Integration. This approach would help to ensure that the most sustainable option is taken forward and minimise the loss of habitat and species. Policy TR.17 of the *WFDLP* would also ensure that the adverse environmental impact of major road schemes is minimised, including the provision of mitigation measures and compensatory habitats, where appropriate, especially when seen in the context of nature conservation Policies NC.1-NC.8. It therefore seems to me that *EN's* concerns would be adequately addressed by national planning and transportation policies, along with other policies in the *WFDLP*.
- 10.37 *KCS* considers the terms *safeguard* and *prejudice* are too vague and should be clarified. However, *WMAMMS [CD54]* does not provide any specific details about the nature, scale

and scope of the recommended on-line improvements to these roads. Any such improvements would be considered as part of the new appraisal techniques outlined above. In the absence of any specific or detailed schemes, it is difficult for the Local Plan to do any more than merely safeguard the routes for on-line improvement and prevent any development which would prejudice such improvement. Consequently, I conclude that no further amendments to the Policy are necessary in response to this objection.

- 10.38 In paragraph 10.60K, *Mr Angell* is concerned about the reference to a possible Park-and-Ride site to serve Kidderminster, fearing that it would increase car traffic in the area. I understand that *Centro* is considering this possibility in a current study, and I note that the Panel examining the latest draft RPG11 acknowledges the valuable role that Park-and-Ride can play in improving integration between transport modes [CD56; ¶ 8.3.11-8.3.18]. Like *WFDC*, I recognise that Park-and-Ride facilities can sometimes lead to increased traffic generation, particularly near to the site. It is therefore important to undertake a detailed study into the traffic impact of potential Park-and-Ride sites before any firm proposals are finalised. There are no firm or site-specific proposals for a Park-and-Ride site in this Local Plan, and if such a proposal did come forward in the future, it would need to be fully assessed before including it in a subsequent review of the Plan. Consequently, I consider *Mr Angell's* fears about the implications of this possible proposal are premature.

Recommendation

10.39 **I RECOMMEND** that the Local Plan be modified by up-dating the explanatory text accompanying Policy TR.14 to reflect the latest position in the light of the Panel's conclusions on draft RPG11 in relation to the Wolverhampton & Stourbridge Western By-Passes, but that no further modifications be made in response to these objections.

POLICY TR.15: PROPOSED KIDDERMINSTER SOUTHERN BY-PASS

Objections First Deposit There are no objections to the First Deposit Plan

Revised Deposit 635/103 – British Sugar plc .

Key issues

- Should the Plan safeguard a route for a link road between the A451 Stourport Road and the A442/A449.

Main considerations and Inspector's conclusions

10.40 This objection originally arose due to the deletion of the Proposed Kidderminster Southern By-Pass included in the First Deposit version of the Plan (*Change No. 132*). I understand that this was a long-standing scheme, listed in the WCSP under Policy T.12, and related to the Kidderminster-Blakedown-Hagley By-Passes. This scheme was assessed in *WMAMMS [CD54]*, but it did not recommend its implementation. In consultation with *WCC, Highways Agency & GO-WM*, safeguarding the route of the Kidderminster Southern By-Pass can therefore no longer be justified. Consequently, the original Policy TR.15 and the accompanying text have been deleted in the RDLP.

10.41 PPG12 (¶ 5.17) advises that major road proposals should only be included in local plans if they are firm, with a reasonable degree of certainty of proceeding within the Plan period, and are included in the LTP. PPG13 (C4) also emphasises the need to explore the full range of alternative solutions, as reflected in WCSP Policy T.11 (¶ 7.56). Current Government policy, set out in *A New Deal for Transport (July 1998)* (¶ 4.201), includes a

strong presumption against new transport infrastructure which would significantly affect sites such as SSSIs. This road scheme is not included in the current *WLTP* as a safeguarded scheme and *WCC*, as *Highway Authority*, advises that there is no current need for the road as a County Council scheme. I also note that the likely route would pass through designated sites of nature conservation importance, along with the Staffs & Worcs Canal Conservation Area, and could have nature conservation, Green Belt, recreation and landscape implications. Furthermore, I understand that no detailed assessment of the route or any alternative solutions have been undertaken in the context of *WCSP* Policy T.11. In the absence of any detailed assessment of this scheme, along with an agreed route, proven need and firm commitment, I consider there is insufficient justification to safeguard the route of the Kidderminster Southern By-Pass in the current Local Plan.

10.42 *British Sugar's* objection essentially relates to the redevelopment of the former Sugar Factory site at Stourport Road, Kidderminster. I have dealt with this matter earlier in my report (see Chapter 4). The original objection and evidence prepared for the inquiry suggested a new Policy TR.14 (*Stourport Road Transport Corridor*), promoting the appraisal of a new link road between the A451 & A442/A449 across the site, and confirming that the benefits of such a route should be investigated early in the Plan period. However, *British Sugar* now agrees that it would not be appropriate to formally safeguard this route and acknowledges that the first phase of the redevelopment would not require such a road link. Now that a suggested new Policy E.2A and accompanying text has been agreed, including reference to considering the benefits of a new link road in the next review of the *WLTP* and the Local Plan [*CDI29*], I consider that this objection has been overtaken by events. Consequently, I conclude that there is no justification to reinstate this road scheme in the current Local Plan and no further amendments to this section of the Plan are needed in response to this objection.

Recommendation

10.43 **I RECOMMEND** no modifications to the Local Plan in response to this objection.

POLICY TR.16: PROPOSED STOURPORT RELIEF ROAD

Objections First Deposit 61/013 – Wyre Forest Friends of the Earth; 66/009 – Mr G Angell; 505/001 – Miss D While; 521/001 – Mr & Mrs A Brazier; 565/002 – Thomas Vale Construction Ltd; 572/001 - B While; 638/010 – Arab Investments Ltd.

Revised Deposit There are no objections at the Revised Deposit stage.

Key issues

- Should the line of the Stourport Relief Road continue to be safeguarded, having regard to sustainability issues and the possibility of generating increased volumes of traffic, contrary to the aims of the *Road Traffic Reduction Act*;
- Is the construction of the Stourport Relief Road justified, given the nature and scale of traffic congestion, the need for people to visit Stourport, and its impact on trade in the town centre;
- Is the route of the proposed Stourport Relief Road appropriate, in view of its impact on concentrating traffic onto the A451;
- Should the Plan include more commitment about the timescale for constructing

the Stourport Relief Road, especially bearing in mind its importance to the redevelopment of key sites around the town centre.

Main considerations and Inspector’s conclusions

- 10.44 Policy TR.16 safeguards the line of the Stourport Relief Road and prevents any physical development which prejudices this line. The RDLP amends the accompanying text (¶ 10.64-10.65) to clarify the nature of any proposed development and confirm that replacement sports pitches for *Stourport Cricket & Rugby Football Clubs* will be needed if the construction of the road takes place (*Change Nos. 133-134*). The scheme is included in the WCSP (Policy T.12), subject to criteria for assessing new road schemes in Policy T.11. The *WLTP [CD64]* also refers to the scheme, stating that it is subject to a 12-month feasibility study on the options for Stourport’s transport system. If that study concludes that an Inner Relief Road is appropriate, it will be pursued as a major scheme.
- 10.45 Both *Mr Angell & WFFOE* are concerned that the proposed Stourport Relief Road would generate more traffic, in conflict with sustainable development and tourism policies. However, Policy TR.16 only protects the line of the new road; it does not include any commitment to construct it. As I have found in the previous paragraph, the scheme will be subject to a detailed assessment, including alternative transport options, and will only be constructed if it can be justified. Furthermore, it is by no means certain that increased traffic volumes along this road corridor will necessarily result. One of the main purposes of the road is to take through traffic out of the congested road network in and around Stourport town centre, rather than to encourage more traffic to use this strategic route.
- 10.46 PPG12 (¶ 5.4-5.8) confirms the importance of linking development plans and local transport plans, advising that the development plan strategy should underpin land-use issues arising from the implementation of the LTP. Since the scheme is included in the WCSP & *WLTP*, it is wholly appropriate to protect the line of this route in this Local Plan. I recognise that the construction of the road may require more aggregate and concrete than the reinstatement of the railway line to Hartlebury, but this latter option would not achieve the same result by removing through traffic from Stourport town centre. Nor would the new road necessarily discourage cycling or greater use of buses. As for the Plan’s tourism policies, these do not address traffic congestion. However, by removing through traffic from the town centre, the new road could actually benefit the town in terms of its attraction for tourists and sustainable tourism. Consequently, I consider the fears of *Mr Angell & WFFOE* are misplaced.
- 10.47 *Miss While* is concerned that the new road will not necessarily reduce traffic congestion at Bank Holidays and summer weekends, when most people visit Stourport, rather than going through or around the town. However, if the construction of the route is eventually justified, following the current study, it would probably reduce the amount of traffic passing through the town centre and improve the environment for residents and visitors. *Mr While* is concerned about the possible loss of trade from the town centre as a result of the new Relief Road. However, no firm decision has yet been made on the new road, and questions about its likely impact on the vitality and viability of the town centre would be addressed as part of the detailed appraisal. I cannot see that the construction of the new road would necessarily discourage people from using or visiting the town centre; rather, it would tend to make the town centre more attractive to visitors and shoppers by removing the existing traffic congestion.
- 10.48 *Mr & Mrs Brazier* are concerned that the new road would channel a large, constant and concentrated volume of traffic onto the already congested A451 between Stourport and Kidderminster, resulting in gridlock. However, the traffic implications of the new route

will be addressed in the detailed study and, as I have said before, Policy TR.16 contains no commitment to actually construct the road, just to protect the line. These are detailed considerations which the current study will fully assess. As for the alternative route suggested, land to the west of Wilden Lane lies in the Green Belt and includes a SSSI, which would act as significant planning constraints to any new route or road widening.

- 10.49 *Thomas Vale* argues that the Stourport Relief Road is vital to the redevelopment of key sites, such as that fronting Worcester Road, and the Plan should give greater commitment to its early construction. However, as I have already found, the detailed justification for the road has not yet been established and has to await the outcome of the current study of options for Stourport’s transport system. Similarly, although the scheme is included in the WCSP and *WLTP*, no time-scale has been established and, if justified, the road will be subject to the *WLTP* bidding process. Consequently, it would be premature and inappropriate to give any greater commitment to this new road scheme in the Plan at this time, other than protecting its line. Should the situation become clearer before the Plan is finally adopted, then the Policy and accompanying text could be updated accordingly. I understand that *Thomas Vale* accepts *WFDC*’s response to this objection, and I have dealt with the site-specific aspects of the development of land fronting Worcester Road earlier in my report (see Chapter 4).
- 10.50 *Arab Investment*’s objection is concerned with the requirement to access the *Carpets of Worth* site in Stourport via a new link road to Discovery Road and the Stourport Relief Road. There is no objection to the protection of the route of the Relief Road and I understand that this objection has now been withdrawn. I deal with the access requirements for this site under Policy STC.2, later in my report (see Chapter 14).
- 10.51 Consequently, I conclude that no amendments to Policy TR.16 or the accompanying text are necessary in response to these objections. However, if the situation becomes clearer about the justification and timescale for the construction of the Stourport Relief Road before the Plan is adopted, the Policy and accompanying text should be updated accordingly.

Recommendation

10.52 **I RECOMMEND** no modifications to the Local Plan in response to these objections, but if the situation becomes clearer about the justification and timescale for the construction of the Stourport Relief Road before the Plan is adopted, Policy TR.16 and the accompanying text should be amended accordingly.

POLICY TR.17: ENVIRONMENTAL IMPACT OF MAJOR ROAD SCHEMES

Objections There are no objections to this Policy at the First and Revised Deposit stages.

POLICY TR.18: CAR PARKING STANDARDS AND PROVISION

Objections First Deposit 66/010 - Mr G Angell; 177/013 – David Wilson Estates; 245/031 – Kidderminster Civic Society; 419/007 – Wm Morrison Supermarkets Ltd; 481/026 – House Builders Federation; 500/001 –

Mr S R Glover; 501/001 – Ms R Evans-Jones; 502/001 – Mr A Jackson; 503/001 – Ms S Hadlow; 506/001 – Ms R Horton; 507/001 – Ms R Howard; 508/001 – Ms L Timmis; 512/001 - Mrs J Pound; 513/001 - Ms R Stallard; 515/001 – M A Overton; 517/001 – Mr P R Griffin; 518/001 – Ms L Malinowski; 519/001 - Miss M Bass; 522/001 – Mr M Oldnall; 526/001 A Gualano; 569/003 – McCarthy & Stone (Developments) Ltd; 592/028 – West Midlands Region RSL Planning Consortium; 648/002 – Folkes Properties Ltd.

Revised Deposit

66/104 – Mr G Angell; 245/106 – Kidderminster Civic Society; 532/101 – Strategic Rail Authority; 615/100 – Sainsbury’s Supermarkets Ltd.

Key issues

- Does Policy TR.18 and the published car parking standards properly reflect the Plan’s aims to reduce the need to travel, particularly by car, and accord with national guidance on car parking provision in PPG13 and the WCSP;
- Should the car parking standards be set as an average, rather than as a maximum provision;
- Are the parking standards for residential development, Class B uses and food retail development appropriate;
- Is the reference to S106 Obligations to cover improvements to transport infrastructure superfluous;
- Paras 10.67-10.71: Should reference be made to the guidance in PPG13 (¶ 56 & 63) about parking for retail development and railway stations;
- Should the Plan make provision for additional car parking for Kidderminster town centre, particularly for long-term employee parking, especially in view of the closure of the Market Street and Pitts Lane car parks.

Main considerations and Inspector’s conclusions

10.53 Policy TR.18 indicates that on-site car parking for new developments should be provided in line with the standards in Appendix 8, which should represent the maximum provision. In certain cases (for example, disabled and cycle parking, and within town centres and other highly accessible locations), standards may be increased or reduced. In some cases, S106 Obligations may be sought to achieve improvements in public transport, cycling and walking. The RDLP makes minor changes to the wording of the final clause of the Policy and paragraph 10.71 (*Change Nos. 135-136*). *WFDC’s* parking policy is drawn up in the light of WCSP Policy T.4, *WCC’s* emerging *Parking Strategy* in the *WLTP [CD64; p.144]*, and regional guidance in RPG11.

10.54 Most of the objections relate either to the car parking standards themselves, or to the need for additional long-term parking in Kidderminster town centre. On the first point, I understand that the standards set out in Appendix 8 are *WCC’s* current *draft* car parking standards. WCSP (¶ 7.41) confirms that *WCC* is reviewing its Design Guidance, including car parking standards, but I have little information about when they will be finally adopted. At present, it is apparent that the draft parking standards do not reflect the latest standards set out in PPG13 (Annex D) in all cases, and I must assume that any revised car parking standards will be amended accordingly. I understand that, once the revised standards are eventually adopted by *WCC*, they will be adopted by *WFDC* and included in the Local Plan. If *WCC* finalises the review of car parking standards before the Local Plan is finally adopted, they can be included in the Plan. Otherwise, they can be included in a future review of the Plan. In the meantime, I consider *WFDC* should apply the standards

set out in PPG13 (Annex D) where there is any discrepancy, and confirm this approach in the text accompanying Policy TR.18.

- 10.55 *Mr Angell* highlights the key aim of the Plan to reduce the need to travel, particularly by private car. However, the restrictions on car parking provision envisaged in Policy TR.18, along with the standards themselves in Appendix 8, will help to achieve that aim. Moreover, WCSP Policy T.4 supports demand management measures to discourage travel by car. A more restrictive approach towards car parking would not only conflict with national policy in PPG3, PPG6 & PPG13, but could also threaten the overall vitality and viability of the town centres and unreasonably inhibit people's freedom to choose an appropriate means of transport. As *WFDC* says, it is important to provide a package of measures which help to promote sustainable transport and an overall reduction in the need to travel, to which I consider Policy TR.18 makes a significant contribution.
- 10.56 Dealing with the car parking standards themselves, national guidance in PPG3, PPG6 & PPG13 emphasises the need to avoid over-provision of car parking and encourage a shift away from the private car to public transport in order to promote more sustainable transport choices. PPG13 (¶ 52) confirms that development plans should set *maximum* levels of parking for broad classes of development. Consequently, an approach which includes some flexibility by indicating an *average* parking provision, as suggested by *David Wilson Estates*, would be out of line with national objectives and guidance.
- 10.57 For housing development, PPG3 (¶ 62) states that car parking standards resulting in an average of more than 1.5 off-street car parking spaces per dwelling would be unlikely to reflect the Government's emphasis on securing sustainable residential environments. It also advises that in any new residential schemes, a range of house types, sizes and tenures should be negotiated to produce balanced and mixed communities. The parking standards in Appendix 8 provide for a range of parking within residential areas, based on house sizes, which on average would fall within the levels set in PPG3 and would help to secure sustainable residential environments within the District.
- 10.58 In addition, other locational factors, such as proximity to the town centre and bus routes, may influence the level of car parking provision in particular developments. To introduce more flexibility for residential developments, as suggested by *WMRRSL & HBF*, would not accord with current national policy in PPG3 & PPG13. Furthermore, *Mr Angell's* suggestion about adopting the recommendations of the *Urban Task Force Report*, setting a maximum standard of 1 car parking space per dwelling, have not been accepted by the Government and have been overtaken by the more recent guidance in PPG3 (¶ 62).
- 10.59 As regards car parking standards for Class B uses, PPG13 (¶ 49) confirms that reducing parking standards in new developments is an essential part of the package of planning and transport measures designed to promote sustainable travel. The car parking standards for Class B uses in Appendix 8 range from 1 space per 25-50m² for Class B1 & B2, to 1 space per 250m² for Class B8. These fall within the general range indicated in PPG13 (Annex D). As for *Folkes'* specific site, this lies along a high-frequency bus route with a cycle route nearby, which help to enhance accessibility and reduce the need for substantial areas of car parking. Consequently, I cannot see that the car parking standards set out in Appendix 8 would necessarily deter or inhibit the redevelopment of this site, especially having regard to the guidance in PPG13 (¶ 51) and WFDLP Appendix 8.
- 10.60 As for food retail development, *WFDC* acknowledges that the car parking standards in Appendix 8 do not accurately reflect those in PPG13 (Annex D). For food retailing over 1000m², the WFDLP sets a standard of 1 space/18-25m², as opposed to 1 space/14m² in PPG13 (Annex D). As I have said earlier, I must assume that when the car parking

- standards are reviewed and finally adopted, they will reflect the provision level set in PPG13. In the meantime, I look to *WFDC* to apply the standards flexibly, requiring no lesser or greater provision than that envisaged in PPG13. I also note that PPG6 allows some flexibility when considering retail proposals within town centres or in edge-of-centre locations. The latest amendment to paragraph 10.71 of the *RDLP (Change No. 135)* reflects this guidance, as well as that in PPG13 (¶ 56).
- 10.61 Car parking for railway stations is not included within *WCC*'s draft standards in Appendix 8 of the Plan. However, PPG13 (¶ 63) indicates that LPAs should consider the case for parking facilities at railway stations, taking account of the views of the *Strategic Rail Authority & TOCs*. Given the importance of parking provision at railway stations in increasing the catchment area for rail services, and the possibility of a Park-and-Ride facility or Parkway station to serve Kidderminster in the future (*RDLP*; ¶ 10.60H-K), I consider a brief reference to this matter should be included in paragraph 10.71 of the Plan. The form of words set out in *WFDC*'s rebuttal [*LPA/532/101/Para. 10.71/1*] would meet the *SRA*'s concerns, namely: "Should planning applications for the future expansion of parking facilities at existing railway stations within Wyre Forest be received, they will be assessed against the provisions set out in paragraph 63 of PPG13". If *WCC* draws up parking standards for railway stations when reviewing its car parking standards, these can be included in the Plan, either before it is adopted or when it is reviewed.
- 10.62 As for using S106 Obligations to achieve improvements to public transport, PPG13 (¶ 83-85) confirms that development plans should indicate the likely scope and nature of contributions to be sought towards transport improvements for new developments in certain areas or key sites. It also outlines the types of improvements that may legitimately be sought through such agreements, including improvements to public transport, walking and cycling, where these measures would influence travel patterns. In my view, Policy TR.18 correctly interprets this guidance. I realise that the Plan also includes a general policy and explanatory text covering S106 Obligations (Policy IMP.1), but this is not as specific as Policy TR.18 and contains no reference to improvements to transport. It also confirms that such Obligations should directly relate to the proposed development. By indicating that S106 Obligations *may* be sought in certain circumstances, Policy TR.18 recognises that they may not be relevant to all development proposals. In addition, further guidance on the application of planning obligations is given in *WFDC*'s *Development Control Policy Note No. 9 [CD109]*. Consequently, I consider this aspect of the Policy is soundly based and in line with national policy.
- 10.63 Most of the objections about long-term parking provision in Kidderminster town centre stem from the closure of the Market Street car park in order to facilitate the redevelopment of key town centre sites. At the inquiry, I was provided with details of the current situation (at December 2002) in terms of the number, location and type of car parking spaces [*CD133*]. This shows a total of over 2,400 car parking spaces within 300m of the Primary Shopping Area, with an additional 2,000+ spaces beyond 300m or on Park-and-Ride sites, totalling over 4,500 spaces, along with 150 spaces along town centre streets. Much of this provision is short/medium stay parking of less than 3 hours, but there is a significant number of spaces for long-stay parking, both within and beyond 300m of the Primary Shopping Area. This seems to indicate a wide variety of parking to meet most demands from shoppers, visitors and employees using the town centre.
- 10.64 I realise that the current shift in the balance between long-stay and short-stay parking provision in Kidderminster town centre, along with security and charging policy, is largely an operational matter for *WFDC*'s *Cultural, Leisure & Commercial Services Division* as part of its car park management strategy. However, these decisions can have dramatic implications for individual people, especially when the number of long-term spaces is

reduced, with its consequent impact on employees who work in the town centre. It can also have land-use implications for this Local Plan. However, the balance between short and long-stay parking provision has to reflect national policy in PPG6 & PPG13, as part of a strategy to promote sustainable transport choices and ensure that development is located in the most accessible locations. More specifically for town centres, PPG6 (¶ 2.32) advises LPAs to adopt policies which give priority to short-term parking for visitors and shoppers and discourage long-term parking for commuters.

- 10.65 I recognise that major redevelopment schemes in the town centre have dramatically altered the nature, number and location of car parking spaces. However, after redevelopment, the losses of spaces (965) will be more than offset by new provision (1,039 spaces), including almost 1,000 new spaces at *Tesco & Weaver's Wharf*. Furthermore, the previous multi-storey car parks at Market Street & Pitts Lane were in disrepair and suffered vandalism. I realise that some new car parks are related to particular stores, such as Tesco, Safeway or B&Q, but they are usually available for all shoppers to use. With the current redevelopment of major sites in the town centre, including the construction of a new college and retail developments, the situation is not stable. *WFDC* confirms that it intends to carry out a full review of car parking provision early in 2004, when the redevelopment of the town centre will be complete. This could address any deficiencies or serious problems which come to light when major redevelopment is completed.
- 10.66 In addition, *WFDC* is actively promoting a Park-and-Ride facility at Stadium Close, just beyond the Ring Road, with long-stay parking and a dedicated bus service. A further Park-and-Ride site is being considered at *Crossley Retail Park*. Other initiatives include changes to season tickets and adjustments to short, medium and long-term parking provision. *WFDC* has also resolved to sign up to a *Bus Quality Partnership* with *WCC* and local bus operators, to facilitate improvements in the quality and frequency of bus services within the District, in line with the proposals in the *WLTP [CD64; p.242]*. I recognise that some rural areas of the District may not be well served by public transport, and that some residents need to use their cars to visit Kidderminster town centre. However, it seems to me that there will be sufficient parking in and around the town centre to meet this particular need.
- 10.67 *WFDC* agrees that improved public transport is an essential component of a policy designed to achieve a modal shift towards public transport. Policies TR.1, TR.2, TR.6, TR.7 & TR.20 of the *WFDLP* all form part of a package to promote sustainable transport choices within the District. At County level, *WCC* is examining accessibility to the new bus station and links between the town centre and the railway station. To my mind, this suggests that both *WFDC* & *WCC* are actively examining the situation and taking positive measures to review car parking in the town centre and introduce a sustainable transport package. Although I recognise the inconvenience that redevelopment and closure of long-stay car parks may have on town centre employees, it is important that the Plan reflects the Government's objectives to reduce long-term parking provision in town centres and encourage a shift towards public transport. It seems to me that the Local Plan goes as far as it can in this direction, within the constraints of land and other resources. It will be for *WFDC* to assess the success or otherwise of its car parking strategy at a future review of the Plan, in terms of its overall car park management strategy. I therefore consider no amendments to Policy TR.18 are necessary in response to these objections, including those from *KCS & Mr Angell*. However, it would be helpful if the text accompanying Policy TR.18 or TC.5 included some information on the current and proposed car parking provision serving Kidderminster town centre, to set the context and clarify the position.
- 10.68 Consequently, I conclude that Policy TR.18 and the accompanying text is soundly based and broadly reflects national policy in PPG3, PPG6 & PPG13, as well as *WCSP* Policy

T.4 and WCC’s emerging *Parking Strategy*. However, it would be helpful if a reference to parking facilities at railway stations is included in paragraph 10.71, in line with the text suggested in WFDC’s rebuttal. Information on current and future car parking provision serving Kidderminster town centre should also be included in the text accompanying Policy TR.18 or TC.5. In addition, if WCC completes its review of car parking standards before the Plan is formally modified and adopted, these revised standards should be included in Appendix 8. Otherwise, the amended standards could be included in a subsequent review of the Plan. In the meantime, I look to WFDC to apply the car parking standards set out in PPG13 (Annex D) where there is any discrepancy and to confirm this approach in the text accompanying Policy TR.18.

Recommendation

10.69 **I RECOMMEND** that the Local Plan be modified:

(i) by amending paragraph 10.71 by adding the following sentence:
“Should planning applications for the future expansion of parking facilities at existing railway stations within Wyre Forest be received, they will be assessed against the provisions set out in paragraph 63 of PPG13”;

(ii) by including information on current and future car parking provision serving Kidderminster town centre in the text accompanying Policy TR.18 or TC.5;

In addition, should WCC complete its review of car parking standards before the Local Plan is modified and adopted, the revised standards should be included in Appendix 8. Otherwise, any revised standards should be included in a future review of the Local Plan. **In the meantime**, the Council should apply the standards set out in PPG13 (Annex D) where there is any discrepancy, and confirm this approach in the text accompanying Policy TR.18.

POLICY TR.19: TRANSPORT ASSESSMENT OF NEW DEVELOPMENT

Objections First Deposit 436/013 – National Farmers Union.

Revised Deposit There are no objections at the Revised Deposit stage.

Key issues

- Should Policy TR.19 only apply to new *urban* developments, bearing in mind that public transport will never be able to serve all rural locations.

Main considerations and Inspector’s conclusions

10.70 Policy TR.19 requires a *Transport Assessment* for all new developments likely to have significant transport implications. Paragraph 10.74 confirms that WFDC supports the view that all new development within the District should offer convenient accessibility by public transport, walking and cycling.

10.71 NFU points out that public transport will never be able to serve all rural locations and so the Policy should only apply to new *urban* developments. WFDC accepts that the rural parts of Wyre Forest are not well served by public transport, but it is equally evident that many people living in these areas do not have access to a car. PPG13 (¶ 40) recognises that the potential for using public transport, cycling and walking in rural areas is more limited, but confirms that the policy approach in terms of promoting social inclusion and

reducing isolation remains the same. I also understand that WCC is trying to improve rural bus services through its rural challenge bids, as the WLTP [CD64; p.58] confirms.

- 10.72 Furthermore, it is also important to realise that Policy TR.19 only applies to new developments having *significant transport implications*, reflecting the guidance in PPG13 (¶ 23). Some small-scale rural developments, such as farm diversification, may not have such implications, so the Policy would not apply. However, I consider it is appropriate to apply Policy TR.19 to all areas, including rural areas, in order for new development to have convenient accessibility by all modes of transport, wherever possible. PPG13 (¶ 40-44) confirms that in rural areas, development should be sited at the most accessible locations, in or near to local service centres, linked to improvements in public transport.
- 10.73 However, PPG13 (¶ 43) advises that proposals for small-scale business development in the more remote rural locations which would give rise to only modest additional daily vehicle movements should not be rejected. Consequently, in order to ensure that rural development is not hindered by a lack of public transport, I consider paragraph 10.74 should be amended to recognise the difficulty of providing convenient accessibility by public transport in the more remote rural areas of the District. It should also confirm that proposals for small-scale business development in rural areas which generate low volumes of traffic will not necessarily require a Transport Assessment.

Recommendation

10.74 **I RECOMMEND** that the Plan be *modified* by amending paragraph 10.74 to recognise the difficulty of providing convenient accessibility by public transport in the more remote rural areas of the District and confirm that proposals for small-scale business development in rural areas which generate low volumes of traffic will not necessarily require a Transport Assessment.

POLICY TR.20: IMPLEMENTATION OF TRAVEL PLANS

Objections First Deposit 648/003 – Folkes Properties Ltd.

Revised Deposit There are no objections at the Revised Deposit stage.

Key issues

- Should Policy TR.20 include some flexibility about the need for Travel Plans, particularly for speculative developments.

Main considerations and Inspector’s conclusions

10.75 Policy TR.20 requires Travel Plans to be submitted for all major developments that would generate transport-related problems, including significant traffic volumes, above defined thresholds. In paragraph 10.77, the RDLP sets out the size thresholds for relevant types of development (*Change No. 137*). PPG13 (¶ 89) confirms that Travel Plans should be submitted at the planning application stage for all developments likely to have significant transport implications. These include all specified major developments comprising jobs, shopping, leisure and services above the thresholds defined in Annex D, along with some smaller developments. The thresholds set out in paragraph 10.77 of the Plan reflect those in PPG13 (Annex D).

10.76 I recognise the difficulties of drawing up Travel Plans for speculative developments, where the occupiers are unknown. However, PPG13 does not indicate that such developments should be exempt from this requirement. The Government clearly wishes to raise the awareness about the impact of travel decisions and promote the widespread use of Travel Plans for major developments. WCSP (§ 7.29) recognises the importance of Travel Plans in reducing car use by promoting the use of alternative modes of travel for regular trips to work and education, and further details are provided in the *WLTP [CD64; p.98-106]*. Consequently, it seems to me that Policy TR.20 and the accompanying text fully reflect national and strategic planning policy, and I cannot see any justification for making exceptions for speculative developments, as requested by this objector.

Recommendation

10.77 I RECOMMEND no modifications to the Local Plan in response to this objection.

TELECOMMUNICATIONS

POLICY TR.21: LOCATION OF TELECOMMUNICATIONS EQUIPMENT

Objections First Deposit 292/004 – British Telecommunications plc; 384/001 – Orange Personal Communications Services Ltd; 580/001 – Vodafone Ltd.

Revised Deposit (UK) Ltd. 292/100 – British Telecommunications plc; 660/100 - T-Mobile

Key issues

- Does revised Policy TR.21, including the specified criteria, properly reflect national policy in PPG8 on telecommunications development, or should it adopt a more positive approach;
- Are the requirements placing the onus on operators to demonstrate need for the development and to share facilities legitimate and reasonable;
- Should the references to *ICNIRP* guidelines refer to *public exposure* rather than *safe emissions*, and relate to *certify* rather than *demonstrate*;
- Should the revised Policy extend adverse impact beyond *visual* impact, and make reference to the need for S106 Obligations to facilitate the removal of facilities;
- Should the revised Policy aim to fully recognise the connectivity between telecommunications and transport and promote the maximisation of access and the maintenance of choice in telecommunications and transport.

Main considerations and Inspector’s conclusions

10.78 Policy TR.21 has been substantially redrafted since the First Deposit Plan, in order to take account of objections, including a minor change to the supporting text in paragraph 10.78 (*Change Nos. 138-139*). Policy TR.21 now requires proposals for telecommunications equipment to demonstrate a need for the development; to be sited and designed to avoid significant adverse impact to interests of acknowledged importance; with no satisfactory alternative sites or reasonable possibility of sharing facilities or erecting equipment on existing buildings or structures. The cumulative impact of proposals will also be considered, and all proposals are required to meet the *ICNIRP* guidelines for safe emissions. An additional note indicates that S106 Obligations may be sought to facilitate

- sharing or removal of facilities. However, Policy TR.21 no longer applies a sequential approach to development, but replaces this with a criteria-based policy.
- 10.79 National policy on telecommunications development is set out in PPG8 (2001). PPG8 (¶ 4) highlights the need for national and local policy to take account of the growth of the industry and technology, the social and economic demands for communications, and the importance of environmental policies. PPG8 (¶ 39-40) confirms that local plans should set out policies and proposals for the location of telecommunications developments, in general conformity with the Structure Plan, including the siting and appearance of apparatus, and the circumstances where prior approval may be sought and relocation of equipment may be required. Such a criteria-based policy approach should also be flexible enough to allow for the efficient development of the telecommunications network. Policy D.44 of the WCSP provides the basis for the approach set out in Policy TR.21.
- 10.80 PPG8 urges LPAs to respond positively to proposals for telecommunications development, taking into account advice on the protection of urban and rural areas in other PPGs. In my view, the revised version of Policy TR.21 sets out a more positive approach, which balanced with environmental objectives, broadly reflects the guidance in PPG8. The revised version of Policy TR.21 also meets much of the criticism raised at the First Deposit stage, including that from *BT, Orange & Vodafone*, as well as reflecting the need to balance this more positive approach with the environmental objectives of the Plan.
- 10.81 Dealing firstly with the requirement to demonstrate need, *WFDC* explains that clause (i) of the Policy relates to the need for the proposed development, rather than the system which the proposed development supports. PPG8 confirms that LPAs should not question the need for the telecommunications system which the development is to support, but should aim to work together with operators to find optimum solutions to development requirements. With this clarification, I am satisfied that clause (i) adequately reflects the guidance in PPG8, subject to the addition of the words *for the development* at the end of the sentence.
- 10.82 Furthermore, I note that the explanatory text accompanying WCSP Policy D.44 (¶ 6.142-6.145) specifically states that applicants for new telecommunications structures should demonstrate why existing structures or pylons cannot be used. *WFDC* expects applicants to demonstrate need for the development to ensure that more sustainable and environmentally acceptable options are first considered, and to limit the environmental and visual impact of such development.
- 10.83 As for mast sharing, referred to in clause (iv) of the Policy, this approach is encouraged in PPG8 (¶ 66-73) where it represents the optimum environmental solution. However, paragraph 10.84 of the RDLP acknowledges that in some cases new structures may be preferable for reasons of visual amenity. In my view, the revised Policy and accompanying text adequately reflects the desirability of sharing telecommunications facilities where this is practicable and desirable.
- 10.84 As for the cumulative impact of telecommunications developments, I note that the word *visual* has been deleted in the revised text of Policy TR.21 in terms of the adverse impact on the landscape, townscape or nature conservation. This widens the scope of any adverse impact to include more than just *visual* impact, reflecting the guidance in PPG8 (¶ 64-65) and WFDLP Policies GB.1 & LA.2. It also takes account of the fact that much of the countryside outside the main urban areas of Kidderminster, Stourport and Bewdley falls within the Green Belt or *Landscape Protection Areas*. PPG8 (¶ 64-68) emphasises the need to protect the environment from visual intrusion that can be caused by

telecommunications equipment, and I am satisfied that the amendments to this clause of the Policy reflect the guidance in PPG8.

- 10.85 There is little dispute that telecommunications operators have to demonstrate conformity with *ICNIRP* guidelines. However, throughout PPG8, the requirement is for such equipment to remain within the *ICNIRP* guidelines for *public exposure*. I therefore consider the penultimate paragraph of the Policy should use this term, to avoid any uncertainty or confusion. On this topic, I understand that the Government requires a standard certificate, but the requirement in Policy TR.21 to *demonstrate* or *certify* that a proposal meets these guidelines makes little difference to the practical operation of the Policy. Moreover, although this is an important national requirement of PPG8, given the local controversy that often accompanies proposals for telecommunications development, especially in terms of the perceived impact on health, I can see no harm in repeating this requirement in Policy TR.21.
- 10.86 The final note to the Policy indicates that S106 Obligations may be sought to facilitate the sharing or removal of facilities when obsolete. I consider this helps to limit the visual intrusion of such equipment and keeps the number of masts and sites to a minimum. This is fully in line with the guidance in PPG8 (¶ 66). PPG8 (70) specifically indicates that S106 Obligations may be used to facilitate mast sharing, and I consider it is not unreasonable to extend this approach to the removal of obsolete facilities.
- 10.87 *Vodafone* also argues for a closer link between telecommunications and transport in the Policy. The explanatory text accompanying WCSP Policy D.44 refers to the potential benefits that telecommunications can bring to the environment by reducing the need to travel. Paragraph 10.78 in the RDLP specifically acknowledges this fact and I cannot see that any further reference needs to be made in Policy TR.21 or the accompanying text.
- 10.88 Consequently, I am satisfied that the amended Policy more accurately reflects the guidance in PPG8 and meets most of the criticisms of these objectors. With the additional clarification in clause (i) that *need* relates to the *development*, rather than the telecommunications system, and amendment to the reference to meeting the *ICNIRP* guidelines for *public exposure*, rather than *safe emissions*, I conclude that no further amendments are needed to Policy TR.21 or the accompanying text.

Recommendation

- 10.89 ***I RECOMMEND*** that the Local Plan be modified by:
- (i) amending clause (i) of Policy TR.21, adding the words “for the development” at the end of the sentence;
 - (ii) replacing the term “safe emissions” with “public exposure” at the end of the penultimate clause of Policy TR.21;
- but that no further modifications be made in response to these objections.

TRANSPORT POLICY OMISSIONS

Objections First Deposit 60/005 – Mrs E F Foxall; 227/001 & 003 – Wyre Forest Business Forum; 245/006 – Kidderminster Civic Society; 309/006 – Offmore Farm Partnership.

Revised Deposit There are no objections at the Revised Deposit stage.

Key issues

- Should the Plan highlight the need for a relief road to lighten traffic at Foley Park and Stourport and re-route industrial traffic from Hoobrook and Wilden Lane, along with TIAs for major new developments;
- Should the Plan address the requirement for a rail-based Park-and-Ride facility within the District, particularly to the east of Kidderminster;
- Should the Plan refer to Stage 5 of the Kidderminster Ring Road;
- Appendix 8: Do paragraphs 2 & 3 of the additional parking requirements take into account DETR *Traffic Advisory Leaflet 5/95* about maximum travel distances between disabled parking spaces and destinations;

Main considerations and Inspector's conclusions

- 10.90 *WFBF* highlights the need for a relief road to lighten traffic at Foley Park and Stourport and re-route industrial traffic from Hoobrook and Wilden Lane, along with the need for TIAs for major new developments. Both the WCSP (Policy T.12) and the *WLTP [CD64; p.218/243]* refer to the Stourport Relief Road as a scheme with a protected line which will be subject to a feasibility study. Policy TR.16 of the WFDLP specifically protects the line of this road. PPG12 (¶ 5.4-5.8) confirms the importance of linking development plans with local transport plans to provide an integrated approach to land-use planning. As I have already found, Policy TR.16 continues to safeguard the line of the Stourport Relief Road until the results of the transportation study are known. In my view, this gives sufficient priority to the route without the need for any further commitment at this stage. As for undertaking TIAs for major developments, PPG13 (¶ 23) confirms that *Transport Assessments* will be needed where developments have significant transport implications. Policy TR.19 specifically addresses this requirement, in line with PPG13, and so I conclude that no further amendments are necessary to meet this objection.
- 10.91 Both *WFBF & Offmore Farm Partnership* highlight the need for the Plan to address the requirement for a rail-based Park-and-Ride facility, particularly to the east of Kidderminster. Both Draft RPG11 [*CD52; ¶ 9.67*] and *WMAMMS [CD54; ¶ 6.3.1]* refer to the regional park-and-ride study currently being undertaken and the need for detailed studies into transport options for the A449/A456 corridor around Kidderminster. This matter is also addressed in the *WLTP [CD64]* and in the *WMPTA/Centro Public Transport Strategy [CD55]*. However, the conclusive results of such a study on the possible need for a parkway station or Park-and-Ride facility are not yet available. If the study does identify the need for such a facility, a detailed assessment of potential sites will be needed.
- 10.92 Moreover, if this study finds that a Green Belt site is the most sustainable option, PPG13 (Annex E) confirms that it would not necessarily be inappropriate in the Green Belt. This possibility is addressed in the RDLP (¶ 10.60A-10.60K) (*Change No. 131*), specifically identifying Kidderminster as a possible location for a parkway station, subject to the results of detailed studies into the A449/A456 corridor. I understand that consultants have identified land at *Offmore Farm* which might be suitable for a rail-based Park-and-Ride site, which has the support of *Centro*, although I am not aware of any specific support from *Railtrack*, the *TOCs* or *GO-WM*. I therefore consider it would be premature for the Plan to specifically address this possible requirement, let alone identify a specific site such as *Offmore Farm*. In my view, the possible provision of such a facility such be considered as part of a future review of this Local Plan when the results of detailed studies are known.
- 10.93 *WFDC* confirms that Stage 5 of the Kidderminster Ring Road is no longer a viable road scheme and is not included within the WCSP or current *WLTP [CD64]*. PPG12 (¶ 5.17) states that road schemes should only be included in development plans if they have a

reasonable degree of certainty of proceeding within the plan period and are included in the LTP. Since this is not the case, I conclude that it would be inappropriate to refer to this scheme in this Local Plan or safeguard the line of this road, as suggested by KCS.

