

Planning Obligations Supplementary Planning Document



Adopted September 2016



Wyre Forest District Council



1 Context	2
Document Status	2
Introduction	2
Purpose	3
Legislative Framework	4
National Policy	5
Local Policy Framework	6
Types of Planning Obligation	8
Process and Procedures	9
2 Physical Infrastructure	14
Affordable Housing	14
Transport	14
3 Social Infrastructure	20
Public Open Space, Outdoor Amenity Space and Children's Play Space	20
Education	24
Community Facilities	28
Health	29
Emergency Services Infrastructure	30
4 Green Infrastructure	33
Environmental Requirements in Relation to Air Quality, Noise and Pollution	34
Historic Environment	36
Biodiversity and Geodiversity	38
Flood Alleviation	40
Public Realm	42
Waste / Recycling	45
Jargon Guide	46

1 Context

1.1 This Supplementary Planning Document (SPD) sets out Wyre Forest District Council's approach to securing planning obligations and developer contributions towards physical, social and green infrastructure. It is intended as a guide for landowners, developers and residents.

1.2 A planning obligation is a legally binding agreement that a landowner signs to provide a developer contribution, normally before development commences. Planning obligations can only be required to make a planning application acceptable in planning terms; usually this means a contribution towards, or the direct provision of, essential infrastructure.

1.3 There may be occasions where developments generate the requirement for infrastructure requirements not mentioned elsewhere in this SPD. The general need for development to mitigate any adverse impacts on infrastructure is supported by policy CP07 of the Adopted Wyre Forest Core Strategy.

1.4 It is expected that this SPD will be reviewed again once the Wyre Forest Local Plan Review is adopted.

Document Status

1.5 The District Council undertook an early engagement consultation between 8th January and 6th February 2015 to allow key stakeholders and other interested parties to influence and shape the content of the SPD. A draft version of the SPD was made available for public consultation between 18th January and 29th February 2016. The representations received have informed the development of the SPD.

1.6 Wyre Forest District Council adopted an Affordable Housing SPD in July 2014. Due to changes in legislation following the Housing and Planning Act 2016, and the likelihood of more changes to national guidance to come, the Affordable Housing SPD will remain. The document can be found on the Council's website at: <http://www.wyreforestdc.gov.uk/planning-and-buildings/planning-policy/supplementary-planning-documents.aspx>.

Introduction

1.7 Well planned and sensitive development offers great benefits to society. It provides the homes, workplaces and facilities that we need and stimulates the economy. However, development of all scales also creates considerable impacts on the environment, facilities and services of the area in which it is located and places burdens and costs on the community. The District Council wishes to ensure that the impacts of new development in Wyre Forest are minimised and that such development provides appropriate physical, social, and green infrastructure for the community as a whole.

1.8 Wyre Forest, like many other areas, is experiencing increasing pressures from development. In particular, the increase in density of developments and the requirement for the concentration of development on brownfield land has added to the pressure on the District's existing infrastructure.

1.9 Wyre Forest District Council adopted its Planning Obligations SPD in February 2007. Since then there have been a number of changes at the national, regional and local level which mean that the SPD requires updating.

1.10 A significant change has been the introduction of the Community Infrastructure Levy (CIL) regime. CIL is a charge that landowners must pay towards the cost of providing infrastructure needs arising from new developments within the area. CIL must be implemented by the charging authority through the preparation of a Charging Schedule and a list of Infrastructure Requirements that the charge will help to deliver. This is known as the Regulation 123 list.

1.11 The District Council has not yet adopted a CIL Charging Schedule. In October 2013 Councillors decided to progress CIL alongside the Local Plan Review. It will be reviewed whether to adopt CIL alongside preparation of the revised Local Plan and, if it is decided to implement CIL, this will happen at the same time as adoption of the Local Plan.

1.12 Consultation on the Local Plan Review Issues and Options Paper was undertaken in September / October 2015.

Purpose

1.13 The purpose of this document is to set out clearly the District Council's approach, policies and procedures in respect of the use of planning obligations. The National Planning Policy Framework (NPPF) (Paragraph 153) supports the production of SPDs where they can help developers make successful applications or aid infrastructure delivery.

1.14 The Planning Obligations SPD will cover three types of infrastructure:

- Physical Infrastructure - which includes transport, walking and cycling
- Social Infrastructure - which includes education, community facilities, health and open space
- Green Infrastructure (GI) - GI is the planned and managed natural elements and green spaces that intersperse and connect the towns and villages and rural areas.

Lime Kiln Bridge, Kidderminster - improvement works carried out as part of a S106 Agreement



1.15 The SPD will:

- Aid the smooth processing of planning applications by explaining the District Council's process and procedures for planning obligations to local residents, developers and landowners
- Explain the circumstances under which the District Council will collect planning obligations to mitigate the impacts of a development and the basis for the charges
- Help to ensure that the physical, social and green infrastructure requirements are fulfilled as part of new development proposals
- Ensure that the process is fair and transparent to developers, landowners and the general public
- Provide certainty for developers

Sustainability Appraisal

1.16 The EU Strategic Environmental Assessment (SEA) Directive requires certain UK plans, policies and programmes which are likely to have significant environmental effects to undergo a formal environmental assessment. Additionally, European Directive 92/43/EEC Conservation of Natural Habitats, Wild Fauna and Flora requires that a Habitats Regulations Assessment (HRA) is undertaken for plans to establish whether or not the plan, alone or in combination with other plans, policies or programmes, is likely to have significant effects on the qualifying features of a European site or sites. Section 19(5) of the Planning and Compulsory Purchase Act 2004 requires Sustainability Appraisal (SA) to be carried out on a plan. Section 180(5)(d) of the Planning Act 2008 removes the requirement for SA to be carried out on SPDs. Therefore, SEA, HRA and SA are only needed where an SPD is likely to have significant effects.

1.17 The District Council undertook extensive SA on the Adopted Core Strategy, the Site Allocations and Policies Local Plan and the Kidderminster Central Area Action Plan. This SPD does not set new policy. It only provides detailed guidance to support the delivery of policies set out within the aforementioned documents. It has been concluded therefore, that SEA, HRA and SA of this SPD is not required.

Legislative Framework

1.18 Planning Policy Guidance gives guidance on many issues relating to Planning Obligations. Section 106 of the Town and Country Planning Act 1990 includes a power which allows any person with an interest in land to enter into a planning obligation which may:

- Restrict the development or use of land in a specific way
- Require specific operations to be carried out
- Require the land to be used in a specific way
- Require a sum or sums of money to be paid to the local authority

1.19 Section 106 agreements are completed by landowners in order to require them to do something in connection with the development taking place on their land that could not be secured by imposing a planning condition or by using other statutory means. S106 obligations are a proper and recognised part of the planning system. They can enhance the quality of a development and enable proposals to go ahead which might otherwise be unacceptable if such

provision was not made. However, S106 obligations will not render acceptable developments which are otherwise inappropriate in terms of their impacts and their relationship with planning policy.