- 10.94 Appendix 8 of the Plan sets out WCC’s current draft car parking standards for various types of development, along with additional requirements and notes on application. *Mrs Foxall* argues that the additional parking requirements for the provision of disabled and “parent & child” parking spaces (in paras 2 & 3) do not take account of the guidance in DETR’s *Traffic Advisory Leaflet 5/95 (Parking for Disabled People)* about the maximum travel distances between disabled parking spaces and major destinations, highlighting the access difficulties to Kidderminster shopping area and the loss of parking spaces in Market Street. However, Appendix 8 of the RDLP makes specific reference to DETR’s *Traffic Advisory Leaflet 5/95* in paragraph 5 of the notes on the application of the standards, including the maximum travel distances between parking spaces and major destinations (*Change No. 140*). Nevertheless, the note does not actually state the relevant distances in this document (50-150m; as set out in Table 1). In my view, it would be helpful if the appropriate distances were mentioned in this part of Appendix 8.
- 10.95 I also note that paragraph 5.62 accompanying Policy D.15 also refers to this document (*Change No. 055*), along with an additional criterion (f) requiring parking provision for disabled people and parent and child spaces (*Change No. 058*) (see Chapter 5). As for the loss of parking spaces in Market Street, Kidderminster, I understand that this is only temporary whilst the new college is being built, and that replacement spaces will be provided in a new car park when this building is completed. Consequently, with the addition of a reference to the relevant distances between disabled parking spaces and major destinations set out in Table 1 of DETR’s *Traffic Advisory Leaflet 5/95*, no further amendments are necessary in response to *Mrs Foxall*’s objection.

Recommendation

10.96 **I RECOMMEND** that the Local Plan be modified, by including a specific reference in Appendix 8 to the relevant distances between disabled parking spaces and major destinations in Table 1 of DETR’s *Traffic Advisory Leaflet 5/95 (Parking for Disabled People)*, but that no further modifications be made in response to these objections.

CHAPTER 11: LEISURE, RECREATION AND TOURISM

POLICY LR.1: PARKS, PUBLIC OPEN SPACES AND OTHER OPEN SPACE AREAS

Objections First Deposit 576/001 – Stourport RFC & Stourport Cricket Club; 655/002 – Mercia Waste Management Ltd.

Revised Deposit There are no objections at the Revised Deposit stage.

Key issues

- Is the Policy unduly prescriptive;
- Paras 11.11-11.12: Should the text be amended to include additional text from Draft PPG17 and should it clarify the policy objectives where alternative sports facilities need to be provided.

Main considerations and Inspector's conclusions

- 11.1 Policy LR.1 seeks to safeguard existing parks and open spaces, with designated sites over 0.1ha in size being identified on the Proposals Map. National guidance in PPG17 (2002) (¶ 10-17) supports the principle of protecting open space through local plan policies, particularly where it is of value to local communities, and urges local authorities to avoid any erosion of its recreational function and maintain the character of open spaces. Policy LR.1 reflects this guidance, whilst allowing compensatory and improved provision in line with PPG17 (¶ 13). It also carries forward the wording of a similar policy in the adopted Local Plan [CD74], whilst incorporating the additional flexibility relating to improved provision introduced by PPG17 (2002).
- 11.2 Policy LR.1 is underpinned by surveys of open space consistent with the national guidance on assessments of needs and opportunities in PPG17 (¶ 1-9). I understand that work undertaken in 1994 confirmed a deficiency in sports pitch provision in the District when measured against NPFA standards. This deficiency remains today, and supports a strongly worded policy. Policy LR.1 was also prepared in agreement with WFDC's *Culture, Leisure & Commercial Services Department*, in parallel with the Council's *Leisure Strategy*, reflecting the guidance in PPG17 (¶ 4-5). In response to *Mercia Waste Management*, I therefore conclude that the Policy is soundly based, without being unduly prescriptive or onerous to developers and landowners.
- 11.3 *Stourport RFC* seeks the allocation of an alternative site in the event that the Stourport Relief Road is built across the current sports pitches, and asks for more clarification in terms of Draft PPG17 and the provision of alternative facilities. I deal with the first matter below, as part of the site-specific objection. Draft PPG17 has been superseded by a new version, published in July 2002. Paragraph 11.11 of the RDLP therefore needs to be updated to reflect this new guidance, particularly the sections on protecting existing open spaces and recreational facilities (PPG17; ¶ 10-18). As for providing further guidance about alternative provision, Policy LR.1 clearly indicates that development resulting in the loss of designated open spaces will not be permitted, unless suitable equivalent or compensatory provision is made. *Walshes Sports Ground* is designated under Policy LR.1 and so any development, including road proposals, would have to make compensatory provision under the terms of this Policy. Consequently, I conclude that no further general clarification is needed in response to this element of the objection.

Recommendation

11.4 **I RECOMMEND** that the Local Plan be modified by updating paragraph 11.11 to refer to the latest guidance in PPG17 (2002), particularly paragraphs 10-18, but that no further modifications be made in response to these objections.

**POLICIES LR.1-LR.3: PARKS, PUBLIC OPEN SPACES & OTHER OPEN SPACE AREAS;
AMENITY SPACE; CHILDREN'S PLAY SPACE**

Objections First Deposit 287/001 – Mr F R Teague

Revised Deposit There are no objections at the Revised Deposit stage.

Key issues

- Is the Council's strategy on the provision of open space soundly based, reflecting the latest national guidance in PPG17 and backed up by sufficient information on the existing provision of open space.

Main considerations and Inspector's conclusions

- 11.5 *Mr Teague* argues that the wording of these policies, along with the Introduction, is ambiguous and dilutes or reverses the policies in the adopted Local Plan [CD74]. He also says the policies are supported by insufficient information about play space and recreation needs and have insufficient regard to the minimum standards of outdoor playing space recommended by NPFA. He highlights the existing deficiencies in open space and the Council's responsibilities, along with recent decisions on the future of children's play areas in the District. Essentially, he would prefer the approach in the adopted Local Plan.
- 11.6 Having examined the wording of Policies LR.1-LR.3, I find them to be clear and unambiguous, setting out the Council's strategy of protecting existing open space and amenity areas, and detailing the standards of children's play areas required on new residential developments. The policies are little different from those in the adopted Local Plan [CD74], apart from some re-ordering and combination of policies, along with some increased flexibility and, in some cases, slightly stronger wording. WFDC confirms that there is no change to the principle of aiming to achieve NPFA standards in new housing developments, although it recognises that current deficiencies on existing housing estates are unlikely to be met. Furthermore, where feasible, the policies are supported by surveys of open space and needs. As I found in the previous objection, a 1994 survey of open space confirmed a deficiency of sports pitch provision within the District, and the Council's *Draft Play Area Strategy* identifies a shortfall in play space provision in terms of NPFA standards, as confirmed in the RDLP (¶ 11.16-11.17).
- 11.7 Ideally, *Mr Teague* would like WFDC to maintain a firm commitment to providing open space and play areas for new and existing housing developments in accordance with NPFA's minimum standards. However, the latest version of PPG17 (2002) (¶ 6) no longer refers to these standards, preferring to set open space standards locally, and so a commitment to adopt NPFA standards could fall foul of this latest guidance. WFDC confirms that the NPFA standards have been adopted for the provision of play areas and playing fields, as reflected in Policies LR.3 & LR.9 of the RDLP. However, it is unlikely to realistically achieve these standards throughout the District, particularly for existing residential areas, but Policy LR.3 confirms that they will be adopted for new housing developments. Furthermore, I understand that the current policy in the adopted Local Plan is being applied and implemented for all new housing developments.

- 11.8 The protection of existing children’s play areas is provided by Policy LR.3. However, the explanatory text previously included in the adopted Local Plan [CD74;¶ 7.20] has been omitted from the RDLP, since the assessment methodology is more appropriately dealt with in the Council’s *Play Area Strategy*. Policy H.12 of the adopted Local Plan sets out detailed requirements for children’s play areas in new housing developments. This is far too detailed and is largely superseded by Policy LR.3 in the RDLP. Similarly, although Policy LR.4 and paragraph 7.20 in the adopted Local Plan set out a reasonable basis for assessing the need for play areas in existing housing areas, it takes no account of the difficulties and practicality of remedying existing deficiencies in established housing developments. In my view, Policy LR.3 provides sufficient protection for existing play areas, without necessarily requiring any current deficiencies to be remedied.
- 11.9 At the inquiry, much of the discussion centred on WFDC’s responsibilities for providing and maintaining children’s play areas, particularly the future strategy of concentrating provision and maintenance at a limited number of Council-owned equipped *strategic* play areas. Reference was made to various Committee meetings and decisions to close particular play areas and retain others. However, these Council decisions are largely outside the remit of the Local Plan, being largely concerned with WFDC’s financial and leisure priorities. Reference was also made to specific play areas and instances of deficient provision, such as at *Wilden Top, Stourport*. But in the absence of any firm proposals to remedy existing deficiencies, it is difficult for the Local Plan to include any specific policies or proposals. In my view, by safeguarding existing open spaces and children’s play areas, Policies LR.1-LR.3 go as far as they can by ensuring that development which would have an adverse impact on these existing facilities will not be permitted. As for the possibility of making *improved compensatory provision* in Policy LR.1, this is specifically mentioned in PPG17 (¶ 13). WFDC also confirms that it intends to develop local open space standards as part of the next review of the Local Plan.
- 11.10 It therefore seems to me that WFDC’s strategy for open space and play area provision is soundly based and broadly reflects the latest guidance in PPG17 (2002). However, I do consider that some amendment and clarification to the explanatory text of the Introduction to this chapter and Policies LR.1-LR.3 would be helpful. Firstly, the text should be updated to refer to the latest version of PPG17 (2002), quoting relevant extracts from this guidance. Secondly, the text should confirm the Council’s intention to draw up local open space standards as part of the next review of the Local Plan. An up-to-date assessment of local open space needs and resources, including the balance between formal and informal provision, would be important in setting the context for future open space provision. The contents of the more recent guidance “*Assessing Needs and Opportunities: A Companion Guide to PPG17 [ODPM; September 2002]*” would be relevant in drawing up locally defined open space standards. Thirdly, it would be helpful if some indication of the current provision of playing fields, open space and play areas was given in the text, to set the context and highlight current deficiencies.
- 11.11 In my view, these modest amendments would go a long way towards providing a sounder basis and context for the policies, as well as updating the section to reflect the latest guidance in PPG17 (2002). However, I do not consider that the continuation of the previous strategy and policies in the adopted Local Plan would be appropriate in the current circumstances or properly reflect the latest guidance in PPG17.

Recommendation

- 11.12 ***I RECOMMEND*** that the Local Plan be modified as follows:
- (i) *updating the introductory text and explanatory text accompanying Policies LR.1-LR.3 to refer to the key elements and guidance in the latest version of PPG17 (2002);*

- (ii) the explanatory text should confirm the Council's intention to draw up local open space standards for the District as part of the next review of the Local Plan;
- (iii) the explanatory text should give some indication of the existing provision of playing fields, open space and children's play areas in the District, to set the context and highlight current deficiencies;
- but that no further modifications be made in response to this objection.

POLICY LR.1: PARKS, PUBLIC OPEN SPACES AND OTHER OPEN SPACE AREAS

SITE-SPECIFIC OBJECTIONS

Land at Linden Avenue, Stourport-on-Severn

Objections First Deposit 359/008 – Wyre Forest Community Housing.

Revised Deposit There are no objections at the Revised Deposit stage.

Key issues

- Should these sites be excluded from the Policy LR.1 designation.

Main considerations and Inspector's conclusions

- 11.13 This objection relates to two areas of land on either side of Linden Avenue, between Lane End Walk/Old Ford Walk and at the end of Wesley Avenue, within the residential area of The Walshes. Both areas of land are currently used as amenity open space. WFCH considers the southern plot of land could form an integral part of a potential future regeneration of the existing housing provision in the area, whilst the northern plot could be sensitively redeveloped to provide additional family housing, referring to the continuing demand for housing in this locality.
- 11.14 Having seen these sites, I share WFDC's view that the southern area provides an attractive open setting to the surrounding houses, whilst the northern area is an integral part of the wider open space running northwards towards Areley Common which also provides an open setting to the adjoining community centre. Both areas contain several mature trees protected by a TPO and both provide important open spaces contributing to the general amenity and appearance of this part of The Walshes residential estate. In view of the overall sufficiency of housing land supply in the District during the current Plan period and in the absence of any detailed figures on local housing need in this area, I conclude that both parcels of land are appropriately designated as open space under Policy LR.1.

Recommendation

11.15 I RECOMMEND no modifications to the Local Plan in response to this objection.

Land at Station Drive/Birmingham Road, Blakedown

Objections First Deposit 528/004 – Marmaris Investments Ltd.

Revised Deposit There are no objections at the Revised Deposit stage.

Key issues

- Should Policy LR.1 make provision for additional open space to meet the perceived shortfall of such facilities in Blakedown.

Main considerations and Inspector’s conclusions

- 11.16 This site is a 2.6ha field lying on the north-eastern edge of Blakedown, bounded by the A456 Birmingham Road, Station Drive, the Kidderminster-Birmingham railway line and a brookcourse, and close to Blakedown station. It lies in the approved Green Belt, and, to the north, it adjoins the Blakedown stream and pools system protected under Policy LA.5.
- 11.17 *Marmaris* seeks to remove this site from the Green Belt and allocate it for a mixed-use development (including housing, station car parking and open space), or alternatively, identify it as an *Area of Development Restraint*. In this section of my report, I deal with the leisure and recreation considerations, including the possibility of additional informal recreation and open space links. I have already concluded that there are no reasons to release the site for development on housing or Green Belt grounds and that the proposals for additional car parking would be premature (see Chapters 3, 7 & 10).
- 11.18 *Marmaris* argues that the Plan makes no positive proposals for the creation of new play areas and that this site should be allocated for a mix of uses, including open space to make up for the open space/play space shortfall in Blakedown. At the inquiry, reference was made to Appendix VIII in the adopted Local Plan [CD74; p.232], which shows that Blakedown has a population of 1,872, with 1.068ha of sports pitch provision compared with the *NPFA* standard of 1.2ha. No further detailed assessment has been carried out, but there are existing recreational facilities in the form of village playing fields next to the Parish Hall and at the sports ground behind the primary school. Given the existence of these facilities and the small shortfall against the *NPFA* standard, I can see no pressing need for further open space or play facilities.
- 11.19 I also understand that, apart from children’s play areas to serve the new housing areas, most of the remaining open space to be provided on this site would be for informal recreation, along with footpath links to the surrounding countryside. However, these play areas would be required under the terms of Policy LR.3, and a network of footpaths already provides good access to the countryside around Blakedown. Consequently, I do not consider the leisure and recreation needs of Blakedown are so deficient as to justify the allocation of this site for a mixed-use development, particularly bearing in mind its location in the approved Green Belt. I therefore conclude that no changes should be made to the Plan in response to this element of the objection.

Recommendation

11.20 I RECOMMEND no modifications to the Local Plan in response to this objection.

Land off Franche Road, Kidderminster

Objections First Deposit 574/001 – Anthony Douglas Homes Ltd.

Revised Deposit There are no objections at the Revised Deposit stage.

Key issues

- Should this site be excluded from the Policy LR.1 designation and be included within the Policy H.2 Residential area.

Main considerations and Inspector’s conclusions

11.21 This site comprises a grass paddock and an area of woodland and unused land to the rear of houses fronting Franche Road and Woodland Avenue. It lies to the south of Franche Middle School, adjoins a sports ground and is crossed by a public footpath. This site is also considered under Policy H.2 (*Obj. Refs: 578/001 & 646/004*), earlier in my report (see Chapter 3). As I saw on my visit, this site forms an integral part of the wider area of open space centred on the school playing fields and the *White Wickets Sports Ground*.

11.22 The site was included in an area allocated primarily for residential use in the adopted Local Plan [CD74]. However, national guidance in PPG3 now directs most new development to *previously developed land* in urban areas through a sequential approach to site selection, before *greenfield* sites such as this are considered. WCSP Policy SD.7 also reflects this approach. In addition, the latest version of PPG17 (2002) places increased emphasis on the need to protect areas of urban open space.

11.23 Consequently, it is clear that national policy has changed significantly since this land was previously included within the wider residential area. Bearing in mind that the Plan makes sufficient provision to meet current housing requirements as set out in the WCSP, it seems to me that there is a soundly-based case to reconsider the designation of this land and allocate it as *Urban Open Space* under Policy LR.1.

Recommendation

11.24 I RECOMMEND no modifications to the Local Plan in response to this objection.

Walshes Sports Ground, Stourport-on-Severn

Objections First Deposit 576/001 & 576/003 – Stourport RFC & Stourport Cricket Club.

Revised Deposit There are no objections at the Revised Deposit stage.

Key issues

- Should the Plan make provision for alternative sports facilities in the event that the Stourport Relief Road is built across the existing pitches;
- Should the existing sports facilities be designated as *Urban Open Space: Playing Fields & Sports Pitches*, rather than *Public Open Space*.

Main considerations and Inspector’s conclusions

11.25 *Stourport RFC & Cricket Club* share facilities and pitches at Walshes Meadow Sports Ground adjoining the River Severn at Stourport. The grounds comprise cricket and rugby pitches, a floodlit training area, club house and pavilion, along with a car park. The

Proposals Map designates the site under Policy LR.1 as *Public Open Space* and shows the safeguarded route of the Stourport Relief Road (Policy TR.16) crossing the site.

- 11.26 I have dealt with the question of the Stourport Relief Road under Policy TR.16, earlier in my report (see Chapter 10). Pending the outcome of the current review of this road scheme, any decision about its detailed impact on the existing sports pitches and the need for replacement facilities would be premature. If the scheme proceeds, a planning application would be needed for the new road, which would be considered under Policies LR.1 & LR.9, including consideration of any equivalent replacement/alternative facilities elsewhere. At this stage, the objector's concerns about the standards, timescale and need for alternative facilities could be properly addressed.
- 11.27 As for the designation of the site, although the objector considers the land is a private playing field, I understand the land is actually owned by WFDC and let on a long-term lease. I also understand that the site was originally zoned as *Public Open Space* on the 1957 WCDP Town Map, and the subsequent 1968 Stourport Town Map confirmed that the public have access to the land. This designation was carried forward in subsequent local plans, including the adopted WFDLP [CD74]. WFDC is keen that the land remains allocated for *Public Open Space* open to public access, reflecting its role as an attractive riverside amenity. I recognise that there may occasionally be some conflict between sports activities and public access, but the formal status of this land as *Public Open Space* is clear. In view of the fact that WFDC owns the land and wishes to retain public access to it, and given its statutory designation in earlier development plans, I am satisfied that the land is correctly designated as *Public Open Space* in the RDLP under Policy LR.1.

Recommendation

11.28 I RECOMMEND no modifications to the Local Plan in response to these objections.

Land at The Parade, Stourbridge Road, Kidderminster

Objections First Deposit 582/001 – Kidderminster Developments Ltd.

Revised Deposit There are no objections at the Revised Deposit stage.

Key issues

- Should this objection site be excluded from the Policy LR.1 designation and reallocated as *white land*.

Main considerations and Inspector's conclusions

11.29 This objection site is a sliver of land comprising a car park and open scrub land lying to the rear of the shops at Nos. 1-4 The Parade, immediately alongside Blakedown Brook. WFDC considers the land forms an important part of the linear open space that links Broadwaters Park and Springfield Park along the brookcourse. Having seen the site, I share this view. In the absence of any overriding need to find alternative uses for the land, and given the overall sufficiency of housing land supply, I consider the western part of the site is appropriately allocated as open space under Policy LR.1. The eastern part, behind the shops, is a surfaced car park signed as a *Shoppers Car Park*. In my view, this part of the site is more closely related to the retail uses on the frontage and, as shown on the Proposals Map, is appropriately included within the Policy H.2(i) area and designated as a Local Centre under Policy RT.6. No changes are therefore needed in response to this objection.

Recommendation

11.30 I RECOMMEND no modifications to the Local Plan in response to this objection.

Land at Stourport Road, Kidderminster

Objections First Deposit 629/002 – KPMG/Platts Forge Ltd.

Revised Deposit There are no objections at the Revised Deposit stage.

Key issues

- Should the Policy LR.1 boundary be amended to exclude the car park on the northern edge of the employment site.

Main considerations and Inspector's conclusions

11.31 This objection relates to the site of an existing car park lying between the factory buildings and the proposed urban open space area on the eastern side of Stourport Road. I have already dealt with the issue of including this land within the Policy E.2(i) Employment designation earlier in my report (see Chapter 4). WFDC accepts that the car park should be included within the employment designation and this amendment is shown on the revised Proposals Map in the RDLP (*Change No. 143*). WFDC explains that this redesignation helps to balance the loss of potential employment development on the adjacent woodland to the east which may be restricted by a recently confirmed TPO. This amendment effectively addresses the concerns of this objector and I conclude that no further changes are necessary.

Recommendation

11.32 I RECOMMEND no modifications to the Local Plan in response to this objection.

POLICY LR.2: AMENITY SPACE

Objections First Deposit 655/003 – Mercia Waste Management Ltd

Revised Deposit There are no objections at the Revised Deposit stage.

Key issues

- Is the Policy unduly prescriptive.

Main considerations and Inspector's conclusions

11.33 Policy LR.2 requires new developments to include provision for amenity space for the recreation and enjoyment of users. National policy in PPG17 (2002) (¶ 11 & 17) advises local authorities to protect small areas of open space in urban areas that provide an important local amenity and offer recreational and play opportunities. PPG17 (¶ 24) also advises local authorities to seek to improve the local open space network and create public open space when considering proposals for development. It also confirms that planning obligations can be used to remedy local deficiencies in open space (PPG17; ¶ 33 & *Assessing Needs and Opportunities: A Companion Guide to PPG17*). In my view, Policy LR.2 properly reflects this latest national guidance.

11.34 PPG17 (¶ 1-9) emphasises the need for policies to be supported by assessments of need and opportunities. In this case, I understand that WFDC's *Draft Play Area Strategy* identifies a shortfall in play space across the whole District, as confirmed in the RDLP (¶ 11.14-11.19). Such deficiencies underpin the need for a strong policy protecting and providing areas of amenity open space. I also understand that Policy LR.2 was prepared with the agreement of WFDC's *Cultural, Leisure & Commercial Services Department*, in parallel with the Council's *Leisure Strategy*, reflecting the guidance in PPG17 (¶ 4-5). Consequently, I conclude that the Policy is soundly based without being unduly prescriptive or onerous to developers and landowners.

Recommendation

11.35 I RECOMMEND no modifications to the Local Plan in response to this objection.

POLICY LR.4: ALLOTMENTS

Objections There are no objections to this Policy at the First and Revised Deposit stages.

POLICY LR.5: INFORMAL COUNTRYSIDE FACILITIES

Objections There are no objections to this Policy at the First and Revised Deposit stages.

POLICY LR.6: STOUR VALLEY COUNTRY PARK

Objections There are no objections to this Policy at the First and Revised Deposit stages.

POLICY LR.7: HURCOTT POOL AND WOODS

Objections There are no objections to this Policy at the First and Revised Deposit stages.

POLICY LR.8: PUBLIC RIGHTS OF WAY

Objections First Deposit 245/034 – Kidderminster Civic Society.

Revised Deposit There are no objections at the Revised Deposit stage.

Key issues

- Should the Policy be amended to indicate that impact may not be adverse if a satisfactory alternative route is available.

Main considerations and Inspector’s conclusions

11.36 Policy LR.8 seeks to safeguard existing public rights of way and ensure that development proposals make provision for the continuation or diversion of routes where they are affected. National guidance in PPG13 (¶ 75-77) advises local authorities to promote walking by encouraging more use of public rights of way for local journeys and to help to promote missing links in existing networks. PPG17 (2002) (¶ 32) also confirms the importance of rights of way as a recreational facility which should be protected and enhanced. The explanatory text to Policy LR.8 (¶ 11.31) confirms that, where possible, routes should be maintained on existing alignments, and that diversions should only be considered in exceptional circumstances. Paragraphs 11.28-11.30 also confirm the importance of the existing network of public footpaths and bridleways, highlighting particular routes and proposals for enhancement. In my view, Policy LR.8 and the accompanying text adequately reflect the latest national guidance, particularly bearing in mind the minor amendment to the wording of the Policy (*Change No. 144*). Consequently, no further amendments are needed in response to this objection.

Recommendation

11.37 I RECOMMEND no modifications to the Local Plan in response to this objection.

POLICY LR.9: OUTDOOR SPORTS PITCHES AND PLAYING FIELDS

Objections First Deposit 590/002 – Victoria plc; 481/027 – House Builders Federation;
527/001 – Kidderminster Golf Club Ltd;

Revised Deposit 646/101 – Worcestershire County Council Property Services..

Key issues

- Is the Policy unduly inflexible and should it make provision for circumstances where educational establishments close;
- Should the Policy incorporate the wording of Policy LR.5(iii) in the adopted Local Plan;
- Para 11.32: Should the Plan provide more evidence to support the conclusion that existing provision of sports pitches is deficient;
- Should clause (i) of Policy LR.9 be reinstated.

Main considerations and Inspector’s conclusions

11.38 Policy LR.9 seeks to safeguard private playing fields and sports pitches within educational establishments for their contribution towards sports pitch provision within the District and urban amenity open spaces. In the RDLP, clause (i) of the original Policy is deleted (*Change No. 149*). National policy in PPG17 (2002) (¶ 14-15) confirms that the existing and potential value of playing fields for recreation and other purposes should be properly assessed before any development is considered. It also confirms that particular attention should be given to proposals involving development on playing fields, including the specific requirements in *S.I. 1996:1817* to consult *Sport England* about such proposals.

11.39 *WFDC* aims to meet the *NPFA* standard of at least 1.2ha of playing pitches/1000 population, and particularly wishes to safeguard existing playing fields within the urban areas (¶ 11.32; *Change No. 147*). As I have found earlier, the most recent survey of open

space (1994) confirms that there is a significant shortfall in sports pitch provision over the whole District, with only 0.645ha/1000 population. In view of this significant deficiency in provision and the overall sufficiency in terms of housing and employment land supply, I consider a strongly worded Policy is fully justified. The Policy does allow for two exceptions, where minor development and alternative provision is made, and this reflects the provisions of PPG17 (¶ 15). However, paragraph 11.35 of the RDLP needs to be updated to refer to the latest version of PPG17 (2002), but no further amendments are needed to address *HBF*'s objection.

- 11.40 As for *KGC*'s objection, Policy LR.5(iii) of the adopted Local Plan [CD74] includes an exception to the development of sports pitches where *the sports and recreational facilities can best be retained and enhanced through the redevelopment of a small part of the non-playing area of the site*. This reflected the advice in Draft PPG17 (¶ 42). However, the revised version of PPG17 (2002) (¶ 10) places more emphasis on the need to protect playing fields, confirming that *existing open space, sports and recreational buildings and land should not be built on unless an assessment has been undertaken which has clearly shown the open space or buildings and land to be surplus to requirements*. Consequently, it would be inappropriate to refer to this earlier guidance when it has been superseded by later advice which gives greater emphasis to the need to safeguard existing playing fields. In my view, as now drafted, Policy LR.9 adequately reflects the latest advice in PPG17 (2002) on this matter.
- 11.41 However, I understand that *WFDC* is prepared to amend the Proposals Map to revise the open space designation around the existing clubhouse in the northern area of Kidderminster Golf Club [LPA/527/001/LR.9/1]. This would go some way towards meeting this objector's concerns and I recommend accordingly.
- 11.42 With regard to paragraph 11.32, I have already found that the 1994 survey of open space confirmed a significant deficiency of playing pitches compared with the *NPFA* standards. Further details of this deficiency are set out in Appendix VIII of the adopted Local Plan [CD74]. Since that survey, I understand that the Stourport Sports Club has been developed on land off Kingsway, part of the Minster Road outdoor sports area allocated under Policy LR.10. However, even allowing for this additional provision, the District remains deficient in sports pitch provision. I have already recommended that further information is provided in the Plan on current levels of open space, including sports pitches, (see para 11.12 above), but I consider no further amendments or additions are needed to address *Victoria plc*'s general objection to this paragraph of the Local Plan.
- 11.43 Clause (i) in the original version of Policy LR.9 allowed an exception to be made where the proposed development is on school playing fields and is directly required for educational purposes. *WCC* wishes this to be reinstated, arguing that the revised policy is too restrictive, especially in view of the imminent review of education provision in the District. *WFDC* explains that this clause was deleted because it was inconsistent with the latest guidance in PPG17, in response to an original objection from *Sport England*. I understand that *WCC* has discussed the implications of new PPG17 with *Sport England*. As part of the justification for extending existing schools into areas of open space, *WCC* would have to demonstrate that there are no other opportunities for expanding on to other areas on any particular site. However, PPG17 (¶ 15) does not include the expansion of educational facilities on to existing sports fields as one of the exceptions to the need to give particular consideration to proposals involving development on existing playing fields. Specific proposals would need to be considered on their merits in the light of the particular circumstances and against the terms of Policy LR.9. Consequently, it seems to me that the deletion of this clause of Policy LR.9 is soundly based.

11.44 I therefore conclude that, apart from amending paragraph 11.35 of the RDLP to refer to the latest version of PPG17 (2002) and revising the designation around the Kidderminster Golf Club buildings, no further amendments are needed in response to these objections.

Recommendation

11.45 **I RECOMMEND** that the Local Plan be modified by:
(i) amending paragraph 11.35 to refer to the latest version of PPG17 (2002);
(ii) amending the Proposals Map to revise the designation around the existing club house in the northern area of Kidderminster Golf Club, as set out in the Council's rebuttal [LPA/527/001/LR.9/1],
but that no further modifications be made in response to these objections.

POLICY LR.9: OUTDOOR SPORTS PITCHES AND PLAYING FIELDS

SITE-SPECIFIC OBJECTIONS

Victoria Sports Ground, Spennells Valley Road, Kidderminster

Objections First Deposit 590/001 – Victoria plc

Revised Deposit There are no objections at the Revised Deposit stage.

Key issues

- Should this site be excluded from the Urban Open Space designation and allocated for employment (Class B1 business park) or housing development.

Main considerations and Inspector's conclusions

11.46 *Victoria Sports Ground* lies in a prominent location, east of Chester Road South, adjoining the roundabout with Spennells Valley Road and a golf course. As I saw on my visit, it forms an integral part of the green wedge of open land lying between the Spennells residential area and Barnetts Lane, with several mature trees. Although the sports ground is no longer used by *Victoria Carpets* and is surplus to their requirements, the site contains facilities for playing cricket, football and bowls. On the RDLP Proposals Map, the site is designated as *Urban Open Space - Playing Fields & Sports Pitches* under Policy LR.1. I also understand that the land has been designated as *Open Space - Playing Fields* since the 1957 Kidderminster Town Map was approved and in subsequent local plans.

11.47 The latest national guidance in PPG17 (2002) (¶ 15) sets out detailed criteria for considering development proposals on playing fields in the absence of a robust assessment of need. The allocation of this land for employment or housing purposes would not meet these criteria. Furthermore, sufficient provision has already been made in the Plan to meet current WCSP requirements for new employment and housing development. Although I recognise that the site may have some locational advantages for a business park or housing development, it would represent a *greenfield* site in the sequential selection of potential sites advocated in PPG3 and should not be allocated where development can take place on alternative *previously developed land* in the urban area.

11.48 WFDC's 1994 assessment of playing fields provision confirms that there was a significant deficiency of playing pitches compared with the NPFA standards, and even allowing for additional provision since then, the District remains deficient in sports pitch provision. It therefore seems to me that the allocation of this land for employment or housing development would not accord with the latest guidance in PPG17 (2002), and in the absence of any compelling need for it to be developed for alternative uses, its designation as *Urban Open Space - Playing Fields & Sports Pitches* under Policy LR.1 is soundly based. Consequently, I conclude that no changes to the Proposals Map or to Policy LR.9 and the accompanying text are justified in response to this objection.

Recommendation

11.49 I RECOMMEND no modifications to the Local Plan in response to this objection.

POLICY LR.10: MINSTER ROAD OUTDOOR SPORTS AREA

Objections There are no objections to this Policy at the First and Revised Deposit stages.

POLICY LR.11: NOISY OR INTRUSIVE SPORTS

Objections There are no objections to this Policy at the First and Revised Deposit stages.

POLICY LR.12: AIRBORNE SPORTS

Objections There are no objections to this Policy at the First and Revised Deposit stages.

POLICY LR.13: WATER SPORTS

Objections There are no objections to this Policy at the First and Revised Deposit stages.

POLICY LR.14: GOLF COURSES AND RELATED DEVELOPMENTS

Objections The objection to this Policy has been withdrawn.

POLICY LR.15: STAFF ACCOMMODATION FOR GOLF COURSES

Objections There are no objections to this Policy at the First and Revised Deposit stages.

POLICY LR.16: ARTS, ENTERTAINMENT AND MUSEUM FACILITIES

Objections First Deposit 245/036 – Kidderminster Civic Society.

Revised Deposit 245/107 – Kidderminster Civic Society.

Key issues

- Should the Policy give greater encouragement to the development of arts, entertainment and museum facilities in Kidderminster.

Main considerations and Inspector's conclusions

- 11.50 Policy LR.16 permits arts, entertainment and museum facilities, provided that: a need has been established; they are located in town centres, edge-of-centre or district centre locations; and comply with other policies in the Plan. In the RDLP, the wording of the Policy has been amended to better reflect the sequential approach in PPG6 (¶ 1.15), in response to an original objection from *GO-WM (Change No. 150)*. *WFDC* explains that a commitment towards encouraging the development of the arts within Wyre Forest is given in the explanatory text of the Policy (¶ 11.54-11.57). The text confirms that the Council recognises the importance of encouraging the arts in terms of cultural, social and economic activities, outlines the Council's intentions to develop facilities for the arts, confirms the Council's commitment to the museums service, and gives specific support for a Carpet Museum and Heritage Centre in Kidderminster. In my view, this gives sufficient positive encouragement to arts, entertainment and museum facilities in the District without including these intentions in the wording of the Policy itself.
- 11.51 As for other policies, *WFDC* confirms that Policy TC.5 would not preclude arts, entertainment and museum facilities on town centre sites, subject to car parking provision. Identification of the Town Hall as a community facility under Policy CY.2 is consistent with an arts centre use, whilst Policy KTC.1 would not preclude the use of the *Piano* building for arts use. Theatres would be considered under Policies KTC.1-4, as could the long-standing desire to develop a carpet museum and heritage centre in the town. The obvious place for a carpet museum would be a former carpet factory, but I understand that no suitable premises are available at present. Policy LR.16, as amended, confirms that such facilities could also be considered on edge-of-centre or district centre sites.
- 11.52 The *Commercial Leisure Study [CD99]* confirms the need for a cinema in the town and suitable sites are identified in Policy TC.3, reflecting the terms of Policy LR.17. These matters are also addressed in the Town Centres section of the Plan (see Chapter 14). I conclude that it is important that arts, entertainment and museum facilities are assessed

against the sequential approach in PPG6 and, consequently, no further changes are needed to meet KCS's concerns about Policy LR.16.

Recommendation

11.53 I RECOMMEND no modifications to the Local Plan in response to these objections.

POLICY LR.17: COMMERCIAL LEISURE DEVELOPMENTS

Objections The objection to this Policy has been withdrawn.

POLICY LR18: DUAL USE DEVELOPMENTS

Objections The objection to this Policy has been withdrawn.

POLICY TM.1: TOURISM DEVELOPMENT

Objections First Deposit 245/037 – Kidderminster Civic Society.

Revised Deposit There are no objections at the Revised Deposit stage.

Key issues

- Should the Policy give greater encouragement to arts, entertainment and museum facilities in Kidderminster, and also refer to the possibility of a tram route linking the town centre and the railway station.

Main considerations and Inspector's conclusions

11.54 Policy TM.1 provides a framework and a set of criteria for tourism-related development, reflecting WCSP Policy RST.14 and national guidance in PPG21. It is intended to encourage tourist attractions, accommodation and facilities that are environmentally acceptable and which respect the scale, nature and character of the local community. The RDLP makes a minor amendment to the wording of clause (iv) of the Policy (*Change No. 151*). KCS seeks a more pro-active and permissive policy, giving more encouragement to such facilities, including a carpet museum, concert hall/theatre and cinema. WFDC fully recognises the importance of a sustainable tourism industry and the District's important tourism assets of high quality landscape and historic towns.

11.55 As WFDC says, the Local Plan is not a promotional tool in itself, since there are other documents and ways of promoting tourism in Wyre Forest, such as the *Tourism Strategy [CD97]*. Furthermore, Policy TM.1 is intended to relate to all tourism developments, including out-of-town attractions such as the *West Midlands Safari Park*, not just those in the town centres. Specific tourism facilities, such as arts, entertainment and museums, including a carpet museum, are covered by Policy LR.16, whilst commercial leisure facilities, such as cinemas, are covered by Policy LR.17. However, as suggested at the inquiry, Policy TM.1 could be worded in a more positive manner, permitting such proposals provided that they comply with other relevant policies of the Plan and meet the criteria listed, similar to Policy TM.2. This would provide greater encouragement by way of a more permissive policy towards tourism development in the District, without weakening any of the environmental and other criteria, and I recommend accordingly.

11.56 As for the possibility of a tram route between the town centre and the railway station, there are no proposals for such a route in the *WLTP [CD64]* or in the *WCSP*. There may have been suggestions about this type of scheme, but neither *KCS* nor *WFDC* is aware of any specific proposals for such a link, and there are certainly no firm, or even tentative proposals to provide such a facility. PPG12 (¶ 5.17) confirms that plans should only include proposals which have a reasonable degree of certainty of proceeding within the Plan period. However desirable a tram route between the town centre and the railway centre might be, as a visitor attraction or transportation facility, it is therefore inappropriate to refer to this possibility or suggestion at this time. Should such a proposal become firmer during the Plan period, this matter could be reconsidered when the Local Plan is next reviewed.

Recommendation

11.57 **I RECOMMEND** that the Local Plan be modified by amending the first sentence of Policy TM.1 to read as follows:
“Proposals for tourism related development (including the extension of existing attractions and facilities) will be permitted, subject to the details of the proposal complying with other relevant policies of the Local Plan and provided that:...”,
 but that no further modifications be made in response to this objection.

POLICY TM.2: DEVELOPMENT OF HOTELS AND GUEST HOUSES

Objections First Deposit 428/001 – Wall, James & Davies

Revised Deposit There are no objections at the Revised Deposit stage.

Key issues

- Is the Policy unduly inflexible and restrictive.

Main considerations and Inspector’s conclusions

11.58 Policy TM.2 sets out the Council’s policy towards the development of hotels and guest houses. It focuses such accommodation within or adjoining Kidderminster town centre, outlines the locational criteria for small-scale hotels and guest houses, and permits such developments in the Green Belt only in very special circumstances. This objector considers the Policy places an unrealistic constraint on new hotels, and seeks more flexibility to allow such development in other locations within or adjacent to the existing urban areas.

11.59 One of the main problems with this suggestion is that most of the land adjoining the main urban areas of Kidderminster, Stourport and Bewdley is within the Green Belt or *Landscape Protection Area*. National planning guidance in PPG21 (Annex A8) confirms that the construction of new hotels or guest houses constitute inappropriate development in the Green Belt. There is also a need to ensure that the character of the landscape is protected under Policy LA.2 of the Plan.

11.60 From the information on existing hotel accommodation in the District, although only 5/12 hotels are in the Green Belt, they provide almost 60% of the c700 bedspaces. *WFDC* explains that the Council is seeking to redress this imbalance through Policy TM.2, highlighting the fact that Kidderminster is highly accessible by public and private transport. Hotel development in and adjoining the town centre would take advantage of

this level of accessibility and the benefits of current regeneration schemes, as well as helping to enhance the overall vitality of the town centre and the local economy. This approach is fully in line with national guidance in PPG13 (¶ 20) & PPG6 (¶ 1.15).

- 11.61 As for the other towns, both Stourport and Bewdley are not as accessible by such a variety of means of transport, but Policy TM.2 permits some small-scale hotel accommodation within the urban areas subject to certain criteria. As for hotel development in rural areas, PPG7 (¶ 3.14) confirms that the re-use and adaptation of existing rural buildings plays an important role in meeting the tourism needs, as emphasised in the DETR Rural White Paper (“*Our Countryside: The Future*”; November 2000). Policy TM.4 of the RDLP also permits conversions of existing buildings in the Green Belt to hotel accommodation, subject to certain criteria.
- 11.62 It therefore seems to me that WFDC’s policy of focussing most new hotel development in and adjoining Kidderminster town centre, with smaller-scale development in the urban areas and through conversions of existing buildings in the Green Belt and rural areas, is soundly based and fully reflects national policy in PPG6, PPG7, PPG13 & PPG21. It is also consistent with WCSP Policies RST.14 & RST.16. As such, I do not find Policy TM.2 to be unduly restrictive, inflexible or onerous to prospective hotel owners or developers, and so no changes are needed to the policy or accompanying text in response to this objection.

Recommendation

11.63 I RECOMMEND no modifications to the Local Plan in response to this objection.

**POLICY TM.3: EXTENSIONS TO HOTELS AND GUEST HOUSES
IN THE GREEN BELT**

Objections There are no objections to this Policy at the First and Revised Deposit stages.

POLICY TM.4: CONVERSIONS TO TOURISM USES IN THE GREEN BELT

Objections There are no objections to this Policy at the First and Revised Deposit stages.

POLICY TM.5: NEW HOLIDAY CARAVAN AND CHALET SITES

Objections The objection to this Policy has been withdrawn.

**POLICY TM.6: IMPROVEMENT OF EXISTING HOLIDAY CARAVAN
AND CHALET SITES**

Objections The objection to this Policy has been withdrawn.

POLICY TM.7: FARM TOURISM

Objections The objection to this Policy has been withdrawn.

POLICY TM.8: STAFFORDSHIRE & WORCESTERSHIRE CANAL

Objections There are no objections to this Policy at the First and Revised
Deposit stages.

POLICY TM.9: STOURPORT ON SEVERN TOURIST INFORMATION CENTRE

Objections There are no objections to this Policy at the First and Revised
Deposit stages.

CHAPTER 12: COMMUNITY**POLICY CY.1: MIXED USES**

Objections First Deposit 620/007 - Tube Plastics Ltd.

Revised Deposit There are no objections at the Revised Deposit stage.

Key issues

- How will clause (i) be implemented and how does the Policy relate to Policies STC.1-STC.3.

Main considerations and Inspector's conclusions

12.1 Policy CY.1 seeks to ensure that developments maintain and enhance the existing mix of uses in towns, villages and urban areas of the District. The first element of this objection has been met by the deletion of clause (i) of the Policy (*Change No. 154*). On the second point, *WFDC* explains that Policy CY.1 is an over-arching policy which seeks to ensure the continued existence of a balanced pattern of land uses, in line with the guidance in PPG1 (¶ 8), PPG3 (¶ 49-51) & PPG13 (¶ 30) and WCSP Policy D.13. Since Policies STC.1-STC.3 also seek a mix of land uses on these key redevelopment sites, I cannot see how Policy CY.1 is inconsistent with these more site-specific policies.

Recommendation

12.2 I RECOMMEND no modifications to the Local Plan in response to this objection.

POLICY CY.2: COMMUNITY FACILITIES

Objections There are no objections to this Policy at the First and Revised Deposit stages.

POLICY CY.3: KIDDERMINSTER HOSPITAL

Objections First Deposit 536/001 – Worcestershire Acute Hospitals NHS Trust; 626/001 – Worcestershire Acute Hospitals NHS Trust.

Revised Deposit There are no objections at the Revised Deposit stage.

Key issues

- Does Policy CY.3, as currently drafted, reflect the possibility of surplus land becoming available at the Kidderminster Hospital site during the current Plan period.

Main considerations and Inspector's conclusions

12.3 Policy CY.3 seeks to safeguard the Kidderminster Hospital site for future healthcare needs. It does not permit proposals for other uses unless they would not prejudice the future use of the site for these needs. *WAHT* argues that the Policy does not recognise the likelihood that some land will become surplus to operational requirements during the current Plan period. An amended policy is suggested which, in the event of land/buildings

- becoming surplus to requirements, would permit proposals for other uses, compatible with the area in land-use terms. Revised accompanying text could indicate that residential development, including affordable housing for key workers/hospital staff, would be suitable. At the inquiry, WAHT agreed that the original reference suggested in the accompanying text (¶ 12.24) to RPG11 [CD51] should be deleted.
- 12.4 The issue of Kidderminster Hospital is long and controversial. The current hospital on this site was developed during the 1970s-1980s, involving the acquisition of some 50 houses and other properties around the site. Various phases of the hospital development were undertaken up to 1995, but some of the original plans were never fully implemented. The site currently covers 4.39ha with over 40,630 sq m of floorspace, along with car parking and access roads. As part of the Worcestershire Health Authority's "Investing in Excellence" proposals, the future of healthcare facilities in the County was reviewed, including the role of Kidderminster Hospital. This resulted in re-focusing the hospital's healthcare facilities to provide a new *Ambulatory Care Centre*, with major cases being transferred to the new hospital at Worcester. Kidderminster Hospital is now to be known as a *Diagnostic & Treatment Centre*, involving the re-use of some of the existing hospital buildings (mainly Blocks B & E), with others to be demolished or sold with the land. The surplus area of land could amount to 1.3-1.5ha, fronting Franchise Street, Hume Street and Sutton Road, and currently occupied by a car park, school of nursing, offices and other ancillary accommodation.
- 12.5 As PPG12 confirms, the Local Plan is not the forum for determining the provision of local healthcare facilities. However, local plans have to take account of future land requirements for health facilities and make provision for such facilities (PPG12; ¶ 4.14). I understand that WFDC consulted the relevant health authorities when preparing this Local Plan and, at that time, the possibility of some surplus land coming forward at Kidderminster Hospital was mentioned. It is also sensible for the Plan to reflect any firm development proposals likely to come forward within the Plan period. PPG1, PPG3 & PPG13 emphasise the need for health facilities to be sited in sustainable locations with access to public transport. WCSP Policy SD.5 also seeks to achieve balanced communities, with provision to meet the District's needs locally. These aims are reflected in emerging regional guidance in RPG11 [CD52], under Policies CF8, CF9, SS8 & SD1, as proposed for amendment by the Panel [CD56].
- 12.6 As drafted, both parties agree that Policy CY.3 contains a "very difficult, if not impossible test" for alternative uses to be developed on any surplus land. WFDC confirmed that the Council would have to be convinced "100%" that there was no need for the long-term protection of the Kidderminster Hospital site. In effect, the applicant would have to demonstrate that the release of any land for alternative development would not prejudice the future use of the site for healthcare needs. As confirmed at the inquiry, these needs would extend beyond current healthcare requirements, since the Council is effectively reserving the site for the ongoing provision of a full range of healthcare facilities to meet the needs of residents. Much of this stems from the controversial proposals to effectively downgrade Kidderminster Hospital and the Council's desire to upgrade the health facilities on this site in the future. In support, WFDC points to the longer distances that residents and visitors have to travel to alternative hospitals at Redditch and Worcester, the less sustainable location of the new Worcester hospital, and the locational advantages of the Kidderminster site. The loss of land at the existing site could mean that any new healthcare facilities to serve the area would probably have to be developed on a peripheral *greenfield* site.
- 12.7 On the other hand, the policy suggested by WAHT is, in my view, far too permissive. Firstly, it contains no reference or test related to the provision of, or need for, healthcare facilities on this site. It assumes that any surplus land would never be required for

- healthcare needs in the future. Secondly, it would permit a wide range of uses, including housing, on the site, with only the requirement for compatibility with the area in land-use terms. For housing, retail or town centre uses, it makes no reference to any sequential test, as advocated in PPG3, PPG6 & PPG13, and ignores the issue of housing land supply. I realise that other policies in the Plan, along with national guidance, would have to be considered when assessing any proposals for alternative uses, but nevertheless, a site-specific policy in an adopted Local Plan would have significant weight in terms of planning control.
- 12.8 Furthermore, although both parties agree that this would be an *urban brownfield* site in terms of PPG3, there is currently no pressing need to find further housing sites in the urban area or elsewhere to meet current WCSP requirements. This is particularly relevant given that the area of land which might become surplus represents about 30% of the total site and could provide upward of 60 dwellings, even though no specific allocation is requested for any surplus land. A permissive policy which allows further housing on this site could result in further over-provision of housing, in breach of current WCSP requirements and put at risk questions of general conformity. In my view, these are serious shortcomings in the suggested policy and text, which provide no safeguards to recognise the potential of the site to meet possible future healthcare needs.
- 12.9 Moreover, by suggesting that the land could be used for affordable “key-worker” housing, it ignores the fact that current *WAHT* plans do not require any junior doctors to be present at the hospital and that affordable housing would be provided on other proposed housing sites. There is no “exceptions” policy for affordable housing in urban areas. Furthermore, the potential benefits of improvements to access and landscaping on the site are matters to be considered at the detailed planning stage, rather than points of principle. I recognise the locational advantages of the site in housing terms, with good access to local facilities and public transport. However, these are precisely the same locational advantages that make the site ideally suited to provide for the healthcare needs of the District’s population.
- 12.10 *WAHT* points to Policy HS.2 of the adopted Local Plan [CD74] as a similar approach to the suggested policy. However, this policy relates specifically to *Lea Castle Hospital*, which, unlike the much smaller Kidderminster Hospital site, could be considered as a *major developed site* in the Green Belt. Policy HS.2 is also constrained by reference to current national policy in PPG2 and pre-dates more recent guidance on sustainable development in PPG3, PPG12 & PPG13. To my mind, the circumstances are wholly different and, in any event, this adopted policy gives nowhere near as much flexibility in terms of alternative land uses than that suggested for the Kidderminster Hospital site.
- 12.11 More particularly, there is a considerable element of uncertainty about the amount and timing of any surplus land becoming available. Although *WAHT* is rationalising and consolidating its health facilities on the site and has identified the likelihood of some land becoming surplus, the precise area and amount has not been finally determined. At the time of the inquiry, *WAHT* had not formally resolved that any land was surplus or decided to put any surplus land on the market for sale. The *Wyre Forest PHT* is comfortable with the development of Blocks B & E as a DTC and supports *WAHT*’s suggested amendment to Policy CY.3, to allow for flexible use of the site once all health service requirements have been considered. However, *WFPHT* is not in a position to confirm its requirements for the future use of the remaining site and is considering which parts of the site could be transferred to the *WFPHT* to further develop primary and community based healthcare services for the people of Wyre Forest. *WFPHT* would also not support the disposal of any land without a formal review involving *WFPHT* and other healthcare providers.
- 12.12 Secondly, although the proposals in *Investing in Excellence* for Kidderminster Hospital are being implemented, they are not yet complete. As *Dr Taylor* says, there is some evidence

that the new regime is not working as well as it could. There have also been some changes in national policy for the provision of acute healthcare facilities since *Investing in Excellence* was published. Other Health Trusts are finding shortcomings in reorganised healthcare facilities and are proposing other solutions, including enhancing facilities at existing hospitals. Since April 2002, I understand that local authorities have an enhanced overview role related to health service issues, and the *Commission for Health Improvements* is shortly to review the functions of WAHT. In view of the fairly regular review of NHS operations, there is at least the possibility that WAHT's current plans will have to be reviewed in the light of experience of practical service delivery. With so much uncertainty, I consider WAHT's suggested policy in relation to any land that may become surplus would be extremely short-sighted, particularly when the proposals to restructure healthcare provision in Kidderminster are so controversial and not yet fully proven.

- 12.13 It therefore seems to me that Policy CY.3, as drafted, appropriately safeguards the land resource at the Kidderminster Hospital site for future healthcare provision in the short-medium term. At the inquiry, WFDC confirmed that the situation would be reconsidered in 2-3 years time when the Local Plan is reviewed. By this time, the proposals to restructure the healthcare facilities serving the area, including the role and function of Kidderminster Hospital, would have been fully implemented and operational. WFPHT would also have had the opportunity to assess its healthcare and land requirements at the Kidderminster Hospital site. In the meantime, I consider it is wholly appropriate that the Local Plan should safeguard the site for future healthcare requirements, particularly given the sustainable locational advantages of the existing site. If this means that the land is sterilised or unused, suitable temporary uses could be considered (such as car parking or associated uses) until the situation is finally resolved.
- 12.14 In this case, I consider a careful balance has to be struck between the possible future healthcare needs of the District which could be met on this site and the provision of additional housing for which there is currently no pressing need. Given the considerable uncertainty which currently exists in relation to healthcare provision to serve the District on this site, I conclude that the balance should fall firmly in favour of reserving the site for future healthcare needs, at least until the situation is finally resolved and the Local Plan is reviewed. Consequently, no changes to Policy CY.3 or accompanying text are needed in response to these objections.

Recommendation

12.15 I RECOMMEND no modifications to the Local Plan in response to these objections.

POLICY CY.4: EDUCATION FACILITIES – DEVELOPER CONTRIBUTIONS

Objections First Deposit 647/003 – Worcestershire County Council Education Service.

Revised Deposit 647/100 – Worcestershire County Council Education Service;
481/112 – House Builders Federation.

Key issues

- Para 12.25: Should the text be amended to require a feasibility study for larger developments to assess whether a school site is capable of accommodating extra classrooms or playing fields for pupils;
- Change No.156: Should the sentence about the Plan not allocating new education sites be removed;

- Para 12.26A: Should the references to SPG be removed.

Main considerations and Inspector’s conclusions

- 12.16 Policy CY.4 and the explanatory text set out the Council’s policy on the provision of education facilities. The Policy and accompanying text have already been amended in the RDLP to overcome objections made at this stage (*Change Nos. 156-157 & 159-160*).
- 12.17 *WCC Education Services* are concerned about the explanatory text, firstly seeking amendments to deal with feasibility studies where large or aggregate housing developments are involved, and secondly, seeking the removal of the sentence in the amended text concerning the allocation of new school sites. As *WFDC* explains, the type of developer contributions and measures relating to the provision of education facilities will vary and will need to be decided through negotiations. *DCPN 9 [CD109]* sets out the normal procedures for the provision of such facilities for sites of five or more dwellings. I consider that the revisions to paragraphs 12.25-12.27 (*Change Nos. 156-157 & 159*) take on board most of *WCC*’s original suggestions.
- 12.18 In amended paragraph 12.25 (*Change No. 156*), the question of the Local Plan not allocating any new education sites (other than Kidderminster College) is a factual statement. Although a review of education facilities in Wyre Forest is to take place, which may result in the expansion of existing schools or new facilities, since no firm proposals have yet been drawn up, this will be a matter to be taken into account at the next review of the Local Plan. Consequently, I consider no further amendments are needed to Policy CY.4 or the accompanying text in response to *WCC*’s objections.
- 12.19 *HBF* is concerned that the reference to SPG in paragraph 12.26A (*Change No. 157*) might seek to divert decision-making responsibilities to SPG, rather than in the policy itself. However, like *WFDC*, I consider that SPG is a legitimate and appropriate way of clarifying policy and providing more detailed guidance for developers. Provided that the SPG does not go beyond the terms of the original policy and is subjected to an appropriate level of public scrutiny, I cannot see that it would fall foul of the guidance in PPG12 (¶ 3.14-3.18). I also understand that the SPG is to be prepared by *WCC* as Education Authority, rather than by *WFDC*.

Recommendation

12.20 I RECOMMEND no modifications to the Local Plan in response to these objections.

POLICY CY.5: EXISTING EDUCATION SITES

Objections First Deposit 646/005 – Worcestershire County Council Property Services

Revised Deposit 646/100.- Worcestershire County Council Property Services

Key issues

- Is Policy CY.5 unduly restrictive in dealing with the redevelopment of existing educational land and buildings in terms of *complementing the education function of the site [clause (i)]*;
- Is amended clause (i) of Policy CY.5, excluding playing fields and sports pitches, too restrictive and inflexible;

Main considerations and Inspector’s conclusions

- 12.21 Policy CY.5 supports proposals for new buildings and facilities at existing schools, subject to a range of criteria, all of which have been amended in the RDLP as a result of objections at First Deposit stage (*Change Nos. 160-162*).
- 12.22 WCC firstly questions whether development proposals should have to *complement the education function of the site*, citing the example of a surplus caretaker’s house. WFDC points out that, since sufficient sites have been identified to meet WCSP housing, employment, retail and other land-use requirements, further provision is unnecessary. It seems to me that the future of a surplus caretaker’s house would be unlikely to have much direct impact on the education function of a school site, since it already functions as a dwelling house. I share WFDC’s view that development at existing school sites should help to enhance and complement the principal education function, such as learning and sporting facilities, particularly since some of the larger schools are on the fringe of the urban areas, outside the defined urban or settlement boundary. I realise that sometimes it is not possible to continue viable community or sports uses on schools sites when they become surplus to education requirements. However, should such a site become surplus to educational needs, then this could be a material factor when considering its future use. In my view, the objectives and terms of Policy CY.5 reflect the latest national guidance in PPG17, and I cannot see that such a policy is unduly restrictive or unreasonable given the principal function of these sites.
- 12.23 WCC’s second point concerns the exclusion of playing fields and sports pitches from future development, pointing out that the forthcoming review of education facilities may include proposals to expand schools or build new facilities on existing sites which may involve using playing fields or sports pitches. However, amended clause (i) of Policy CY.5 and the cross-reference in paragraph 12.30 reflects Policy LR.9 of the RDLP. This safeguards existing playing fields and sports pitches within educational establishments for their contribution to sports pitch provision and urban amenity open space. As such, it reflects the latest national policy in PPG17 (2002). I also understand that any development for non-educational use in areas of open space would have to be agreed with *Sport England*. Consequently, I consider that this requirement neither prejudices the Wyre Forest Schools Review, nor is unduly restrictive, inflexible or unreasonable.
- 12.24 Accordingly, I conclude that no further changes are needed to Policy CY.5 or the accompanying text in response to these objections.

Recommendation

12.25 I RECOMMEND no modifications to the Local Plan in response to these objections.

POLICY CY.6: CEMETERIES

Objections First Deposit 245/039 – Kidderminster Civic Society

Revised Deposit There are no objections at the Revised Deposit stage.

Key issues

- Should Policy CY.6 be amended to recognise that the proposed cemetery site is affected by the line of the Kidderminster Southern By-Pass.

Main considerations and Inspector’s conclusions

12.26 Policy CY.6 allocates land at Minster Road, Stourport, for a cemetery. *KCS* points out that the site is dissected by the line of the Kidderminster Southern By-Pass and suggests that this relationship should be clarified. *WFDC* explains that the *WMAMMS [CD54; ¶ 54]* confirms that there is no prospect of this road scheme being promoted during the current Local Plan period, and the *WLTP [CD64]* makes no reference to this scheme. Policy TR.15 of the First Deposit version of the Local Plan has also been amended to delete the line of this road scheme from the Plan (*Change No. 132*). Consequently, since there are no longer any firm proposals for this road scheme, and following the advice in PPG12 (¶ 5.17), I consider it is unnecessary for this possibility to be referred to in Policy CY.6 or the accompanying text.

Recommendation

12.27 I RECOMMEND no modifications to the Local Plan in response to this objection.

POLICY OMISSION - NEW PRISONS

Objections First Deposit 551/001 – H M Prison Service

Revised Deposit There are no objections at the Revised Deposit stage.

Key issues

- Should the Plan include a policy or identify a site for a new prison.

Main considerations and Inspector’s conclusions

12.28 *HM Prison Service* seeks a policy or allocation for a new prison site, referring to PPG12 and *Circular 03/98*, and highlighting the rising prison population. It confirms that Wyre Forest District is within a priority area of search for new prisons, but would prefer *WFDC* to take the lead in identifying and allocating a suitable site for a new prison as part of the development plan process.

12.29 I understand that there are no firm plans or specific proposals to develop a new prison within Wyre Forest District at present, and that *WFDC* was not previously aware that the District falls within a broad area of search for new prisons. PPG12 (¶ 4.13-4.15) confirms that local plans should have regard to the land-use needs of communities, including the provision of prisons. *Circular 03/98* (¶ 9) also sees sites for new prisons being identified as part of the development plan process. However, PPG12 (¶ 6.24-6.26) confirms that proposals should be realistic and likely to be implemented within the Plan period, and advises against including proposals which may lead to uncertainty or blight. I also note that there is no policy or reference to new prisons in Worcestershire in the WCSP.

12.30 I recognise the importance of providing prisons and the responsibility of LPAs in meeting the needs of the *Prison Service* through the development plan system. I am also aware of the rising prison population and the general need for more prisons both in the UK and in

the Midlands, along with the general locational requirements for prisons in *Circular 03/98* (¶ 9-12). However, I am not aware of any specific pressure for a new prison within this Local Plan area or any specific site requirements in terms of location, type or size. I also understand that *WFDC* has been unable to identify any suitable or available site for a prison within the District. There is no indication from the *Prison Service* of when or if a new prison would be built in this area or whether such provision is included in the ongoing programme of prison development. Nor has the *Prison Service* suggested any detailed form of wording for a policy on prisons in this Local Plan. As I understand it, although the *Prison Service* has identified Wyre Forest as within a priority area of search, there are no firm or even tentative proposals to provide a new prison in this locality.

- 12.31 In the absence of any firm proposals for a new prison in this area, I consider it would be extremely difficult to identify or earmark a suitable site, particularly given the possible controversy and blight that could be caused. If a firm proposal did come forward, I am confident that the policy framework of the Local Plan, including the Community policies, would provide an appropriate basis for considering such proposals in terms of their merits and benefits, assessed against physical, locational and environmental considerations. I therefore conclude that it is unnecessary and inappropriate to include a policy or site-specific proposal for a new prison within this Local Plan. However, in order to recognise that Wyre Forest District is within one of the priority areas of search for new prison facilities, it might be helpful if the Plan included a reference to this factual position. In my view, the most appropriate place would be within the text accompanying Policy CY.2.

Recommendation

12.32 I RECOMMEND that the Local Plan be modified, by including a reference to the fact that Wyre Forest District is within one of the priority areas of search for new prison facilities, most appropriately within the text accompanying Policy CY.2.

CHAPTER 13: RETAILING

INTRODUCTION

General background to retail strategy

- 13.1 The key retailing aim of the Local Plan is to enable the provision of an adequate range of shops to meet shoppers' needs from within and beyond the District. The introduction to this chapter sets out the basis for the Plan's retail strategy, identifying key objectives for retailing and setting out the retail hierarchy of shopping centres in Wyre Forest. The WFDLP identifies Kidderminster as a *Major County Centre*, Stourport as a *Town Centre*, and Bewdley as a *District Centre*, along with 16 other *Local Centres* throughout the District (¶ 13.11-13.15). This reflects WCSP Policy D.31 and the conclusions of the *MVM Retail & Commercial Leisure Study [CD99]*. Key objectives aim to safeguard and enhance the roles of Kidderminster and Stourport town centres, encourage a suitable retail mix in Bewdley and the local centres, and prevent retail development at *out-of-centre* locations unless no suitable sites exist in the town centre or *edge-of-centre* locations.
- 13.2 The introduction outlines the sequential approach to retail development, based on PPG6 and WCSP Policies D.31-34. It then sets out the conclusions of the *MVM Study [CD99]*, which assessed the health of the retail sector and the main shopping centres, and estimated the capacity for further retail provision. The study indicated that, by 2011, there would be sufficient need for either two discount stores or one small supermarket in Kidderminster, and a need for 1-2 discount stores or a small supermarket in Stourport between 2000-2011. Further information is given in *WFDC's Topic Paper 4 on Retail Planning [CD113]*, which outlines the Plan's retail strategy and explains that some of the information in the *MVM* report should be updated, but the conclusions remain the same.

RETAILING AIM

Objections First Deposit 17/001 – Bromsgrove District Council

Revised Deposit There are no objections at the Revised Deposit stage.

Key issues

- Should the key retailing aim relate to the provision of an adequate range of shops to meet shoppers' needs from *beyond* the District.

Main considerations and Inspector's conclusions

- 13.3 *BDC* argues that the Plan's aim of providing an adequate range of shops to meet the needs of shoppers from *beyond* Wyre Forest District seems contrary to WCSP's aim of setting a hierarchy of retail centres in the county. WCSP Policy D.31 establishes the retail hierarchy, confirming Kidderminster as a *Major County Centre* and Stourport as a *Minor District Centre*. This matter is also addressed in the *MVM Study [CD99; ¶ 5.14-5.17]*, which recognises that although Kidderminster has a limited role in the sub-regional retail hierarchy, it has a role in meeting the needs of residents who live outside the District, including for example, parts of South Shropshire.
- 13.4 Since retail catchment areas do not necessarily reflect local authority boundaries, and in view of the extensive rural catchment area of Kidderminster town centre to the west of Bewdley, I consider it is appropriate for the Plan to aim to meet the shopping needs of those living both within and beyond the Wyre Forest District boundary. Consequently, I conclude that no changes to this aim are necessary in response to *BDC's* objection.

Recommendation

13.5 I RECOMMEND no modifications to the Local Plan in response to this objection.

**PARAGRAPHS 13.20-13.24:
RETAIL PLANNING - PLAN, MONITOR AND PROVIDE**

Objections First Deposit 419/001 – Wm Morrison Supermarkets plc; 615/006 – Sainsbury’s Supermarkets Ltd; 638/011 – Arab Investments Ltd; 656/002 – B & Q plc;

Revised Deposit There are no objections at the Revised Deposit stage.

Key issues

- Does the *MVM Retail & Commercial Leisure Study* underestimate the retail need and capacity of the District, particularly in Stourport;
- Should the Plan’s retail policies be more flexible to allow for changes in the retail market that could occur during the Plan period;
- Should the text be amended to indicate that the retail requirements are only a guide for future development and that retail applications will be judged on their merits in the light of retail need/capacity at the time.

Main considerations and Inspector’s conclusions

- 13.6 Paragraphs 13.20-13.24 summarise the results of the *MVM Retail Study [CD99]* published in 2001. This report analysed the health of the retail sector in the District and the retail health of the District’s main shopping centres, and estimated the capacity for further retail development in the District. The RDLP makes minor changes to the text of paragraphs 13.23-13.24A, confirming that retailing matters will be regularly monitored to inform subsequent reviews of the Plan (*Change Nos. 165-166*).
- 13.7 *WFDC* explains that, in preparing this Local Plan, it commissioned *MVM Planning* to undertake a detailed retail study, in line with the guidance in PPG6 (¶ 1.7/Annex B4), and considers this provides a robust survey and analysis of retail capacity to underpin the retail policies in the WFDLP. Furthermore, most of the objectors provide no detailed evidence to substantiate their claims that retail need within the District has been underestimated.
- 13.8 I have examined the *MVM Retail Study [CD99]*. I understand that its findings are based on a constant market share and confirm that the completion of current commitments will absorb any surplus resulting from increased market share. It also contains reasonable assumptions about the potential to claw-back leakage to other centres. *Topic Paper 4 [CD113]* confirms that commitments have increased since the study was completed, as a result of the Policy KTC.1 redevelopment and an extension to the existing *Sainsbury* store at *Crossley Retail Park*. However, although certain Tables in the study need to be revised, *WFDC* confirms that its overall conclusions are sound. Consequently, I cannot see any need for the retail capacity and need in the District to be reassessed at this time, particularly since paragraph 13.24A recognises the dynamic nature of the retail sector and confirms that the quality, quantity and convenience of retailing in the District will be regularly monitored to inform subsequent reviews of the Plan.
- 13.9 *Arab Investments* is particularly concerned about the need for additional convenience floorspace in Stourport, arguing that there is sufficient retail capacity to accommodate one medium-sized supermarket by 2006. This objection is directly linked to the *Carpets of Worth* site, which I deal with under Policy STC.2 (see Chapter 14). As regards the Plan’s

retail strategy, there is no dispute about safeguarding the position of Stourport town centre as a convenience centre meeting day-to-day shopping needs. Stourport already has several supermarkets, including *Co-op*, *Tesco*, *Lidl* & *Kwiksave*. Similarly, there is no dispute that Stourport could accommodate some additional retail floorspace in the period up to 2011, both on quantitative and qualitative grounds. The main difference between the parties is that *WFDC* follows the *MVM Study [CD99]* in limiting such provision to a *small supermarket* (up to 1067 sq m) at 2011, whilst *Arab Investments* says that a *small/medium-sized supermarket* (up to 2,300 sq m) should be provided.

- 13.10 Both parties agree that the quantitative requirements in terms of retail capacity and the *MVM Study* should only be the starting point. There is clearly a need for some flexibility to allow for changes in the retail market and the requirements of shoppers and retail operators. There may also be a case on qualitative and regeneration grounds to justify a slightly larger store in Stourport than that envisaged in the *MVM Study*. A larger store might be better able to claw-back trade lost to other centres, but could adversely affect existing stores in the centre, possibly undermining the overall vitality and viability of Stourport town centre. I also note that no detailed retail impact assessment has been undertaken for either a small or medium-sized supermarket in Stourport.
- 13.11 I do not propose to set out the detailed assumptions in the *MVM Study* and *Arab Investments*' assessment. Suffice it to say that there are some important differences in the approaches, including the nature and extent of the catchment area, analysis of shopping expenditure and use of the market share approach. Of course, the overall objective should be to provide an appropriate level of retail floorspace to meet the needs of shoppers within the catchment area in the context of providing a sustainable pattern of development in Stourport and meeting the requirements of PPG6 and the WCSP. Moreover, retailing is a dynamic sector of the economy, frequently changing and evolving to meet the needs of shoppers and retailers. It is also important to avoid examining Stourport in isolation, since there is considerable interplay in retailing terms with other centres, such as Kidderminster.
- 13.12 In terms of an overall assessment of future retail capacity in Stourport, I consider the *MVM Study* provides an appropriate starting point and guideline for likely needs and future provision. However, in my view, it would be inappropriate to set these figures in *tablets of stone* in the way envisaged in the WFDLP (¶ 13.26). A far better and more realistic approach would be to require retail developments in excess of the capacity indicated in the *MVM Study* to be justified in terms of retail capacity, market demand and wider community needs, as outlined in paragraph 13.25, along with an assessment of impact on the vitality and viability of the centre as a whole. In terms of specific proposals for Stourport, this would require any scheme for a store over 1,067 sq m to be justified in terms of retail capacity, assessing its contribution to the overall retail strategy and function of Stourport in the retail hierarchy. This added flexibility would enable additional proposals to be properly considered without being restricted or ruled out by the conclusions of the *MVM Study*.
- 13.13 I therefore recommend that the text in paragraphs 13.20-13.24 should confirm that the retail capacity requirements are only a starting point and a guideline for future provision, and require any proposals in excess of these figures to be fully justified in terms of the sequential approach and retail capacity, and subject to a full retail assessment. Consequential amendments would also be needed to paragraph 13.26.
- 13.14 Policies RT.1, RT.4 & RT.5 would ensure that proposals for retail development are considered on their merits, subject to the provisions of the policies to demonstrate need for *edge-of-centre* and *out-of-centre* proposals, in line with latest national policy (*PPG6 & 1999 Ministerial Statement*). This approach helps to provide a sustainable basis for proposals, with an element of flexibility being provided by placing the emphasis on need.

WFDC confirms that, as a result of the large-scale growth experienced in recent years, there is no need to identify further land for additional retail development within the Plan period, apart from some limited additional provision at Stourport. The retail requirements set out in paragraphs 13.22-13.24 give an indication of the scale of future retail need and capacity, whilst paragraph 13.27 confirms the intention to adopt a sequential approach to the provision of retail development, in line with PPG6.

- 13.15 I therefore come to the conclusion that paragraphs 13.20-13.24 provide a useful summary of the present position in terms of retail capacity and need, setting the context for the retail policies that follow. In general terms, I cannot see that the conclusions of the *MVM Study* are seriously flawed, or that they significantly under-estimate future retail needs. In my view, they provide a soundly-based starting point against which to consider proposals for additional retail development, with flexibility provided by the retail policies in terms of demonstrating need, and confirmation that the situation will be regularly monitored and reviewed in paragraph 13.24A. However, in order to clarify the situation, I consider the text in this section should confirm that the retail capacity requirements resulting from the *MVM Study* are only a starting point and a guideline for future provision, and require any proposals in excess of these figures to be fully justified in terms of the sequential approach and retail capacity, and subject to a full retail assessment. Consequential amendments would also be needed to paragraph 13.26.

Recommendation

13.16 **I RECOMMEND** that the Local Plan be modified by amending paragraphs 13.20-13.24 to confirm that the retail capacity requirements resulting from the *MVM Study* are only a starting point and a guideline for future provision, and require any proposals in excess of these figures to be fully justified in terms of the sequential approach and retail capacity, and subject to a full retail assessment, with consequential amendments to paragraph 13.26, but that no further modifications be made in response to these objections.

POLICY RT.1: SEQUENTIAL APPROACH

Objections First Deposit 419/002 – Wm Morrison Supermarkets plc; 559/001 – B & Q plc; 615/001 – Sainsbury’s Supermarkets; 638/012 – Arab Investments Ltd; 656/003 – B&Q plc.

Revised Deposit 615/101-102 – Sainsbury’s Supermarkets Ltd; 656/100 – B & Q plc.

Key issues

- Does the sequential approach set out in Policy RT.1 accord with national guidance in PPG6;
- Should the definition of *large-scale* retail development be amended to 2,500 sq m, in line with the guidance in PPG6;
- Should clause (iv) of the Policy require all new retail development outside the *Primary Shopping Area* to demonstrate need, rather than accord with the retail strategy;
- Should clause (vi) of the Policy and paragraph 13.27A be amended to indicate that retail development should not *normally* be allowed on land designated for other uses;
- Should Policy RT.1 address the issue of changes of use of existing vacant retail

floorspace in *edge-of-centre* and *out-of-centre* locations;

- Should the application of the sequential approach in Policy RT.1 relate to the *town centre* rather than the *Primary Shopping Area*.

Main considerations and Inspector’s conclusions

- 13.17 Policy RT.1 establishes a sequential approach for retail proposals in excess of 250 sq m in *Primary Shopping Areas*, *edge-of-centre* and *out-of-centre* locations, and sets out the criteria which such proposals should meet. In the RDLP, the original Policy in the Deposit Plan has been amended, along with the explanatory text, to more accurately reflect the guidance in PPG6 and the subsequent Ministerial Statement (11/02/99), and provide an improved justification and structure for the Policy (*Change Nos. 167-171*).
- 13.18 PPG6 (¶ 1.10-1.11) confirms that a sequential approach to the selection of sites should be adopted when allocating sites and considering proposals for retail development. First preference is given to sites within the town centre, followed by *edge-of-centre* sites, district and local centres, and finally *out-of-centre* sites accessible by a choice of means of transport. The subsequent Ministerial Statement confirms that a need for the development has to be demonstrated in the case of retail proposals at *edge-of-centre* and *out-of-centre* locations. Policy RT.1 generally reflects this approach, along with WCSP Policy D.32 which sets out a similar sequential approach. I also note that *GO-WM* confirms that the amended retail policies appear to be very much in line with PPG6 and subsequent Ministerial statements. The main area of dispute concerns the 250 sq m threshold when the Policy becomes applicable, along with other implications and criteria in the Policy.
- 13.19 Dealing firstly with the size threshold for retail developments, PPG6 (¶ 4.13) indicates that the need for a full retail assessment, including the sequential approach towards site selection and the location of *major* new retail development, should apply to schemes over 2,500 sq m. It also confirms that the approach may *occasionally* apply to smaller schemes, such as those having an effect on market towns or district centres, depending on the relative size and nature of the development in relation to the town centre. Similarly, although WCSP (Policy D.32 & ¶ 6.108) does not specifically define *large-scale* retail development, it requires retail impact assessments for schemes over 2,500 sq m and confirms that LPAs should consider whether such assessments are necessary for smaller developments, depending on the relative size and nature of the development in relation to the shopping centre.
- 13.20 As re-drafted in the RDLP, Policy RT.1 does not actually define *large-scale* retail development, but merely sets the threshold above which the Policy applies. It effectively applies the sequential approach and test of need to all retail schemes of more than 250 sq m outside the *Primary Shopping Areas*. *WFDC* explains that this is a *local initiative to provide flexibility to existing retailers and to promote appropriate community shopping facilities, without replacing the 2,500 sq m definition of large-scale set out in PPG6 [CD113; ¶ 4.6]*. I recognise the difficulty of defining such terms in the context of the differing sizes and types of town centres in this District, compared with towns elsewhere. The current *WFDLP [CD74]* adopts a functional definition, based on whether the proposal serves more than its immediate neighbourhood, but this has the disadvantage of setting no specific figure or threshold. I also realise that setting a low threshold of 250 sq m enables a permissive approach to smaller-scale development outside the *Primary Shopping Areas*, including the provision of local shops and excluding minor alterations, giving some flexibility and certainty for existing traders. However, it would be helpful if the justification for this threshold (as set out in CD113) is included in the text accompanying Policy RT.1.

- 13.21 Although at first sight, the Policy seems to be very restrictive, the 1999 Ministerial Statement confirms that a need for the development has to be shown for all retail proposals outside existing centres at *edge-of-centre* and *out-of-centre* locations. In this instance, the RDLP (¶ 13.24B) confirms that for retail planning purposes and applying the sequential approach to site selection, the term *Town Centre* relates to the *Primary Shopping Areas* of Kidderminster and Stourport town centres. Policy RT.4 also defines *edge-of-centre* locations as outside, but within 300m of the *Primary Shopping Areas*. It therefore seems to me that the effect of the Policy is to require the tests of need and the sequential approach for all retail developments outside the *Primary Shopping Areas* below the stated threshold. In my view, this approach is not inconsistent with the latest national policy, as confirmed in the 1999 Ministerial Statement.
- 13.22 In saying this, I recognise that the 2,500 sq m threshold for *large scale* retail development in PPG6 might be too large in the context of Kidderminster and Stourport town centres, but none of the objectors suggests any other alternative figure. I also realise that neither PPG6 nor the subsequent Ministerial statement specifies a threshold above which the sequential approach should apply. Nevertheless, it seems to me that the 250 sq m threshold provides a practical way of reflecting the need to apply the sequential approach and tests of need in the local context, while providing a degree of flexibility for small-scale retail proposals. In coming to this conclusion, I note the nature and size of the main shopping centres of Kidderminster and Stourport, and the limited capacity and scope for further large-scale retail development identified in the *MVM Study [CD99]*.
- 13.23 However, I note that the Policy fails to fully apply the sequential approach, in that there is no reference to *district and local centres*. I recognise that, in this District, these are much smaller centres, but in order to accord fully with the guidance in PPG6 (¶ 1.11), I consider they should be referred to in the Policy or accompanying text. Such an approach would accord with national policy in PPG6 and reflect the approach in WCSP Policy D.32.
- 13.24 Clause (iv) of Policy RT.1 requires retail proposals to accord with the Plan's retail strategy and retail hierarchy. *B&Q* suggests that such proposals should be required to demonstrate need so they could be considered on their merits in the light of retail need/capacity. However, clauses (ii) & (iii) already require need to be demonstrated for proposals outside the *Primary Shopping Areas*. This enables the sequential approach to the consideration of retail proposals to be applied in the context of *edge-of-centre* and *out-of-centre* sites, in accordance with PPG6. This is an appropriate requirement to apply to all retail proposals.
- 13.25 Clause (vi) of the Policy precludes retail development on land allocated for other uses. The RDLP inserts the word *normally* in the text and confirms this approach in paragraph 13.27A (*Change Nos. 167/169*). The wording now complies with PPG6 (¶ 3.23) and WCSP Policy D.33(iv), without being unnecessary or repetitive. However, in order to properly reflect national and strategic policy, the word *normally* should also be incorporated within paragraph 13.27A. This would fully meet these elements of the objections from *Morrisons, Sainsburys & B&Q*.
- 13.26 *B&Q* also argues that Policy RT.1 does not address the issue of change of use of existing retail floorspace at *edge-of-centre* or *out-of-centre* locations, given the possibility of large-scale vacant uses within the existing retail floorspace and its effect on the overall retail strategy. These points are related to *B&Q*'s site-specific objection concerning *Crossley Retail Park*, which I deal with under Policy RT.4. In response to these general points, *WFDC* confirms that Policy RT.1 is an over-arching policy establishing the sequential approach to the location of retail development in the District. It provides specific criteria for considering proposals outside the *Primary Shopping Areas*, helping to achieve key objectives in PPG6 (¶ 1.17/3.2) to prevent the sporadic siting of *out-of-centre* comparison stores. Subject to the criteria in Policy RT.1 & RT.5 and where there is an identifiable

- need, the availability of vacant floorspace and land at existing *out-of-centre* sites would be a material consideration when considering proposals for retail and other developments in terms of PPG6. This approach has been demonstrated at the former *B&Q* store at *Crossley Retail Park*, where *WFDC* has resolved to approve the principle of proposals for retail and entertainment uses (see para 13.68 below).
- 13.27 *Arab Investments* argues that Policy RT.1 should refer to the *Town Centre*, rather than the *Primary Shopping Area*, referring to PPG6 (¶ 1.11). This objection is related to the *Carpets of Worth* site, which I deal with under Policy STC.2 (see Chapter 14). As this objector rightly says, the application of Policy RT.1 would result in sites first being sought within the *Primary Shopping Area*, and then in *edge-of-centre* and *out-of-centre* locations. The Proposals Map identifies the *Primary & Secondary Shopping Areas*, but does not define the limits of the town centres. However, the RDLP (¶ 13.24B) confirms that, for retail planning purposes, the *Town Centre* equates to the *Primary Shopping Area*. Moreover, PPG6 does not specifically require development plans to define the limits of town centres, but supports the definition of *Primary & Secondary Shopping Areas* (Annex A). This reflects the fact that retailing is one of the main functions of town centres.
- 13.28 It is also important for retailing to be focused in the *Primary Shopping Areas*, helping to concentrate retail activity, acting as a magnet for linked trips, and contributing to the overall vitality and viability of the town centre. *Secondary Shopping Areas* and *edge-of-centre* stores help to identify the overall extent of the retail area of town centres, enabling linked trips. PPG6 (Annex A) confirms that *edge-of-centre* locations are those within easy walking distance (200-300m) of the *Primary Shopping Area*. I am also aware that in several planning appeals, inspectors have accepted this approach when applying the sequential approach and defining *edge-of-centre* locations.
- 13.29 Since Policy RT.1 is essentially dealing with *retail* development, I consider it is reasonable to refer to the *Primary Shopping Area*, rather than the town centre as a whole, since this latter definition may cover a much larger area than the main retail core and result in a more dispersed pattern of shopping. Moreover, the approach suggested by *Arab Investments* would effectively include *edge-of-centre* sites in the town centre, resulting in an incomplete sequential approach comprising only *town centre* and *out-of-centre* sites. Policy RT.1, as amended, would enable the proper application of the sequential approach for retail development proposals. I deal with specific objections to the extent of the *Primary Shopping Area* and the status of various retail developments as *edge-of-centre* or *out-of-centre* locations later in this section of my report.
- 13.30 I therefore conclude that the principle and general approach of Policy RT.1 and the explanatory text, as amended, is not inconsistent with national policy in PPG6 (as clarified in the 1999 Ministerial Statement) and WCSP Policy D.32. However, the accompanying text would benefit from amendments, to indicate the status of *district and local centres* in the sequential approach, to justify the threshold of 250 sq m (as set out in CD113), and to incorporate the word *normally* in paragraph 13.27A. I recommend accordingly.

Recommendation

- 13.31 **I RECOMMEND** that the *Local Plan* be modified by amending the text accompanying Policy RT.1:
- (i) to indicate the status of *district and local centres* in the sequential approach;
 - (ii) to justify the threshold of 250 sq m, as set out in CD133 (¶ 4.6);
 - (iii) to incorporate the word **normally** in paragraph 13.27A,
- but that no further modifications be made in response to these objections.

POLICY RT.2: PRIMARY SHOPPING AREAS: GROUND FLOOR USES

Objections First Deposit 612/005 – Charterhouse Shopping Centre Fund & Ashcroft Estates Ltd;
638/013 – Arab Investments Ltd.

Revised Deposit There are no objections at the Revised Deposit stage.

Key issues

- Should Policy RT.2 be deleted and replaced by Policy TC.3 in the existing adopted WFDLP.