1.20 The CIL Regulations came into force on 6 April 2010. Regulation 122 of the Regulations sets out the statutory tests for planning obligations, namely that they should only be sought where they are:

- Necessary to make the development acceptable in planning terms
- Directly related to the development
- Fairly and reasonably related in scale and kind to the development

National Policy

1.21 The principle that a development should bear a proportion of the cost of facilities, for which it creates a need, is supported in Government policy. The National Planning Policy Framework (NPPF), published in March 2012, provides Government current guidance on planning obligations. The NPPF is supported on-line by the Planning Practice Guidance, launched in 2014, which also includes guidance on planning obligations.

1.22 Local authorities may decide whether to adopt CIL. Currently Wyre Forest District Council has not adopted CIL.

1.23 Paragraph 203 of the NPPF requires local authorities to ‘consider whether otherwise unacceptable development could be made acceptable through the use of conditions or planning obligations’. Paragraph 204 reiterates the statutory tests as set out in the CIL Regulations, setting them out as policy tests.

1.24 Furthermore paragraph 205 of the NPPF states:

‘Where obligations are being sought or revised, local planning authorities should take account of changes in market conditions over time and, wherever appropriate, be sufficiently flexible to prevent planned development being stalled.’

1.25 The Planning Practice Guidance also sets out detailed guidance on planning obligations. It places emphasis on ensuring that the package of developer contributions, (which includes the Community Infrastructure Levy, Section 106 contributions, Section 78 highways contributions and planning conditions) does not adversely affect the viability of development.

1.26 The NPPF clearly states in paragraph 14 that there should be a presumption in favour of sustainable development and, as such, the principal objective of the planning system is to deliver sustainable development. In order to encourage sustainable development, policies seeking obligations must be grounded in an understanding of development viability. Local authorities must be willing to negotiate on planning obligations based on scheme viability evidence and specific site circumstances. Further details in respect of viability and deliverability can be found in paragraph 173 of the NPPF.

Local Policy Framework

Corporate Plan

1.27 All District Council activities are guided by, and should be consistent with, the objectives and priorities set out in a Corporate Plan. Wyre Forest District's Corporate Plan 2014 – 2019 has two priorities, which are to:

- Support you to live in clean, green & safe communities
- Support you to contribute to a successful local economy

1.28 There are a number of strategic actions set out in the Plan which support the aims of the District. These themes provide a long term framework for the District and developer contributions will be essential to their implementation and delivery. Planning obligations will therefore, be required to ensure that development proposals are pro-actively assisting the District in its efforts to achieve the priorities and aims set out in the Corporate Plan. You can view the Corporate Plan at: <http://www.wyreforestdc.gov.uk/media/144585/CorporatePlan20142019.pdf>

Community Strategy

1.29 Worcestershire Partnership is the Local Strategic Partnership for the County which brings together local government, public services, voluntary and community organisations and local businesses. They have produced a 'Single Sustainable Community Strategy for Worcestershire (2011 – 2021)' which combines all of the Districts' and the County's sustainable community strategies into one single strategy. The strategy sets out the vision for the future of Worcestershire enabling partners to focus on the activity needed in the short term to improve the quality of life of the people who live, visit or work in the County.

1.30 The Community Strategy identifies three key priorities:

- A skilled and prosperous economy
- An environment that is cherished and resilient
- Improving health & well-being

1.31 Within the Single Sustainable Community Strategy for Worcestershire each of the six Worcestershire local authorities identified their own priorities at a local level. For Wyre Forest the identified priorities are:

- To boost the economy and encourage employment within the District
- To encourage better health and well-being
- To help to provide education as a means to employment
- To improve the local environment

Local Policies

Core Strategy

1.32 The District Council adopted its Core Strategy in December 2010. This SPD supports policy CP07: Delivering Community Wellbeing of the Wyre Forest District Core Strategy (2006 – 2026). This policy seeks to ensure that future development fully considers the needs of local communities and seeks to promote and enhance facilities where practicable. The Adopted Core Strategy can be viewed at: <http://www.wyreforestdc.gov.uk/planning-and-buildings/planning-policy/adopted-core-strategy.aspx>

Site Allocations and Policies Local Plan

1.33 In July 2013 the District Council adopted its Site Allocations and Policies Local Plan. This plan allocates and designates areas of land for particular uses. Additionally the plan sets out important development management policies. The Site Allocations and Policies Local Plan can be viewed at <http://www.wyreforestdc.gov.uk/planning-and-buildings/planning-policy/site-allocations-and-policies-local-plan.aspx>

Kidderminster Central Area Action Plan

1.34 In July 2013 the District Council also adopted the Kidderminster Central Area Action Plan (KCAAP). This sets out the approach to development within the central Kidderminster area. It can be viewed at: <http://www.wyreforestdc.gov.uk/planning-and-buildings/planning-policy/kidderminster-central-area-action-plan.aspx>

District Council's Infrastructure Delivery Plan (2012)

1.35 The Infrastructure Delivery Plan (IDP) examined the physical, social and green infrastructure provision that exists within the District and then identifies any gaps or capacity issues within this existing provision. View the IDP: <http://www.wyreforestdc.gov.uk/media/106013/EB062WFDC-IDP-September-2012.Pdf>

1.36 The IDP is being updated during Autumn 2016 as part of the District Council's Local Plan Review.

Wyre Forest Design Guidance Supplementary Planning Document (2015)

1.37 This document provides the basis for a more efficient planning system by identifying key design requirements within the District. It outlines what will be expected from developers when designing new developments. The Design Guidance SPD can be viewed at: <http://www.wyreforestdc.gov.uk/planning-and-buildings/planning-policy/supplementary-planning-documents.aspx>

Affordable Housing SPD (2014)

1.38 This document sets out detailed information relating to the delivery of affordable housing within the District and the standards which the District Council expects such housing to meet. It provides detailed guidance for implementing the affordable housing policies set out within the District's existing Development Plan. The document can be found on the Council's website at: <http://www.wyreforestdc.gov.uk/planning-and-buildings/planning-policy/supplementary-planning-documents.aspx>

Water Cycle Strategy

1.39 This document assesses the constraints and requirements which will arise from the scale of proposed growth on the water infrastructure requirements. View the Water Cycle Strategy: <http://www.wyreforestdc.gov.uk/media/97256/Water-Cycle-Strategy.pdf> This study is being updated as part of the Local Plan Review.