Main considerations and Inspector’s conclusions

- 13.32 Policy RT.2 sets out the criteria for permitting Class A2 & A3 uses on the ground floors of premises within the *Primary Shopping Areas*. In the RDLP, the Policy and accompanying text have been amended (*Change Nos. 172-174*) to relate solely to ground floor uses within the *Primary Shopping Areas* and clarify the role of ground floor premises.
- 13.33 WFDC explains that there have been problems with the interpretation of clauses (ii) & (iii) of Policy TC.3 in the adopted WFDLP [CD74], especially the meaning of *preponderance of non-shopping uses*. These clauses are considered too vague and, overall, the Policy is thought to be too restrictive in terms of proposals within *Secondary Shopping Areas* and unclear about where Class A2 & A3 uses should be located. WFDC explains that Policy RT.2 is intended to simplify and clarify the intentions of the policy, with the aim of safeguarding the attractiveness of town centres as shopping destinations by enabling appropriate variety without undermining the main retail function. Along with Policies RT.4 & TC.2, the intention is to facilitate appropriate levels of Class A2 & A3 uses in the *Primary Shopping Area* whilst providing a more flexible approach towards such uses in *Secondary Shopping Areas*. Paragraph 13.32 confirms that Policy RT.2 would allow 2 in every 7 units in the frontage to be used for Class A2 or A3 uses. I understand that the *Wrekin Local Plan* adopts a similar approach, which has been accepted on at least one occasion on appeal. Further guidance is given in paragraph 13.31A which confirms that proposals for change of use should *complement the retail offer...and ...not lead to an over-dominance of non-retail uses or ‘dead’ frontage (Change No. 172)*.
- 13.34 As WFDC rightly says, too many Class A2 & A3 uses in ground floor units within the *Primary Shopping Area* can sometimes fragment the retail frontage and undermine its main retail function, as PPG6 (¶ 2.25 & Annex B6) confirms. They can also adversely affect the overall vitality and viability of the town centre. In my view, the combined effect of Policies RT.2, RT.4 & TC.2 provides a much clearer assessment methodology and a more rational approach for decision making for non-retail uses within the *Primary & Secondary Shopping Areas*, consistent with PPG6 (Annex B6) & PPG12 (¶ 3.12). With the additional clarification provided in paragraphs 13.31A-13.32, I consider Policy RT.2 provides a sound basis for considering proposals for Class A2 & A3 and other non-retail uses within the *Primary Shopping Areas*.
- 13.35 On the other hand, Policy TC.3 of the adopted Local Plan [CD74] clearly has shortcomings and has not been successful in its operation and interpretation in the past. Some of its terms are unclear and it does not directly reflect the latest version of PPG6 (June 1996), which was published after the formal adoption of the existing Local Plan. I recognise that PPG6 (¶ 2.11-2.12) emphasises the need for diversity in town centres, but it also acknowledges that concentrations of non-retail uses can create problems (¶ 2.25). It

also confirms that plans should distinguish between primary and secondary frontages, restricting primary frontages to a high proportion of retail uses, with more flexibility for secondary frontages (Annex B6).

- 13.36 Although PPG6 does not give any specific advice on Class A2 & A3 uses, the approach of Policy RT.2 reflects the general approach outlined in national guidance. In particular, it sets out criteria for considering Class A2 & A3 uses, and other non-retail uses, in line with PPG6 (¶ 2.25). I recognise the need for some flexibility, such as for the *Swan Centre* in Kidderminster, and the implications for vitality and viability, future investment and development. However, it seems to me that Policy RT.2 would help to secure the continued vitality and viability of town centres whilst providing some flexibility in terms of non-retail uses. Consequently, I cannot see that the Policy is unduly restrictive or inflexible, or places an unnecessary burden on developers and landowners. Nor does it duplicate or conflict with Policy TC.2 of the WFDLP, which provides complementary policy guidance on non-retail uses within *Primary & Secondary Shopping Areas* in the town centres. I therefore conclude that no further amendments are necessary to Policy RT.2 or the accompanying text in response to *Charterhouse's* objection.
- 13.37 *Arab Investments* originally asked for Policy RT.2 to more properly reflect the sequential approach to retail development. However, at the inquiry, the objector confirmed that there are no general issues in terms of the latest version of this Policy, and I understand that this objection has now been withdrawn.

Recommendation

13.38 I RECOMMEND no modifications to the Local Plan in response to these objections.

POLICY RT.3: BEWDLEY DISTRICT CENTRE

Objections First Deposit 656/005 – B&Q plc.

Revised Deposit There are no objections at the Revised Deposit stage.

Key issues

- Does Policy RT.3 reflect national guidance in PPG6, and is it necessary, since Policy RT.1 sets out criteria for assessing large-scale retail proposals.

Main considerations and Inspector's conclusions

- 13.39 Policy RT.3 confirms that large-scale retail proposals will not be allowed in Bewdley town centre and outlines the criteria for permitting small-scale new stores and extensions within the defined boundary of this *District Centre*. *B&Q* argues that the Policy does not accord with Government guidance since it does not allow for the demonstration of need or the application of the sequential approach. *WFDC* considers that Policy RT.3 provides clear guidance for retail development in Bewdley, confirming that there is no justification for large-scale retail development in this town. This approach is mainly based on the *MVM Study [CD99]*, which identified Bewdley as an important *top-up* shopping destination with a good range of convenience shops and services. It also found a very modest residual growth for new retail floorspace, which could be met within the identified shopping area.

- 13.40 In addition, there are significant constraints imposed by the historic nature of the town and its centre which preclude major new retail provision, particularly given its limited population and the potential implications for traffic circulation, congestion and effects on the Conservation Area and Listed Buildings [CD99; ¶ 6.22]. It also has a compact and well-defined retail core, and an equally compact urban form, surrounded by Green Belt and *Landscape Protection Areas*. Furthermore, the WCSP does not identify Bewdley within the county's shopping hierarchy, and the WFDLP identifies it only as a *District Centre*. Moreover, Bewdley is not one of the *Principal Urban Areas* in terms of WCSP Policy SD.6. The *Bewdley Town Centre Management Forum Strategy & Action Plan [CD102]* identifies few objectives and issues related to retail development. It is also covered by *Opportunity Bewdley*, a local regeneration initiative established in 2001, following the inclusion of the town within the *West Midlands Rural Regeneration Zone & West Midlands Market Town Programme*, which places emphasis on the vitality and viability of the town centre.
- 13.41 To my mind, this suggests that the potential scope for major or large-scale retail development in Bewdley is likely to be non-existent or extremely limited, given its place in the retail hierarchy and the constraints imposed by its historic form and nature. Contrary to *B&Q's* view, Policy RT.1 would not apply to Bewdley, since it has no designated *Primary Shopping Area*, and the Proposals Map shows only a *District Shopping Centre* boundary under Policy RT.3. It therefore seems to me that Policy RT.3 provides an appropriate basis for considering retail proposals in Bewdley, ruling out large-scale retail developments and reflecting the nature and constraints of the town centre. It also helps to avoid undermining the established retail strategy of the Plan and safeguards the role of the District's town centres, reflecting the overall retail strategy of the WFDLP, as well as WCSP Policies D.31 & SD.6. Consequently, I conclude that no changes should be made to Policy RT.3 and the accompanying text in response to *B&Q's* objection.

Recommendation

13.42 **I RECOMMEND** no modifications to the Local Plan in response to this objection.

POLICY RT.4: EDGE-OF-CENTRE RETAIL PROPOSALS

Objections First Deposit 146/002 – GVA Grimley; 419/005 – Wm Morrison Supermarkets Ltd; 559/002: B & Q plc; 615/004-005 – Sainsbury's Supermarkets Ltd; 622/001 – Coal Pension Properties Ltd; 631/002 – West Midlands Co-operative Society Ltd; 638/014 – Arab Investments Ltd; 656/007 – B & Q plc.

Revised Deposit There are no objections at the Revised Deposit stage.

Key issues

- Is the approach of Policy RT.4 consistent with national guidance in PPG6;
- Should Policy RT.4 and the accompanying text recognise that factors other than distance, including topography and barriers to pedestrians, define *edge-of-centre* sites; and is the 300m distance appropriate;
- Does Policy RT.4 unduly restrict retail proposals over 250 sq m;
- Should Policy RT.4 allow *edge-of-centre* retail proposals to be considered on their merits and recognise that *edge-of-centre* sites may be appropriate for

retail development if there are no alternative, suitable or viable sites within the town centre;

- Should more flexibility be introduced into Policy RT.4 to accommodate changes in circumstances, particularly in terms of future retail capacity;
- Should Policy RT.4 permit extensions to existing retail premises provided there is no adverse impact on the vitality and viability of *Primary & Secondary Shopping Areas*.

Main considerations and Inspector's conclusions

- 13.43 Policy RT.4 outlines the criteria for permitting *edge-of-centre* retail proposals outside, but within 300m of the *Primary Shopping Areas*. In the RDLP, the presumption against proposals leading to a significant increase in net retail floorspace has been replaced with a criteria-based approach requiring proposals which increase retail floorspace by more than 250 sq m to demonstrate a need for the development and the lack of suitable alternative sites within the *Primary Shopping Area* (*Change No. 175*). *WFDC* explains that Policy RT.4 expands on the provisions of Policy RT.1, by providing greater clarity and certainty when considering proposals for retail development on *edge-of-centre* sites.
- 13.44 PPG6 (Annex A) defines *edge-of-centre* sites as being within easy walking distance (200-300m) of the *Primary Shopping Area*. PPG6 (¶ 3.14) also confirms that *edge-of-centre* locations will be determined by what is an easy walking distance for shoppers carrying shopping, the limits of which will be determined by local topography, barriers to pedestrians, the strength of attraction of the town centre and the attractiveness of the route. It confirms that most shoppers are unlikely to wish to walk more than 200-300m, especially when carrying shopping, and that the definition of *edge-of-centre* will vary, with large centres being able to attract people to walk further than smaller centres. PPG6 (¶ 1.11) also establishes the need to apply the sequential approach to the selection of sites for retail development, with sites in the town centre being the first preference, followed by *edge-of-centre* sites, district and local centres, and only then *out-of-centre* sites that are accessible by a choice of means of transport. The 1999 Ministerial Statement also confirms that a need for the development has to be demonstrated for retail proposals at *edge-of-centre* or *out-of-centre* locations.
- 13.45 Having regard to this national guidance, I am satisfied that the approach of Policy RT.4 broadly reflects the latest advice. The replacement of the presumption against *edge-of-centre* proposals with a criteria-based approach requiring a demonstration of need and the lack of suitable available sites within the town centre goes some way towards meeting many of the objectors' points. It enables such proposals to be considered on their merits and in terms of the Policy, and also better reflects the guidance in PPG6 and WCSP Policy D.32. Furthermore, it reflects the principles of sustainable development, as well as helping to enhance the diversity, vitality and viability of the town centres and concentrate the focus of retail activity in the core shopping areas. I also note that *GO-WM* confirms that the amended retail policies appear to be very much in line with PPG6 and subsequent Ministerial statements. However, there are two main points of concern: the use of the distance of 300m to define *edge-of-centre* sites; and the threshold of 250 sq m in terms of applying the tests of need and the sequential approach.
- 13.46 Dealing firstly with the 300m distance threshold, *WFDC* confirms that this is an outer limit when defining *edge-of-centre* locations, reflecting the definitions of *edge-of-centre* sites and *easy walking distance* for shoppers in PPG6 (¶ 3.14 & Annex A). It takes account of the particular characteristics of Kidderminster and Stourport town centres, especially in terms of their relatively modest size in the sub-regional and county-wide context, and the limited capacity for further retail floorspace outlined in the *MVM Study [CD99]*. It also reflects the size and location of the *Primary Shopping Areas*, and the

- general topography and apparent barriers to pedestrians. Furthermore, it helps to concentrate most new retail development in the *Primary Shopping Areas* and avoid diminishing the retail vitality and viability of these parts of the town centre and unduly widening the focus of retail activity. In my view, it provides a useful starting point when considering whether a retail proposal is likely to represent an *edge-of-centre* location.
- 13.47 However, neither the Policy nor the accompanying text recognise the other factors which help to determine the definition of an *edge-of-centre* location. In addition to distance, these include local topography, barriers to pedestrians, the strength of attraction of the town centre and the attractiveness of the route. In the context of Kidderminster, these are readily apparent in the dual-carriageway Ring Road and Staffs & Worcs Canal. In the interests of clarity and completeness, I consider that these factors should specifically be referred to in the text accompanying Policy RT.4. This would go some way to meeting the concerns of *Sainsburys*, *B&Q* and other objectors.
- 13.48 Some objectors argue that the Plan should define the boundary of the *Town Centre*, rather than the *Primary Shopping Area*. As I have said when dealing with the objections to Policy RT.1, the RDLP (¶ 13.24B) confirms that for retail planning purposes and application of the sequential approach, the term *Town Centre* equates to the *Primary Shopping Area*. In any event, it would not overcome the difficulties of applying the sequential approach to site selection or the definition of *edge-of-centre* locations. In the cases of both Kidderminster and Stourport, the *town centres* cover a much wider area than 300m from the *Primary Shopping Areas* and the boundaries could not reasonably be thought of as being within easy walking distance of the main shopping areas. I also understand that the *Town Centre Inset Maps* are intended to show the town centres in their context, but do not define the boundaries of the town centres in terms of retail policy, the sequential approach or the definition of *edge-of-centre* sites. Some objectors refer to the *Surrey Heath Local Plan Inspector's Report*, but the circumstances in Camberley town centre are very different from those in Wyre Forest, particularly in terms of the need for additional retail floorspace and the nature and extent of the shopping area and town centre.
- 13.49 Turning to the 250 sq m threshold, I have already addressed this point under Policy RT.1 and I draw attention to my earlier conclusions. In terms of Policy RT.4, *WFDC* explains that this is a local initiative to facilitate a reasonable degree of flexibility for local shops and existing retailers when considering retail proposals of a limited scale that would not justify an assessment of need. It also gives existing retailers a greater level of certainty and reflects the limited capacity for further retail floorspace in these centres identified in the *MVM Study [CD99]*, as well as their local characteristics. Policy RT.4 would require a demonstration of need and the lack of any suitable available sites within the town centres for all retail proposals in excess of 250 sq m outside but within 300m of the *Primary Shopping Area*. In my view, this approach is not inconsistent with national policy in PPG6, as clarified in the 1999 Ministerial Statement, and would ensure a proper application of the sequential approach to site selection and demonstration of need for all retail developments in *edge-of-centre* locations over the threshold stated.
- 13.50 Dealing with other specific points raised by objectors, some argue that *edge-of-centre* proposals should be considered on their merits, recognising that such sites are appropriate for retail development if there are no alternative, suitable or viable town centre sites. However, the amended wording of the second element of Policy RT.4 (*Change No. 175*) would encompass these criteria, subject to the threshold issue. Conversely, the suggested form of revised wording for the Policy would not provide a clear and consistent approach, in line with the Plan's retail strategy or PPG6, and would introduce considerable uncertainty, leading to difficulties at the development control stage and possibly leading to more planning appeals.

- 13.51 *Grimleys* argue that Policy RT.4 should permit extensions to existing retail premises where there is no adverse impact on the vitality and viability of the *Primary Shopping Area*. However, this would not accord with the 1999 Ministerial Statement and, in any event, this factor would form part of the assessment in the second element of the Policy, subject to the size threshold.
- 13.52 *Morrisons* are concerned about the ability of Policy RT.4 to accommodate changes in circumstances. However, the RDLP (¶ 13.24A; *Change No. 165*) acknowledges the dynamic nature of retailing and confirms that the quality, quantity and convenience of retailing will be regularly monitored. When read together with Policy RT.4, I consider this provides sufficient flexibility to respond to the demands of the retail sector.
- 13.53 *Co-op* argues that the 250 sq m threshold is not justified in terms of retail developments in Stourport town centre. This is linked to the site-specific objection related to the *Co-op* foodstore in Lombard Street, which I deal with below. *Arab Investments* were originally concerned about the application of the sequential approach in Policy RT.4 which appeared to conflict with the *Development Brief* for the *Carpets of Worth* site in Stourport. However, at the inquiry, the objector confirmed that there are no general issues in terms of the latest wording of Policy RT.4, and I understand that this objection has now been withdrawn. I deal with this specific site under Policy STC.2, later in my report (see Chapter 14). *B&Q & Coal Pension Properties* are mainly concerned about the status and definition of *Crossley Retail Park*, a point raised by *Sainsburys*, which I deal with below.
- 13.54 I therefore conclude that the text accompanying Policy RT.4 should be amended to recognise the other factors which determine the definition of an *edge-of-centre* location, including local topography, barriers to pedestrians, the strength of attraction of the town centre and the attractiveness of the route. Apart from this amendment, I am satisfied that the Policy and accompanying text properly reflects national guidance in PPG6 and the WCSP.

Recommendation

13.55 ***I RECOMMEND*** that the Local Plan be modified, by amending the text accompanying Policy RT.4 to recognise the other factors which determine the definition of an edge-of-centre location, including local topography, barriers to pedestrians, the strength of attraction of the town centre and the attractiveness of the route; but that no further modifications be made in response to these objections.

POLICY RT.4: EDGE OF CENTRE RETAIL PROPOSALS

SITE-SPECIFIC OBJECTIONS

Crossley Retail Park, Kidderminster

Objections First Deposit 559/002 – B & Q plc; 622/001 – Coal Pension Properties Ltd.

Revised Deposit

There are no objections at the Revised Deposit stage.

Key issues

- Should *Crossley Retail Park* be designated as an *edge-of-centre* or *out-of-centre* retail location in terms of Policies RT.4 & RT.5.

Main considerations and Inspector’s conclusions

- 13.56 *Crossley Retail Park (CRP)* lies to the north-west of Kidderminster town centre, beyond the dual-carriageway Ring Road. It is a modern retail park with nine retail units (totalling over 20,000 sq m) mainly accommodating “bulky” goods retailers, along with a *Sainsbury* foodstore (7,000 sq m) and car parks with over 1,200 spaces.
- 13.57 I understand that this retail park originally came forward through the 1996 adopted Local Plan [CD74]. This Plan recognised the suitability of the site for redevelopment for employment, retail warehouses, leisure and tourism uses (Policy E.3) and identified the site as an *edge-of-centre* superstore and redevelopment area. The Local Plan inspector confirmed the acceptability of this proposal and the *edge-of-centre* location of this site [CD73; ¶ 3.2.14], which *WFDC* accepted at that time. However, parts of the Policy and explanatory text of this Plan (¶ 3.33-3.36) relating to this site were quashed by the High Court in 1997. In November 1998, the Secretary of State granted planning permission for a retail park after a planning appeal and inquiry, where the inspector concluded that this was an *out-of-centre* location. Both *Coal Pension Properties* (who appeared at the inquiry) and *B&Q* argue that *CRP* should more appropriately be designated as an *edge-of-centre* retail location.
- 13.58 I recognise that the status of *CRP* in terms of its retail location has evolved over time. In the adopted Local Plan [CD74], the inspector concluded that this was effectively an *edge-of-centre* location, but this was based on an earlier (1993) version of PPG6. In contrast, the 1998 appeal inspector considered the issue on the basis of the current (1996) PPG6 and concluded that it was an *out-of-centre* site. At that time, he found that there was no public transport into the site and that walking distances to the town centre were in excess of 300m. He also noted the evidence of pedestrian movement between the site and the town centre and the barriers to pedestrian movement. Since then the retail park has become fully developed, with improvements to bus services and an extension to the *Sainsbury* store. The redevelopment of *Weavers Wharf*, immediately to the south of the Ring Road has advanced and is nearing completion. In my view, it is therefore wholly appropriate to reconsider the status of *CRP* in retail terms in this Review of the Local Plan.
- 13.59 In carrying out this exercise, the guidance in PPG6 (Annex A & ¶ 3.14) provides the key tests. This defines an *edge-of-centre* location as being *within easy walking distance (i.e. 200-300 metres) of the primary shopping area, often providing parking facilities that serve the centre as well as the store, thus enabling one trip to serve several purposes*. It also defines *out-of-centre* locations as *clearly separate from a town centre, but not necessarily outside the urban area*. The key is *easy walking distance for shoppers walking to...and from the store carrying shopping*, the limits of which are determined by *local topography, including barriers to pedestrians, such as major roads and car parks, the strength of attraction of the town centre, and the attractiveness of the route to and from the town centre*. PPG6 confirms that the definition will vary, with larger centres able to attract people to walk longer distances than smaller centres, and confirms that the guidance should be interpreted according to the different circumstances of each place.
- 13.60 Dealing firstly with the local topography and routes to and from the *Primary Shopping Area*, there is little dispute that both *CRP* and the town centre lie on reasonably level terrain. However, *CRP* is physically separated from the town centre by the dual-

- carriageway Ring Road, with its junctions to the retail park and town centre. Two distinct pedestrian routes are available, either via a subway under the Ring Road or via a series of pedestrian crossings at road level. Both routes are relatively level, apart from the kerbs and ramps up and down into the subway. However, as I found on my visits, the Ring Road forms a distinct physical and psychological barrier to pedestrian movement for shoppers wishing to walk between *CRP* and the town centre. As the plans and aerial photos show, there is a clear physical break and lack of built development north of the Ring Road, especially on the eastern side, with the nearest buildings on *CRP* being sited well into the retail park and surrounded by extensive areas of car parking.
- 13.61 Furthermore, with its subway, busy and sometimes congested main roads, it is not a particularly attractive pedestrian route, particularly in the evening. Nor is it attractive in retailing terms, since it involves walking a considerable distance along the entrance road to the retail park, with little of interest other than the river and canal, and passing along Lower Mill Street with its offices, non-retail uses and secondary retail units. More particularly, the minimum distance from the edge of the *Primary Shopping Area* to the edge of the *CRP* car park is over 350-400m, and over 500-600m to some of the store entrances. With shopping bags, this is a long and inconvenient journey, taking at least 5-10 minutes in good conditions. In view of the distances and time involved, the nature of the route between the retail park and the town centre, and the physical separation between *CRP* and the town centre, I am firmly of the opinion that *CRP* should appropriately be designated as an *out-of-centre* retail location.
- 13.62 I recognise that the relative strength of attraction of the town centre can encourage shoppers to walk distances longer than 300m and accept that this is not a firm limit when deciding whether a retail development is an *edge-of-centre* or *out-of-centre* location. Although it is the largest shopping centre in Wyre Forest, Kidderminster is a relatively modest centre in sub-regional and county-wide terms. The main shopping area contains most of the familiar High Street stores, including the *Swan Centre*, with its adjoining multi-storey car park, and *Rowland Hill Centre*, both purpose-built shopping centres. The development of *Weavers Wharf* (Policy KTC.1), with its new *Tesco* store and retail units, will further enhance the attractiveness of Kidderminster town centre in shopping terms. However, in my view, it is not of sufficient size and scale to encourage shoppers to walk long distances with their shopping between the town centre and *CRP*.
- 13.63 I realise that the new *Weavers Wharf* development will bring the *Primary Shopping Area* marginally closer (50m) to *CRP*, and with the planned restaurants fronting the Ring Road, may enhance the attractiveness of the route between *CRP* and the town centre. However, it is this new development which is effectively in an *edge-of-centre* location and intended to function as part of the town centre, rather than *CRP*. Moreover, even with this new development, *CRP* will remain a considerable distance from the *Primary Shopping Area*, particularly in terms of its stores and retail units, and continue to be physically separated from the town centre on the far side of the Ring Road. I also note that, contrary to the advice in PPG6 (¶ 3.14), *CRP* has not been designed with the stores nearest to the town centre, with no direct street frontage to welcome shoppers on foot. Furthermore, with its foodstore and range of comparison stores, *CRP* is effectively a retail destination in its own right, contributing to the overall retail offer in Kidderminster, but not necessarily directly to that of the town centre. Consequently, it has a somewhat different role and function to that of the *Primary Shopping Area*, and whilst complementing the town centre in retailing terms, cannot realistically be considered as an *edge-of-centre* location.
- 13.64 Much of the objectors' case is based on a *Shoppers Survey* undertaken in July 2002. This showed that many shoppers (60%) parked at *CRP* and also visited the town centre, mostly on foot. This indicates that, to some extent, *CRP* was being used as a car park for those making linked trips to the town centre and, as such, they were prepared to walk the

necessary distances with shopping. At the time of the survey, *CRP* was the second most popular car park for Kidderminster town centre and, on my visits, I saw shoppers walking between *CRP* and the town centre. Now that the retail park is well-established, its extensive car park provides the opportunity for linked trips to the town centre. Once the *Weavers Wharf* development is completed, *CRP* may consolidate and enhance its relationship with the *Primary Shopping Area* and town centre. However, the fact that some people may be prepared to undertake linked trips does not necessarily mean that *CRP* is within *easy walking distance* of the *Primary Shopping Area* or that it serves as a major car parking facility for the town centre in the context of PPG6 (¶ 3.14).

- 13.65 I note that the survey was undertaken at a time when town centre car parks had recently closed and not all the planned car parking spaces on new developments had come into use. This suggests that the results could be distorted towards the *CRP* car park simply because it was one of the most convenient sites to use. The imminent provision of further car parking areas as part of the *Weavers Wharf* development could reduce the use of the *CRP* car parks and diminish pedestrian movements to and from the town centre. I also understand that parking is actually limited to 2 hours at *CRP*. Although this may not always be strictly enforced, it would give insufficient time to undertake a long or comparative shopping trip involving both *CRP* and the town centre, given that a round walking trip could take 10-20 minutes. The question of parking charges and the availability of spaces in the town centre is another factor which may influence the relative attraction of the *CRP* car parks. This supports my conclusion that, even though it may partly function as an *edge-of-centre* site by providing the opportunity to park and undertake linked shopping trips, it does not necessarily mean that *CRP* should be designated as an *edge-of-centre* retail location. The question of distance from the *Primary Shopping Area*, the barrier of the Ring Road, and the break in development still remains.
- 13.66 At the time when previous inspectors considered this issue, *CRP* was not well served by public transport. Several routes now serve the site, with a reasonably frequent service to the suburbs of Kidderminster and Bewdley and direct links to the town centre. There is no doubt that *CRP* has become much more accessible by public transport in recent years. However, to some extent, this has merely rectified a previously poor situation and ensured that, as an *out-of-centre* location, *CRP* has better public transport accessibility. Although there are direct bus links to the town centre, this does not mean that *CRP* functions as an *edge-of-centre* site. On the contrary, it could suggest that it lies so far from the main town centre that buses have to provide the link. In some ways, this position is supported by *WFDC* in its discussions to provide a new Park-and-Ride site using the existing car park at the northern end of the retail park.
- 13.67 In considering these matters, I have taken account of the various appeal decisions referred to. These confirm the need for some flexibility of approach, especially in terms of the distance and physical barriers between an *edge-of-centre* site and the *Primary Shopping Area*. The 300m distance quoted in PPG6 is clearly not prescriptive or an absolute limit in terms of walking distance. However, all these decisions were made in the context of the particular circumstances of the cases and the characteristics of the town centres, which may be very different from Kidderminster. Moreover, they confirm that the factors outlined in PPG6 remain relevant when determining whether a particular site is an *edge-of-centre* or *out-of-centre* location.
- 13.68 I am also aware of the proposals to use the former *Homebase/B&Q* store as a multi-screen cinema, with restaurants, along with a non-food retail store. By the time the inquiry had closed, *WFDC* had confirmed its support for this proposal, subject to referring it to *GO-WM* as a departure from the development plan. I am not aware of the outcome or current position on this proposal. If it went ahead, it could strengthen the role and function of *CRP* as a retail and leisure facility, contributing to the entertainment and night-life of the

town, with the possibility of more linked trips to the town centre. In this context, I note that, for leisure trips, PPG6 indicates that people may be prepared to walk further. However, I cannot see that it would necessarily be appropriate to alter the *out-of-centre* status of *CRP*, especially bearing in mind that the site of this proposal is at the northern extremity of the retail park, furthest from the *Primary Shopping Area*. Consequently, the possibility of this proposal coming to fruition does not persuade me that it would significantly influence the status and location of *CRP* in retailing terms.

- 13.69 It also confirms the difficulty of amending the Plan in the way these objectors suggest, since the identification of the whole of *CRP* as an *edge-of-centre* location would result in a very extensive area, extending over 600m from the *Primary Shopping Area* and encompassing large areas of car parking and access roads a considerable distance outside the main part of the town centre.
- 13.70 Having considered this matter very carefully, I conclude that to some degree, *Crossley Retail Park* functions as an *edge-of-centre* site, in terms of car parking and providing the opportunity for linked trips. It also has a relationship with the town centre in functional and retailing terms. However, in physical, practical and retail policy terms, it is more appropriately designated as an *out-of-centre* location, principally because of the distance from the *Primary Shopping Area*, the physical barrier to pedestrian movement caused by the dual-carriageway Ring Road and the break in development, the lack of attractiveness of the route between the retail park and the town centre, and the layout and function of the retail park. In any event, in terms of the Plan's retail strategy and policies, the distinction between *edge-of-centre* and *out-of-centre* locations may not be all that great, since proposals in both locations would have to demonstrate a need for the development and the lack of suitable sites within the town centre. Consequently, I consider no amendments are necessary to Policy RT.4 or the accompanying text as a result of these objections and that *Crossley Retail Park* is appropriately designated as an *out-of-centre* retail location.

Recommendation

13.71 I RECOMMEND no modifications to the Local Plan in response to these objections.

Co-op Foodstore, Lombard Street, Stourport-on-Severn

Objections First Deposit 631/002 – West Midlands Co-operative Society Ltd.

Revised Deposit There are no objections at the Revised Deposit stage.

Key issues

- Should the *Co-op* store at Lombard Street, Stourport be designated as an *edge-of-centre* store or be included within the *Primary Shopping Area* of Stourport town centre.

Main considerations and Inspector's conclusions

- 13.72 The *Co-op* store is a modern foodstore, built over 11 years ago, fronting Lombard Street and Tan Lane, at the northern end of Stourport town centre. Adjoining a car park with over 150 spaces, it carries a wide range of food and general groceries, along with the relocated town centre post office. *Co-op* essentially seeks to include the store within the *Primary Shopping Area (PSA)* of Stourport town centre, rather than being defined as an *edge-of-centre* store, arguing that this would meet the *MVM Study's* recommendations, protect the convenience role of Stourport town centre and recognise the importance of

Lombard Street and particularly the *Co-op* store in terms of the vitality and viability of the centre. *WFDC* explains that the status of Stourport town centre has changed from a *District Centre* in the adopted *WFDLP [CD74]* to a *Town Centre* in this Review. This has led to a redefinition of the *Primary & Secondary Shopping Areas*, focusing the principal retail area along High Street, in order to maintain its continued strength as a magnet for linked shopping trips.

- 13.73 I understand that when the store was permitted, it lay within the *PSA* and within the designated town centre in the adopted Local Plan *[CD74]*. In the emerging Local Plan, the boundary of the town centre is not actually defined and the store lies outside the *PSA*, specifically designated as an *edge-of-centre* store, subject to the provisions of Policy RT.4. Policy RT.1 (¶ 13.24B) defines the *town centre* in retailing terms as the *PSA*, but does not define the boundary of the town centre. Policy RT.4 defines the *Co-op* store as an *edge-of-centre* store, outside, within 300m of the *PSA*. This accords with PPG6 (Annex A), but does not seem to reflect the significance of the store to the town centre in terms of convenience shopping.
- 13.74 Furthermore, this approach has several consequences for Lombard Street and the *Co-op* store in particular. Firstly, it significantly reduces the extent of the *PSA* compared with that in the adopted *WFDLP [CD74]*, restricting the main shopping area to High Street and the southern end of Lombard Street. Secondly, it excludes all the main town centre foodstores (*Co-op, Tesco, Lidl & Kwiksave*) from the *PSA*. This is particularly significant in view of the principal function of Stourport as a *convenience* shopping centre, as reflected in the *MVM Study [CD99]* and the aims of this Local Plan. There is little dispute that the main foodstores are one of the main shopping “magnets” which attract shoppers to the centre and facilitate linked trips. They account for 70% of main convenience shopping trips and have an important role in supporting the *PSA*. Their exclusion from the *PSA* could undoubtedly have some significance to the overall vitality and viability of the town centre, especially when considered in the light of the implications of the retail policies in this Local Plan.
- 13.75 It is also particularly relevant in the case of the *Co-op* which, at 1,850 sq m (net), is the largest of Stourport’s foodstores and indisputably makes a significant contribution to the overall vitality and viability of the town centre, as confirmed in the *MVM Study [CD99; ¶ 3.48]* & emerging *WFDLP (¶ 13.3)*. The *MVM Study [CD99; ¶ 3.41]* also confirms that Lombard Street is one of the principal shopping streets for convenience retailing in the centre, underpinned by the *Co-op* store. However, these factors on their own do not mean that the *Co-op* store, or any of the other peripheral foodstores, should necessarily be included within the *PSA*, simply because of their significance to the convenience role of the centre and in facilitating linked trips. In my view, it is more important to examine the particular characteristics of the town centre within which the store is located and the implications of extending the *PSA* in this location.
- 13.76 In practical terms, it is difficult to justify extending the *PSA* to encompass the *Co-op* store. As I saw on my visit, Lombard Street is very different in its character, nature and quality of retail facilities to that of the main shopping area along the High Street. It has a more mixed character, with secondary and ancillary retail uses, such as specialist retailers, launderette, night-club, hairdressers, hot-food take-away, insurance brokers and car sales. Most of the units tend to be small and there are breaks in the retail frontage, reflecting its more peripheral location, with the narrow footways and distance from the main bus stops. This contrasts with the main part of High Street, with its national multiples and local retailers, wide range of comparison shops, banking and other facilities, and proximity to bus stops. The extension of the *PSA* to cover this enlarged area would incorporate an area of secondary retailing, diminishing and detracting from the focus on the main High Street,

- and unjustifiably extending the main retail core. It would also raise the question of whether the *PSA* should be further extended to encompass the *Tesco* store to the north.
- 13.77 The definition of Lombard Street in the WFDLP as a *Secondary Shopping Area* reflects a similar approach to other peripheral locations such as York Street & Bridge Street. In terms of the *Co-op* store, the presence of a large car park and secondary retail units also tend to emphasise its distance (105m) and physical separation, from the main retail core, confirming its location as an *edge-of-centre* facility, closely associated with the main shopping area. Having carefully considered this matter, I am firmly of the view that this stretch of Lombard Street should not lie within the *Primary Shopping Area* of Stourport town centre.
- 13.78 Of course, the consequences of excluding the *Co-op* store from the *PSA* are significant. In terms of the sequential approach in PPG6, it places the store in the same category as other *edge-of-centre* locations within 300m of the *PSA*. It would compete with other sites within and on the edge of the *PSA*, and if retail proposals on these other sites came forward, there would be no guarantee that the individual vitality and viability of this store would be protected. However, the purpose of retail planning policy is to safeguard the vitality and viability of the centre *as a whole*, and I cannot see that the contribution of the *Co-op* store in this regard would be in any way diminished as a result of its *edge-of-centre* location. The same would apply to all the main foodstores in Stourport town centre, so the *Co-op* store would not be at any disadvantage.
- 13.79 Moreover, given the tightly-knit and developed nature of the *PSA*, it is difficult to imagine proposals for a major foodstore coming forward within the main retail core, and so the *Co-op* would be at no greater disadvantage than other foodstores in peripheral locations. Policy RT.4 includes the important tests of need and the sequential approach which would safeguard the contribution that the *Co-op* store makes to the overall vitality and viability of Stourport town centre. I am also satisfied that, at over 100m from the edge of the *PSA*, the *Co-op* store is appropriately identified as an *edge-of-centre* store in terms of PPG6.
- 13.80 At the inquiry, there was some discussion about the validity of the 250 sq m threshold for new retail developments, including extensions, outside the *PSA*. I have dealt with this matter under Policy RT.4 (see above). There are no new issues raised in the site-specific element of *Co-op*'s objection. There was also some discussion about the validity of a 300m distance from the *PSA* set out in Policy RT.4. *WFDC* suggested that a distance of 250m might be more appropriate for Stourport. However, I cannot agree with this view, since it would further restrict the distance within which *edge-of-centre* stores could be considered and reduce flexibility. PPG6 (Annex A) suggests that, for shopping purposes, 200-300m would represent easy walking distance. Even bearing in mind that Stourport is a relatively small and compact town centre, I can see nothing in its character or nature which would justify an ad-hoc reduction in the 300m distance indicated in Policy RT.4.
- 13.81 The question of whether the extent of the town centre should be defined was also discussed. I have already addressed this point earlier in this section of my report. I recognise that the term *town centre* covers uses other than retailing and the *PSA*, but I am satisfied that the approach of the Plan in defining *Primary & Secondary Shopping Areas* and confirming that, for retail planning, the *Primary Shopping Area* equates to the *Town Centre* is appropriate to the local circumstances and accords with the guidance in PPG6.
- 13.82 It is clearly important to focus the main retailing activity in the main shopping core of Stourport town centre. The designation of *Primary & Secondary Shopping Areas* is supported in PPG6 (Annex B6) and I do not find the approach towards Stourport town centre to be unjustified. I realise that the *MVM Study [CD99]* did not recommend reducing the extent of the *PSA* in Stourport, but I am satisfied that local circumstances and

the changed retail status of the centre justifies an approach which concentrates the core shopping area within the most appropriate location, in order to avoid any diminution of retail activity within the *PSA* and an over-concentration of retail development on sites outside the main retail areas. I realise that this approach may put sites like the *Co-op* store in a slightly less advantageous position in terms of its retail status and the sequential approach. However, given the flexibility within Policy RT.4, I cannot see that this operator would be unreasonably disadvantaged in terms of future retail developments. Consequently, I conclude that no changes to the extent of the *Primary Shopping Area* in Stourport town centre or Policy RT.4 should be made in response to this objection.

Recommendation

13.83 I RECOMMEND no modifications to the Local Plan in response to this objection.

POLICY RT.5: RETAIL PARKS AND MAJOR STORES

Objections First Deposit 559/003 – B & Q plc; 615/003 – Sainsbury’s Supermarkets Ltd; 622/002-003 – Coal Pension Properties Ltd.

Revised Deposit 615/103 – Sainsbury’s Supermarkets Ltd; 622/100 – Coal Pension Properties Ltd; 656/101 – B & Q plc.

Key issues

- Does Policy RT.5 comply with national guidance in PPG6 and other retail policies in the Plan, particularly in terms of its negative and inflexible approach, the sequential test, and approach to the removal of conditions restricting the range of goods;
- Is Policy RT.5 unduly restrictive, with insufficient flexibility to allow *out-of-centre* sites to adapt to new retailing or accommodate other large-scale leisure and town centre uses;
- Is it appropriate to consider changes of use outside Class A1 on their merits;
- Should *Crossley Retail Park* be designated as an *edge-of-centre* retail location, rather than as an *out-of-centre* site.

Main considerations and Inspector’s conclusions

13.84 Policy RT.5 sets out the policy towards *out-of-centre* retail proposals, including the removal of conditions restricting the range of goods and sub-division of units, changes of use from Class A1, and the establishment of new stores and extensions to existing *out-of-centre* retail premises. The RDLP adds the requirement for new stores and extensions, along with the removal of conditions, to demonstrate a need for the development and that such proposals cannot be located within the *Primary Shopping Areas* or *edge-of-centre* locations (*Change No. 176*).

13.85 In my view, the removal of the previous presumption against *out-of-centre* retail development and the confirmation that the sequential approach applies to all proposals for *out-of-centre* retail development, including the removal of conditions and extensions to existing stores, better reflects the policy advocated in PPG6 and, more particularly, the approach subsequently outlined in the 1999 Ministerial statement. It also better reflects the provisions of WCSP Policy D.32, is consistent with the general approach in Policies RT.1 & RT.4, and goes a long way towards meeting these objections.

- 13.86 However, clauses (i) & (iii) of the Policy retain a negative approach for proposals to remove conditions restricting the range of goods sold and the sub-division of retail units. *WFDC* explains that, as a general rule, conditions limiting the range of goods sold are only applied to developments that would otherwise pose an unacceptable threat to the vitality and viability of the town centres. Examples include *Crossley Retail Park* and the new *B&Q* store at Green Street, Kidderminster. PPG6 (¶ 3.11) confirms the acceptability of imposing conditions restricting the range of goods and the sub-division of units, to ensure that *out-of-centre* retail developments do not change over time in ways that might cause an adverse impact on the vitality and viability of an existing centre.
- 13.87 I am aware of the large amount of recent and committed new retail development, especially in and around Kidderminster town centre, and the limited capacity for additional retail floorspace identified in the *MVM Study [CD99]*. *WFDC* confirms that it is unlikely that any proposals to remove “bulky goods” conditions at *out-of-centre* retail locations would be justified. Nevertheless, the final paragraph of Policy RT.5 sets out the approach to considering such proposals, confirming the requirement to demonstrate need and the lack of suitable sites within the town centre and *edge-of-centre* locations. In my view, this properly reflects the approach in PPG6 and the subsequent Ministerial statement.
- 13.88 However, it seems to me that there is some internal inconsistency in the wording of Policy RT.5. Clauses (i) & (iii) indicate that such proposals would not normally be allowed, yet the final paragraph of the Policy indicates that proposals for the removal of conditions will be considered on the basis of need and the sequential approach. In the interests of clarity and to remove any doubt, I consider the wording of the Policy should be amended to remove this apparent inconsistency. However, I am satisfied that the need to demonstrate that *such proposals cannot be accommodated within the Primary Shopping Area or Edge-of-Centre locations* is the correct test and, in practical terms, does not materially differ from having to show that there are *no suitable or available sites within the Primary Shopping Area or in edge-of-centre locations*.
- 13.89 As for accommodating changes in circumstances, PPG6 (¶ 3.11) makes it clear that *out-of-centre* retail locations should not be allowed to change their character unacceptably in ways which would adversely affect the vitality and viability of existing centres. This confirms the limited flexibility in such locations to accommodate large-scale retail, leisure and town centre uses. Such proposals would be considered under the last paragraph of Policy RT.5, which provides sufficient flexibility to accommodate changing circumstances and retailers’ demands. Clause (ii) of the Policy confirms that proposals for changes of use to non-retail uses will be considered on their merits, giving further flexibility. This has been clearly demonstrated by *WFDC*’s consideration of the recent proposals for a multi-screen cinema, restaurants and non-food retail uses at *Crossley Retail Park*.
- 13.90 I have already dealt with the issue of *Crossley Retail Park* under Policy RT.4, earlier in this section of my report. Reference to this existing retail park is made in paragraph 13.37 of the Plan, and in view of my earlier conclusions, I am satisfied that it is appropriately designated as an *out-of-centre* retail location, subject to the provisions of Policy RT.5. In response to *Sainsbury*’s particular point, I note that the entrance to this foodstore is around 600m from the edge of the *Primary Shopping Area*, well in excess of the 200-300m quoted in PPG6, with a relatively unattractive pedestrian route across the car park and Ring Road. This confirms my view that this element of the retail park should also be designated as an *out-of-centre* rather than *edge-of-centre* retail location.
- 13.91 I therefore conclude that, with an amendment to the wording of Policy RT.5, removing the apparent inconsistency in the treatment of proposals for the removal of conditions and

sub-division of retail units in clauses (i) & (iii) and the final paragraph of the Policy, no further changes are needed in response to these objections.