Worcestershire County Council Local Transport Plan

1.40 This suite of documents sets out the transport policies and strategies for Worcestershire. It provides the strategic framework to support the delivery of new developments which are sustainable in terms of their impact on the performance, viability and transport-related environmental effects of Worcestershire's network of transport infrastructure and services. Detailed consideration of the investment in transport infrastructure and services required to accommodate the travel demand generated by new development must be undertaken in each case. Failure to do this will lead to increased congestion, extended and unreliable journey times and increased transport-related emissions. This will, in turn, adversely impact upon the Worcestershire economy, environment and quality of life. View the Local Transport Plan at http://www.worcestershire.gov.uk/info/20055/strategies_plans_and_bids/806/the_local_transport_plan

Types of Planning Obligation

1.41 The District Council will require planning obligations that may fall into any of the categories listed below, where they are applicable to the proposed development. However, it should be noted that each planning application differs and it will be necessary to take into account the individual characteristics of a site and the nature of the proposed development.

In Kind Contributions

1.42 Developers may be required to build or directly provide the necessary infrastructure to fulfil a planning obligation, such as play equipment and sustainable drainage systems. The District Council will ensure that infrastructure is delivered on time and to the desired quality standards. The Section 106 Agreement will specify the standards and timing that such in kind contributions must meet.



Stourport-on-Severn

Financial/Tariff Contributions

1.43 In certain circumstances, developers may fulfil planning obligations through a one-off financial contribution or as a series of payments phased over time. Where phased payments will be required (particularly where the development is to be programmed over a significant period of time), the District Council will make it clear at what stages in the development process the payments will be required. In cases of one off payments, the District Council will require payment on, or in some cases prior to, the commencement of the approved development. If the financial contribution has not been spent by the District Council within any agreed time period, then monies may be returned to the developer.

Maintenance Payments

1.44 Where appropriate, for example when the District Council adopts a new play area provided by a developer, a maintenance payment will be required in the form of a commuted sum to contribute towards the physical upkeep of such facilities. The commuted sum required will cover a 20 year period and will be subject to changes in the Retail Price Index.

Pooled Contributions

1.45 The District Council will, for all types of planning obligations, where appropriate seek to pool developer contributions from more than one development across the District, to address the wider impacts of strategic matters such as transport infrastructure. CIL regulations limit the pooling of Section 106 contributions. Pooled contributions may be sought from up to five separate planning obligations for an item of infrastructure or for general infrastructure contributions such as education and transport. In these cases the District Council will work closely with the relevant public infrastructure providers to agree the need for type and level of pooled contributions along with the mechanism and time frame for delivery.

Process and Procedures

Pre-application Procedure

1.46 One of the aims of this SPD is to provide a clear framework for developers to identify if they are required to complete a Section 106 Agreement as part of the planning application. It is important that the process of securing appropriate developer contributions does not result in undue delays in the determination of planning applications.

1.47 The District Council would like, as far as possible, to assist those considering the development of land to understand the likely scope and scale of any developer contributions which may be sought. Developers and landowners seeking to submit planning applications for residential and commercial developments are encouraged to make use of the District Council's pre-application process in order that any site specific requirements are discussed at an early stage. Details of the District Council's pre-application process can be found at <http://www.wyreforestdc.gov.uk/planning-and-buildings/do-i-need-planning-permission.aspx>

General Guidance on Thresholds

1.48 This table is a guide for general illustrative purposes only and there may be specific cases that vary from this for justifiable reasons.

		Type of Development				
		Less than 11 dwellings	11 to 30 dwellings	30 or more dwellings	Less than 1000sqm of non-residential floor space	More than 1000sqm of non-residential floor space
Planning Obligation Type	Transport Impact	x	√	√	√	√
	Open Space/ Outdoor Amenity Space/ sport and recreation facilities	x	√	√	x	x
	Education	x	x	√	x	x
	Air Quality	x	√	√	√ (developments involving 10 or more car parking spaces.	√ (developments involving 10 or more car parking spaces.
	Public Realm	x	√	√	x	√
	Other Obligation	Site Specific	Site Specific	Site Specific	Site Specific	Site Specific
<ul style="list-style-type: none"> • This table is a guide only and there may be specific cases that vary from this for justifiable reasons. • Dwellings and non-residential floor space include both new build and change of use. The requirements associated with change of use applications will be considered on a case by case basis having regard to any net increase in the number of bed spaces (for conversions to residential use) and any change in intensity of use (for conversions to non-residential use). • Development that is mixed use or does not clearly fall into one category will be assessed on an individual basis for the nature of provision required. • Section 3.16 details the formula used as a basis to calculate developer contributions in respect of Open Space • Section 3.25 details the formula used as a basis to calculate developer contributions in respect of Education 						

Development Viability

1.49 Planning obligations are a necessary cost of development and it will be expected that the likely cost of obligations, including requirements for affordable housing provision, will be factored into the land acquisition and development costs from an early stage.

1.50 The NPPF does, however, set out the importance of ensuring the viability and deliverability of plans (para 173-177). Paragraph 173 states that *‘The sites and scale of development identified in the plan should not be subject to such a scale of obligations and policy burdens that their ability to be developed viably is threatened’*.

1.51 Policy SAL.DLP3:Financial Viability sets out the criteria which must be demonstrated if an applicant considers it is not viable to provide affordable housing. It is recognised that in dealing with development proposals, exceptional circumstances may occasionally arise which result in genuine financial viability concerns (for example where remediation costs are abnormal or are above what could reasonably have been foreseen).

1.52 If a developer believes there are exceptional circumstances (but not including land purchase costs) which would render a scheme unviable if the full level of planning obligations were required in line with this SPD, the following process is to be followed:

- a. The applicant approaches the District Council, ideally at development concept stage so that planning obligations can be established at pre-application stage, and submits a detailed financial appraisal signed by a suitably qualified professional, such as a Chartered Surveyor, to support their case. If an appraisal is submitted in confidence to the District Council, then a de-sensitised version will also need to be provided at formal application stage which can be made publicly accessible by the District Council. The financial appraisal should follow an open-book approach and include the following information as a minimum with supporting evidence and justification where appropriate:
 - A breakdown of all cost variables and development value including level of developer's profit
 - Identification of any exceptional cost items
 - Explanation of all assumptions made concerning the provision of planning obligations
 - Identification in cash flow terms of the effect of deferred payments
 - Provision of both 'grant' and 'no grant' scenarios in relation to affordable housing provision (this is only required on schemes which generate affordable housing requirements)
- b. Once the financial appraisal has been received from the applicant, the District Council may consider it necessary to obtain independent advice to validate a viability assessment. **The applicant will be required to meet all reasonable costs of this independent assessment.**
- c. The independent financial appraisal assessment is usually carried out using industry standard software and normally follows a residual land value approach. For larger schemes that are likely to be completed over a longer period of time, a cash flow based approach may also be used. Once completed, the results of the financial assessment are provided to the District Council and the applicant will be advised of the conclusions of the financial assessment. If there is any disagreement of the assessment the District Council will expect the applicant to agree to adjudication by an independent financial body and any costs of the adjudication shall be funded by the developer.
- d. The District Council's objective in viability negotiations is to secure the maximum value of planning obligations in order to reduce the impact of development, whilst working with developers to enable developments to come forward. To this end, the District Council may consider the use of one or more of a range of 'Value Engineering' mechanisms, depending on the results of the independent financial assessment, including, but not exclusively restricted to:
 - Deferred or Staged Payments - Phasing payment of planning obligations deferred to later date(s) within the development.
 - Clawback - The arrangement put into place when the local planning authority, in granting permission, agrees to reduce the planning obligation requirement for viability reasons. If, subsequently, the completed development (or phase) generates more

profit than expected, the local authority would then claw back an appropriate and agreed provision of the additional profit for the planning obligation, up to the amount originally sought on the site.

- Phased Viability Assessments - Usually associated with large developments, several viability assessments are conducted over an extended period of time to provide a reliable forecast of what developer obligation requirements for each phase can be met by a developer.
 - Time Constrained Planning Permissions - Where reduced planning obligation requirements are agreed by the local planning authority for viability reasons but these reduced obligations are only valid for a limited period, and in the event that the developer does not implement the permission within that period, then the obligations will revert back to the original requirements.
- e. The District Council will have due regard to the independent financial assessment results and the use of any appropriate 'value engineering' mechanisms, and in taking into account all other planning considerations will make appropriate recommendations to the District Council's Development Control Committee for determination. Viability considerations are one factor to be taken into account when determining a planning application; the District Council has to take into account a range of other factors to ensure development is acceptable in planning terms. For these reasons, the District Council is under no obligation to agree reduced contributions, even if a developer is able to demonstrate that the scheme would not be viable.
- f. If the District Council approves any reduction in planning obligations on a particular development, any secured obligations may be prioritised in accordance with the District Council's policy priorities. Alternatively, financial payments may be apportioned on the ratio or percentage as if there was no reduction in planning obligations. The approach taken is at the discretion of the District Council, depending on the individual circumstances of a particular development.

1.53 The District Council is producing a new viability study as part of the Local Plan Review. This will be factored into this SPD once the Local Plan Review is adopted and this document is reviewed again.

Costs

1.54 Developers will be required to meet the District Council's legal administrative and technical costs in negotiating, drafting and concluding Section 106 Agreements.

1.55 Where a fee is required for a particular planning obligation, applicants will be notified prior to the legal Section 106 Agreement being finalised.

Monitoring

1.56 The District Council monitors closely contributions secured through Section 106 Agreements to ensure that they are spent in accordance with the provision of the relevant agreement. A database, which records details of all Section 106 Agreements, is maintained by the Economic Prosperity and Place Directorate.

1.57 A Section 106 Obligation monitoring report is regularly presented to the District Council's Planning Committee. The report provides details of all planning agreements in process, with details of the provisions of the agreement and the current status. The report is included in the Planning Committee Agenda and is therefore a public document. It is available to view at Wyre Forest House and is also on the District Council's website.

Future Review

1.58 It is intended that this SPD will be reviewed as part of the Local Plan Review process. If, prior to this, there is a requirement to amend any part of this document owing, for instance, to changes in national policy, this will be done through a policy position statement with agreement by Full Council.

2 Physical Infrastructure

Key Elements

- Affordable Housing
- Transport - including walking and cycling

Affordable Housing

2.1 Wyre Forest District Council adopted an Affordable Housing SPD in July 2014. Developers need to read the 2014 SPD alongside this document in order to understand all the planning obligations that might arise in respect of a development. The document can be found on the Council's website at: <http://www.wyreforestdc.gov.uk/planning-and-buildings/planning-policy/supplementary-planning-documents.aspx>

2.2 Due to changes in legislation following the Housing and Planning Act 2016, and the likelihood of more changes to guidance to come, the Affordable Housing SPD will remain. Therefore, affordable housing will now not be covered in this Planning Obligations SPD.

Transport

2.3 Transport is the means of moving between places; it can be by public transport, private vehicle, cycling or on foot. There are two mainline railway stations within Wyre Forest District, road networks and cycle paths.

2.4 Traffic congestion has detrimental effects on the District and is becoming more prevalent within the three towns of Kidderminster, Stourport-on-Severn and Bewdley, resulting in accessibility and transport planning issues in parts of the District, particularly within Kidderminster and Stourport-on-Severn. As a result, urban areas are experiencing declining air quality and there are already two designated Air Quality Management Areas (AQMAs). Increasing growth in traffic volume will exacerbate these problems unless they are tackled through investment in sustainable transport infrastructure and a comprehensive travel package.

2.5 Section 4 of the NPPF requires the planning system to promote sustainable transport and the provision of viable transport infrastructure necessary to support sustainable development. It also makes an important contribution towards the wider sustainability and health objectives of the Government.

2.6 Policy CP03 of the Adopted Core Strategy seeks to promote transport choice and accessibility, requiring development proposals:

- To have full regard to the traffic impact on the local highway network;
- Where appropriate to connect into the surrounding infrastructure and contribute towards new or improved walking and cycling facilities and integrated public transport.

2.7 Also of relevance are the following policies in the Site Allocations and Policies Local Plan and Kidderminster Central Area Action Plan:

- SAL.CC3 – Major Transport Infrastructure
- KCA.CC2 – Sustainable Transport
- KCA.CC3 – Walkable Town

Kidderminster Rail Station



2.8 Developers will also be expected to take account of proposals included within the existing Wyre Forest Infrastructure Delivery Plan, the emerging Infrastructure Development Plan Review and the Wyre Forest Transport Challenges as set out in the current Worcestershire Local Transport Plan (LTP).

2.9 A key element of the LTP emphasises travel choices and the need for developers to provide a level of promotion and support to encourage sustainable transport measures aimed at travel impact mitigation. Occupiers of housing and economic development will contribute significantly to the transport problems highlighted in this section.

2.10 In considering planning applications for new development, the impact on the highway network will be assessed and consideration given as to how the impact could be mitigated with the use of planning conditions or by planning obligations.