Recommendation

13.92 **I RECOMMEND** that the Local Plan be modified, by amending Policy RT.5 to remove the apparent inconsistency in clauses (i) & (iii) and the final paragraph in terms of considering proposals for the removal of conditions restricting the type of goods and the sub-division of units, but that no further modifications be made in response to these objections.

POLICY RT.6: LOCAL CENTRES

Objections There are no objections to this Policy at the First and Revised Deposit stages.

POLICY RT.7: SMALL SHOP CHANGE OF USE

Objections There are no objections to this Policy at the First and Revised Deposit stages.

POLICY RT.8: OUTSIDE THE IDENTIFIED CENTRES

Objections There are no objections to this Policy at the First and Revised Deposit stages.

POLICY RT.9: PETROL FILLING STATIONS

Objections There are no objections to this Policy at the First and Revised Deposit stages.

POLICY RT.10: DEMONSTRATING “NEED” AT THE COMMUNITY LEVEL

Objections The objection to this Policy has been withdrawn.

POLICY RT.11: FACTORY OUTLETS AND TOURISM SHOPS

Objections First Deposit 245/042 – Kidderminster Civic Society.

Revised Deposit There are no objections at the Revised Deposit stage.

Key issues

- Should Policy RT.11 be less restrictive, allowing factory outlets and tourism shops on their merits.

Main considerations and Inspector's conclusions

- 13.93 Policy RT.11 sets out the criteria for permitting retailing proposals that are ancillary to a factory or tourism facility. It indicates that restrictions may be placed on the range of goods sold and that proposals involving a material change of use to retail (Class A1) will be judged against other relevant retailing policies.
- 13.94 KCS is concerned that this Policy does not unduly restrict struggling local factories or museum shops, and argues that such proposals should be considered on their merits. However, as WFDC says, the retail policies of the WFDLP have to accord with national policy. For factory outlet centres, PPG6 (¶ 3.9-3.10) confirms that the key planning issue is whether such proposals would divert comparison trade from existing town centres, along with accessibility and the extent of car use. However, it recognises that such proposals can have a positive role in revitalising declining shopping centres. The criteria in Policy RT.11 directly reflect this approach, whilst paragraph 13.45 specifically recognises the valuable function of such facilities in strengthening both the urban and rural economy. As WFDC says, retailing at existing factories and tourist facilities should clearly be ancillary to the main activity, otherwise the sequential approach set out in Policy RT.1 would apply. Consequently, it seems to me that Policy RT.11 would permit modest proposals for retailing at existing factories and tourist facilities without imposing any unnecessary restrictions or undermining the overall retail strategy of the Plan.

Recommendation

13.95 I RECOMMEND no modifications to the Local Plan in response to this objection.

POLICY RT.12: HORTICULTURAL RETAILING**Objections**

There are no objections to this Policy at the First and Revised Deposit stages.

POLICY RT.13: FOOD AND DRINK

Objections First Deposit 245/043 – Kidderminster Civic Society.

Revised Deposit There are no objections at the Revised Deposit stage.

Key issues

- Should Policy RT.13 indicate that such proposals are not appropriate in residential areas and give greater emphasis to the management of litter.

Main considerations and Inspector's conclusions

- 13.96 Policy RT.13 outlines the approach to proposals for food and drink outlets, including locational criteria and drive-through restaurants. WFDC confirms that it does not wish to prevent the possibility of mixed-uses, subject to appropriate remediation and layouts. In my view, to establish a blanket prevention on food and drink outlets within existing and

proposed residential areas could discourage an appropriate variety of uses within mixed-use projects, contrary to national guidance in PPG1 (¶ 8-12) & PPG6 (¶ 2.11-2.16). In any event, clause (ii)(a) of the Policy would rule out food and drink outlets where they would have a serious adverse impact on residential amenity, whilst clause (iii)(d) would prevent the establishment of drive-through restaurants in residential areas. As for the management of litter, this is covered under clause (ii)(a) of the Policy and in the note about S106 Obligations appended to the Policy. It therefore seems that KCS's concerns would be met by these elements of the Policy, and I conclude that no amendments are necessary in response to this objection.

Recommendation

13.97 I RECOMMEND no modifications to the Local Plan in response to this objection.

RETAILING OMISSIONS

Objections First Deposit 245/040-041 – Kidderminster Civic Society.

Revised Deposit There are no objections at the Revised Deposit stage.

Key issues

- Should the Plan include a policy or text identifying areas for markets;
- Should the Plan include proposals to deal with abandoned shopping trolleys.

Main considerations and Inspector's conclusions

13.98 On the first issue, KCS is concerned about the loss of markets from the town, particularly the cattle market and outdoor market, and considers the Plan should identify sites for possible markets use. WFDC explains that, although the Council provides and operates markets in Kidderminster, such provision is not the responsibility of the local planning authority, and it would be inappropriate to include such a policy in the Plan. At present, I understand that there is an existing indoor market in Kidderminster town centre, along with a retail auction market off Comberton Hill. There is also an outdoor street market in Worcester Street and a farmer's market once a month, with additional provision for a market square within the *Weaver's Wharf* redevelopment scheme.

13.99 Neither WFDC nor KCS is aware of any other proposals to provide cattle, agricultural or other markets in the town, and agree that it would be difficult to identify a specific site for, as yet, unknown proposals. If any proposals for markets come forward during the course of the current Plan period, they could be considered under the general terms of Policy RT.1, with a site being identified in a subsequent review of the Local Plan, if necessary. Although markets have an important role to play in contributing to the overall vitality and viability of the town centre, since they are commercial activities, it would be inappropriate to provide for their specific protection in this Local Plan. However, as discussed at the inquiry, I consider it would be appropriate to make some reference to the fact that markets exist in Kidderminster (and in other towns, such as Bewdley). WFDC agrees that the most appropriate place for such a reference would be in paragraph 14.7 of the Plan, in the context of the Town Centres section (Chapter 14), where a link with vitality and viability could be made [LPA/245/040/3]. I recommend accordingly.

13.100 KCS is also concerned about making provision for dealing with abandoned shopping trolleys. However, it is difficult to see how the Plan could include a policy on this matter, since it would be unlikely to have any direct land-use implications. As WFDC says, this is

a detailed matter which would be better considered at the development control stage when development proposals are put forward and where planning conditions could more appropriately address the way in which shopping trolleys are used and controlled. In any event, I understand that several major retailers are actively concerned about this matter, due to the loss and cost of replacing shopping trolleys. I therefore conclude that no amendments to the Plan are needed in response to this element of KCS' objections.

Recommendation

13.101 I RECOMMEND that the Local Plan be modified by including a reference to markets in paragraph 14.7 of the Plan, but that no further modifications be made in response to these objections.

CHAPTER 14: TOWN CENTRES

POLICY TC.1: TOWN CENTRE STRATEGIES

Objections First Deposit 245/044 – Kidderminster Civic Society.

Revised Deposit There are no objections at the Revised Deposit stage.

Key issues

- Should the Policy emphasise the positive attainment of strategy goals, mention the appointment of a Kidderminster Town Centre Manager and requirements for CCTV, and make positive statements about providing bridges instead of subways and provision of more public toilets.

Main considerations and Inspector’s conclusions

14.1 Policy TC.1 is intended to support the town centre strategy of the Plan, following from the *Town Centre Strategies [CD100-102]* and discussions with the *Town Centre Management Forums*. Most of the points raised by *KCS* are already mentioned in the *Kidderminster Town Centre Strategy & Action Plan [CD100]*, either as specific action points, proposals or areas for further investigation. In the main, they are detailed points which are either outside the scope of the Plan, are subject to other legislation or actions of other Council departments, or relate to ideas which are not the subject of specific proposals or are not land-use planning matters. I have dealt with several matters, such as the possibility of replacing subways with bridges across the Ring Road, elsewhere in my report (see Chapter 10). In the light of the guidance in PPG12 (¶ 3.5/3.11/3.14) about avoiding excessive detail in plans and duplicating other legislative regimes, I consider it is not appropriate to specifically refer to these matters in Policy TC.1 of the Plan.

Recommendation

14.2 **I RECOMMEND** no modifications to the Local Plan in response to this objection.

POLICY TC.2: TOWN CENTRE USES

Objections First Deposit 146/001 – GVA Grimley; 292/001 – British Telecommunications plc; 592/030-031 – West Midlands Region RSL Planning Consortium; 632/001 – Brintons Ltd.

Revised Deposit 481/113 – House Builders Federation.

Key issues

- Is the wording of Policy TC.2 ambiguous and unnecessarily narrow and inflexible in terms of the types of uses which will be permitted;
- Should the Policy and paragraph 14.10 indicate that affordable housing should be particularly promoted in the retail core of town centres;
- Paragraph 14.10 (Change No. 178): does the amended text imply that a contribution towards the delivery of affordable housing will be *required* on town centre sites, contrary to *Circulars 6/98 & 1/97*;
- Is the Policy unnecessarily restrictive towards the site of the *Brintons* building on Exchange Street, Kidderminster.

Main considerations and Inspector's conclusions

- 14.3 Policy TC.2 outlines appropriate town centre uses within Primary & Secondary Shopping Areas, within areas defined for *General Town Centre Uses* on the Proposals Map and within the Town Centre Inset areas. Minor changes to the Policy and the accompanying text are made in the RDLP (*Change Nos. 177-180*).
- 14.4 In my view, when read with the explanatory text, Policy TC.2 provides considerable flexibility to consider a variety of appropriate uses in town centre locations, ranging from retail uses within the Primary & Secondary Shopping Areas, to business and community uses within the *General Town Centre Use* areas, and residential uses within the *Town Centre Insets*. This is in line with national advice in PPG6 & PPG13, and reflects WCSP Policies SD.9 & D.13. The amendments to the Policy and accompanying text in the RDLP further clarify the situation and introduce more flexibility. Consequently, I cannot see that Policy TC.2 is ambiguous or inflexible, as claimed by *Grimleys*.
- 14.5 *WMRRSL* considers the Policy and the accompanying text should particularly promote affordable housing in the retail core of town centres, supporting the re-establishment of communities in these areas. In paragraph 14.10 of the RDLP, *Change No. 178* specifically recognises that many town centre sites, especially on the upper floors, are particularly suited to affordable housing. However, to introduce this as a specific requirement of Policy TC.2 could conflict with Policy H.10, and could have implications for car parking, given that some of these sites are within pedestrianised areas. As *WFDC* says, there will undoubtedly be opportunities for affordable housing on town centre sites, but these should be promoted through discussions at the development control stage, rather than being imposed by the Policy. *HBF* is concerned that the revised wording of paragraph 14.10 *requires* affordable housing within these areas. However, it seems to me that the wording merely recognises this possibility, in line with PPG6 (¶ 2.13-2.17), without precluding market housing in these locations or conflicting with the advice in *Circulars 6/98* or *1/97*.
- 14.6 *BT* is particularly concerned about the implications of Policy TC.2 on its town centre sites, arguing for a wider range of uses, including retail, business, commercial and residential uses, within these areas. However, Policy TC.2 already refers to business, commercial, residential and community uses as appropriate within the *Town Centre Insets & General Town Centre Uses* areas defined on the Proposals Map, along with retail uses within Primary & Secondary Shopping Areas. Further flexibility is introduced by the use of the term *normally* in the first sentence of the Policy and in paragraph 14.8 (*Change Nos. 177/179*). This reflects the approach advocated in PPG6 & PPG13 to encourage the diversification of uses in the town centre, whilst at the same time maintaining the vitality and viability of the centre as a whole. It is clearly appropriate to concentrate retail uses within the main shopping areas, in order to prevent fragmentation and maintain the focus of retailing interest. I understand that the sites concerned are automated telephone exchanges in Kidderminster and Stourport town centres, and I am satisfied that Policy TC.2 and the accompanying text provide sufficient flexibility to consider appropriate uses should these buildings become surplus to *BT*'s requirements.
- 14.7 *Brintons* are particularly concerned that the Policy would restrict any potential uses of their offices in Exchange Street, Kidderminster, arguing that it is suitable for other uses within Classes A1, A2 & A3. *Brintons* HQ is a Grade II Listed Building, with a floorspace of over 2,200 sq m and currently used as offices. It was included within the Policy KTC.1 site in the adopted Local Plan [CD74], but does not form part of the current redevelopment proposals. It is not included within this Policy area in the WFDLP, being designated for *General Town Centre Uses* on the Proposals Map. It is physically separate from the *Weaver's Wharf* redevelopment scheme, lying between the Town Hall/Corn Exchange and the library. With new pedestrian links between Market Street and the new

Tesco store, the significance of Exchange Street as a pedestrian route and focus for activity may diminish.

- 14.8 *WFDC* would prefer the building to remain in office use, particularly since it is one of the few commercial office buildings remaining in Kidderminster town centre. However, Policy TC.2 would allow several other uses, including business, community and food/drink premises, helping to promote mixed-uses and providing an element of flexibility. Office uses are clearly appropriate within town centres, as PPG6 (¶ 2.12-2.13 & 2.18) & PPG13 (¶ 20 & 30) confirm. On the other hand, the building is not particularly suitable for retail uses, since this could conflict with the overall retail strategy and Policy RT.1 of the Plan. Although it is in a central position in the town centre, it lies outside the Primary Shopping Area and retail use would not be within the prime shopping areas. Should the current office use cease or the building become surplus to *Brintons*' needs, then I consider Policy TC.2 provides an appropriate basis to consider its future use, with sufficient flexibility to ensure that positive use of the building can be made in the context of its historic value and maintaining a balance of uses within the town centre, consistent with other policies in the Plan. I also note that with the introduction of Class A3 uses at this site, the *T&CP Use Classes Order* would enable changes of use to Class A1 (retail) and Class A2 (financial and professional services) as *permitted development*, giving further practical flexibility in the longer term. Consequently, I conclude that there is sufficient flexibility within Policy TC.2 and national legislation to meet *Brintons*' concerns.
- 14.9 I therefore conclude that no further amendments to Policy TC.2 or the accompanying text are justified in response to the points made by these objectors.

Recommendation

14.10 I RECOMMEND no modifications to the Local Plan in response to these objections.

POLICY TC.3: COMMERCIAL LEISURE FACILITIES

Objections First Deposit 136/032 – Worcestershire County Council (Environ Services);
245/045 – Kidderminster Civic Society.

Revised Deposit There are no objections at the Revised Deposit stage.

Key issues

- Should Policy TC.3 make it clear that the sequential approach to the location of development applies to large-scale commercial leisure facilities;
- Should Policy TC.3 refer to the need to make provision for encouraging the development of a cinema, carpet museum, theatre and the arts within the town centre.

Main considerations and Inspector's conclusions

- 14.11 Policy TC.3 sets out the policy for commercial leisure development, confirming that such proposals will be permitted within Kidderminster town centre on a suitable identified site covered by Policies KTC.1, KTC.3 or KTC.4 (north), and setting out the criteria for considering *edge-of-centre* and *out-of-centre* proposals, along with tourist amusement facilities at Stourport. The RDLP makes a minor amendment to the policy wording,

replacing *large-scale commercial leisure facilities with major new commercial leisure development*, along with a minor amendment to paragraph 14.11 (*Change Nos. 181-182*).

- 14.12 WCC refers to WCSP Policy SD.7, which establishes a sequential approach to development, and points out that although Policy TC.3 identifies sites for major new commercial leisure development on sites in Kidderminster town centre, the rest of the Policy fails to reflect the sequential approach to the selection of sites. WFDC confirms that the Policy establishes a preference for town centre sites, followed by *edge-of-centre* and then *out-of-centre* sites where this involves the redevelopment of an existing retail complex. This reflects WFDLP Policy LR.17, PPG6 & PPG13.
- 14.13 However, although it is the intention of the Policy to follow a sequential approach to the location of major new commercial leisure developments, the wording of the Policy does not actually reflect this approach. In its written evidence, WCC suggests rewording the Policy [*O/TC.3/136/032/1*], and WFDC accepts this revised wording in its rebuttal [*LPA/136/032/TC.3/1*]. The amended wording would confirm that the sequential approach applies to this type of development, in line with PPG6 (Annex A), and I recommend accordingly. The agreed wording is as follows:

“Subject to other material considerations and policies, major new commercial leisure development such as cinema and ten-pin bowling facilities will be allowed where the development is within Kidderminster town centre on a suitable identified site (KTC.1, KTC.3 or KTC.4 (north)). Where it can be demonstrated that there is no suitable site in the town centre, the following sequential approach will be adopted to establish whether a suitable alternative site exists: an edge-of-centre site, defined as within 500 metres of the Primary Shopping Area; and only then an out-of-centre location and even then only where it involves a change of use at an existing out-of-centre retail complex. Proposals involving amusements associated with tourism at Stourport-on-Severn will be considered on their merits having regard to the Policies of this Plan”

- 14.14 KCS is concerned about the lack of a cinema in the current redevelopment proposals, along with a carpet museum, theatre/concert hall/arts centre/art gallery, and suggests that the Policy should be more lenient towards non-commercial leisure facilities. I have dealt with this matter before in terms of leisure and recreation facilities (see Chapter 11 of my report). National policy in PPG6 makes no distinction between commercial and non-commercial leisure facilities, and both types tend to have similar traffic-generating implications and accessibility requirements. However, strictly speaking, Policy TC.3 only applies to *commercial* leisure facilities. The development of arts, entertainment and museum facilities is covered by Policy LR.16, allowing such proposals within the town centre, or failing that, on *edge-of-centre* sites or within district centres. Consequently, while I fully agree with the need to encourage museums and arts facilities, I consider that these types of facilities are better addressed under Policy LR.16 than under Policy TC.3. Consequently, no further amendments are needed to Policy TC.3 or the accompanying text in response to this element of KCS’s objection.

Recommendation

14.15 I RECOMMEND that the Local Plan be modified by amending Policy TC.3 in accordance with the agreed wording included in WCC’s evidence [*O/TC.3/136/032/1*] and set out in paragraph 14.13 above, but that no further modifications be made in response to these objections.

POLICY TC.4: KEY MOVEMENT CORRIDORS

Objections

There are no objections to this Policy at the First and Revised Deposit stages.

POLICY TC.5: TOWN CENTRE CAR PARKING AREAS

Objections First Deposit

66/011 – Mr G Angell; 136/033 – Worcestershire C C (Environ Services);
612/001 & 006 – Charterhouse Shopping Centre Fund & Ashcroft Estates Ltd;

Revised Deposit

There are no objections at the Revised Deposit stage.

Key issues

- Does Policy TC.5 reflect the Plan's objectives of integrated traffic management and promoting improvements to pedestrian mobility;
- Should Policy TC.5 provide for a reduction in town centre car parking rather than safeguarding existing provision;
- By allowing development on town centre car parks only if an increase in car parking provision occurs, does Policy TC.5 conflict with WCSP Policy T.3;
- Should Policy TC.5 seek to make use of S106 Obligations to expand capacity and enhance existing car parks;
- Should the *Swan Centre* multi-storey car park be designated within the *Primary Shopping Area*.

Main considerations and Inspector's conclusions

14.16 Policy TC.5 safeguards specific areas in the town centres for car parking purposes, identified on the Proposals Map, and does not allow the development of these sites without replacement on-site provision. It also confirms that S106 Obligations may be used to enhance and expand car parking capacity where off-site parking is involved, including the use of a *Car Park Management Agreement*.

14.17 I have dealt with the question of car parking in Kidderminster town centre under Policy TR.18 earlier in my report (see Chapter 10). My conclusions in that section are relevant here, particularly in terms of providing further information on car parking provision to serve Kidderminster town centre (see paragraph 10.69). *Mr Angell* argues that safeguarding existing car parking provision does not help to achieve the Plan's objectives of integrated traffic management and improved pedestrian mobility, and would foster self-defeating traffic generation. He argues that car parking in town centres should be reduced by 20% and linked to workplace parking charging.

- 14.18 *WFDC* explains that Policy TC.5 safeguards existing car parking spaces in town centres, particularly for short-term shoppers (as confirmed in para 14.15), in order to maintain their vitality and viability, in line with PPG6 (¶ 2.27/2.32). Policy TC.5 is one of a package of measures to promote access to town centres, in line with PPG13 (¶ 51), and promote sustainable transport choices, as reflected in Policies TR.1, TR.2, TR.6, TR.7 & TR.20. Improvements in the quality and frequency of bus services, and the promotion of cycling and walking, are envisaged through the *Bus Quality Partnership*, *Wyre Forest Cycle Strategy [CD98]*, *WCC's* emerging *Walking Strategy* and other strategies in the *WLTP [CD64]*. Other initiatives include Park-and-Ride sites at Stadium Close and *Crossley Retail Park*, along with the additional facilities for cyclists. *WFDC* confirms that it has no intention of reducing the number of car parking spaces in Kidderminster town centre, since this could adversely affect its vitality and viability in retail, leisure and other terms. Parking provision will be reviewed in 2004 when redevelopment schemes are completed.
- 14.19 It therefore seems to me that safeguarding existing car parking spaces in town centres is an important part of a balanced strategy to improve access and maintain the vitality and viability of town centres, whilst promoting sustainable transport choices and improvements in public transport accessibility and services. *Mr Angell's* 20% reduction figure has no sound basis and is based on no surveys of use or occupancy of car parking spaces. The importance of providing sufficient town centre parking is an emotive local issue and needs to be seen in a balanced and objective manner, having regard to national guidance in PPG6 & PPG13, along with WCSP policies and other strategies.
- 14.20 *WFDC* confirms that it has no immediate plans to introduce workplace parking charges, in view of the lack of guidance at national and county-wide level. The *WLTP [CD64; p.144]* confirms that West Midlands authorities recognise the part that workplace parking levies may have in tackling congestion and pollution. However, problems vary across the region and the current *WLTP* includes no proposals to introduce such charges within this District. PPG13 indicates that it is for individual LTPs to determine transport priorities and, in these circumstances, I consider it would be wholly inappropriate to introduce workplace parking charges in an ad-hoc, unstructured or unjustified manner.
- 14.21 As for the alleged incompatibility of Policy TC.5 with the Plan's key objectives, I cannot see that this is the case, since the objectives referred to relate to integrated traffic management, pedestrianisation and mobility. These are directly related to sustainable transport policies, of which Policy TC.5 is one element in the balanced approach towards improving accessibility to town centres, maintaining their vitality and viability and ensuring that parking provision is to an appropriate and sustainable standard. Consequently, I do not consider that any amendments to Policy TC.5 or the accompanying text are necessary in response to these aspects of *Mr Angell's* objection.
- 14.22 *WCC* argues that, by allowing the development of town centre car parks only with an appropriate increase in on-site car parking spaces, Policy TC.5 conflicts with WCSP Policy T.3. This introduces the concept of demand management measures to limit the use of cars and encourage a shift to public transport, walking and cycling. However, as *WFDC* rightly says, it is important to retain the vitality and viability of town centres by ensuring that they remain attractive to those who arrive by car, entailing the provision of good quality car parking, along with a traffic management strategy and promotion of public transport, as confirmed in PPG6 (¶ 2.27) & PPG13. *WFDC* explains that Policy TC.5 is part of a balanced approach towards managing car use within the District's town centres, requiring development proposals to replace lost car parking spaces.
- 14.23 Particular reference is made to Kidderminster, where there have been difficulties over the loss of car parking spaces, particularly long-stay parking, as a result of redevelopment schemes. I have addressed this point in Chapter 10 of my report (Policy TR.18). The

provision of additional retail floorspace, such as that at *Weaver's Wharf*, will inevitably place greater demand on car parking spaces and movement in and around the town centre. In overall terms, the redevelopment of the town centre will result in a significant reduction in the ratio of floorspace to car parking spaces. As *WFDC* says, to propose any further reduction in the number of car parking spaces could have implications for the overall vitality and viability of the town centre, even taking account of measures to encourage better public transport. Since the *WCSP* should allow for local interpretation to reflect particular circumstances, it seems to me that Policy TC.5 properly addresses the specific situation in Kidderminster and other town centres in Wyre Forest District, as part of a package of measures to ensure that sufficient car parking is provided to maintain the prosperity of the town centres, whilst promoting public transport and other non-car transportation measures. Consequently, I cannot see that this Policy undermines the general context of a demand management strategy advocated in *WCSP* Policy T.3.

- 14.24 PPG13 (¶ 83-86) provides guidance on the use of S106 Obligations for transport improvements, discouraging their use in seeking commuted payments based purely on the lack of car parking on the site. *Charterhouse* challenges the use of S106 Obligations in Policy TC.5 to seek commuted sums to provide additional car parking spaces. *WFDC* acknowledges that the system of seeking commuted sums in lieu of parking provision set out in Policy TC.11 of the adopted Local Plan [*CD74*] would not comply with the guidance in PPG13 and is fundamentally different from the approach in Policy TC.5.
- 14.25 I understand that the main purpose of this element of Policy TC.5 is to enable developers to improve the standard of nearby car parks to avoid discouraging developers from locating in the town centre. Many town centres rely on off-site car parks, and their attractiveness and efficient operation is an important part of a balanced approach to parking and transport provision. Development proposals at or adjoining an existing car park might include improvements to existing car parking provision, either in terms of quality or quantity, benefiting the new development and the town centre generally, in line with PPG6 (¶ 2.31). This is particularly important in Kidderminster, where recent developments have resulted in a reduction of car parking spaces, and where further losses could adversely affect the vitality and viability of the centre as a whole. It therefore seems to me that Policy TC.5 appropriately places the emphasis on maintaining and enhancing the existing stock of car parking spaces in and around the town centre, without seeking commuted payments or conflicting with PPG6 & PPG13. As such, it forms part of a balanced approach towards parking in the town centres, in accordance with the requirements of Policy TR.18, without referring to the possibility of commuted payments in lieu of on-site parking provision. Consequently, no amendments to this element of the Policy are needed in response to *Charterhouse's* objection.
- 14.26 *WFDC* confirms the importance of the *Swan Centre* multi-storey car park, providing over 400 spaces for shoppers. On the Proposals Map, the car park is safeguarded for car parking, but is also included within the *Primary Shopping Area*, reflecting the current planning permission [*WF.0043/00*] for retail development on the ground floor. *WFDC* also confirms that the second sentence of the first paragraph of Policy TC.5 would not apply to the ground floor of this multi-storey car park. In order to avoid any doubt, I consider it would be helpful if this confirmation is given in the accompanying text.
- 14.27 *Charterhouse* originally welcomed this designation, but in later representations object to the inclusion of the car park in the *Primary Shopping Area*, preferring a designation within the *Secondary Shopping Area* and the flexibility to provide Class A2 & A3 uses. *WFDC* explains that, within the *Primary Shopping Area*, Policy RT.2 provides a criteria-based approach to proposals for Class A2 & A3 uses, whilst Policy TC.2 does not normally allow uses outside Class A1, A2 & A3, but neither policy rules out Class A2 & A3 uses within *Primary Shopping Areas*.

- 14.28 It is clear from my visits that the *Swan Centre* multi-storey car park lies at the heart of the main shopping area of Kidderminster town centre, adjoining the shopping centre itself, even bearing in mind recent retail developments to the south and west. It is totally different from the nearby *Secondary Shopping Areas*, such as *Blackwell Street*. PPG6 (¶ 2.19) emphasises the importance of Class A3 uses in adding variety and vitality to town centres and, in my view, the policies applicable to the *Swan Centre* car park reflect this approach to encouraging mixed uses in town centres. When read in the context of Policies TC.2, RT.2 & RT.13, I consider the Plan provides sufficient opportunities and flexibility to enable Class A2 & A3 uses to be located on the ground floor of the *Swan Centre* multi-storey car park, consistent with PPG6 & PPG13, without being unduly onerous or prejudicing the viability of any redevelopment scheme.
- 14.29 I therefore conclude that, apart from confirming in the accompanying text that the second sentence of the first paragraph does not apply to the *Swan Centre* multi-storey car park, no amendments are needed to Policy TC.5 or the accompanying text in response to these objections. I also draw attention to my recommendations on Policy TR.18 (see Chapter 10; ¶ 10.69 of my report) indicating that further information on car parking provision serving Kidderminster town centre should be included in the text accompanying Policy TC.5.

Recommendation

14.30 **I RECOMMEND** that the Local Plan be modified by amending the text accompanying Policy TC.5 to confirm that the second sentence of the first paragraph of Policy TC.5 does not apply to the ground floor of the *Swan Centre* multi-storey car park, but that no further modifications be made in response to these objections.

POLICY KTC.1: KIDDERMINSTER TOWN CENTRE REDEVELOPMENT AREA

Objections First Deposit 245/048 – Kidderminster Civic Society.

Revised Deposit There are no objections at the Revised Deposit stage.

Key issues

- Should the Policy or accompanying text refer to other appropriate uses for the site and mention important buildings to be retained, particularly the *Piano* building.

Main considerations and Inspector's conclusions

- 14.31 Policy KTC.1 sets out the detailed policy for the redevelopment of an area immediately to the west of the town centre, known now as *Weaver's Wharf*. A *Tesco* supermarket, with car parking, has recently opened on the southern part of the site, along with a bus station, and at the time of the Local Plan inquiry, the northern section was being redeveloped. In the RDLP, minor changes have been made to the wording of the Policy and paragraph 14.20 (*Change Nos. 183-184*).
- 14.32 *KCS* is interested in the development of this key town centre site and feels that the *Piano* building should be specifically mentioned and retained. Other uses, such as those enhancing the evening economy, along with improved access from the north end of the site, could also be considered. However, as *KCS* admits, the development of this site is now well underway, with most of the key land uses established. Indeed, Policy KTC.1 has

been substantially reworded from the policy in the adopted Local Plan [CD74] to reflect the agreed pattern of development. Important buildings to be retained, including *Slingfield Mill* and the *Piano* building, are identified in the approved Planning Brief for the site [CD131], and clause (iii) of Policy KTC.1 would encourage their beneficial use. Other uses, such as leisure and recreation, arts and commercial leisure uses and an hotel, are covered under clause (i) of the Policy. I understand that access from the north is similar to that which existed to serve the Pitts Lane car park, via Lower Mill Street and Crown Lane. I note the *CABE* press release on the *Piano* building, but I do not consider that the Plan needs to be any more specific about the future use and retention of this key building.

- 14.33 Most of *KCS*'s concerns have been overtaken by events in terms of the redevelopment of this key town centre site, and detailed matters will be the subject of development control. Consequently, I cannot see that any further amendments to the Policy or the accompanying text are necessary in this case.

Recommendation

14.34 I RECOMMEND no modifications to the Local Plan in response to this objection.

POLICY KTC.2: BROMSGROVE STREET

Objections First Deposit 245/049 – Kidderminster Civic Society.

Revised Deposit There are no objections at the Revised Deposit stage.

Key issues

- Should land to the south of this site be designated for retail or general town centre uses.

Main considerations and Inspector's conclusions

- 14.35 Policy KTC.2 safeguards land adjacent to Bromsgrove Street for car parking, open space and service roads. *KCS* does not object to this Policy, but asks whether land to the south should be allocated for retail or general town centre uses. The land in question lies to the north of Lion Square, including *The Barrel PH* and a warehouse. *WFDC* explains that Policy KTC.2 is intended to relate solely to the area identified on the Proposals Map. In this case, there are no specific proposals for the land to the south and this area remains unallocated on the Proposals Map. Not all areas within the town centre have designated land uses, and within such areas, development proposals would be considered in the light of relevant policies in the Plan. In these circumstances, I am satisfied that this land should not be incorporated within the Policy KTC.2 notation or allocated for specific land uses.

Recommendation

14.36 I RECOMMEND no modifications to the Local Plan in response to this objection.

POLICY KTC.3: WORCESTER STREET ENHANCEMENT AREA

Objections First Deposit 245/050 – Kidderminster Civic Society; 368/025 – English Heritage;
483/001 – Mr R Matthews.

Revised Deposit There are no objections at the Revised Deposit stage.

Key issues

- Should the Policy give greater encouragement to mixed-uses within the Worcester Street Enhancement Area, particularly for the former Magistrates Court building;
- Should the Policy retain the best parts of the building and not just the façade;
- Should the *Woodward Grosvenor* building be retained as a heritage building, ideally for a carpet museum.

Main considerations and Inspector’s conclusions

- 14.37 Policy KTC.3 sets out the detailed policy for the Worcester Street Enhancement Area, indicating a suitable mix of town centre uses, including retailing and associated uses, business, leisure and recreation and residential. In the RDLP, the wording of the Policy and the accompanying text has been amended to refer to the *best parts* of the Magistrates Court building (*Change No. 185*).
- 14.38 KCS is concerned that the former Magistrates Court should be used for mixed-uses, rather than solely for offices. This building, with its impressive façade, is specifically mentioned in clause (iii) of the Policy. The accompanying text acknowledges the unique opportunity presented by this building at this important gateway to the town centre, and encourages a comprehensive scheme to secure a high quality redevelopment or re-use of the building, retaining the best parts of it, including the façade. Policy KTC.1(i) lists a range of potential uses, requiring a *suitable mix* of town centre land uses, with further guidance on the form, nature and requirements for any redevelopment scheme or re-use of the buildings. To require a specific mix of uses could, in my view, inhibit the positive re-use or redevelopment of the former Magistrates Court. It is therefore clear to me that the Policy and accompanying text provide sufficient detailed guidance and encouragement to secure a comprehensive re-use or redevelopment of the building with a range of suitable uses suggested.
- 14.39 *English Heritage* would like to see a scheme that re-uses the best parts of the building, rather than just the façade. This point is covered in the amendment to clause (iii) of the Policy and paragraph 14.22, which specifically requires developers to retain or incorporate *the best parts of the building*, including the façade (*Change No. 185*). Consequently, no further amendments are needed in response to this objection.
- 14.40 *Mr Matthews* is keen to retain the *Woodward Grosvenor* building as a heritage site for a carpet museum. Policy KTC.3 aims to retain the best parts of this building, including its façade, and does not rule out the possibility of retaining the whole of it for heritage uses. However, I am not aware of any firm, or even tentative, proposals to use the building as a

carpet museum, and so it would be inappropriate to include a specific proposal along these lines in the Local Plan, having regard to the advice in PPG12 (¶ 3.12). As *WFDC* says, any proposals involving the use or conversion of this building for a museum or other heritage purposes would be considered under Policy KTC.3 and other relevant policies.

14.41 Consequently, I conclude that no further amendments are needed to Policy KTC.3 or the accompanying text in response to these objections.

Recommendation

14.42 I RECOMMEND no modifications to the Local Plan in response to these objections.

POLICY KTC.4: GREEN STREET MIXED-USE AREA

Objections The objection to this Policy has been withdrawn.

PROPOSALS MAP: INSET 3 - KIDDERMINSTER TOWN CENTRE

Objections First Deposit 245/005 – Kidderminster Civic Society

Revised Deposit There are no objections at the Revised Deposit stage.

Key issues

- Should the Proposals Map be amended to designate areas left unallocated in Kidderminster town centre for specific purposes.

Main considerations and Inspector’s conclusions

14.43 *KCS* notes that several areas within Kidderminster town centre remain unallocated on the Proposals Map and asks whether this should be reconsidered. PPG12 (¶ Annex A26) confirms that the Proposals Map should identify the areas where specific policies and proposals apply, especially where specific land uses and development control policies will be applied. Since there are no specific proposals or preferred land uses in these unallocated areas, it is unnecessary to identify or designate these areas. In the meantime, *WFDC* confirms that any development proposals would be considered in the light of relevant policies in the Plan, including those relating to Kidderminster town centre. Consequently, I conclude that no amendments are needed in response to this objection.

Recommendation

14.44 I RECOMMEND no modifications to the Local Plan in response to this objection.

POLICY STC.1: LICHFIELD BASIN (SEVERN ROAD PHASE ONE)

Objections The objections to this Policy have been withdrawn.

POLICY STC.2: CARPETS OF WORTH (SEVERN ROAD PHASE TWO)

Objections First Deposit 638/015 – Arab Investments Ltd.

Revised Deposit There are no objections at the Revised Deposit stage.

Key issues

- The appropriateness and extent of, and need for, an element of Class B1 business development;
- Whether the retail element should comprise a small or medium-sized supermarket, having regard to the need for additional convenience floorspace and the *MVM Retail & Commercial Leisure Study*;
- The phasing of the development, including the housing element, and whether the redevelopment scheme requires a new link road to the Stourport Relief Road or could be developed as an early phase comprehensively with the Lichfield Basin site, having regard to the highways and traffic implications and housing land supply;
- Whether the Policy and accompanying text should specify the retention of certain buildings and structures, taking into account design and conservation issues.

Main considerations and Inspector's conclusions

- 14.45 Policy STC.2 sets out the requirements for the redevelopment of the *Carpets of Worth* site, off Severn Road, Stourport. Amongst other things, it specifically requires a mix of land uses, including Class B1 business and residential development, and confirms that some retail development may also be acceptable. In the RDLP, the Policy and accompanying text is amended to take account of flood risk and Conservation Area issues (*Change Nos. 191-193*).
- 14.46 This site lies to the east of Stourport town centre and covers about 6ha, at present mainly occupied by former carpet factory buildings. It fronts Severn Road, being bounded to the north by Mitton Street/Stour Lane and to the east by the River Stour. The *Cheapside* site (subject to Policy STC.3) lies to the south, and the *Lichfield Basin* site (covered by Policy STC.1) lies to the south-west, both fronting the River Severn and designated for redevelopment with a mix of uses. I understand that the 1996 adopted Local Plan [CD74] allocated this site for employment development. WFDC has reviewed that allocation and the site is now identified for a mix of uses, including business and residential development, along with some retail development. The *Severn Road Development Brief [CD103]*, approved in July 2001, also covers this site.
- 14.47 *Arab Investments* fully supports the principle of a mixed-use redevelopment of this site. Indeed, there is considerable agreement between the parties, confirming that the site is no longer suitable solely for employment uses, the need for a strategic vision for the wider area, including this site and the adjoining *Cheapside* and *Lichfield Basin* sites, the appropriateness of residential and retail uses on the site, and its sustainable location, within easy walking distance of the town centre and public transport. I have already dealt with the question of phasing the housing element of the scheme (see Chapter 3), and with

- the general case for a larger supermarket on this site (see Chapter 13). In this section, I concentrate on the appropriateness and extent of, and need for, a business element, the size of the retail element, the overall phasing of the scheme, including the justification for a link road to the Stourport Relief Road, and the retention of various buildings.
- 14.48 Policy STC.2 requires an element of Class B1 business development to be incorporated within the redevelopment of this site, but does not prescribe its nature, extent or location. The possible location and extent of business development is shown in the *Development Brief [CD103; Plan 6]*, but this is only illustrative and does not form part of the Local Plan. Although paragraph 14.31 of the WFDLP indicates that the largest single land use on the site will be residential, *WFDC* envisages the site being split equally between residential, retail and business uses. *Arab Investments* argues that the business element would not be viable in the current market, leaving a void in the development, discouraging the redevelopment of the site, lengthening the disposal period and representing a high risk strategy. *Humberts'* assessment of the site in employment terms shows little interest in office development, particularly speculative development, points to more suitable locations, and finds no demand for this type of development in Stourport.
- 14.49 However, both parties agree about the importance of getting the balance of land uses right on this site and in Stourport generally. *Arab Investments* also agrees that Stourport should provide some employment development. The inclusion of a business element on this site helps to reflect the emphasis on retaining a balanced pattern of development in Stourport, consistent with WCSP Policies SD.5 & SD.9, and reflecting the approach advocated in PPG3 (¶ 49-51), PPG6 & PPG13 (¶ 30). It also reflects WCSP Policy D.13 which encourages mixed-use developments. In this context, I understand that the *Carpets of Worth* site was formerly a major employment site in the town, and it is important to avoid losing the balance between housing, retail, employment and other uses in Stourport.
- 14.50 Reference is made to the poor market conditions for business development in Stourport, but this is countered by *WFDC's Economic Development & Tourism Manager* who offers a more optimistic view, especially when related to the Stourport Relief Road and other nearby redevelopment projects. I recognise that Stourport may not be one of the main locations for office development in this area, and it lies away from the main motorways and strategic routes. However, it is only a short distance from Kidderminster, along one of the main transport and industrial/business corridors. It may lack some high quality facilities, but I do not consider that an element of Class B1/office development on this site would necessarily be out of place or unpopular if properly marketed in the district/local context. I note the comparison with *Sandy Lane Industrial Estate*, but this provides for a different type of industrial and commercial development, rather than high quality offices or other business uses as envisaged on this site.
- 14.51 I recognise that, at present, there may not be any specific demand or interest for Class B1 units or offices on this site, but no specific proposals have yet been drawn up. Moreover, I understand that the objector does not rule out some Class B1/office development on this site, and suggests that offices and live/work units might be appropriate as part of the overall scheme. I realise that a retail development on this site would also generate some employment, but this has to be balanced against the impact of such a development on the vitality and viability of the town centre and the need to provide offices and other Class B1 uses within Stourport to maintain the overall balance of land uses in the town. In these circumstances, I cannot see that an element of Class B1 development within this redevelopment would be inappropriate in terms of this Policy.
- 14.52 Furthermore, it is important to recognise the benefits of a mixed-use development incorporating an element of business use in terms of the overall regeneration of this important part of Stourport, adjoining the town centre. Although *Arab Investments* seeks

more flexibility in the Policy, there is a fine balance between certainty and flexibility. Whilst I recognise that there may be more certainty about the residential and retail elements of the project, I consider it is wholly appropriate to establish at the outset that a mixed development, incorporating an element of Class B1 business development would be required, in order to achieve a proper balance of land uses on this site and within Stourport generally. If, as a result of drawing up detailed proposals, it can be clearly shown that the business element is a non-starter, then this could be considered at the planning application stage and in a future review of the Plan.

- 14.53 As for the retail element of the scheme, *Arab Investments*' main point relates to the provision of a *small* or *medium-sized* supermarket on this site. There is no dispute about the appropriateness of a retail element on this site, subject to the overall retail strategy and policies of the Plan; indeed, paragraph 14.31 and clause (i) of the Policy specifically acknowledge this possibility. The main dispute is about the size of any retail development, or more specifically the size of the supermarket. I have dealt with this aspect in general terms in the retail section of my report (see Chapter 13), where I conclude that the possibility of a supermarket larger than 1,067 sq m should not necessarily be ruled out, subject to a justification of need and a full retail assessment following the sequential approach. Policy STC.2 sets no detailed requirements or limits on the scale of any retail development on the site, although paragraph 14.31 envisages it being on the northern part of the site, which *Arab Investments* does not dispute.
- 14.54 I realise that the *MVM Study [CD99]* envisages an emerging need for only a small supermarket in Stourport towards the end of the Plan period, and the WFDLP provides an indication of the likely scale of retail development envisaged. This suggests a need to identify a possible site for a new small supermarket in Stourport should that need arise during the Plan period. Policy STC.2 fully achieves that objective. In addition, since retailing is a dynamic sector of the economy, the WFDLP (¶ 13.24A) confirms that the situation will be regularly monitored. Policies RT.1 & RT.5 provide an appropriate basis for considering any proposals for additional retailing in Stourport, having regard to the need to adopt a sequential approach in line with the guidance in PPG6. The precise size and scale of any retail provision would need to be considered when detailed proposals are drawn up for this redevelopment site. However, I cannot see that Policy STC.2 in any way restricts or inhibits the provision of a new supermarket on this site, subject to assessment against the Plan's retail policies.
- 14.55 In this context, it is relevant to note that this site does not actually lie within Stourport town centre, but is close to it. *WFDC* argues that it is an *out-of-centre* site, whilst *Arab Investments* says it is an *edge-of-centre* site. In either case, Policy RT.4 or RT.5 would apply, but in both cases, the need for the development has to be demonstrated, including the lack of any suitable sites within the *Primary Shopping Area*. Be that as it may, any proposal for a new supermarket of the size envisaged on this site would need to be fully assessed against the sequential approach, including an assessment of retail impact and alternative sites. Nevertheless, there is no dispute that this is an appropriate site for a new supermarket in terms of PPG6 and the sequential approach, and that this is a reasonably accessible site in terms of the town centre and public transport. Consequently, in terms of Policy STC.2 and the accompanying text, I can see no need to make any amendments in relation to the retail element of this redevelopment scheme, since the merits of any proposal would need to be assessed under the relevant retail and other policies of the Plan when detailed plans are drawn up.
- 14.56 As for the phasing of the housing element of the scheme, I have already concluded that this should be brought forward during the latter part of the Plan period, as outlined in Policy H.3 of the Plan (see Chapter 3 of my report). The remaining issue concerns the phasing of the development in general and whether it would require access via a new link

road to the, as yet, unbuilt Stourport Relief Road. In this context, I note that the wording of Policy STC.2 makes no reference to this possibility, but this requirement is specifically mentioned in paragraph 14.30 of the WFDLP.

- 14.57 As I found when considering Policy TR.16 (see Chapter 10), at the time of the inquiry, there was some uncertainty about the implementation of the Stourport Relief Road, since it needs to be fully justified following the results of a study of transportation options for Stourport. The situation may become clearer by the time the Local Plan is adopted, but at present, the line of the new road is safeguarded, but there is no commitment to its implementation in the RDLP. I also note that the *Development Brief [CD103]* confirms that the redevelopment of this site would necessitate considerable alterations and improvements to the existing access arrangements and surrounding infrastructure, including the provision of a new bridge to connect to Discovery Road.
- 14.58 Both parties agree that any proposals for the redevelopment of this site should be subject to a Traffic Assessment. The initial assessment undertaken by *Arab Investments* concludes that a new link to Discovery Road (and eventually to the new Relief Road) is not required, since traffic flows could be accommodated on the existing road network. However, the figures show that the redevelopment of this site would generate substantial increases in traffic (25%+) in the immediate vicinity of the site, along Severn Road, and also along parts of the Stourport Inner Ring Road, along Mitton Street, especially at peak periods. *Arab Investments'* suggested mix of residential and retail development would result in over twice as much traffic being generated compared with that envisaged in Policy STC.2. This is particularly important when seen in the context of the additional traffic generated by the redevelopment of the *Lichfield Basin & Cheapside* sites. Without a new link road to the east, I consider these additional traffic flows would only serve to compound the existing levels of traffic congestion around the ring road, especially at peak periods. This could result in serious transport and traffic difficulties if the site was developed without a commitment to construct the new link road.
- 14.59 Moreover, there are other reasons for requiring this new link road between Severn Road and Discovery Road. Traffic routes between the town centre and the new housing areas to the east need to be improved, including public transport links. Access to the Severn Road area would also benefit from improvement, to avoid congestion in the town centre and improve traffic management, especially bearing in mind the redevelopment proposals for other sites along Severn Road. Although the costings of the new link have not been finalised, *WFDC & WCC* expect the developers to fund its construction, in addition to providing access to the redevelopment sites. *WFDC* also confirms that the redevelopment of this site would not be permitted without a commitment to construct the new link road.
- 14.60 In these circumstances, I consider it is essential for this requirement to be specified within Policy STC.2, rather than being relegated to the accompanying text, in order to confirm and clarify the situation and ensure that prospective developers are in no doubt about the need to provide the new link road. In saying this, I understand that the main access to this site would be off Severn Road, but it is clear to me that an alternative new access to the east would be beneficial, if not essential, for satisfactory redevelopment of this site to take place. These detailed considerations would be addressed in the Traffic Assessment when a planning application is submitted, but in the meantime, I consider Policy STC.2 should include a specific requirement confirming the need for this new link road. I realise that this requirement might introduce some uncertainty and possibly delay the redevelopment of this site. However, the position in respect of the Stourport Relief Road will soon be known and, in the meantime, preliminary proposals can be drawn up in the knowledge that a new off-site road linking to Discovery Road will be needed.

- 14.61 The final issue relates to the detailed requirements of Policy STC.2 to retain various buildings, preserve the character of the Conservation Area and listed buildings, and safeguard the natural assets of the site. There is no dispute about the fact that Stourport-on-Severn is renowned for its canal heritage and townscape, attracting many visitors, along with the presence of the River Severn. The *Carpets of Worth* site adjoins designated Conservation Areas, within which parts of the site actually fall. Moreover, there is little dispute that any redevelopment proposals for this site should respect the heritage of the area and be designed to a high standard. Many of *Arab Investments'* concerns relate to detailed aspects of the redevelopment, reflecting the provisions of the *Development Brief [CD103]*, and are not directly concerned with the wording of Policy STC.2.
- 14.62 Clause (ii) of the Policy requires important buildings to be retained, subject to *other material considerations*. This would require developers to demonstrate that considerations such as the difficulty of finding appropriate uses, outweigh the local conservation value of retaining the existing buildings identified in the *Development Brief*. In my view, this is entirely reasonable. Clause (iii) of the Policy requires the proposals to preserve and enhance the character of the Conservation Areas and the setting of retained buildings. This reflects WFDLP Policy CA.1, which refers to development affecting the setting or views into or out of a Conservation Area, in line with the guidance in PPG15 (¶ 4.14). I understand that some of the buildings identified for retention in the *Development Brief* are not included in the statutory list, but no doubt they have some local importance. If, after drawing up detailed proposals, it is not feasible or practicable to retain these buildings, then *other material considerations* could be invoked to justify their demolition. Consequently, I can see no sound reasons justifying any amendments to these clauses of the Policy. I deal with the other points about the Design policies in Chapter 5 of my report.
- 14.63 I therefore conclude that most of *Arab Investments'* specific concerns in relation to Policy STC.2 are not soundly based. In my view, the Policy provides an appropriate and reasonable basis against which to assess detailed redevelopment proposals without imposing unnecessary or unduly restrictive requirements. Whilst requiring a mix of land uses, including business and residential development and possibly retail development, it does not specify the precise amount, nature and location of these elements and provides some flexibility in terms of detailed layout and design. I am satisfied that an element of business development is important within the overall redevelopment of this site, in terms of the mix of uses not only within this site but in Stourport generally. Similarly, a retail element would also be appropriate, subject to its size and scale and conformity with the overall retail strategy and sequential approach. The provision of a new link road to Discovery Road and ultimately to the Stourport Relief Road (if constructed) is also justified, and should form a specific requirement of Policy STC.2. The other points about clauses (ii) & (iii) of the Policy are detailed matters which can be addressed at the planning application stage.

Recommendation

14.64 I RECOMMEND that the Local Plan be modified by amending Policy STC.2 to include a specific requirement for the provision of a new road linking to Discovery Road as part of the redevelopment of this site, but that no further modifications be made in response to this objection.

POLICY STC.3: CHEAPSIDE (SEVERN ROAD PHASE THREE)

Objections First Deposit 620/008-009 – Tube Plastics Ltd.

Revised Deposit There are no objections at the Revised Deposit stage.

Key issues

- Should reference to the phasing of this site be deleted, or be included in the wording of Policy STC.3;
- Should the references to flooding and contamination be deleted;
- Should the contribution that this site could make to urban regeneration be included as a qualification in Policy STC.3.

Main considerations and Inspector's conclusions

- 14.65 Policy STC.3 outlines the requirements for redevelopment proposals for Phase Three of the *Severn Road Redevelopment Scheme*. The RDLP makes amendments to the Policy and accompanying text to take account of flood risk, conservation issues and the need for improved access arrangements (*Change Nos. 193-195*).
- 14.66 *Tube Plastics* main point relates to the phasing of this proposal. Although the site is identified for a mix of land uses, including business and residential development, it is not included within Policy H.2 for development within the Plan period. I have dealt with the general issue of phasing the residential element of this site under Policy H.3, earlier in my report (see Chapter 3). In that section, I conclude that there is a sound case for deferring any residential development on this site until the end of the Plan period, having regard to the current housing land supply position and the need to ensure a continuing supply of housing land beyond the current Plan period. I have dealt with *Tube Plastics'* other objections under Policies H.10, CA.1 & CY.1 elsewhere (see Chapters 3, 8 & 12).
- 14.67 *Tube Plastics* originally objected to clause (i) of Policy STC.3, which refers to *other material considerations and policies*. In my view, this provides an appropriate context to consider the mix of land uses, giving some flexibility, particularly in terms of releasing the site for housing development. *Tube Plastics* were also concerned about the reference to flooding and decontamination in clause (v). However, I understand that the *Environment Agency's* indicative plans of the floodplain clearly show that a substantial part of this site is within the area of flood risk, and so it is wholly relevant that this matter is referred to in the Policy and accompanying text, in line with the guidance in PPG25. *Tube Plastics* confirm that the site has a degree of contamination associated with the neighbouring *Larch-Lap* factory, so a reference to this matter in clause (v) is also appropriate.
- 14.68 However, an important consideration relating to the phasing of this site is omitted from the wording of Policy STC.3. Paragraph 14.32 clearly indicates that *development for residential uses will only be permitted during the Plan period where required to meet any deficiencies in housing land supply identified as a result of housing land monitoring*. In order to confirm the position and avoid any doubt, I consider this qualification should be

included within the wording of the Policy itself. The wording of the second and third sentences of paragraph 14.32 also needs to be reviewed as a result of *Change No. 193*.

- 14.69 More importantly, there is no dispute about the principle of redeveloping this site for a mixed development of residential and business uses. As I have found when considering this matter under Policy H.3 (see Chapter 3 of my report), it is largely a question of phasing and ensuring an adequate and continuous supply of housing in Stourport, along with avoiding a further over-provision of housing within the current Plan period in terms of WCSP requirements. However, as paragraph 3.16A of the RDLP confirms, in some instances, the redevelopment of *brownfield* sites in the town centres is vital in securing the continued regeneration of the town centres, outweighing any disbenefits arising from potential excess provision of housing.
- 14.70 In this case, the redevelopment of this site with a mix of residential and business uses could have considerable benefits, providing a significant opportunity to redevelop an under-utilised *brownfield* site in a sustainable location, consistent with the aims of national and local planning policies and assisting urban regeneration in Stourport. The site comprises *previously developed land* within an urban area close to the town centre and fully satisfies the criteria in PPG3 (¶ 31). Redevelopment could also enhance the Conservation Area and ensure the preservation of important listed buildings, contributing to the urban renaissance of the area and helping to secure a continuous and adequate supply of housing land, including affordable housing, in the heart of Stourport.
- 14.71 Since the adjoining sites at *Lichfield Basin & Carpets of Worth* have been allocated largely because of their contribution to urban regeneration, it seems reasonable to provide some additional flexibility to allow the *Cheapside* site to come forward earlier, subject to its contribution to urban regeneration. As with the other town centre sites, it may be that such a contribution might outweigh any disbenefits likely to arise from the potential over-provision of housing which may result in terms of the WCSP requirements. This is a matter which can be addressed at the planning application stage when all the relevant detailed information is available.
- 14.72 Consequently, I conclude that these amendments to Policy STC.3 and the accompanying text would go some way towards meeting these elements of *Tube Plastics'* objections, introducing a reasonable degree of flexibility without seriously undermining the housing strategy of the WCSP & WFDLP, and I recommend accordingly.

Recommendation

- 14.73 **I RECOMMEND** that the Local Plan be modified by:
- (i) amending Policy STC.3 to confirm that development for residential uses will only be permitted during the Plan period where it is required to meet any deficiencies in housing land supply identified as a result of housing land monitoring;
 - (ii) amending Policy STC.3 to include a qualification enabling this site to come forward for redevelopment within the current Plan period, provided its contribution to urban regeneration outweighs any disbenefits likely to arise from the potential excess provision of housing in the period up to 2011;
 - (iii) reviewing the wording of the second and third sentences of paragraph 14.32 as a result of *Change No. 193*;
- but that no further modifications be made in response to this objection.

POLICY STC.4: BRIDGE STREET BASINS LINK

Objections

There are no objections to this Policy at the First and Revised Deposit stages.

POLICY STC.5: CANAL BASINS AREA

Objections

There are no objections to this Policy at the First and Revised Deposit stages.

POLICY STC.6: VALE ROAD (WEST)

Objections

There are no objections to this Policy at the First and Revised Deposit stages.

TOWN CENTRES OMISSION

Objections First Deposit

245/003 – Kidderminster Civic Society.

Revised Deposit

There are no objections at the Revised Deposit stage.

Key issues

- Should this section of the Plan make reference to markets, particularly bearing in mind that Kidderminster is a market town.

Main considerations and Inspector’s conclusions

14.74 I have already dealt with this issue earlier in my report (see Chapter 13). Here, following discussion at the inquiry, I conclude that it would be appropriate to make some reference to the fact that markets exist in Kidderminster (and in the other towns, such as Bewdley). WFDC agrees that the most appropriate place to make such a reference would be in paragraph 14.7 of the Plan, in the context of the Town Centres section, where a link with vitality and viability could be made [LPA/245/040/3]. I have already recommended in favour of this addition (see paragraph 13.101), and so there is no need for any further amendments in response to this particular objection.

Recommendation

14.75 I RECOMMEND no further modifications to the Local Plan in response to this objection.

CHAPTER 15: IMPLEMENTATION

Objections

The objections to this chapter have been withdrawn.

- 15.1 This concludes my report on the objections made orally at the inquiry and in writing to the Wyre Forest District Local Plan Review, both at the First and Revised Deposit stages. Annexes listing the inquiry programme and those appearing, together with lists of the various documents, statements and other material submitted and schedules of the representations made, are appended. Wyre Forest District Council has copies of all the core documents, objections and supporting representations made at the First and Revised Deposit stages, along with the documents and other material submitted both before and during the course of the inquiry.

ANNEX A

**WYRE FOREST DISTRICT LOCAL PLAN
INQUIRY PROGRAMME AND LIST OF APPEARANCES**

TUESDAY 29 OCTOBER 2002

Opening of Inquiry

Council's Opening Statement:

Mr N P Holdstock DipTP, MRTPI, Forward Planning Manager.

Policy H.2 – Site: Land off Snowden Close, Kidderminster

For the objector – Allen Associates Ltd (185/001):

Mr J Christopher Ashton BA(Hons), DipTP, MRTPI, The Orchard Office, Union Place, Worcester.

Mr D Allen

For the Council: Mr N P Holdstock DipTP, MRTPI, Forward Planning Manager

THURSDAY 31 OCTOBER 2002

Policy CY.3 – Site: Kidderminster Hospital

For the objector – Worcestershire Acute Hospitals NHS Trust (626/001 & 536/001):

Mr J Hobson QC instructed by Denton Wilde Sapte, 5 Chancery Lane, Clifford's Inn, London EC4A 1BU. He called

Mr J M Tait MRTPI, Associate Director, CB Hillier Parker, Embassy House, 60 Church Street, Birmingham B3 2DJ.

For the Council:

Mr Timothy Jones of Counsel, instructed by Miss C Caygill, Head of Legal & Democratic Services, Wyre Forest District Council. He called

Mr N P Holdstock DipTP, MRTPI, Forward Planning Manager

Dr R T Taylor FRCP, MP, Member of Parliament for Wyre Forest.

WEDNESDAY 6 NOVEMBER 2002

Policies H.2; GB.1; TR.2; LR.1 – Site: Land off Birmingham Road/Station Drive, Blakedown.

For the objector – Marmaris Investments Ltd (528/001; 528/003-004; 528/005; 528/100-101):

Mr C Griffiths BA(Hons), MRTPI, Planning Director, Satnum Planning Services Ltd,
17 Imperial Square, Cheltenham GL50 1QZ.

For the Council: Mr N P Holdstock DipTP, MRTPI, Forward Planning Manager.

Miss R E Mayman BA(Hons), Transport Planner

FRIDAY 8 NOVEMBER 2002

Policies H.10 and H.11

Round Table Session on the Council's approach to the provision of affordable housing.

For the Council: Mr N P Holdstock DipTP, MRTPI, Forward Planning Manager
 Mr T Rice, Housing Services Manager,
 Mr D Couttie, Managing Director, David Couttie Associates Ltd, Buckden
 Mount,
 8 Thornhill Road, Huddersfield HD3 3AU.

For House Builders Federation: Mr J McConnell

For McCarthy & Stone (Developments) Ltd: Miss J Bancroft, BA(Hons), Level
 Consulting Ltd,

For Marmaris Investments Ltd: Mr C Griffiths BA(Hons), MRTPI, Satnum Planning
 Services Ltd,

For West Midlands Region RSL Planning Consortium: Miss L Sheldrake, Tetlow King
 Planning

TUESDAY 12 NOVEMBER 2002**Policies H.2; H.3; H.5; D.1; D.3; D.4; D.9; D.11; RT.1; STC.2 and Paragraphs 13.22 to 13.24 Site: Severn Road Development (Carpets of Worth), Stourport-on-Severn**

For the objector – Arab Investments Ltd (638/001; 638/002; 638/003; 638/004; 638/005;
 638/006; 638/007; 638/008; 638/009; 638/010; 638/011; 638/012;
 638/013; 638/014 & 638/015):

Mr N J Groves DipTP, MRTPI, Director, Boyer Planning Ltd, Groveland House,
 Church Street, Windlesham, Surrey GU20 6BT.

Ms V Portwain, DipTP, MRTPI, Boyer Planning Ltd, Groveland House, Church
 Street, Windlesham, Surrey GU20 6BT.

Mr T Lamb MRTPI, Planning Director, G L Hearn, Leonard House, 5-7
 Marshalsea Road, London SE1 1EP

Mr I A Dick BSc(Hons), CEng, MICE, MinstHT, Associate Director, Ove Arup &

Partners

For the Council:

Mr N P Holdstock DipTP, MRTPI, Forward Planning Manager.

Mr K Harrison BSc(Hons), DipTP, MSc, MRTPI, Senior Planner.

Mr J Seddon, MSc(Hons), MCIT, MIHT, Transportation and Safety Manager,
 Environmental Services, Worcestershire County Council, County Hall, Spetchley
 Road, Worcester.

Mr N Denison BSc(Hons), MRTPI, Managing Director, White Young Green
 Planning, Ropemaker Court, 12 Lower Park Row, Bristol BS1 5BN.

WEDNESDAY 20 NOVEMBER 2002

Policies RT.4; RT.5 and Paragraph 13.37 – Site: Crossley Retail Park, Kidderminster

For the objector – Coal Pension Properties Ltd (622/001; 622/002; 622/003 & 622/100):

Mr D Edwards of Counsel instructed by Littman & Robeson, 14 Buckingham Street, London WC2N 6DF. He called:

Mr J C E Littman FRICS, DipTP, MRTPI, Partner, Littman & Robeson, 14 Buckingham Street, London WC2N 6DF.

For the Council:

Mr Timothy Jones of Counsel, instructed by Miss C Caygill, Head of Legal & Democratic Services, Wyre Forest District Council. He called:

Mr K Harrison BSc(Hons), DipTP, MSc, MRTPI, Senior Planner.

WEDNESDAY 27 NOVEMBER 2002

Policy H.2(viii) – Site: Land at Heightington Road, Bliss Gate

For the objector – Mr M Stimpson (149/001):

Mr M Stimpson, The Pippins, Gladstone Road, Wollaston, Stourbridge, West Midlands DY8 3PE

Mr R Stimpson, 10 Hillow Close, Hagley, Stourbridge DY9 0LU

For the Council:

Miss R E Mayman BA(Hons), Transport Planner.

Mr K Harrison BSc (Hons), DipTP, MSc, MRTPI, Senior Planner.

THURSDAY 28 NOVEMBER 2002

Policy RT.4 – Site: Co-op Store, Lombard Street, Stourport-on-Severn

For the objector – West Midlands Co-operative Society Ltd (631/002):

Mr R Giles of Counsel, instructed by GVA Grimley, 3 Brindley Place, Birmingham B1 2JB.

He called:

Mr N Hardy, GVA Grimley, 3 Brindley Place, Birmingham B1 2JB.

For the Council:

Mr Timothy Jones of Counsel, instructed by Miss C Caygill, Head of Legal & Democratic Services, Wyre Forest District Council. He called:

Mr K Harrison BSc (Hons), DipTP, MSc, MRTPI, Senior Planner.

Policy E.3 – Site: Lea Castle Hospital, Cookley

For the objector – Wolverley & Cookley Parish Council (57/001):

Mrs J Pitt, Member of Wolverley & Cookley Parish Council

Mrs C Martin, Member of Wolverley & Cookley Parish Council

Mr P Smith, Member of Wolverley & Cookley Parish Council

For the Council: Mr N P Holdstock DipTP, MRTPI, Forward Planning Manager.

TUESDAY 3 DECEMBER 2002

Policies E.4; E.8; NR.15; DR.1 and Paragraph 4.21

For the objector – CPRE (125/004; 125/005; 125/006; 125/008 & 125/009):

Mr P Sturgeon, 64 Hartle Lane, Belbroughton, Stourbridge DY89 0TJ.

Mr A Ward, Organs Hill Farm, Rock, Kidderminster DY14 8SJ

For the Council: Mr N P Holdstock DipTP, MRTPI, Forward Planning Manager.

Policies LR.1 to LR.3

For the objector – Mr F R Teague (287/001):

Mr F R Teague, 8 Park Crescent, Stourport-on-Severn, Worcs DY18UB.

For the Council:

Mr N P Holdstock DipTP, MRTPI, Forward Planning Manager.

WEDNESDAY 4 DECEMBER 2002

Policies H.5; TR.1; TR.14; TR.16; TR.18; TC.5 and Paragraphs 10.37 - 10.44.

For the objector – Mr G Angell (66/001; 66/004; 66/006; 66/009; 66/010; 66/011; 66/102 & 66/104):

Mr G Angell, 11 Franchise Street, Kidderminster, Worcs DY11 6RA.

For the Council:

Miss R E Mayman BA(Hons), Transport Planner.

Mr K Harrison BSc(Hons), DipTP, MSc, MRTPI, Senior Planner.

THURSDAY 5 DECEMBER 2002

Policies E.9; Heritage Omission; TR.18; LR.16; TM.1; Retailing Omission; KTC.1 & KTC.3

For the objector – Kidderminster Civic Society (245/024; 245/031; 245/037; 245/040; 245/048; 245/050; 245/100; 245/106 & 245/107):

Mr N A R Hughes, Chairman of Kidderminster Civic Society, 29 Church Street, Kidderminster, Worcs DY10 2AU

Mr C E Talbot, Kidderminster Civic Society, 29 Church Street, Kidderminster, Worcs DY10 2AU

For the Council:

Mr K Harrison BSc(Hons), DipTP, MSc, MRTPI, Senior Planner.

Miss R E Mayman BA(Hons), Transport Planner

FRIDAY 6 DECEMBER 2002

Policy DR.1 – Site: Land at Stourbridge Road/Hurcott Lane, Kidderminster

For the objectors – Hurcott Village (Management) Ltd (193/001); Mrs B Reading (547/001);
Mr & Mrs J Crampton (550/001); Mr C Davis (566/001);

Ms J Davis (567/001); Ms C Davis (568/001); Mr A Foxall (604/001):

Ms R Hotter, 3 Lancelot House, Hurcott Lane, Kidderminster, Worcs DY10 3PG.
Mrs B Reading, 5 Penstock Court, Hurcott Village, Kidderminster, Worcs DY10 3PG.

For the Council:

Mr N P Holdstock DipTP, MRTPI, Forward Planning Manager

TUESDAY 10 DECEMBER 2002

Policy H.2 – Site: Land at Habberley Road, Bewdley.

For the objector – Mrs F A Miller (553/001):

Mrs F A Miller, MCF Complex, 60 New Road, Kidderminster DY10 1AQ

Mr R Dean Walker, Solcum House, Drakelow Lane, Wolverley, Kidderminster

For the Council

Mr N P Holdstock DipTP, MRTPI, Forward Planning Manager.

WEDNESDAY 11 DECEMBER 2002 – THURSDAY 12 DECEMBER 2002

Policies H.2; Table 1; E.2 and Paragraphs 4.24 – 4.27

Site: Georgian Carpets premises, Clensmore Street, Kidderminster

For the objector – George Wimpey UK Ltd (598/001; 598/007; 598/008 & 598/010)

Mr P Village QC assisted by Mr R White of Counsel, instructed by Mr P Garber, Planning Director, George Wimpey UK Ltd, Gate House, Turnpike Road, High Wycombe, Bucks HP12 3NR. They called:

Mr D Boswell BSc, CEng, MICE, FConsE, Technical Director, WSP Development Ltd, WSP House, Unit 2, The Chase, John Tate Road, Foxholes Business Park, Hertford, Herts

Mr C Self CLA, DipLA, Director, CSA Landscape & Urban Design Consultants, Barn West, Dixies, High Street, Ashwell, Herts SG7 5NT.

Mr J C E Littman FRICS, DipTP, MRTPI, Partner, Littman & Robeson, 14 Buckingham Street, London WC2N 6DF.

Mr R A Gough DipTP, MRTPI, Partner Gough Planning Services, Suite 2, Trevithick House, Stafford Park 4, Telford, Shropshire TF3 3BA.

For the Council:

Mr Timothy Jones of Counsel, instructed by Miss C Caygill, Head of Legal & Democratic Services, Wyre Forest District Council. He called:

Mr K Harrison BSc(Hons), DipTP, MSc, MRTPI, Senior Planner

Mr N P Holdstock DipTP, MRTPI, Forward Planning Manager.

Council's Closing Statement:

Mr Timothy Jones of Counsel, instructed by Miss C Caygill, Head of Legal & Democratic Services, Wyre Forest District Council.

Close of Inquiry

ANNEX B

WYRE FOREST DISTRICT LOCAL PLAN

PUBLIC INQUIRY

LIST OF CORE DOCUMENTS

National**Legislation**

CD/1	Town and Country Planning Act, 1990
CD/2	Planning and Compensation Act, 1991
CD/3	Town and Country Planning (Use Classes) Order, 1987
CD/4	Conservation (Natural Habitats) Regulations 1994
CD/5	Town and Country Planning (General Permitted Development) Order, 1995
CD/6	Town and Country Planning (Development Regulations), 1999
CD/7-10	Not used

Planning Policy Guidance

CD/11	PPG1	General Policy and Principles 1997
CD/12	PPG2	Green Belts 1995
CD/13	PPG3	Housing 2000
CD/14	PPG4	Industrial and Commercial Development and Small Firms 1992
CD/15	PPG5	Simplified Planning Zones 1992
CD/16	PPG6	Town Centres and Retail Developments 1996
CD/17	PPG7	Countryside. Environmental Quality and Economic and Social Development 1997
CD/18	PPG8	Telecommunications 2001
CD/19	PPG9	Nature Conservation 1994
CD/20	PPG10	Planning and Waste Management 1999
CD/21	PPG11	Regional Planning 2000
CD/22	PPG12	Development Plans 1999
CD/23	PPG13	Transport 2001
CD/24	PPG14	Development on Unstable Land 1990
CD/25	PPG15	Planning and the Historic Environment 1994
CD/26	PPG16	Archaeology and Planning 1990
CD/27	PPG17	Sport and Recreation 1991
CD/28	PPG18	Enforcing Planning Control 1991
CD/29	PPG19	Outdoor Advertisement Control 1992
CD/30	PPG21	Tourism 1992
CD/31	PPG22	Renewable Energy 1993
CD/32	PPG23	Planning and Pollution Control 1994
CD/33	PPG24	Planning and Noise 1994
CD/34	PPG25	Development and Flood Risk 2001
CD/35	PPG17	Sport and Recreation 2002
CD/36-40		Not used

Circulars, Guides, Notes Etc

CD/41	Circular 6/98 – Planning and Affordable Housing
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CD/42	Department of Transport, Local Government and the Regions - Planning to Deliver: The Managed Release of Housing Sites: Towards Better Practice (2001)
CD/43	Department of Transport, Local Government and the Regions – By Design. Urban Design in the Planning System: Towards Better Practice (2000)
CD/44	Environment Agency – Policy and Practice for the Protection of Groundwater 1998
CD/45	English Heritage – Conversion of Historic Farm Buildings. 1993
CD/46	English Nature – Inventory of Ancient Woodland - 1997
CD/47	International Commission for Non-Ionising Radiation Protection Guidelines - 1998
CD/48	Monitoring Provision of Housing through the Planning System – Towards Better Practice (DETR: October 2000)
CD/49	Tapping the Potential – Assessing urban housing capacity: towards better practice (DETR: December 2000)
CD/50	Circular 3/98 – Planning for Future Prison Development.
CD/50A	DTLR Circular 4/2001 – Control of Development affecting Trunk Roads and Agreements with Developers under Section 278 of the Highways Act 1980.

Regional

CD/51	RPG11 - Regional Planning Guidance for the West Midlands Region.
CD/52	Draft Regional Planning Guidance for the West Midlands Region 2001
CD/53	West Midlands Local Government Association – Definition of Affordable Housing – 1999 (extract)
CD/54	Government Office for the West Midlands – West Midlands Area Multi-Modal Study: Final Report. October 2000.
CD/55	West Midlands Passenger Transport Authority/Centro 20 year Public Transport Strategy. 2000
CD/56	Panel Report on Public Examination into Draft Regional Planning Guidance for West Midlands – October 2002.
CD/57-60	Not used

County

CD/61	Worcestershire County Council Draft Landscape Character Assessment. 1999
CD/62	Worcestershire County Structure Plan EIP Panel Report – October 2000
CD/63	Worcestershire County Structure Plan 1996 to 2011 Adopted Plan - June 2001
CD/64	Worcestershire Local Transport Plan 2001 to 2006
CD/65	Briefing Note on Statement of Conformity with Worcestershire County Structure Plan 1996 – 2011.
CD/66	Shaping the New Worcestershire – Supplementary Planning Guidance – Draft Landscape Character Assessment – May 1999
CD/67-70	Not used

District/Local

CD/71	Wyre Forest Urban Areas Local Plan – Inspector’s Report 1988
CD/72	Wyre Forest Urban Areas Local Plan – Adopted 1989

CD/73	Wyre Forest District Local Plan – Inspector’s Report 1995
CD/74	Wyre Forest District Local Plan – Adopted May 1996
CD/75	Wyre Forest District Local Plan – Consultation Paper 2000
CD/76	Committee Report on Deposit Local Plan Proposals – Council Meeting 18 July 2001
CD/77	Wyre Forest District Local Plan – Deposit Plan August 2001
CD/78	Report to Overview & Scrutiny (Environment & Development) Committee on Outcome of Consultation on Deposit Plan (Chapters: Introduction, Development Strategy, Design, Implementation, General) – 26 November 2001.
CD/79	Report to Overview & Scrutiny (Environment & Development) Committee on Outcome of Consultation on Deposit Plan (Stourport-on-Severn Civic Society) – 26 November 2001.
CD/80	Report to Overview & Scrutiny (Environment & Development) Committee on Outcome of Consultation on Deposit Plan (Chapters: Natural Resources, Built Heritage, Nature Conservation, Transport & Communications, Leisure, Recreation & Tourism, Community, Retailing) – 14 January 2002.
CD/81	Report to Overview & Scrutiny (Environment & Development) Committee on Outcome of Consultation on Deposit Plan (Chapters: Housing, Employment, Countryside, Town Centres) – 4 February 2002.
CD/82	Report to Overview & Scrutiny (Environment & Development) Committee on Outcome of Consultation on Deposit Plan (Chapter: Countryside-General) 20 February 2002.
CD/83	Committee Report on outcome of consultation on Deposit Local Plan – Council Meeting 27 February 2002
CD/84	Wyre Forest District Local Plan – Sustainability Appraisal - April 2002
CD/85	Wyre Forest District Local Plan – Revised Deposit Plan – April 2002.
CD/86	Report to Overview & Scrutiny (Environment & Development) Committee on Outcome of Consultation on Revised Deposit Plan (All Chapters) – 26 June 2002.
CD/87	Committee Report on outcome of consultation on Revised Deposit Local Plan – Council Meeting 24 July 2002.
CD/88	Wyre Forest District Housing Needs Survey Final Report – David Couttie Associates 2000
CD/89	Wyre Forest District Council Housing Strategy 2001 to 2006 – 2001
CD/90	Wyre Forest District Council – Schedule of Residential Land Availability – 1 April 2001.
CD/91	Wyre Forest District Council – Schedule of Residential Land Availability – 1 October 2001.
CD/92	Wyre Forest District Council – Schedule of Residential Land Availability – 1 April 2002
CD/93	Wyre Forest District Council – Schedule of Employment Land Availability – 1 April 2002.
CD/94	Wyre Forest District Council – Schedule of Employment Land Availability – 1 April 2001.
CD/95	Wyre Forest District Air Quality Management Study 1998
CD/96	Wyre Forest District Council Contaminated Land Inspection Strategy (Draft) 2001.
CD/97	Wyre Forest District Council Tourism Strategy 1999 - 2004
CD/98	Wyre Forest District Council Cycle Strategy – April 2002.
CD/99	Wyre Forest Retail and Commercial Leisure Study – MVM Planning – 2001
CD/100	Town Centre Strategy and Action Plan for Kidderminster - December 2000

CD/101	Town Centre Strategy and Action Plan for Stourport-on-Severn – March 2001.
CD/102	Town Centre Strategy and Action Plan for Bewdley – December 2000
CD/103	Severn Road Development Brief – Wyre Forest District Council 2001
CD/104	Lichfield Basin Design Guidance – British Waterways Board 2001.
CD/105	Character Appraisal for Conservation Area No 1, Stourport-on-Severn - Wyre Forest District Council 2001
CD/106	Character Appraisal for Conservation Area No 2, Stourport-on-Severn - Wyre Forest District Council 2001
CD/107	Character Appraisal for Gilgal Conservation Area - Wyre Forest District Council 2001
CD/108	Character Appraisal for Bewdley Conservation Area - Wyre Forest District Council 2002.
CD/109	Development Control Practice Note 9 – Dealing with Planning Obligations. - Wyre Forest District Council
CD/110	Wyre Forest District Local Plan – Topic Paper: 1 – Housing Provision
CD/110A	Briefing Note by submitted by the Council to the Inspector on Small site Brownfield Windfall approval rates
CD/111	Wyre Forest District Local Plan – Topic Paper: 2 – Employment Provision
CD/112	Wyre Forest District Local Plan – Topic Paper: 3 – Green Belt
CD/113	Wyre Forest District Local Plan – Topic Paper: 4 – Retail Planning
CD/114	Sustainable Communities – Delivering through Planning (ODPM)
CD/115	Making the System Work Better – Planning at Regional and Local Levels (ODPM)
CD/116	Sustainable Communities, Housing and Planning (ODPM)
CD/117	Coloroll Carpet Factory Site Development Brief
CD/118	Notes of Pre-Inquiry Meeting held on 29 July 2002
CD/119	Development Control Practice Note 11 – The Provision of Affordable Housing – A Guide for Officers and Developers.
CD/120	Local Housing Needs Assessments: A Guide to Good Practice – DETR July 2000.
CD/121	Delivering Affordable Housing through Planning Policy – DLTR February 2002.
CD/122	Opening Statement on behalf of District Council by Mr N Holdstock, Forward Planning Manager.
CD/123	Plans of District showing the sites of all site specific objections
CD/124	Briefing Note submitted by the Council to the Inspector on the Proposed Western By-passes.
CD/125	Aerial maps of Kidderminster, Bewdley and Stourport-on-Severn supplied to the Inspector by the Council.
CD/126	Bus and Train timetables operating within Wyre Forest.
CD/127	Notes of Round Table Session on Affordable Housing held on Friday 8 November 2002.
CD/128	Briefing Note submitted by the Council to the Inspector on issues arising from the Round Table Session.
CD/129	Amended Policy, accompanying text and correspondence relating to British Sugar Factory Site.
CD/130	Briefing Note submitted by the Council to the Inspector on area of Areas of Development Restraint.
CD/131	Planning Brief for Kidderminster Town Centre Redevelopment Area No.1.

- CD/132 Briefing Note submitted by the Council to the Inspector on current position in relation to the proposed A449/A451 Kidderminster to Wall Heath and Stourbridge online safety and capacity improvements.
- CD/133 Briefing Note submitted by the Council to the Inspector on car parking within and adjacent to Kidderminster Town Centre.