2.11 Where specific mitigation measures are required, these may be sought using either Section 106 of the Town and Country Planning Act 1990 or Section 278 of the Highways Act 1980.

Improvements to Highway Transport Infrastructure

2.12 All development proposals will be assessed on their own merits in relation to the impact they have on the highway network. The thresholds for contributions are set out in the Context section of this document at paragraph 1.48. The level of contribution, or works required, will be assessed having regard to the level of floor space, the likely transport demands created and the character and volume of traffic likely to be generated.

2.13 Development proposals will need to mitigate their own impact through the provision of appropriate mitigation measures. These may include on-site estate roads, footpaths, bridleways and cycleways, parking spaces, lighting, bus stops, lay-bys and associated landscaping depending on the highway impact and the type and scale of the development proposed.

2.14 In addition, where appropriate, the District Council will seek contributions towards off-site improvements which are required directly and solely as a result of development and are necessary to make it acceptable in planning terms. This could include (but is not restricted to)

new and improved road infrastructure, traffic calming, public transport improvements, cycleways, footpaths, lighting and associated landscaping. In appropriate circumstances, the District Council may also seek ongoing revenue contributions to fund the running of a service which is necessary directly as a result of the development.

Bridge at Severn Road, Stourport-on-Severn



Transport Assessments and Statements

2.15 Planning applications for larger developments will need to be accompanied by Transport Assessments and Transport Statements for smaller scale development.

2.16 Indicative thresholds of when these will be required can be found in Worcestershire County Council's 'Highway Design Guide'. http://www.worcestershire.gov.uk/info/20007/travel_and_roads/284/transport_guidance_for_developers/2 .The assessment or statement should be provided in accordance with guidance provided by Worcestershire County Council's 'Requirements for Transport Assessments and Statements'. There may be some other occasions where such assessments are required as a result of local circumstances which should be highlighted through pre-application discussions with the County Council.

2.17 A Transport Assessment or Statement will help identify what mitigation measures will be required as a result of the development.

Travel Plans

2.18 In accordance with the NPPF, Travel Plans are an invaluable tool for Wyre Forest District Council and Worcestershire County Council in the delivery of sustainable transport outcomes. Strong travel plans provide the measures and resources for the implementation and promotion of sustainable transport policies that aim to reduce congestion, improve air quality and improve health through increasing walking and cycling. Travel Plans, along with transport assessments, can provide the mechanism for assessing and managing access to the sites, and the means to improve accessibility both to and from the site and local amenities and services.

2.19 The NPPF states that a Travel Plan should be required for developments that generate significant amounts of movement. Travel Plans are likely to be sought on applications for retail, leisure, business, employment, and health, residential and educational development as appropriate. This includes applications for redevelopment, mixed use schemes, changes of use of buildings and applications to extend the duration of an existing planning permission. The District Council will work with the County Council to ensure that Travel Plans are deliverable, measurable, incentivised and fully supported, wherever possible. It may also be necessary for audits to be prepared covering road safety and provision for safety for motorbikes, pedestrians, and cycles.

Travel Plan Thresholds

Land Use	Size	Threshold
A1 - Food Retail	Gross Floor Area	> 800 square metres
A1 - Non Food Retail	Gross Floor Area	> 1500 square metres
A2 - Financial and Professional Services	Gross Floor Area	> 2500 square metres
A3 - Restaurants and Cafes	Gross Floor Area	> 2500 square metres
A4 - Drinking Establishments	Gross Floor Area	> 600 square metres
A5 - Hot Food Takeaway	Gross Floor Area	> 500 square metres
B1 - Business	Gross Floor Area	> 2500 square metres
B2 - General Industrial	Gross Floor Area	> 4000 square metres
B8 - Storage or Distribution	Gross Floor Area	> 500 square metres
C1 - Hotels	Bedroom	> 100 bedrooms
C2 - Residential Institutions - Hospitals and Nursing Homes	Beds	> 50 beds
C2 - Residential Institutions - Residential Education	Student	> 150 students
C2 - Residential Institutions - Institutional Hostels	Resident	> 400 residents
C3 - Dwelling Houses	Dwelling Unit	> 80 units
D1 - Non Residential Institutions	Gross Floor Area	> 1000 square metres
D2 - Assembly and Leisure	Gross Floor Area	> 1500 square metres

2.20 The scope of the Travel Plan will need to be discussed with the District Council and the County Council, during pre-application stages. Further advice on Travel Plans can be found in Worcestershire County Council's Local Transport Plan.

2.21 The Department for Transport has published the report 'Making Residential Travel Plans Work: Guidelines for New Development' which gives further advice on this subject.

2.22 Developers may also find it useful to refer to Worcestershire County Council's web site on Transport Guidance for Developers http://www.worcestershire.gov.uk/info/20007/travel_and_roads/284/transport_guidance_for_developers

Public Transport

2.23 In order to ensure that the public transport service to a development meets the District Council's objectives, as identified in the Corporate Plan, Community Strategy and the Worcestershire Local Transport Plan, revenue contributions may be required to support that service. These will be for a period of not less than five years and may be in the form of an equivalent lump sum payable before the commencement of any service.

2.24 These contributions will only be required where the provision of the public transport service is necessary to make the development acceptable in planning terms, and has arisen directly as a result of the development.

2.25 Public transport services provided as a result of new development should not undermine existing service provision, particularly those services which are commercially viable.

2.26 Worcestershire County Council can advise on the level of service provision that will be sought together with the necessary standards and definitions.

Walking and Cycling

2.27 Walking and cycling can help to reduce obesity levels and improve other health conditions.

2.28 The District has an expanding network of cycle routes, which serves residents in making shorter utility and leisure trips. The District Council has an Adopted Wyre Forest Cycle Strategy, which identifies a network of cycle routes. In addition to policy CP03 of the Adopted Core Strategy, policy SAL.CC1 of the Site Allocations and Policies Local Plan requires new developments to safeguard and enhance the existing Cycle Route Network, including new links where possible. With specific reference to Kidderminster policy KCA.CC3 of the Kidderminster Central Area Action Plan requires new development to contribute to the aspiration of a walkable town centre.

Canal Towpath, Kidderminster



2.29 Where there is direct impact from new development, improved pedestrian and cycling facilities will be sought to create safer cycle routes for local people, and to ensure that cyclist needs are catered for in new developments within the District. This may include pedestrian priority measures, pedestrian friendly crossing, traffic calming, cycleways, and staff shower facilities at large industrial, commercial, retail and leisure developments.