ANNEX C
SCHEDULE OF REPRESENTATIONS

1. LIST OF OUTSTANDING OBJECTIONS AND DOCUMENT INDEX

REF NO	RESPONSE NO	OBJECTOR	PLI/WR	POLICY/PARA	OBJECTOR DOCUMENT NO	LPA DOCUMENT NO
9	003	Government Office for West Midlands	WR	LA.2		LPA/9/003/LA.2/1
9	006	Government Office for West Midlands	WR	AG.7		LPA/9/006/AG.7/1
9	008	Government Office for West Midlands	WR	RB.1		LPA/9/008/RB.1/1
9	015	Government Office for West Midlands	WR	EQ.1		LPA/9/015/EQ.1/1
11	019	The Countryside Agency	WR	Omission	O/Omission/11/019/1	LPA/11/019/Omission/1
13	004	Sport England	WR	NC.1		LPA/13/004/NC.1/1
13	005	Sport England	WR	NC.2		LPA/13/005/NC.2/1
13	006	Sport England	WR	NC.3		LPA/13/006/NC.3/1
17	001	Bromsgrove District Council	WR	Objectives		LPA/17/001/Objectives/1
57	001	Wolverley & Cookley Parish Council	PLI	E.3	O/E.3/57/001/1	LPA/57/001/E.3/1-2
60	001	Mrs E F Foxall	WR	Para. 1.18		LPA/60/001/Para.1.18/1
60	002	Mrs E F Foxall	WR	H.13		LPA/60/002/H.13/1
60	004	Mrs E F Foxall	WR	D.15		LPA/60/004/D/15/1
60	005	Mrs E F Foxall	WR	Omission		LPA/60/005/Omission/1
61	008	Wyre Forest Friends of the Earth	WR	NR.15		LPA/61/008/NR.15/1
61	009	Wyre Forest Friends of the Earth	WR	NC.1		LPA/61/009/NC.1/1
61	010	Wyre Forest Friends of the Earth	WR	NC.2		LPA/61/010/NC.2/1
61	013	Wyre Forest Friends of the Earth	WR	TR.16		LPA/61/013/TR.16/1
66	001	Mr G Angell	PLI	H.5	O/H.5/66/001/1-2	LPA/66/001/H.5/1-2
66	004	Mr G Angell	PLI	TR.1	O/TR.1/66/004/1-2	LPA/66/004/TR.1/1-2
66	006	Mr G Angell	PLI	Para. 10.37 - 10.41	O/TR.7/66/006/1-3	LPA/66/006/TR.7/1-2
66	009	Mr G Angell	PLI	TR.16	O/TR.16/66/009/1-2	LPA/66/009/TR.16/1-2
66	010	Mr G Angell	PLI	TR.18	O/TR.18/66/010/1	LPA/66/010/TR.18/1-2
66	011	Mr G Angell	PLI	TC.5	O/TC.5/66/011/1-2	LPA/66/011/TC.5/1-2
66	102	Mr G Angell	PLI	TR.14	O/TR.14/66/102/1-2	LPA/66/102/TR.14/1-2
66	104	Mr G Angell	PLI	TR.18	O/TR.18/66/104/1	LPA/66/104/TR.18/1-2
76	001	Kidderminster Foreign Parish Council	WR	GB.1		LPA/76/001/GB.1/1
76	004	Kidderminster Foreign Parish Council	WR	E.8(vii)		LPA/76/004/E.8(vii)/1
77	001	Upper Arley Parish Council	WR	GB.1		LPA/77/001/GB.1/1
78	004	Bewdley Town Council	WR	TR.6		LPA/78/004/TR.6/1
93	010	Forestry Commission	WR	D.11		LPA/93/010/D.11/1
93	011	Forestry Commission	WR	NR.1		LPA/93/011/NR.1/1
125	004	CPRE	PLI	Para. 4.21	O/Para.4.21/125/004/1	LPA/125/004/Para.4.21/1
125	005	CPRE	PLI	E.8	O/E.8/125/005/1	LPA/125/005/E.8/1
125	006	CPRE	PLI	E.4	O/E.4/125/006/1	LPA/125/006/E.4/1-3
125	008	CPRE	PLI	NR.15	O/NR.15/125/008/1	LPA/125/008/NR.15/1
125	009	CPRE	PLI	DR.1	O/DR.1/125/009/1	LPA/125/009/DR.1/1
126	001	Malvern Hills District Council	WR	Para. 2.5		LPA/126/001/Para.2.5/1
128	016	English Nature	WR	NC.1		LPA/128/016/NC.1/1
128	017	English Nature	WR	NC.2		LPA/128/017/NC.2/1
128	018	English Nature	WR	NC.3		LPA/128/018/NC.3/1
128	019	English Nature	WR	NC.4		LPA/128/019/NC.4/1
128	020	English Nature	WR	NC.5		LPA/128/020/NC.5/1
128	101	English Nature	WR	TR.14		LPA/128/101/TR.14/1
128	106	English Nature	WR	NC.5		LPA/128/106/NC.5/1
132	020	Worcestershire Wildlife Trust	WR	NC.5		LPA/132/020/NC.5/1
136	007	Worcestershire County Council (EnvSer)	WR	H.2(viii)	O/H.2(viii)/136/007/1	LPA/136/007/H.2(viii)/1
136	013	Worcestershire County Council (EnvSer)	WR	E.5	O/E.5/136/013//1	LPA/136/013/E.5/1
136	014	Worcestershire County Council (Env.Ser)	WR	E.7	O/E.7/136/014/1	LPA/136/014/E.7/1
136	019	Worcestershire County Council (Env.Ser)	WR	GB.1(iii)(C)	O/GB.1(iii)(C)/136/019/1	LPA/136/019/GB.1(iii)(C)
136	026	Worcestershire County Council (Env.Ser)	WR	TR.2	O/TR.2/136/026/1	LPA/136/026/TR.2/1
136	032	Worcestershire County Council (Env.Ser)	WR	TC.3	O/TC.3/136/032/1	LPA/136/032/TC.3/1
136	033	Worcestershire County Council (Env.Ser)	WR	TC.5		LPA/136/033/TC.5/1
136	118	Worcestershire County Council (Env.Ser)	WR	E.2	O/E.2/136/118/1	LPA/136/118/Paras.4.28A & 4.28C/1
146	001	GVA Grimley	WR	TC.2		LPA/146/001/TC.2/1
146	002	GVA Grimley	WR	RT.4		LPA/146/002/RT.4/1
149	001	Mr M Stimpson	PLI	H.2(viii)	O/H.2(viii)/149/001/1	LPA/149/001/H.2(viii)/1
151	001	Mr S Kennerley	WR	H.2		LPA/151/001/H.2/1
153	001	Mr L D Jones	WR	E.2		LPA/153/001/E.2/1

REF NO	RESPONSE NO	OBJECTOR	PLI/WR	POLICY/PARA	OBJECTOR DOCUMENT	LPA DOCUMENT NO
155	001	Mr & Mrs S Griffin	WR	DR.1		LPA/155/001/DR.1/1
175	001	J Christopher Ashton	WR	EQ.2 and Para. 7.117		LPA/175/001/EQ.2 & Para7.117/1
177	001	David Wilson Estates	WR	H.1		LPA/177/001/H.1/1
177	003	David Wilson Estates	WR	H.2		LPA/177/003/H.2/1
177	006	David Wilson Estates	WR	H.4		LPA/177/006/H.4/1
177	007	David Wilson Estates	WR	H.5		LPA/177/007/H.5/1
177	008	David Wilson Estates	WR	H.10		LPA/177/008/H.10/1
177	009	David Wilson Estates	WR	D.4		LPA/177/009/D.4/1
177	010	David Wilson Estates	WR	NR.1		LPA/177/010/NR.1/1
177	011	David Wilson Estates	WR	DR.1		LPA/177/011/DR.1/1
177	013	David Wilson Estates	WR	TR.18		LPA/177/013/TR.18/1
177	100	David Wilson Estates	WR	NR.5		LPA/177/100/NR.5/1
177	101	David Wilson Estates	WR	AG.1		LPA/177/101/AG.1/1
182	001	Mr F J Yardley	WR	E.2	O/E.2/182/001/1-2	LPA/182/001/E.2/1
185	001	Allen Associates	PLI	H.2	O/H.2/185/0001/1	LPA/185/001/H.2/1
193	001	Hurcott Village (Management) Ltd	PLI	DR.1	O/DR.1/193/001/1	LPA/193/001/DR.1/1-3
227	001	Wyre Forest Business Forum	WR	Omission		LPA/227/001/Omission/1
227	003	Wyre Forest Business Forum	WR	Omission		LPA/227/003/Omission/1
229	001	Mrs J V Bews	WR	H.11	O/H.11/229/001/1	LPA/229/001/H.11/1
245	003	Kidderminster Civic Society	WR	Omission		LPA/245/003/Omission/1
245	004	Kidderminster Civic Society	WR	Omission		LPA/245/004/Omission/1
245	005	Kidderminster Civic Society	WR	Proposals Map		LPA/245/005/Map/1
245	006	Kidderminster Civic Society	WR	Omission		LPA/245/006/Omission/1
245	007	Kidderminster Civic Society	WR	Para. 10.37 - 10.41		LPA/245/007/Paras.10.37-10.41/1
245	009	Kidderminster Civic Society	WR	H.2		LPA/245/009/H.2/1
245	010	Kidderminster Civic Society	WR	H.3		LPA/245/010/H.3/1
245	012	Kidderminster Civic Society	WR	E.2		LPA/245/012/E.2/1
245	014	Kidderminster Civic Society	WR	D.1		LPA/245/014/D.1/1
245	015	Kidderminster Civic Society	WR	D.2		LPA/245/015/D.2/1
245	016	Kidderminster Civic Society	WR	D.9		LPA/245/016/D.9/1
245	017	Kidderminster Civic Society	WR	D.11		LPA/245/017/D.11/1
245	020	Kidderminster Civic Society	WR	D.18		LPA/245/020/D.18/1
245	021	Kidderminster Civic Society	WR	AD.1		LPA/245/021/AD.1/1
245	022	Kidderminster Civic Society	WR	AD.5		LPA/245/022/AD.5/1
245	023	Kidderminster Civic Society	WR	Para. 8.1 (Aim)		LPA/245/023/Para.8.1(Aim)/1
245	024	Kidderminster Civic Society	PLI	Omission	O/Omission/245/024/1	LPA/245/024/HER Omission/1-2
245	025	Kidderminster Civic Society	WR	LB.4		LPA/245/025/LB.4/1
245	026	Kidderminster Civic Society	WR	NC.8		LPA/245/026/NC.8/1
245	027	Kidderminster Civic Society	WR	TR.1		LPA/245/027/TR.1/1
245	028	Kidderminster Civic Society	WR	TR.2		LPA/245/028/TR.2/1
245	029	Kidderminster Civic Society	WR	TR.6		LPA/245/029/TR.6/1
245	030	Kidderminster Civic Society	WR	TR.7		LPA/245/030/TR.7/1
245	031	Kidderminster Civic Society	PLI	TR.18	O/TR.18/245/031/1	LPA/245/031/TR.18/1-2
245	034	Kidderminster Civic Society	WR	LR.8		LPA/245/034/LR.8/1
245	036	Kidderminster Civic Society	WR	LR.16		LPA/245/036/LR.16/1
245	037	Kidderminster Civic Society	PLI	TM.1	O/TM.1/245/037/1	LPA/245/037/TM.1/1-2
245	039	Kidderminster Civic Society	WR	CY.6		LPA/245/039/CY.6/1
245	040	Kidderminster Civic Society	PLI	Omission	O/Omission/245/040/1	LPA/245/040/RET Omission/1-3
245	041	Kidderminster Civic Society	WR	Omission		LPA/245/041/Omission/1
245	042	Kidderminster Civic Society	WR	RT.11		LPA/245/042/RT.11/1
245	043	Kidderminster Civic Society	WR	RT.13		LPA/245/043/RT.13/1
245	044	Kidderminster Civic Society	WR	TC.1		LPA/245/044/TC.1/1
245	045	Kidderminster Civic Society	WR	TC.3/Omission		LPA/245/045/TC.3Omission/1
245	048	Kidderminster Civic Society	PLI	KTC.1	O/KTC.1/245/048/1-3	LPA/245/048/KTC.1/1-2
245	049	Kidderminster Civic Society	WR	KTC.2/Omission		LPA/245/049/KTC2Omission/1
245	050	Kidderminster Civic Society	PLI	KTC.3	O/KTC.3/245/050/1	LPA/245/050/KTC.3/1-2

REF NO	RESPONSE NO	OBJECTOR	PLI/WR	POLICY/PARA	OBJECTOR DOCUMENT	LPA DOCUMENT NO
245	101	Kidderminster Civic Society	WR	D.15		LPA/245/101/D.15(d)/1
245	102	Kidderminster Civic Society	WR	Para. 8.1 (Aim)		LPA/245/102/Para.8.1/1
245	105	Kidderminster Civic Society	WR	TR.14		LPA/245/105/TR.14/1
245	106	Kidderminster Civic Society	PLI	TR.18	O/TR.18/245/106/1	LPA/245/106/TR.18/1-2
245	107	Kidderminster Civic Society	PLI	LR.16	O/LR.16/245/107/1	LPA/245/107/LR.16/1-2
250	001	Mr G W Hardwick	WR	H.2(ix) /Omission	O/H.2(ix)/250/001/1-3	LPA/250/001/H.2(xi)Omission /1
287	001	Mr F R Teague	PLI	LR.1 to LR.3	O/LR.1toLR.3/287/001/1-3	LPA/287/001/LR.1-LR.3/1-2
292	001	British Telecom plc	WR	TC.2		LPA/292/001/TC.2/1
292	004	British Telecom plc	WR	TR.21		LPA/292/004/TR.21/1
292	100	British Telecom plc	WR	TR.21		LPA/292/100/TR.21/1
309	001	Offmore Farm Partnership	WR	E.1		LPA/309/001/E.1/1
309	002	Offmore Farm Partnership	WR	E.3		LPA/309/002/E.3/1
309	003	Offmore Farm Partnership	WR	E.8		LPA/309/003/E.8/1
309	004	Offmore Farm Partnership	WR	Omission		LPA/309/004/Omission/1
309	005	Offmore Farm Partnership	WR	TR.2		LPA/309/005/TR.2/1
309	006	Offmore Farm Partnership	WR	Omission		LPA/309/006/Omission/1
309	007	Offmore Farm Partnership	WR	GB.1		LPA/309/007/GB.1/1
309	008	Offmore Farm Partnership	WR	GB.4		LPA/309/008/GB.4/1
309	009	Offmore Farm Partnership	WR	E.2		LPA/309/009/E.2/1
351	001	Miss R Hackett	WR	H.2(viii)		LPA/351/001/H.2(viii)/1
353	001	Mr J Cartwright	WR	H.2(i)		LPA/353/001/H.2(i)/1
354	003	Morbaine Ltd	WR	E.9	O/E.9/354/003/1	LPA/354/003/E.9/1
354	004	Morbaine Ltd	WR	Para. 4.50	O/Para.4.50/354/004/1	LPA/354/004/Para.4.50/1
354	100	Morbaine Ltd	WR	E.9	O/E.9/354/100/1	LPA/354/100/E.9/1
359	008	Wyre Forest Community Housing	WR	LR.1		LPA/359/008/LR.1/1
368	001	English Heritage	WR	Para. 2.1 & 2.3		LPA/368/001/Paras.2.1 & 2.3/1
368	025	English Heritage	WR	KTC.3		LPA/368/025/KTC.3/1
384	001	Orange Personal Communications Services Ltd	WR	TR.21		LPA/384/001/TR.21/1
396	001	J Preece	WR	H.2(i)		LPA/396/001/H.2(i)/1
419	001	Wm Morrison Supermarkets plc	WR	Para. 13.21 - 13.23		LPA/419/001/Para.13.21-13.23/1
419	002	Wm Morrison Supermarkets plc	WR	RT.1		LPA/419/002/RT.1/1
419	005	Wm Morrison Supermarkets plc	WR	RT.4		LPA/419/005/RT.4/1
419	007	Wm Morrison Supermarkets plc	WR	TR.18, Para. 10.67 to 10.72 & Appendix 8		LPA/419/007/TR.18,Paras.10.67 to 10.72 & Appendix8/1
421	002	Hurcott (Jersey) Ltd	WR	H.2(ii)		LPA/421/002/H.2(ii)/1
421	003	Hurcott (Jersey) Ltd	WR	H.9		LPA/421/003/H.9/1
421	005	Hurcott (Jersey) Ltd	WR	E.2		LPA/421/005/E.2/1
421	006	Hurcott (Jersey) Ltd	WR	E.5		LPA/421/006/E.5/1
421	007	Hurcott (Jersey) Ltd	WR	NR.1		LPA/421/007/NR.1/1
421	015	Hurcott (Jersey) Ltd	WR	NR.10		LPA/421/015/NR.10/1
421	017	Hurcott (Jersey) Ltd	WR	GB.1		LPA/421/017/GB.1/1
421	018	Hurcott (Jersey) Ltd	WR	DR.1		LPA/421/018/DR.1/1
421	100	Hurcott (Jersey) Ltd	WR	Table 1		LPA/421/100/Table.1/1
423	001	NHS Estates	WR	GB.4	O/GB.4/423/001/1	LPA/423/001/GB.4/1
423	003	NHS Estates	WR	H.3	O/H.3/423/003/1	LPA/423/003/H.3/1
423	100	NHS Estates	WR	H.2	O/H.2/423/100/1	LPA/423/100/H.2/1
423	101	NHS Estates	WR	E.3	O/E.3/423/101/1-2	LPA/423/101/Para.4.30A/1
428	001	Wall, James & Davies	WR	TM.2		LPA/428/001/TM.2/1
436	003	National Farmers' Union	WR	D.11		LPA/436/003/D.11/1
436	013	National Farmers' Union	WR	Para. 10.74	O/Para.10.74/436/013/1	LPA/436/013/Para.10,74/1
436	100	National Farmers' Union	WR	Introduction	O/Para.7.94/436/100/1	LPA/436/100/Para.7.94/1
445	001	Octavian Development & Construction	WR	GB.1	O/GB.1/445/001/1	LPA/445/001/GB.1/1
445	002	Octavian Development & Construction	WR	H.2	O/H.2/445/002/1	LPA/445/002/H.2/1
478	001	Staffordshire & Shropshire Gypsy Liaison Group	WR	H.15		LPA/478/001/H.15/1

REF NO	RESPONSE NO	OBJECTOR	PLI/WR	POLICY/PARA	OBJECTOR DOCUMENT NO	LPA DOCUMENT NO
478	002	Staffordshire & Shropshire Gypsy Liaison Group	WR	H.14		LPA.478/002/H.14/1
481	001	House Builders Federation	WR	H.1	O/H.1/481/001/1	LPA/481/001/H.1/1
481	002	House Builders Federation	WR	Para. 3.9, (Table 1)	O/Para.3.9/481/002/1	LPA/481/002/Table.1/1
481	003	House Builders Federation	WR	Para. 3.10	O/Para.3.10/481/003/1	LPA/481/003/Para.3.10/1
481	004	House Builders Federation	WR	H.2(i)	O/H.2(i)/481/004/1	LPA/481/004/H.2(i)/1
481	005	House Builders Federation	WR	H.3	O/H.3/481/005/1	LPA/481/005/H.3/1
481	006	House Builders Federation	WR	H.4		LPA/481/006/H.4/1
481	007	House Builders Federation	WR	H.5		LPA/481/007/H.5/1
481	008	House Builders Federation	WR	H.8		LPA/481/008/H.8/1
481	009	House Builders Federation	PLI	Para. 3.70 to 3.71	O/Para.3.70-3.71/481/009/1	LPA/H.10 & H.11/Round Table Session
481	010	House Builders Federation	PLI	Para. 3.75	O/Para.3.75/481/010/1	LPA/H.10 & H.11/Round Table Session
481	011	House Builders Federation	PLI	Para. 3.76	O/Para.3.76/481/011/1	LPA/H.10 & H.11/Round Table Session
481	012	House Builders Federation	PLI	Para. 3.78	O/Para.3.78/481/012/1	LPA/H.10 & H.11/Round Table Session
481	013	House Builders Federation	PLI	Para. 3.80	O/Para.3.80/481/013/1	LPA/H.10 & H.11/Round Table Session
481	014	House Builders Federation	PLI	Para. 3.81	O/Para.3.81/481/014/1	LPA/H.10 & H.11/Round Table Session
481	015	House Builders Federation	PLI	H.10	O/H.10/481/015/1	LPA/H.10 & H.11/Round Table Session
481	016	House Builders Federation	WR	Para. 4.24 to 4.27		LPA/481/016/Para.4.24 to 4.27/1
481	017	House Builders Federation	WR	D.1		LPA/481/017/D.1/1
481	018	House Builders Federation	WR	D.4		LPA/481/018/D.4/1
481	019	House Builders Federation	WR	D.8		LPA/481/019/D.8/1
481	020	House Builders Federation	WR	D.15		LPA/481/020/D.15/1
481	021	House Builders Federation	WR	NR.1		LPA/481/021/NR.1/1
481	022	House Builders Federation	WR	NR.5		LPA/481/022/NR.5/1
481	023	House Builders Federation	WR	LA.6		LPA/481/023/LA.6/1
481	024	House Builders Federation	WR	CA.6		LPA/481/024/CA.6/1
481	025	House Builders Federation	WR	NC.4		LPA/481/025/NC.4/1
481	026	House Builders Federation	WR	TR.18		LPA/481/026/TR.18/1
481	027	House Builders Federation	WR	LR.9		LPA/481/027/LR.9/1
481	100	House Builders Federation	WR	Table 1	O/Table.1/481/100/1	LPA/481/100/Table.1/1
481	102	House Builders Federation	WR	Para. 3.10A	O/Para.3.10A/481/102/1	LPA/481/102/Para.3.10A/1
481	104	House Builders Federation	WR	Table 3	O/Table.3/481/104/1	LPA/481/104/Table.3/1
481	105	House Builders Federation	PLI	Para 3.70	O/Para.3.70/481/105/1	LPA/H.10 & H.11/Round Table Session
481	106	House Builders Federation	PLI	Para. 3.76	O/Para.3.76/481/106/1	LPA/H.10 & H.11/Round Table Session
481	107	House Builders Federation	WR	Para 5.37 - 5.37A		LPA/481/107/Paras.5.37 & 5.37A/1
481	108	House Builders Federation	WR	Para 5.69		LPA/481/108/Para.5.69/1
481	109	House Builders Federation	WR	NR.5		LPA/481/109/NR.5/1
481	110	House Builders Federation	WR	NR.6		LPA/481/110/NR.6/1
481	111	House Builders Federation	WR	Para 7.97		LPA/481/111/Para7.97, RB2/1
481	112	House Builders Federation	WR	Para 12.26A		LPA/481/112/Para.12.26A/1
481	113	House Builders Federation	WR	Para 14.10		LPA/481/113/Para.14.10/1
483	001	Mr R Mathews	WR	KTC.3		LPA/483/001/KTC.3/1
485	001	Ms Phyllis Green	WR	H.10		LPA/485/001/H.10/1
490	001	Carters Furniture Centre	WR	H.2(ii)		LPA/490/001/H.2(ii)/1
496	002	Mr N Sadler	WR	E.3		LPA/496/002/E.3/1
500	001	Mr S R Glover	WR	TR.18		LPA/500/001/TR.18/1
501	001	Ms R Evans-Jones	WR	TR.18		LPA/501/001/TR.18/1
502	001	Mr A Jackson	WR	TR.18		LPA/502/001/TR.18/1

REF NO	RESPONSE NO	OBJECTOR	PLI/WR	POLICY/PARA	OBJECTOR DOCUMENT	LPA DOCUMENT NO
503	001	Ms S Hadlow	WR	Para. 10.71		LPA/503/001/Para.10.69/1
505	001	Miss D While	WR	TR.16		LPA/505/001/TR.16/1
507	001	Ms R Howard	WR	Para. 10.69		LPA/507/001/Para.10.69/1
508	001	Ms L Timmis	WR	TR.18		LPA/508/001/TR.18/1
510	001	Mr C H Amies	WR	H.2(viii), H.1		LPA/510/001/H.2(viii)/1
511	001	G E Prince	WR	H.2(viii)		LPA/511/001/H.2(viii)/1
512	001	Mrs J Pound	WR	TR.18		LPA/512/001/TR.18/1
513	001	Ms R Stallard	WR	Para. 10.69		LPA/513/001/Para.10.69/1
514	001	Mr R H Brazier	WR	H.1		LPA/514/001/H.1/1
514	002	Mr R H Brazier	WR	H.2		LPA/514/002/H.2/1
514	003	Mr R H Brazier	WR	H.3		LPA/514/003/H.3/1
514	004	Mr R H Brazier	WR	GB.1		LPA/514/004/GB.1/1
515	001	M A Overton	WR	TR.18		LPA/515/001/TR.18/1
516	001	Mr E Coomber	WR	LA.2		LPA/516/001/LA.2/1
516	002	Mr E Coomber	WR	GB.1		LPA/516/002/GB.1/1
516	003	Mr E Coomber	WR	DR.1		LPA/516/003/DR.1/1
517	001	Mr P R Griffin	WR	TR.18		LPA/517/001/TR.18/1
518	001	Ms L Malinowski	WR	Para. 10.69		LPA/518/001/Para.10.69/1
519	001	Miss M Bass	WR	Para. 10.69		LPA/519/001/Para.10.69/1
520	001	Tooby Family Properties	WR	H.2		LPA/520/001/H.2/1
521	001	Mr & Mrs A Brazier	WR	TR.16	O/TR.16/521/001/1	LPA/521/001/TR.16/1
522	001	Mr M Oldnall	WR	Para. 10.69		LPA/522/001/Para.10.69/1
524	001	Mr M G Baynton	WR	D.17		LPA/524/001/D.17/1
524	100	Mr M G Baynton	WR	Para 5.74		LPA/524/100/Para.5.74/1
524	101	Mr M G Baynton	WR	D.17		LPA/524/101/D.17/1
525	001	Ms R Blount	WR	GB.4		LPA/525/001/GB.4/1
526	001	A Gualano	WR	TR.18		LPA/526/001/TR.18/1
527	001	Kidderminster Golf Club Ltd	WR	LR.9		LPA/527/001/LR.9/1
528	001	Marmaris Investments Ltd	PLI	H.2	O/H.2/528/001/1-2	LPA/528/001/H.2/1-2
528	002	Marmaris Investments Ltd	PLI	H.10	O/H.10/528/002/1-3	LPA/H.10 & H.11/Round Table Session
528	003	Marmaris Investments Ltd	PLI	GB.1	O/GB.1/528/003/1-2	LPA/528/003/GB.1/1-2
528	004	Marmaris Investments Ltd	PLI	LR.1	O/LR.1/528/004/1-2	LPA/528/004/LR.1/1-2
528	005	Marmaris Investments Ltd	PLI	TR.2	O/TR.2/528/005/1-2	LPA/528/005/TR.2/1-2
528	100	Marmaris Investments Ltd	PLI	H.2	O/H.2/528/100/1-2	LPA/528/100/H.2/1-2
528	101	Marmaris Investments Ltd	PLI	TR.2	O/TR.2/528/101/1-2	LPA/528/101/Para.10.19/1-2
529	001	Mr J Swift & Miss E Brice	WR	GB.4		LPA/529/001/GB.4/1
530	001	Howard & Ann Llewellyn	WR	H.2(v)		LPA/530/001/H.2(v)/1
531	001	Mr & Mrs J Maver	WR	E.3		LPA/531/001/E.3/1-2
532	101	Strategy Rail Authority	WR	Para 10.71	O/Para.10.71/532/101/1	LPA/532/101/Para.10.71/1
533	001	Ms P Howell	WR	E.3		LPA/533/001/E.3/1
534	001	Ms J Hamilton	WR	H.10		LPA/534/001/H.10/1
535	001	R A Jones	WR	GB.4		LPA/535/001/GB.4/1
536	001	Worcestershire Acute Hospitals NHS Trust	WR	CY.3	O/CY.3/536/001/1-6	LPA/536/001/CY.3/1-5
537	001	Mr J S Masefield & Miss E White	WR	GB.4	O/GB.4/537/001/1	LPA/537/001/GB.4/1
539	001	Mr M Thurston	WR	DR.1		LPA/539/001/DR.1/1
541	001	Miss L Sipton	WR	DR.1		LPA/541/001/DR.1/1
542	001	Ms M S Wagner	WR	DR.1		LPA/542/001/DR.1/1
544	001	Mr S Blick	WR	GB.4		LPA/544/001/GB.4/1
544	002	Mr S Blick	WR	E.3		LPA/544/002/E.3/1
544	003	Mr S Blick	WR	H.2(v)		LPA/544/003/H.2(v)/1
545	001	Mr M D Wagner	WR	DR.1		LPA/545/001/DR.1/1
546	001	Nigel & Dawn Seal	WR	GB.4		LPA/546/001/GB.4/1
547	001	Mrs B Reading	PLI	DR.1	O/DR.1/547/001/1	LPA.547/001/DR.1/1
548	001	Mr S Watts	WR	E.3		LPA/548/001/E.3/1
549	001	Mr C T Richardson	WR	DR.1		LPA/549/001/DR.1/1
550	001	Mr & Mrs J Crampton	PLI	DR.1	O/DR.1/550/001/1	LPA/550/001/DR.1/1
551	001	H M Prison Service	WR	Omission	O/Omission/551/001/1	LPA/551/001/Omission/1
552	001	R & D Aggregaqtas Ltd	WR	E.2		LPA/552/001/E.2/1
552	002	R & D Aggregaqtas Ltd	WR	H.2(i)		LPA/552/002/H.2(i)/1
553	001	Mrs F A Miller	PLI	H.2	O/H.2/553/001/1-4	LPA/553/001/H.2/1
554	001	M J R Body Repairs	WR	H.1		LPA/554/001/H.1/1
554	002	M J R Body Repairs	WR	H.2		LPA/554/002/H.2/1
554	003	M J R Body Repairs	WR	H.3		LPA/554/03/H.3/1

REF NO	RESPONSE NO	OBJECTOR	PLI/WR	POLICY/PARA	OBJECTOR DOCUMENT NO	LPA DOCUMENT NO
554	005	M J R Body Repairs	WR	E.2(i)		LPA/554/005/E.2(i)/1
555	001	Ms L Blakemore	WR	E.3		LPA/555/001/E.3/1
555	100	Ms L Blakemore	WR	E.3		LPA/555/100/Para.4.30A/1
556	001	Mr G E Meredith	WR	GB.4		LPA/556/001/GB.4/1
556	002	Mr G E Meredith	WR	GB.4		LPA/556/002/GB.4/1
557	001	Mr & Mrs J Saunders	WR	DR.1		LPA/557/001/DR.1/1
559	001	B & Q plc	WR	RT.1	O/RT.1/559/001/1-2	LPA/559/001/RT.1/1
559	002	B & Q plc	WR	RT.4	O/RT.4/559/002/1-2	LPA/559/002/RT.4/1
559	003	B & Q plc	WR	RT.5	O/RT.5/559/003/1-2	LPA/559/003/RT.5/1
562	001	Mr & Mrs T A J Griffiths	WR	GB.4		LPA/562/001/GB.4/1
563	001	Mr P Crane	WR	DR.1		LPA/563/001/DR.1/1
564	001	Thomas Vale Construction Ltd	WR	E.2 and Para. 4.29	O/E.2/564/001/1-2	LPA/564/001/E.2 and Para.4.29/1
565	001	Thomas Vale Construction Ltd	WR	E.2	O/E.2/565/001/1-2	LPA/565/001/E.2/1
565	002	Thomas Vale Construction Ltd	WR	TR.16	O/TR.16/565/002/1-2	LPA/565/002/TR.16/1
565	100	Thomas Vale Construction Ltd	WR	E.2	O/E.2/565/100/1-2	LPA/565/100/E.2/1
566	001	Mr C Davis	PLI	DR.1	O/DR.1/566/001/1	LPA/566/001/DR.1/1
567	001	Ms J Davis	PLI	DR.1	O/DR.1/567/001/1	LPA/567/001/DR.1/1
568	001	Ms C Davis	PLI	DR.1	O/DR.1/568/001/1	LPA.568/001/DR.1/1
569	001	McCarthy & Stone (Developments) Ltd	WR	H.4		LPA/569/001/H.4/1
569	002	McCarthy & Stone (Developments) Ltd	PLI	H.10	O/H.10/569/002/1-3	LPA/H.10 & H.11/Round Table Session
569	003	McCarthy & Stone (Developments) Ltd	WR	TR.18		LPA/569/003/TR.18/1
570	001	A.J.M. Properties	WR	NC.2 & Para. 9.14		LPA/570/001/NC.2 & Para.9.14/1
572	001	B While	WR	TR.16		LPA/572/001/TR.16/1
574	001	Anthony Douglas Homes Ltd	WR	LR.1		LPA/574/001/LR.1/1
575	001	St Modwen Developments Ltd	WR	Para. 4.21		LPA/575/001/Para.4.21/1
576	001	Stourport RFC & Stourport Cricket Club	WR	Para. 11.11 & 11.12		LPA/576/001/Para.11.11 & 11.12/1
576	003	Stourport RFC & Stourport Cricket Club	WR	LR.1		LPA/576/003/LR.1.1
578	001	Mrs Roberts & Mrs Savage	WR	H.2		LPA/578/001/H.2/1
580	001	Vodafone Ltd	WR	TR.21		LPA/580/001/TR.21/1
582	001	Kidderminster Developments Ltd	WR	LR.1		LPA/582/001/LR.1/1
583	001	Mr A Morgan	WR	DR.1		LPA/583/001/DR.1/1
584	001	Ms L C Morgan	WR	DR.1		LPA/584/001/DR.1/1
585	001	Mr A J Morgan	WR	DR.1		LPA/585/001/DR.1/1
586	001	Ms L Phillips	WR	NC.2	O/NC.2/586/001/1	LPA/586/001/NC.2/1
587	001	Mr R Perrin	WR	H.2		LPA/587/001/H.2/1
589	001	Bridges & Grove Ltd	WR	H.2	O/H.2/589/001/1-3	LPA/589/001/H.2/1
590	001	Victoria plc	WR	LR.9		LPA/590/001/LR.9/1
590	002	Victoria plc	WR	Para. 11.32		LPA/590/002/Para.11.32/1
590	003	Victoria plc	WR	NR.5		LPA/590/003/NR.5/1
592	002	West Midlands Region RSL Planning Consortium	WR	Omission Para. 2.5		LPA/592/002/Para.2.5Omission/1
592	007	West Midlands Region RSL Planning Consortium	WR	Para. 3.20		LPA/592/007/Para.3.20/1
592	009	West Midlands Region RSL Planning Consortium	WR	Para. 3.25		LPA/592/009/Para.3.25/1
592	010	West Midlands Region RSL Planning Consortium	WR	H.2		LPA/592/010/H.2/1
592	011	West Midlands Region RSL Planning Consortium	WR	Para. 3.28		LPA/592/011/Para.3.28/1
592	012	West Midlands Region RSL Planning Consortium	WR	Para. 3.33		LPA/592/012/Para.3.33/1
592	013	West Midlands Region RSL Planning Consortium	WR	H.4		LPA/592/013/H.4/1
592	014	West Midlands Region RSL Planning Consortium	WR	H.7		LPA/592/014/H.7/1
592	017	West Midlands Region RSL Planning Consortium	WR	H.9		LPA/592/017/H.9/1

REF NO	RESPONSE NO	OBJECTOR	PLI/WR	POLICY/PARA	OBJECTOR DOCUMENT NO	LPA DOCUMENT NO
592	018	West Midlands Region RSL Planning Consortium	PLI	Para. 3.63 to 3.80	O/Paras.3.63-3.80/592/018/1	LPA/H.10 & H.11/Round Table Session
592	019	West Midlands Region RSL Planning Consortium	PLI	H.10	O/H.10/592/019/1	LPA/H.10 & H.11/Round Table Session
592	021	West Midlands Region RSL Planning Consortium	PLI	H.11	O/H.11/592/021/1	LPA/H.10 & H.11/Round Table Session
592	022	West Midlands Region RSL Planning Consortium	WR	H.12		LPA/592/022/H.12/1
592	023	West Midlands Region RSL Planning Consortium	WR	Omission		LPA/592/023/Omission/1
592	024	West Midlands Region RSL Planning Consortium	WR	Omission		LPA/592/024/Omission/1
592	025	West Midlands Region RSL Planning Consortium	WR	E.5		LPA/592/025/E.5/1
592	027	West Midlands Region RSL Planning Consortium	WR	Para. 4.24 to 4.27		LPA/592/027/Paras.4.24 to 4.27/1
592	028	West Midlands Region RSL Planning Consortium	WR	TR.18		LPA/592/028/TR.18/1
592	030	West Midlands Region RSL Planning Consortium	WR	Para. 14.10		LPA/592/030/Para.14.10/1
592	031	West Midlands Region RSL Planning Consortium	WR	TC.2		LPA/592/031/TC.2/1
592	101	West Midlands Region RSL Planning Consortium	WR	Para 3.4		LPA/592/101/Para.3.4/1
592	103	West Midlands Region RSL Planning Consortium	WR	Para. 3.25		LPA/592/103/Para.3.25/1
592	104	West Midlands Region RSL Planning Consortium	PLI	Para. 3.70	O/Para.3.70/592/104/1	LPA/H.10 & H.11/Round Table Session
594	001	Intervention Board	WR	GB.4	O/GB.4/594/001/1	LPA/594/001/GB.4/1
596	001	Mr C W Robinson	WR	GB.4		LPA/596/001/GB.4/1
597	007	Railtrack plc (In Railway Administration)	WR	Objective 7		LPA/597/007/Objective 7/1
597	009	Railtrack plc (In Railway Administration)	WR	E.2		LPA/597/009/E.2/1
597	010	Railtrack plc (in Railway Administration)	WR	NR.2		LPA/597/010/NR.2/1
597	011	Railtrack plc (In Railway Administration)	WR	NC.3		LPA/597/011/NCDesignation s/1
597	014	Railtrack plc (In Railway Administration)	WR	TR.2		LPA/597/014/TR.2/1
597	016	Railtrack plc (In Railway Administration)	WR	TR.5		LPA/597/016/TR.5/1
598	001	George Wimpey UK Ltd	PLI	E.2	O/E.2/598/001/1-15	LPA/598/001/E.2/1-2
598	004	George Wimpey UK Ltd	WR	H.2	O/H.2/598/004/1	LPA/598/004/H.2/1
598	005	George Wimpey UK Ltd	WR	H.4	O/H.4/598/005/1	LPA/598/005/H.4/1
598	006	George Wimpey UK Ltd	WR	H.5	O/H.5/598/006/1	LPA/598/006/H.5/1
598	007	George Wimpey UK Ltd	PLI	Para. 4.24 to 4.27	O/Paras.4.24-4.27/598/007/1-15	LPA/598/007/Para.4.24-4.27/1-2
598	008	George Wimpey UK Ltd	PLI	H.2	O/H.2/598/008/1-15	LPA/598/008/H.2/1-2
598	009	George Wimpey UK Ltd	WR	Para. 3.9	O/Para.3.9/598/009/1	LPA/598/009/Para.3.9/1
598	010	George Wimpey UK Ltd	PLI	Table 1	O/Table.1/598/010/1-15	LPA/598/010/Table.1/1-2
598	103	George Wimpey UK Ltd	WR	E.2 (Table E2)	O/E.2/598/103/1	LPA/598/103/E.2/1
600	001	I S Clewer	WR	DR.1		LPA/600/001/DR.1/1
601	001	K D Hutchinson	WR	DR.1		LPA/601/001/DR.1/1
602	001	Mr M Phillikps	WR	DR.1		LPA/602/001/DR.1/1
603	001	Ms C Brice	WR	DR.1		LPA/603/001/DR.1/1
604	001	Mr A Foxall	PLI	DR.1	O/DR.1/604/001/1	LPA/604/001/DR.1/1
605	001	H M Johnson	WR	DR.1		LPA/605/001/DR.1/1
606	001	Mr T Brice	WR	DR.1		LPA/606/001/DR.1/1
607	001	Mr M Davies	WR	DR.1		LPA/607/001/DR.1/1
608	001	Mr I Lander	WR	DR.1	O/DR.1/608/001/1	LPA/608/001/DR.1/1
609	001	Ms J K A and Mr P A Thompson	WR	DR.1		LPA/609/001/DR.1/1
610	001	Mr J O'Brien	WR	DR.1		LPA/610/001/DR.1/1
611	001	Mr B Shufflebotham	WR	DR.1	O/DR.1/611/001/1	LPA/611/001/DR.1/1

REF NO	RESPONSE NO	OBJECTOR	PLI/WR	POLICY/PARA	OBJECTOR DOCUMENT NO	LPA DOCUMENT NO
612	001	The Charterhouse Shopping Centre Fund & Ashcroft Estates Ltd	WR	TC.5	O/TC.5/612/001/1	LPA/612/001/TC.5/1
612	005	The Charterhouse Shopping Centre Fund & Ashcroft Estates Ltd	WR	RT.2	O/RT.2/612/005/1	LPA/612/005/RT.2/1
612	006	The Charterhouse Shopping Centre Fund & Ashcroft Estates Ltd	WR	TC.5	O/TC.5/612/006/1	LPA/612/006/TC.5/1
614	001	Mr E A Fletcher	WR	H.2		LPA/614/001/H.2/1
615	001	Sainsbury's Supermarkets Ltd	WR	RT.1		LPA/615/001/RT.1/1
615	002	Sainsbury's Supermarkets Ltd	WR	E.2		LPA/615/002/E.2/1
615	003	Sainsbury's Supermarkets Ltd	WR	RT.5		LPA/615/003/RT.5/1
615	004	Sainsbury's Supermarkets Ltd	WR	RT.4		LPA/615/004/RT.4/1
615	005	Sainsbury's Supermarkets Ltd	WR	Para. 13.36		LPA/615/005/Para.13.36/1
615	006	Sainsbury's Supermarkets Ltd	WR	Para. 13.20 to 13.24		LPA/615/006/Paras.13.20 to 13.24/1
615	100	Sainsbury's Supermarkets Ltd	WR	TR.18		LPA/615/100/TR.18/1
615	101	Sainsbury's Supermarkets Ltd	WR	Para 13.27A		LPA/615/101/Para.13.27A/1
615	102	Sainsbury's Supermarkets Ltd	WR	RT.1		LPA/615/102/RT.1/1
615	103	Sainsbury's Supermarkets Ltd	WR	RT.5		LPA/615/103/RT.5/1
616	001	Textron Automotive Ltd	WR	E.2		LPA/616/001/E.2/1
616	002	Textron Automotive Ltd	WR	E.5		LPA/616/002/E.5/1
616	003	Textron Automotive Ltd	WR	H.2		LPA/616/003/H.2/1
616	004	Textron Automotive Ltd	WR	E.1		LPA/616/004/E.1/1
616	005	Textron Automotive Ltd	WR	E.1		LPA/616/005/E.1/1
616	006	Textron Automotive Ltd	WR	E.5		LPA/616/006/E.5/1
618	100	Stansgate Planning Consultants	WR	GB.1		LPA/618/100/GB.1/1
618	101	Stansgate Planning Consultants	WR	RB2		LPA/618/101/RB.2 & Para7.97/1
620	001	Tube Plastics Ltd	WR	H.2 (Table 1)	O/H.2/620/001/1-2	LPA/620/001/H.2/1
620	002	Tube Plastics Ltd	WR	H.2	O/H.2/620/002/1-2	LPA/620/002/H.2/1
620	003	Tube Plastics Ltd	WR	H.2 (Table 2)	O/H.2(Table 2)/620/003/1-2	LPA/620/003/H.2/1
620	004	Tube Plastics Ltd	WR	H.3 (Table 3)	O/H.3(Table 3)/620/004/1-2	LPA/620/004/H.3/1
620	005	Tube Plastics Ltd	WR	H.10	O/H.10/620/005/1-2	LPA/620/005/H.10/1
620	006	Tube Plastics Ltd	WR	CA.1	O/CA.1/620/006/1-2	LPA/620/006/CA.1/1
620	007	Tube Plastics Ltd	WR	CY.1	O/CY.1/620/007/1-2	LPA/620/007/CY.1/1
620	008	Tube Plastics Ltd	WR	STC.3	O/STC.3/620/008/1-2	LPA/620/008/STC.3/1
620	009	Tube Plastics Ltd	WR	Para. 14.32	O/Para.14.32/620/009/1-2	LPA/620/009/Para.14.32/1
620	100	Tube Plastics Ltd	WR	Para 3.10	O/Para.3.10/620/100/1-2	LPA/620/100/Para.3.10/1
622	001	Coal Pension Properties Ltd	PLI	RT.4	O/RT.4/622/001/1-7	LPA/622/001/RT.4/1-4
622	002	Coal Pension Properties Ltd	PLI	Para. 13.37	O/Para.13.37/622/002/1-7	LPA/622/002/Para.13.37/1-4
622	003	Coal Pension Properties Ltd	PLI	RT.5	O/RT.5/622/003/1-7	LPA/622/003/RT.5/1-4
622	100	Coal Pension Properties Ltd	PLI	RT.5	O/RT.5/622/100/1-7	LPA/622/100/RT.5/1-4
626	001	Worcestershire Acute Hospitals NHS Trust	PLI	CY.3	O/CY.3/626/001/1-6	LPA/626/001/CY.3/1-7
626	100	Worcestershire Acute Hospitals NHS Trust	WR	H.2(Table 1)	O/H.2/626/100/1-6	LPA/626/100/Table.1 & App.4/7
626	101	Worcestershire Acute Hospitals NHS Trust	WR	Para. 3.10A	O/Para.3.10A/626/101/1-6	LPA/626/101/Para.3.10A/7
626	102	Worcestershire Acute Hospitals NHS Trust	WR	Para. 3.10	O/Para.3.10/626/102/1-6	LPA/626/102/Para.3.10/7
626	103	Worcestershire Acute Hospitals NHS Trust	WR	Para. 3.16 - 3.16A	O/Paras.3.16-3.16A/626/103/1-6	LPA/626/103/Paras.3.16-3.16A/7
629	001	Platts Forge Ltd	WR	E.2		LPA/629/001/E.2/1
629	002	Platts Forge Ltd	WR	LR.1		LPA/629/002/LR.1/1
630	001	Ernest & Young	WR	E.2	O/E.2/630/001/1	LPA/630/001/E.2/1
630	002	Ernest & Young	WR	NR.5	O/NR.5/630/002/1	LPA/630/002/NR.5.1
631	002	West Midlands Co-operative Society	PLI	RT.4	O/RT.4/631/002/1-2	LPA/631/002/RT.4/1-2

REF NO	RESPONSE NO	OBJECTOR	PLI/WR	POLICY/PARA	OBJECTOR DOCUMENT	LPA DOCUMENT NO
632	001	Brintons Ltd	WR	TC.2	O/TC.2/632/001/1	LPA/632/001/TC.2/1
633	001	Dunard Ltd	WR	H.2		LPA/633/001/H.2/1
633	002	Dunard Ltd	WR	E.2		LPA/633/002/E.2/1
635	001	British Sugar plc	WR	Para. 4.21	O/Para.4.21/635/001/1-9	LPA/635/001/Para.4.21/1-3
635	100	British Sugar plc	WR	E.2	O/E.2/635/100/1-9	LPA/635/100/E.2/1-3
635	101	British Sugar plc	WR	E.2	O/E.2/635/102/1-9	LPA/635/101/E.2/1-3
635	102	British Sugar plc	WR	E.2	O/E.2/635/103/1-9	LPA/635/102/E.2/1-3
635	103	British Sugar plc	PLI	TR.15	O/TR.15/635/103/1-9	LPA/635/103/TR.15/1-2
636	001	Mr G Taylor	WR	H.1		LPA/636/001/H.1/1
638	002	Arab Investments Ltd	PLI	H.2	O/H.2/638/002/1-3	LPA/638/002/H.2/1
638	003	Arab Investments Ltd	PLI	H.3	O/H.3/638/003/1-3	LPA/638/003/H.3/1
638	004	Arab Investments Ltd	PLI	H.5	O/H.5/638/004/1-3	LPA/638/004/H.5/1
638	005	Arab Investments Ltd	PLI	D.1	O/D.1/638/005/1-3	LPA/638/005/D.1/1
638	006	Arab Investments Ltd	PLI	D.3	O/D.3/638/006/1-3	LPA/638/006/D.3/1
638	007	Arab Investments Ltd	PLI	D.4	O/D.4/638/007/1-3	LPA/638/007/D.4/1
638	008	Arab Investments Ltd	PLI	D.9	O/D.9/638/008/1-3	LPA/638/008/D.9/1
638	009	Arab Investments Ltd	PLI	D.11	O/D.11/638/009/1-3	LPA/638/009/D.11/1
638	011	Arab Investments Ltd	PLI	Para. 13.22 to 13.24	O/Paras.13.22-13.24/638/011/1-3	LPA/638/011/Para.13.22-13.24/1
638	012	Arab Investments Ltd	PLI	RT.1	O/RT.1/638/012/1-3	LPA/638/012/RT.1/1-2
638	015	Arab Investments Ltd	PLI	STC.2	O/STC.2/638/015/1-3	LPA/638/015/STC.2/1
640	001	Trustees of D R Woodward	WR	E.2		LPA/640/001/E.2/1
640	002	Trustees of D R Woodward	WR	E.3		LPA/640/002/E.3/1
640	003	Trustees of D R Woodward	WR	E.8		LPA/640/003/E.8/1
640	004	Trustees of D R Woodward	WR	GB.4		LPA/640/004/GB.4/1
641	001	Mr C Donlon	WR	H.11	O/H.11/641/001/1-2	LPA/641/001/H.11/1-2
642	001	Mr R A Watkins	WR	H.2		LPA/642/001/H.2/1
643	001	Mr C W Jackson	WR	GB.1		LPA/643/001/GB.1/1
644	001	Mr S Trickett	WR	E.2(i)		LPA/644/001/E.2(i)/1
645	001	Jarvie Bedhall Dixon	WR	E.2	O/E.2/645/001/1	LPA/645/001/E.2/1
646	001	Worcestershire County Council Property Services	WR	GB.1	O/GB.1/646/001/1-2	LPA/646/001/GB.1/1
646	004	Worcestershire County Council Property Services	WR	H.2(i)	O/H.2(i)/646/004/1-2	LPA/646/004/H.2(i)/1
646	005	Worcestershire County Council Property Services	WR	CY.5	O/CY.5/646/005/1-2	LPA/646/005/CY.5/1
646	100	Worcestershire County Council Property Services	WR	CY.5	O/CY.5/646/100/1-2	LPA/646/100/CY.5/1
646	101	Worcestershire County Council Property Services	WR	LR.9	O/LR.9/646/101/1-2	LPA/646/101/LR.9/1
647	003	Worcestershire County Council Educational Service	WR	Para. 12.25	O/Para.12.25/647/003/1-2	O/Para.12.25/647/003/1
647	100	Worcestershire County Council Educational Service	WR	Para. 12.25	O/Para.12.25/647/100/1-2	O/Para.12.25/647/100/1
648	002	Folkes Properties Ltd	WR	TR.18		LPA/648/002/TR.18/1
648	003	Folkes Properties Ltd	WR	TR.20		LPA/648/003/TR.20/1
649	001	J Ward	WR	DR.1		LPA/649/001/DR.1/1
650	001	Mr P Mardon	WR	DR.1		LPA/650/001/DR.1/1
651	001	Ms S Mardon	WR	DR.1		LPA/651/001/DR.1/1
652	001	Miss T J Rowbottom	WR	E.2 and Para. 4.29		LPA/652/001/E.2 and Para.4.29/1
653	001	M J Kitchen	WR	E.2		LPA/653/001/E.2/1
655	001	Mercia Waste Management Ltd	WR	CA.1		LPA/655/001/CA.1/1
655	002	Mercia Waste Management Ltd	WR	LR.1		LPA/655/002/LR.1/1
655	003	Mercia Waste Management Ltd	WR	LR.2		LPA/655/003/LR.2/1
656	001	B & Q plc	WR	E.2		LPA/656/001/E.2/1
656	002	B & Q plc	WR	Para. 13.22 to 13.24		LPA/656/002/Paras.13.22 to 13.24/1
656	003	B & Q plc	WR	RT.1		LPA/656/003/RT.1/1
656	005	B & Q plc	WR	RT.3		LPA/656/005/RT.3/1
656	007	B & Q plc	WR	RT.4		LPA/656/007/RT.4/1
656	100	B & Q plc	WR	RT.1		LPA/656/100/RT.1/1
656	101	B & Q plc	WR	RT.5		LPA/656/101/RT.5/1

REF NO	RESPONSE NO	OBJECTOR	PLI/WR	POLICY/PARA	OBJECTOR DOCUMENT NO	LPA DOCUMENT NO
657	001	Wyre Forest Golf Club	WR	GB.1		LPA/657/001/GB.1/1
659	001	Trustees of G R Woodward	WR	E.2		LPA/659/001/E.2/1
659	002	Trustees of G R Woodward	WR	E.3		LPA/659/002/E.3/1
659	003	Trustees of G R Woodward	WR	E.8		LPA/659/003/E.8/1
659	004	Trustees of G R Woodward	WR	GB.4		LPA/659/004/GB.4/1
660	100	T-Mobile (UK) Ltd	WR	TR.21		LPA/660/100/TR/21/1
669	100	S Cartwright	WR	GB.1		LPA/669/001/GB.1(iii)/1
670	100	S Roberts	WR	GB.1		LPA/670/001/GB.1(iii)/1
671	100	Miss L Butler	WR	GB.1		LPA/671/001/GB.1(iii)/1

2. LIST OF SUPPORTING REPRESENTATIONS

REF NO	RESPONSE NO	OBJECTOR	POLICY/PARA
11	001	Countryside Agency	
11	002	Countryside Agency	D.3, Objective 18
11	004	Countryside Agency	TR.1
11	005	Countryside Agency	TR.6
11	006	Countryside Agency	TR.10
11	007	Countryside Agency	TR.17
11	008	Countryside Agency	LA.1
11	011	Countryside Agency	E.7 & Para. 4.2
11	014	Countryside Agency	CY.2
11	015	Countryside Agency	RT.7
11	018	Countryside Agency	H.11
13	100	Sport England	E.2
13	101	Sport England	AG.8
13	102	Sport England	Para 10.65
13	103	Sport England	Para 11.32

REF NO	RESPONSE NO	OBJECTOR	POLICY/PARA
13	104	Sport England	LR.9
13	105	Sport England	CY.4
13	106	Sport England	CY.5
13	008	Sport England	LR.1
13	009	Sport England	LR.2
13	012	Sport England	LR.10
13	013	Sport England	LR.13
13	014	Sport England	LR.14
13	016	Sport England	CY.2
15	001	Centro	H.3
15	002	Centro	TR.20
15	004	Centro	TR.2
15	008	Centro	IMP.1
19	100	Ramblers Association - Worcestershire	Objective 4
19	101	Ramblers Association - Worcestershire	H.2 - Para 3.10
19	102	Ramblers Association - Worcestershire	H.2 - Para 3.10A
19	103	Ramblers Association - Worcestershire	H.2 - Table 2
19	104	Ramblers Association - Worcestershire	H.2 - Para 3.16
19	105	Ramblers Association - Worcestershire	H.2 - Para 3.25
19	106	Ramblers Association - Worcestershire	H.2(viii)
19	107	Ramblers Association - Worcestershire	H.3 - Para 3.37
19	108	Ramblers Association - Worcestershire	H.10 - Para 3.70
19	109	Ramblers Association - Worcestershire	H.12 - Para3.89
19	110	Ramblers Association - Worcestershire	H.13
19	111	Ramblers Association - Worcestershire	H.17
19	112	Ramblers Association - Worcestershire	E.2
19	113	Ramblers Association - Worcestershire	LA.2
19	114	Ramblers Association - Worcestershire	LA.2
19	115	Ramblers Association - Worcestershire	LA.3
19	116	Ramblers Association - Worcestershire	LA.4
19	117	Ramblers Association - Worcestershire	LA.6 - Para 7.34
19	118	Ramblers Association - Worcestershire	LA.6
19	119	Ramblers Association - Worcestershire	LA.9 - Para 7.39
19	120	Ramblers Association - Worcestershire	Para 7.44
19	121	Ramblers Association - Worcestershire	GB.1(i)
19	122	Ramblers Association - Worcestershire	GB.1(iii)
19	123	Ramblers Association - Worcestershire	AG.1
19	124	Ramblers Association - Worcestershire	LR.8
21	001	British Waterways	H.5
21	002	British Waterways	TM.9
21	003	British Waterways	H.3 (Table 3)
21	006	British Waterways	STC.5
21	007	British Waterways	STC.4
21	011	British Waterways	TM.8
21	013	British Waterways	LR.13
21	014	British Waterways	TR.7
21	015	British Waterways	TR.6
21	016	British Waterways	NC.5
21	017	British Waterways	CA.1 & Para. 8.26
21	018	British Waterways	NR.6
21	020	British Waterways	H.17
21	021	British Waterways	H.4
26	100	National Grid	NR13
26	101	National Grid	NR.13
60	003	Mrs E F Foxall	D.9
60	008	Mrs E F Foxall	TR.7
61	001	Wyre Forest Friends of the Earth	D.6
61	002	Wyre Forest Friends of the Earth	D.8
61	003	Wyre Forest Friends of the Earth	D.9
61	004	Wyre Forest Friends of the Earth	NR.1
61	005	Wyre Forest Friends of the Earth	GB.1
61	006	Wyre Forest Friends of the Earth	TR.1
61	007	Wyre Forest Friends of the Earth	RT.1
66	100	Mr G Angell	TR.1
66	101	Mr G Angell	TR.14
66	103	Mr G Angell	TR.15
66	002	Mr G Angell	TR.5
66	005	Mr G Angell	TR.4

REF NO	RESPONSE NO	OBJECTOR	POLICY/PARA
78	001	Bewdley Town Council	GB.1
87	005	Stourport-on-Severn Town Council	TR.16
89	049	Stourport-on-Severn Civic Society	Para. 12.14
89	005	Stourport-on-Severn Civic Society	Objective 6
89	007	Stourport-on-Severn Civic Society	E.8
89	009	Stourport-on-Severn Civic Society	E.9
89	011	Stourport-on-Severn Civic Society	D.3
89	014	Stourport-on-Severn Civic Society	D.6
89	015	Stourport-on-Severn Civic Society	D.7
89	016	Stourport-on-Severn Civic Society	D.8
89	017	Stourport-on-Severn Civic Society	D.9
89	018	Stourport-on-Severn Civic Society	D.10
89	023	Stourport-on-Severn Civic Society	D.14
89	024	Stourport-on-Severn Civic Society	Objectives 21 to 27
89	025	Stourport-on-Severn Civic Society	NR.12
89	033	Stourport-on-Severn Civic Society	Objectives
89	041	Stourport-on-Severn Civic Society	LR.4
89	045	Stourport-on-Severn Civic Society	TM.7
89	046	Stourport-on-Severn Civic Society	TM.9
89	047	Stourport-on-Severn Civic Society	General
89	048	Stourport-on-Severn Civic Society	CY.3
89	050	Stourport-on-Severn Civic Society	CY.5 & Para. 12.31
89	057	Stourport-on-Severn Civic Society	STC.4
117	001	Environment Agency	General
117	006	Environment Agency	D.6
117	012	Environment Agency	NR.7
117	013	Environment Agency	NR.8
117	014	Environment Agency	NR.9
117	015	Environment Agency	LA.3
117	016	Environment Agency	LA.4
117	017	Environment Agency	LA.5
117	019	Environment Agency	CH.3
117	020	Environment Agency	NC.3
117	021	Environment Agency	NC.4
117	022	Environment Agency	NC.5
117	024	Environment Agency	LR.6
117	025	Environment Agency	TM.5
117	026	Environment Agency	TM.6
117	031	Environment Agency	E.2
118	001	South Shropshire District Council	CY.3
124	001	Wychavon District Council	Para. 4.27
125	001	CPRE	H.1
125	002	CPRE	H.16
125	003	CPRE	H.8
125	007	CPRE	NR.12
125	010	CPRE	RB.7
125	011	CPRE	CH.1
125	012	CPRE	E.4
125	013	CPRE	TR.3
125	014	CPRE	TR.5
125	015	CPRE	CY.4
125	016	CPRE	TR.21
126	003	Malvern Hills District Council	LA.2
128	100	English Nature	NC.4
128	102	English Nature	NC.1
128	103	English Nature	NC.2
128	104	English Nature	NC.3
128	105	English Nature	NC.4
128	107	English Nature	NC.7
128	108	English Nature	TR.21
128	109	English Nature	TR.15
128	001	English Nature	E.7
128	002	English Nature	E.8
128	003	English Nature	E.9
128	004	English Nature	D.7
128	005	English Nature	D.11
128	006	English Nature	NR.5
128	007	English Nature	NR.8

REF NO	RESPONSE NO	OBJECTOR	POLICY/PARA
128	008	English Nature	NR.12
128	009	English Nature	LA.3
128	010	English Nature	LA.4
128	011	English Nature	LA.5
128	012	English Nature	LA.6
128	013	English Nature	LA.9
128	014	English Nature	AG.5
128	015	English Nature	RB.7
128	021	English Nature	NC.6
128	022	English Nature	NC.7
128	023	English Nature	NC.8
128	026	English Nature	TR.17
128	028	English Nature	LR.5
128	029	English Nature	LR.6
128	030	English Nature	LR.7
128	031	English Nature	LR.11
128	032	English Nature	LR.12
128	033	English Nature	LR.13
128	034	English Nature	LR.14
128	035	English Nature	TM.1
128	036	English Nature	TM.8
128	037	English Nature	KTC.1
128	038	English Nature	KTC.4
128	039	English Nature	STC.2
128	040	English Nature	STC.3
132	100	Worcestershire Wildlife Trust	D.11
132	101	Worcestershire Wildlife Trust	NC.1
132	102	Worcestershire Wildlife Trust	NC.2
132	103	Worcestershire Wildlife Trust	NC.3
132	104	Worcestershire Wildlife Trust	NC.4
132	105	Worcestershire Wildlife Trust	NC.7
132	106	Worcestershire Wildlife Trust	TR.14
132	107	Worcestershire Wildlife Trust	TR.15
132	001	Worcestershire Wildlife Trust	Para. 1.18
132	002	Worcestershire Wildlife Trust	E.7
132	003	Worcestershire Wildlife Trust	E.8
132	004	Worcestershire Wildlife Trust	E.9
132	005	Worcestershire Wildlife Trust	D.7
132	006	Worcestershire Wildlife Trust	D.11
132	007	Worcestershire Wildlife Trust	NR.5
132	008	Worcestershire Wildlife Trust	NR.12
132	009	Worcestershire Wildlife Trust	LA.3
132	010	Worcestershire Wildlife Trust	LA.4
132	011	Worcestershire Wildlife Trust	LA.5
132	012	Worcestershire Wildlife Trust	LA.6
132	013	Worcestershire Wildlife Trust	LA.9
132	014	Worcestershire Wildlife Trust	AG.5
132	015	Worcestershire Wildlife Trust	RB.7
132	021	Worcestershire Wildlife Trust	NC.6
132	023	Worcestershire Wildlife Trust	NC.8
132	026	Worcestershire Wildlife Trust	TR.17
132	027	Worcestershire Wildlife Trust	LR.5
132	028	Worcestershire Wildlife Trust	LR.6
132	029	Worcestershire Wildlife Trust	LR.7
132	030	Worcestershire Wildlife Trust	LR.11
132	031	Worcestershire Wildlife Trust	LR.12
132	032	Worcestershire Wildlife Trust	LR.13
132	033	Worcestershire Wildlife Trust	LR.14
132	034	Worcestershire Wildlife Trust	TM.1
132	035	Worcestershire Wildlife Trust	TM.8
132	036	Worcestershire Wildlife Trust	KTC.1
132	037	Worcestershire Wildlife Trust	KTC.4
132	038	Worcestershire Wildlife Trust	STC.2
132	039	Worcestershire Wildlife Trust	STC.3
136	102	Worcestershire County Council (Environmental Services)	H.13
136	103	Worcestershire County Council (Environmental Services)	Para 4.14
136	104	Worcestershire County Council (Environmental Services)	TR.2 - Para 10.15
136	105	Worcestershire County Council (Environmental Services)	TR.2 - Para 10.16

REF NO	RESPONSE NO	OBJECTOR	POLICY/PARA
136	106	Worcestershire County Council (Environmental Services)	TR.9
136	107	Worcestershire County Council (Environmental Services)	TR.9
136	109	Worcestershire County Council (Environmental Services)	TR.16
136	110	Worcestershire County Council (Environmental Services)	TR.18
136	111	Worcestershire County Council (Environmental Services)	TR.18
136	113	Worcestershire County Council (Environmental Services)	STC.3
136	115	Worcestershire County Council (Environmental Services)	TR.1
136	116	Worcestershire County Council (Environmental Services)	Para 7.46
136	119	Worcestershire County Council (Environmental Services)	H.2 & H.3
136	120	Worcestershire County Council (Environmental Services)	H.15
136	121	Worcestershire County Council (Environmental Services)	H.17
136	122	Worcestershire County Council (Environmental Services)	E.3
136	123	Worcestershire County Council (Environmental Services)	E.9
136	124	Worcestershire County Council (Environmental Services)	LA.2
136	125	Worcestershire County Council (Environmental Services)	NR.15
136	126	Worcestershire County Council (Environmental Services)	AG.1
136	127	Worcestershire County Council (Environmental Services)	AG.7
136	128	Worcestershire County Council (Environmental Services)	NC.1
136	129	Worcestershire County Council (Environmental Services)	TR.1
136	130	Worcestershire County Council (Environmental Services)	RT.1
136	131	Worcestershire County Council (Environmental Services)	RT.1
136	132	Worcestershire County Council (Environmental Services)	RT.5
166	001	Mr B Picton	Para. 4.17
177	005	David Wilson Estates	D.12
227	002	Wyre Forest Business Forum	E.2
231	100	West Mercia Constabulary	D.12
245	051	Kidderminster Civic Society	KTC.4
245	103	Kidderminster Civic Society	HL.1
245	104	Kidderminster Civic Society	ED.1
245	108	Kidderminster Civic Society	Para 12.9A
245	013	Kidderminster Civic Society	Para. 5.2
245	032	Kidderminster Civic Society	TR.21
245	035	Kidderminster Civic Society	LR.10
245	038	Kidderminster Civic Society	CY.3
245	046	Kidderminster Civic Society	TC.4
245	047	Kidderminster Civic Society	TC.5
292	101	British Telecommunications plc	H.2
292	002	British Telecommunications plc	H.2(i)
292	003	British Telecommunications plc	H.2(ii)
314	001	Chiltern Railways	Para. 10.2
314	002	Chiltern Railways	TR.1 & Para. 10.12
314	003	Chiltern Railways	TR.2
314	004	Chiltern Railways	Para. 11.1
317	001	Stourport-on-Severn Town Centre Forum	Para. 11.72
350	001	Mr K Lee	DR.1
359	004	Wyre Forest Community Housing	LR.1
359	009	Wyre Forest Community Housing	LR.1
368	005	English Heritage	Para. 5.12
368	012	English Heritage	LA.6
368	013	English Heritage	LA.9
368	015	English Heritage	RB.1(iv), RB.2 & RB.8
368	017	English Heritage	Para. 8.11 to 8.14 (LB.1)
368	018	English Heritage	LB.2, LB.3 & LB.4
368	019	English Heritage	CA.1
368	026	English Heritage	KTC.4
421	101	Hurcott (Jersey) Ltd	H.2 - Table 2
421	102	Hurcott (Jersey) Ltd	H.4
421	103	Hurcott (Jersey) Ltd	NC.2
421	104	Hurcott (Jersey) Ltd	NC.7
421	001	Hurcott (Jersey) Ltd	H.1
421	004	Hurcott (Jersey) Ltd	E.1
421	008	Hurcott (Jersey) Ltd	NR.2
421	009	Hurcott (Jersey) Ltd	NR.3
421	010	Hurcott (Jersey) Ltd	NR.4
421	011	Hurcott (Jersey) Ltd	NR.5
421	012	Hurcott (Jersey) Ltd	NR.6
421	013	Hurcott (Jersey) Ltd	NR.7
421	014	Hurcott (Jersey) Ltd	NR.8

REF NO	RESPONSE NO	OBJECTOR	POLICY/PARA
421	016	Hurcott (Jersey) Ltd	LA.1
421	019	Hurcott (Jersey) Ltd	NC.1
421	020	Hurcott (Jersey) Ltd	NC.2
421	021	Hurcott (Jersey) Ltd	LR.7
422	001	BAE Systems	E.2
422	002	BAE Systems	Para. 4.17(i)
423	002	NHS Estates	E.3
423	004	NHS Estates	H.2
430	001	Hickman Stanmore Ltd	DR.1
436	002	National Farmers Union	D.7
436	004	National Farmers Union	NR.5
436	005	National Farmers Union	Para. 6.49
436	010	National Farmers Union	AG.6
438	100	Mrs M Bradley	GB.1
438	101	Mrs M Bradley	TR.14
466	001	Highways Agency	H.2(ii)
466	002	Highways Agency	E.2(ii)
466	007	Highways Agency	TR.19
466	008	Highways Agency	TR.20
466	009	Highways Agency	AD.1
466	010	Highways Agency	AG.5
466	011	Highways Agency	RB.1
481	101	House Builders Federation	Para 3.10
481	103	House Builders Federation	Para 3.16 - 3.16A
485	001	Ms Phyllis Green	TC.3
486	001	Mr P J Wills	GB.4
487	001	Alaine Sheppard	STC.1
488	001	Rev B Gilbert	LR.1
488	002	Rev B Gilbert	Not specified
489	001	Mr J W Burgin	LB.1
496	100	Mr N Sadler	H.2
497	001	Rev T P Demore	TR.7
509	004	S J Braggington	CY.3
509	005	S J Braggington	CY.6
509	006	S J Braggington	E.2(i) & (ii)
527	100	Kidderminster Golf Club	NR.5
532	100	Strategic Rail Authority	E.2
532	001	Strategic Rail Authority	TR.2
532	002	Strategic Rail Authority	TR.3
532	003	Strategic Rail Authority	TR.4
536	002	Worcestershire Acute Hospitals NHS Trust	Para. 12.23
573	100	G F Wire	
576	100	Stourport RFC & Stourport Cricket Club	Para 10.64
582	100	Kidderminster Devel. Ltd	NR.5
592	100	West Midlands Region RSL Planning Committee	Para 2.4
592	102	West Midlands Region RSL Planning Committee	Para 3.10A
592	105	West Midlands Region RSL Planning Committee	Para 3.79
592	106	West Midlands Region RSL Planning Committee	Para 3.89
592	107	West Midlands Region RSL Planning Committee	Para 14.10
592	001	West Midlands Region RSL Planning Committee	Para. 1.18
592	003	West Midlands Region RSL Planning Committee	Para. 3.1
592	004	West Midlands Region RSL Planning Committee	Para. 3.2
592	005	West Midlands Region RSL Planning Committee	Para. 3.4
592	006	West Midlands Region RSL Planning Committee	Para. 3.9
592	008	West Midlands Region RSL Planning Committee	Para. 3.23
592	015	West Midlands Region RSL Planning Committee	H.8
592	016	West Midlands Region RSL Planning Committee	Para. 3.62
592	020	West Midlands Region RSL Planning Committee	Para. 3.83 to 3.86
592	026	West Midlands Region RSL Planning Committee	E.9
592	029	West Midlands Region RSL Planning Committee	Para. 14.2
593	100	Mr K Oliver	H.2
597	005	Railtrack plc (in Railway Administration)	General
597	006	Railtrack plc (in Railway Administration)	Objectives
597	008	Railtrack plc (in Railway Administration)	Objective 11
597	012	Railtrack plc (in Railway Administration)	Objectives
597	015	Railtrack plc (in Railway Administration)	TR.4
597	017	Railtrack plc (in Railway Administration)	TR.21
598	100	George Wimpey UK Ltd	Para 3.10

REF NO	RESPONSE NO	OBJECTOR	POLICY/PARA
598	101	George Wimpey UK Ltd	H.2
598	102	George Wimpey UK Ltd	Para 3.16 - 3.16A
598	104	George Wimpey UK Ltd	H.2(viii)
612	100	The Charterhouse Shopping Centre Fund & Ashcroft Estates Ltd	RT.5
612	003	The Charterhouse Shopping Centre Fund & Ashcroft Estates Ltd	RT.1
619	001	Mr P Bowdler	DR.1
646	102	Worcestershire County Council (Property Services)	H.2(Map)
647	101	Worcestershire County Council (Property Services)	Para 12.29
647	102	Worcestershire County Council (Property Services)	Para 12.28
647	103	Worcestershire County Council (Property Services)	Para 12.27
647	104	Worcestershire County Council (Property Services)	Para 12.26 - 12.26A
665	100	Miss M Hunter	Para 10.68 - 10.71
666	100	Mrs C Rowlands	H.2
668	100	Mr J Combe	Objective 4 & H.2

3. LIST OF WITHDRAWN OBJECTIONS

REF NO	RESPONSE NO	OBJECTOR	POLICY/PARA
9	001	Government Office for West Midlands	H.15
9	002	Government Office for West Midlands	NR.5
9	004	Government Office for West Midlands	AG.1
9	005	Government Office for West Midlands	AG.5
9	007	Government Office for West Midlands	AG.8
9	009	Government Office for West Midlands	RB.3
9	010	Government Office for West Midlands	NC.1
9	011	Government Office for West Midlands	NC.2
9	012	Government Office for West Midlands	TR.14
9	013	Government Office for West Midlands	TR.15
9	014	Government Office for West Midlands	RT.5
9	016	Government Office for West Midlands	LR.16
11	003	The Countryside Agency	Para. 15.10 to 15.12
11	009	The Countryside Agency	LR.8
11	010	The Countryside Agency	TM.1
11	012	The Countryside Agency	AG.7
11	013	The Countryside Agency	AG.8
11	016	The Countryside Agency	RT.10
11	017	The Countryside Agency	H.2
11	020	The Countryside Agency	LA.2
11	021	The Countryside Agency	LA.3
11	022	The Countryside Agency	LA.4
11	023	The Countryside Agency	LA.5
11	024	The Countryside Agency	LA.6
13	001	Sport England	H.2
13	002	Sport England	E.2
13	003	Sport England	AG.8(ii)
13	007	Sport England	TR.16
13	010	Sport England	LR.3
13	011	Sport England	LR.9
13	015	Sport England	LR.18
13	017	Sport England	CY.4
13	018	Sport England	CY.5
13	019	Sport England	IMP.1
15	003	Centro	Para. 10.6
15	005	Centro	Para. 10.19
15	006	Centro	TR.2
15	007	Centro	D.9
15	100	Centro	Para 10.60J - 10.60K
21	004	British Waterways	H.2 (Table 2)
21	005	British Waterways	H.2 (Table 2)

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21	008	British Waterways	STC.1
21	009	British Waterways	Para. 14.25 to 14.27
21	010	British Waterways	KTC.1
21	012	British Waterways	Omission
21	019	British Waterways	D.1
21	022	British Waterways	Para. 3.73
21	023	British Waterways	Para. 3.74
21	024	British Waterways	H.2
26	001	National Grid	NR.13
26	002	National Grid	Para. 6.56
26	003	National Grid	Para. 6.57
26	004	National Grid	Para. 6.58
28	001	Dudley Met Borough Council	H.1
28	002	Dudley Met Borough Council	H.10
28	003	Dudley Met Borough Council	NR.13
28	004	Dudley Met Borough Council	Para. 13.4 and 13.11
28	005	Dudley Met Borough Council	RT.1
28	006	Dudley Met Borough Council	RT.2
28	007	Dudley Met Borough Council	RT.3
28	008	Dudley Met Borough Council	E.8
28	009	Dudley Met Borough Council	GB.1
28	010	Dudley Met Borough Council	TR.14
28	011	Dudley Met Borough Council	Appendix 8 (Parking Standards)
61	011	Wyre Forest Friends of the Earth	TR.14
61	012	Wyre Forest Friends of the Earth	TR.15
61	014	Wyre Forest Friends of the Earth	TR.18
66	007	Mr G Angell	TR.14
66	008	Mr G Angell	TR.15
76	002	Kidderminster Foreign Parish Council	TR.8
76	003	Kidderminster Foreign Parish Council	LR.8
77	002	Upper Arley Parish Council	TR.18
78	002	Bewdley Town Council	LR.1
78	003	Bewdley Town Council	LR.8
89	001	Stourport-on-Severn Civic Society	General Strategy
89	002	Stourport-on-Severn Civic Society	H.2 (Table 2)
89	010	Stourport-on-Severn Civic Society	Design Strategy
89	012	Stourport-on-Severn Civic Society	D.4
89	013	Stourport-on-Severn Civic Society	D.5
89	019	Stourport-on-Severn Civic Society	D.11
89	026	Stourport-on-Severn Civic Society	General
89	027	Stourport-on-Severn Civic Society	LA.1
89	028	Stourport-on-Severn Civic Society	GB.1
89	030	Stourport-on-Severn Civic Society	AG.2
89	036	Stourport-on-Severn Civic Society	Para 9.14 (NC.2)
89	039	Stourport-on-Severn Civic Society	Objectives
89	040	Stourport-on-Severn Civic Society	Objectives
89	042	Stourport-on-Severn Civic Society	LR.14
89	043	Stourport-on-Severn Civic Society	TM.5
89	051	Stourport-on-Severn Civic Society	General
89	053	Stourport-on-Severn Civic Society	STC.3
89	054	Stourport-on-Severn Civic Society	STC.1 to 3
89	055	Stourport-on-Severn Civic Society	STC.2
89	056	Stourport-on-Severn Civic Society	STC.3
93	001	Forestry Commission	Para 9.30 (NC.5)
93	002	Forestry Commission	NC.2
93	003	Forestry Commission	NC.2
93	005	Forestry Commission	Para 7.41 (LA.9)
93	006	Forestry Commission	Para 7.39 (LA.9)
93	007	Forestry Commission	Para 7.34 (LA.6)
93	008	Forestry Commission	Para 7.32 (LA.6)
117	002	Environment Agency	NR.5
117	003	Environment Agency	H.2
117	004	Environment Agency	H.3
117	005	Environment Agency	E.2
117	007	Environment Agency	D.7
117	008	Environment Agency	D.15
117	009	Environment Agency	NR.2
117	010	Environment Agency	NR.5
117	011	Environment Agency	NR.6
117	018	Environment Agency	AG.5

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117	023	Environment Agency	NC.7
117	027	Environment Agency	KTC.4
117	028	Environment Agency	STC.1
117	029	Environment Agency	STC.2
117	030	Environment Agency	STC.3
124	002	Wychavon District Council	TR.14
126	002	Malvern Hills District Council	H.2(viii)
128	024	English Nature	TR.14
128	025	English Nature	TR.15
128	027	English Nature	TR.21
132	016	Worcestershire Wildlife Trust	NC.1
132	017	Worcestershire Wildlife Trust	NC.2
132	018	Worcestershire Wildlife Trust	NC.3
132	019	Worcestershire Wildlife Trust	NC.4
132	022	Worcestershire Wildlife Trust	NC.7
132	024	Worcestershire Wildlife Trust	TR.14
132	025	Worcestershire Wildlife Trust	TR.15
136	001	Worcestershire County Council (Environ. Services)	Transport - not specified
136	002	Worcestershire County Council (Environ. Services)	D.5(vi)
136	003	Worcestershire County Council (Environ. Services)	Para 7.19 (LA.1)
136	004	Worcestershire County Council (Environ. Services)	Para 1.7
136	005	Worcestershire County Council (Environ. Services)	Para 7.46 (GB.1)
136	006	Worcestershire County Council (Environ. Services)	H.2
136	008	Worcestershire County Council (Environ. Services)	H.3
136	009	Worcestershire County Council (Environ. Services)	H.10
136	010	Worcestershire County Council (Environ. Services)	H.15
136	011	Worcestershire County Council (Environ. Services)	H.17
136	012	Worcestershire County Council (Environ. Services)	E.3
136	015	Worcestershire County Council (Environ. Services)	E.8
136	016	Worcestershire County Council (Environ. Services)	E.9
136	017	Worcestershire County Council (Environ. Services)	LA.2
136	018	Worcestershire County Council (Environ. Services)	NR.15
136	020	Worcestershire County Council (Environ. Services)	GB.1(vi)
136	021	Worcestershire County Council (Environ. Services)	GB.4
136	022	Worcestershire County Council (Environ. Services)	AG.1
136	023	Worcestershire County Council (Environ. Services)	AG.7
136	024	Worcestershire County Council (Environ. Services)	NC.1
136	025	Worcestershire County Council (Environ. Services)	TR.1
136	027	Worcestershire County Council (Environ. Services)	TR.12
136	028	Worcestershire County Council (Environ. Services)	RT.1
136	029	Worcestershire County Council (Environ. Services)	RT.1(vi)
136	030	Worcestershire County Council (Environ. Services)	RT.1(vii)
136	031	Worcestershire County Council (Environ. Services)	RT.5
136	034	Worcestershire County Council (Environ. Services)	Omission
136	035	Worcestershire County Council (Environ. Services)	Omission
136	100	Worcestershire County Council (Environ. Services)	Para 3.25
136	101	Worcestershire County Council (Environ. Services)	H.12
136	108	Worcestershire County Council (Environ. Services)	Para 10.65
136	112	Worcestershire County Council (Environ. Services)	Para 10.77
136	114	Worcestershire County Council (Environ. Services)	TR.14
136	117	Worcestershire County Council (Environ. Services)	E.3
177	002	David Wilson Estates	H.2
177	004	David Wilson Estates	H.3
177	012	David Wilson Estates	DR.1
231	001	West Mercia Constabulary	Para 5.58 to 5.59
231	002	West Mercia Constabulary	Para 5.65
231	003	West Mercia Constabulary	Para 5.69
245	011	Kidderminster Civic Society	H.13
245	018	Kidderminster Civic Society	D.14
245	019	Kidderminster Civic Society	D.15
245	100	Kidderminster Civic Society	E.9
310	001	Mr D Attwood	H.2(viii)
348	001	E Williams	GB.1
354	002	Morbaine Ltd	E.5
354	001	Morbaine Ltd	E.2
359	001	Wyre Forest Community Housing	LR.1
359	002	Wyre Forest Community Housing	LR.1
359	003	Wyre Forest Community Housing	LR.1
359	005	Wyre Forest Community Housing	LR.1
359	006	Wyre Forest Community Housing	LR.1

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359	007	Wyre Forest Community Housing	LR.1
368	002	English Heritage	Para. 2.5
368	003	English Heritage	Para. 3.2, Objective 4
368	004	English Heritage	H.1, Para. 3.8, (Table 1)
368	006	English Heritage	D.1
368	009	English Heritage	NR.10
368	011	English Heritage	Para. 7.10 (LA: Background)
368	016	English Heritage	Para. 8.1 (Aim)
368	021	English Heritage	HL.1
368	022	English Heritage	ED.1
368	023	English Heritage	TM.1
368	024	English Heritage	KTC.1
368	027	English Heritage	STC.1, 2, 3, 4, 5 & 6
368	100	English Heritage	TR.21
368	101	English Heritage	KTC.1
401	001	R Griffiths	H.2(viii)
419	003	Wm Morrison Supermarkets plc	RT.2
419	004	Wm Morrison Supermarkets plc	RT.3
419	006	Wm Morrison Supermarkets plc	RT.5
422	003	BAE Systems	Para 4.17(i) (E.2)
436	001	National Farmers' Union	E.7
436	006	National Farmers' Union	LA.2
436	007	National Farmers' Union	GB.1
436	008	National Farmers' Union	AG.4
436	009	National Farmers' Union	Para. 7.84 (AG.5)
436	011	National Farmers' Union	AG.8
436	012	National Farmers' Union	NC.6
436	014	National Farmers' Union	TM.7
445	003	Octavian Development & Construction	H.5
466	003	Highways Agency	H.2(v)
466	005	Highways Agency	E.2(ii)
466	004	Highways Agency	E.3
466	006	Highways Agency	TR.9
466	100	Highways Agency	E.8
466	101	Highways Agency	TR.9
466	102	Highways Agency	E.2
496	001	Mr N Sadler	H.2(v)
498	001	Mr B Booker	General
499	001	Mrs D M Payton	TR.18
504	001	Ms K N Felgate	STC3
506	001	Ms R Horton	TR.18
523	001	MacDonald Wenlock Ltd	E.2
523	002	MacDonald Wenlock Ltd	LR.17
523	003	MacDonald Wenlock Ltd	Objective 66
523	004	MacDonald Wenlock Ltd	TC.3
527	002	Kidderminster Golf Club Ltd	NR.5
548	002	Mr S Watts	H.2(v)
554	004	M J R Body Repairs	H.2(v)
560	001	N Harris	H.2
571	001	Mr I MacDonald	DR.1
573	001	Mr G F Wire	TM.6 and Para. 11.80 to 11.86
576	002	Stourport RFC & Stourport Cricket Club	TR.16
581	001	Hingley & Callow Oils Ltd	H.2
582	002	Kidderminster Developments Ltd	NR.5
593	002	Mr K Oliver	H.2
593	001	Mr K Oliver	E.3
598	002	George Wimpey UK Ltd	H.2
598	003	George Wimpey UK Ltd	H.2
612	002	The Charterhouse Shopping Centre Fund & Ashcroft Estates Ltd	Para 13.23
612	004	The Charterhouse Shopping Centre Fund & Ashcroft Estates Ltd	RT.5
624	001	Avalon Homes Ltd	NC.2
624	002	Avalon Homes Ltd	LA.2
624	003	Avalon Homes Ltd	GB.1
624	004	Avalon Homes Ltd	H.13
631	001	West Midlands Co-operative Society	H.2
638	001	Arab Investments Ltd	H.1
638	010	Arab Investments Ltd	TR.16
638	013	Arab Investments Ltd	RT.2
638	014	Arab Investments Ltd	RT.4
646	002	Worcestershire County Council Property Services	LR.9

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646	003	Worcestershire County Council Property Services	H.2(i)
647	001	Worcestershire County Council Educational Service	Para. 12.29
647	002	Worcestershire County Council Educational Service	CY.4 and Para. 12.27
647	004	Worcestershire County Council Educational Service	Para. 12.26
648	001	Folkes Properties Ltd	TR.6
648	004	Folkes Properties Ltd	E.2
648	005	Folkes Properties Ltd	E.2(l)
656	004	B & Q plc	RT.2
656	006	B & Q plc	Para 13.36
656	008	B & Q plc	RT.5