2.30 Cycle parking and storage will be sought in line with the Worcestershire County Council's current guidance.

3 Social Infrastructure

Key Elements

- Public Open Space, Outdoor Amenity Space and Children's Play Space
- Education
- Community Facilities
- Health
- Emergency Services Infrastructure

Public Open Space, Outdoor Amenity Space and Children's Play Space

3.1 New residential development places increased pressures on open space, sport and recreation provision within the District. Planning obligations play a role in ensuring that facilities can cope with additional demand placed on them by new development. New housing development will be expected to secure the provision of adequate open space including play space, in terms of both quantity and quality. Currently the District Council, as part of the evidence base for the review of the Local Plan, is preparing an updated Open Space, Sport and Recreation Strategy.

3.2 The NPPF identifies at paragraph 73 that “access to high quality open spaces and opportunities for sport and recreation can make an important contribution to the health and well-being of communities”. Many local authorities, including Wyre Forest District, have high levels of obesity. Access to open space and opportunities to participate in sport and recreation can have positive effects in trying to reduce obesity and improving other health conditions. Strategic walking and cycling infrastructure, to link residential and employment areas, the town centre and the railway station in order to provide an integrated network of attractive routes will be sought, where possible, through investment in infrastructure and services. Such a network would be well-placed to incorporate enhancements to green infrastructure and the wider public realm. Active travel modes should be prioritised above all other modes, recognising the significant wider benefits that can be derived from investment in this area.

3.3 The NPPF advises that open space should be taken to mean all open space of public value, including not just land, but also areas of water such as rivers, canals, lakes and reservoirs, which offer important opportunities for sport and recreation and can also act as a visual amenity.

3.4 Policy CP07 of the Adopted Core Strategy sets out that developer contributions will be sought for sport, recreation, youth facilities, play space and amenity space. Policy SAL.UP4 (Open Space and Play Provision) of the Site Allocations and Policies Local Plan sets out that proposals for new residential development must include adequate children's play space in accordance with the most up-to-date guidance on developer contributions.

On-site Provision

3.5 Larger residential schemes will be expected to provide open space, sport and recreation facilities on-site. In addition, in circumstances where the development site is isolated from and poorly served by existing nearby facilities, off-site public open space provision will be required. In many cases an off-site contribution is preferred to provide the best facilities for the local community.

3.6 On smaller schemes, the District Council will explore the requirement within each residential scheme, on a case-by-case assessment basis, to achieve the optimal layout and positioning using the principles of good landscape and urban design and on its individual planning merits. Normally, off-site contribution will be sought. New development should meet the quantity, quality and accessibility standards for open space as established through the Wyre Forest District Open Space, Sports and Recreational Assessment (October 2008). This evidence base is being updated as part of the Local Plan Review.

3.7 Play areas should be designed to meet the Fields in Trust 'Planning and Design for Outdoor Sport and Play standard' and approved by the District Council's Landscape Officer / Parks and Open Spaces Manager:

- On sites providing more than 75 and less than 200 new child bed spaces (including combinations of two or more adjacent sites), a Local Equipped Area for Play (LEAP)
- On sites of 200 or more child bed spaces (including combinations of two or more adjacent sites), a Neighbourhood Equipped Area for Play (NEAP)

3.8 Details of the required characteristics of Children's Play Areas are set out in the table below:

Facility	Time	Walking Distance	Minimum Size	Characteristics
LAP (Local Area for Play)	1 min	100m	100 sq.m	Small, low-key games area
LEAP (Local Equipped Area for Play)	5 mins	500m	400 sq.m	5 types of play equipment, small games area
NEAP (Neighbourhood Equipped Area for Play)	15 mins	1000m	1000 sq.m	8 types of play equipment, opportunities for ball games or wheeled activities.

Play Area, Britannia Gardens, Stourport-on-Severn



3.9 Developers should submit appropriate plans with the planning application showing the layout of open space. Areas should be appropriately landscaped and any equipment installed to the Community Well-being & Environment Directorate's specification.

Maintenance

3.10 When on-site provision is being provided by a developer, it is generally acceptable for it to be maintained either by the developer themselves or via a management company, providing it is to a suitable standard, meeting all necessary regulatory requirements to the satisfaction of the District Council. Only in exceptional circumstances would it be appropriate for the open space to be transferred to the District Council for maintenance. The commuted sum is calculated by the District Council's Parks and Open Spaces Manager and would be for a minimum of 20 years. For further details on maintenance costs, contact the Parks and Open Spaces Manager.

Off-site Provision of Open Space Facilities and Improvements

3.11 For developments where there are existing play spaces located within the distances specified in Open Space, Sport and Recreation Assessment, it is considered appropriate for developers to provide a commuted sum payment for off-site improvements to be undertaken by the Community Well-being and Environment Directorate. The District has a number of strategic parks, which require regular upgrading and environmental improvements in order to serve the growing population. There are management plans in place for all of the District's parks and this includes a list of projects for which contributions will be sought. The District parks include Brinton Park, Kidderminster; St. George's Park, Kidderminster; Springfield Park, Kidderminster; Riverside North Park, Bewdley, Stourport War Memorial Park and Stourport Riverside, which has a masterplan for development.

3.12 Developer contributions towards improving the quality of the District's open space will be required for residential developments of 11 or more dwellings. In addition, contributions may be sought (in appropriate circumstances) towards the provision of or improvements to the following:

- Parks and Gardens
- Informal Green Spaces
- Sports Pitch Provision
- Nature Reserves

Jubilee Gardens, Bewdley



3.13 The District Council acknowledges that it would be unreasonable to expect residential development which falls into one of the following categories to contribute:

- Residential schemes of less than 11 units
- Replacement dwellings (on a one for one basis)
- Extensions and granny annexes
- Sheltered dwellings for the frail and elderly
- Temporary permissions for mobile homes or touring caravans
- 1 bedroomed dwellings
- Retirement housing

3.14 Where a scheme includes affordable housing, the contribution towards open space/play provision will be reduced by up to 50% for the affordable housing element, depending on the nature and scale of the scheme.

Calculation of Financial Contributions

3.15 The following formula will be used as a basis to calculate developer contributions for residential developments of 11 or more dwellings.

3.16 The requirement for play and open space provision as part of proposals for new residential development will be considered in relation to the number of child bed spaces created, which is calculated as follows:

1 bedroom dwellings/sheltered housing etc. = no child bed spaces

2 bedroom dwellings = 1 child bed space

3 bedroom dwellings = 2 child bed spaces

4 and 4+ bedroom dwellings = 3 child bed spaces

3.17 The cost of provision per square metre (£23.50) is based on 2006 figures calculated by the Cultural Leisure & Commercial Services Division with some updating. This does not reflect the full cost of laying out of new open space within the District but is a contribution towards the costs. These costs will be subject to annual inflation costs.

3.18 The following formula will be used as a basis to calculate developer contributions for residential developments of 11 or more dwellings resulting in 5-74 child bed spaces within the District:

No of bed spaces x 24 sq.m (Fields in Trust standard/person) x cost of provision /sq.m

Below is a worked example of the formula:

New housing development of 30 dwellings:

- 15 of these are three bedroomed (2 child bed spaces) = 30
- 10 are two bedroomed (1 child bed spaces) = 10
- 5 are one bedroomed (no child bed spaces) = 0

Therefore the development generates a total of 40 child bed spaces.

40 child bed spaces x 24 sq.m x £23.50 = £22,560

Therefore the developers would be expected to contribute £22,560 towards the provision of, or improvements to, the District's Play and Open Spaces.

Education

3.19 The opportunity of a decent education is central to achieving sustainable communities. Worcestershire County Council is the relevant infrastructure provider for education facilities and will be working in partnership with Wyre Forest District Council to deliver the infrastructure required to support housing growth. Provision of adequate education facilities is crucial in ensuring that all children have the opportunity to gain the vital knowledge, skills and qualifications needed for a right start in life.

3.20 The Government attributes great importance to ensuring that a sufficient choice of school places is available to meet the needs of existing and new communities. The NPPF indicates that local planning authorities should take a proactive approach to meeting this requirement and give great weight to the need to create, expand or alter schools.

3.21 Policy CP07 (Delivering Community Wellbeing) of the Adopted Core Strategy requires developer contributions for education and learning.

3.22 Planning obligations for educational facilities on sites where the development increases the need for education facilities to the extent that new or improved facilities are necessary will therefore be required.

Framework for Seeking Education Contributions and Amount of Contribution.

3.23 Where a proposed development results in the generation of additional pupil numbers in excess of that which local schools can accommodate within the local area, then a financial contribution may be required. Without investment, schools' ability to accommodate extra pupils generated by new housing development can be compromised; therefore, it is important to maintain sufficient levels of school capacity for a growing population. The development industry has a key role to play in delivering this provision on a scale and kind that is appropriate and directly related to the new development.

3.24 Obligations may be required for early years (0-5 year olds), primary (5-11 year olds) and secondary (11-16 year olds) school facilities, sixth form provision and special education facilities. Appropriate supporting evidence will be supplied by Worcestershire County Council for each obligation requested.

3.25 Education contributions for sites of 100 dwellings or less will be calculated on a cost per dwelling basis. The cost per dwelling is calculated by a formula which takes into account the following factor by a formula which takes account of the following factors:

- number and phase of year groups in the relevant school(s). Wyre Forest education is organised on a two tier system. There are 7 year groups in primary schools and 5 secondary school year groups. All the secondary schools have sixth form units.
- average pupil yield - currently 0.028 children per school year group per dwelling based on analysis of the 2011 Census of Population.
- building cost multiplier – set cost per pupil for building new school accommodation, based on original figures published by the Department for Education (DfE) and uplifted periodically in line with inflation.
- size and type of dwellings – dwellings with four or more bedrooms attract a 50% additional weighting due to the higher likely pupil yield. Conversely, flats and apartments have a 60% discount applied due to a reduced pupil yield. One bedroom dwellings of any type are not subject to a contribution, but are included in the calculation of the overall size of the development.

Formula

***Base Contribution = $(P \times 0.028 \times PBCM) + (S \times 0.028 \times SBCM) + (F \times 0.5 \times 0.028 \times FBCM)$**

0.028 = average pupil yield (currently 0.028 children per school year group per dwelling based on analysis of the 2011 Census of Population)

P = the number of primary phase year groups in the school

PBCM = Primary Building Cost Multiplier

S = the number of secondary phase year groups in the school

SBCM = Secondary Building Cost Multiplier

F = the number of sixth form year groups in the school

FBCM = Sixth Form Building Cost Multiplier

*The Base Contribution is the level set for 2/3 bed open market dwellings, with a weighting applied for 4/5 bed dwellings and flats and apartments.

3.26 The current schedule of rates and other supporting information is available to download from http://www.worcestershire.gov.uk/info/2015/planning_policy_and_strategy/142/school_planning_obligations

King Charles I School, Kidderminster



Threshold for Contributions

3.27 The threshold for contributions will depend on the size of the development and the ability of schools related to the development to absorb the additional pupils likely to be generated. The size of the development is determined by the net gain in dwellings. For example, a building project involving the demolition of two existing dwellings and the construction of 35 new dwellings will be considered to be a development of 33 dwellings for the purposes of assessing the Section 106 education contributions.

- For developments of 35 dwellings or less, contributions will only be considered where there is an exceptional need to increase capacity in the related schools. It is anticipated that most exceptional cases will be in rural settlements where the local school is under pressure. This will be assessed on a case-by-case basis, with relevant evidence provided by Worcestershire County Council.
- For developments of between 36 and 100 dwellings, Worcestershire County Council will consider the average number of surplus places per year group in related schools and how this compares to the expected impact of the development.
- For developments of more than 100 dwellings, Worcestershire County Council will carry out the same assessment but may seek to negotiate a bespoke contribution package depending on the specific infrastructure requirements of the development. Worcestershire County Council may seek the provision of land and/or buildings as an in-kind contribution from larger developments.

3.28 Worcestershire County Council will assess the average number of surplus places by reference to the number of pupils on roll as at the October school census. This will be compared to the Published Admission Number for the most recent September intake for that school.

3.29 Contributions will be sought from housing developments where it can be shown that the scheme will result in a direct need for additional school facilities at one or more of the schools related to the development. Related schools will usually be those whose catchment area includes the proposed development site. Schools that do not use catchment areas may be identified as related schools where they are in close proximity to the development, meet the criteria on lack of surplus capacity, and can demonstrate a likely demand from families moving onto the development. If the school(s) identified as related to a development have no scope to expand, consideration will be given to nominating an alternative school which can be expanded.

Eligible Schools

3.30 Before a contribution is requested, it will be decided which suitable project it will help to fund. This will be done at the application stage. Contributions will always be for permanent facilities and will not be used for providing temporary accommodation. An identified project may not be fully funded by one application and may be identified again for future applications up to a total of a five agreements.

Exemptions

3.31 Planning contributions for education facilities will not be sought from social rented housing and intermediate housing developments (or from those social rented/intermediate elements of larger schemes).

3.32 One-bedroom dwellings (including flats) will not be subject to negotiations for education provision, as it is considered unlikely that sufficient pupils will be generated from these households.

3.33 Specialist housing for the elderly will not be subject to negotiations for education provision, as it is considered unlikely that sufficient pupils will be generated from these households.

3.34 Specialist housing for people with disabilities will not be subject to negotiations for education provision.

Procedure for Agreement and Payment of Contributions

3.35 The District Council will prepare a Section 106 Agreement, in consultation with Worcestershire County Council, in respect of education provision. The level of contribution per dwelling will be agreed at this stage. In respect of outline planning applications an amount per dwelling will be agreed with the developer, which will then allow a final contribution to be calculated at the detailed planning application stage.

3.36 Education S106 contributions will be payable directly to Worcestershire County Council as the infrastructure provider.

3.37 Worcestershire County Council will carefully monitor and commit to spending the contributions within the time period specified in the planning agreement. Spend period will usually be 7-10 years.

Disbursement of Monies

3.38 Section 106 education contributions, together with any accrued interest, shall be spent on capital projects at one or more of the eligible schools. Contributions can be spent on maintained, voluntary aided, voluntary controlled, academy and free schools.

3.39 Contributions may also be spent on school-based early years facilities, extended school facilities, youth facilities, or specialist facilities for children with disabilities, or other school-based provision for the benefit of under-18 year olds.

3.40 Unspent monies will be returned to the developer at the end of any period negotiated in the Section 106 Agreement, usually 7-10 years.

Community Facilities

3.41 Community facilities provide for the health, welfare, social, educational, spiritual, recreational, leisure and cultural needs of the community. The provision of community facilities and services is essential to the quality of life of local residents. Policy CP07 of the Adopted Core Strategy seeks to ensure that future developments fully consider the needs of local communities and seeks to promote and enhance facilities, wherever practical. Furthermore, it sets out that the District Council will require developer contributions for community, shared use and cultural facilities. It is essential that community facilities are properly run and maintained in order to ensure the continued use by the community. Revenue funding and commuted sums may therefore be required as part of any Section 106 Agreement. It is also important that good quality facilities are available in accessible locations throughout the whole of the District.

3.42 Paragraph 70 of the NPPF seeks to deliver social, recreational and cultural facilities and services needed by the community. It requires planning authorities to plan positively for the provision and use of shared space, community facilities and other local services to enhance the sustainability of communities and residential environments.

3.43 A Community Facilities Audit was undertaken, in 2009 and updated in 2012, to identify the existing community facilities within the District. This will be used to help inform requests for planning obligations towards community facilities. <http://www.wyreforestdc.gov.uk/media/124699/EB069Community-Facilities-Audit-2012-Review.pdf>

General Community Facilities

3.44 Facilities such as community centres, youth facilities and meeting rooms play a vital part in community life. It is important that adequate facilities are provided in conjunction with new development and that social and community facilities are accessible to all. Examples of these are, provision or extension of community facilities including community centres, meeting halls, heritage facilities, museums, youth centres, day centres and other similar social infrastructure, health facilities and places of worship that may be sought in connection with new residential development.

Community and Youth Centres

3.45 Large scale housing developments which are defined as over 10 residential units may be expected to make on-site provision for community facilities in the form of community and youth centres, often as part of a neighbourhood centre. It is essential that community facilities are properly run and maintained in order to ensure the continued use by the community. Revenue funding and commuted sums may therefore be required as part of a Section 106 legal agreement, and may include requirements for a contribution towards future maintenance. Developers may be required to undertake a community needs assessment to assess the scale and nature of facilities required.

3.46 Any facilities provided should be capable of use as a venue for voluntary groups, the Youth Service and, where necessary, social service uses. Where appropriate, these facilities should be capable of dual use as community and youth centres. Community facilities should meet the appropriate registration standards in respect of space requirements and other physical facilities for playgroups or nursery provision.

3.47 Within larger new developments, land may be required to be allocated to enable the provision of community facilities required directly and solely as a result of that development. In addition, financial contributions may be required to support the needs of that new development; either to provide new facilities or to enable a project to extend existing facilities that are needed to meet the additional demand arising from that development. Applicants are encouraged to make use of the formal pre-application process in order that any such requirements are discussed at an early stage.

Health

3.48 The provision of adequate levels of health care is an essential part of any sustainable community. Whenever the requirements for the provision of healthcare services and facilities are considered this should include acute hospital facilities as well as primary care. Population growth leads to increased demand for secondary healthcare services. Wyre Forest Clinical

Commissioning Group (CCG) plans and provides the health care facilities within the District. NHS Wyre Forest Clinical Commissioning Group is responsible for planning and buying a wide range of healthcare services, including most hospitals, community and mental health services and ensuring the quality of these services. Within the Wyre Forest Area, there are 12 GP practices. Worcestershire County Council, who provide a public health function, are currently preparing a Health SPD.

3.49 The NPPF identifies that planning should support local strategies to improve health (paragraph 17). Local authorities should work with public health leads and health organisations to understand and take account of the health status and needs of the local population (Para 171). Although a local planning authority does not have direct control over the provision of health services delivered in the District, the District Council has a responsibility to set out the policy framework to enable those who provide services to make investment decisions.

3.50 The Community Strategy sets out that one of its three priorities is improving health & well-being.

3.51 Policy CP07 of the Adopted Core Strategy sets out that the District Council will require developer contributions to health and community safety facilities and services. Wyre Forest District has an ageing population which is forecast to increase. The District has generally a higher than national average of obesity both in children and adults and also higher than national average rates of asthma, chronic heart disease, hypertension and stroke.

3.52 Within larger new developments⁽¹⁾ land may be required to be allocated to enable the provision of healthcare facilities required directly and solely as a result of that development. Alternatively, financial contributions may be required to support the needs of that new development, either to provide new facilities or to enable a project to extend existing facilities that are needed to meet the additional demand arising from that development.

3.53 Residential development and population growth impact on the demand for all elements of social infrastructure, including education, emergency services and health, covering both primary care and secondary healthcare services. Increased access to open space and participation in exercise can lessen the impact of various illnesses which are partially attributed to inactivity and poor air quality; for example cycling, which if increased, can lower obesity and diabetes.

3.54 Any requirements as a result of larger developments would be set out in a Section 106 legal agreement completed during the planning application process. Applicants are advised to make use of the formal pre-application process in order that any such requirements are discussed at an early stage.

Emergency Services Infrastructure

3.55 Policy CP07 of the Adopted Core Strategy sets out that the District Council will require developer contributions with regard to, amongst others, 'health and community safety (including emergency services) facilities and services'. In addition, policy SAL.UP7 of the Site Allocations and Policies Local Plan requires at criterion (vii) that proposals demonstrate they have maximised natural surveillance and incorporated the principles of Secured by Design and have considered

1 Larger developments are defined as those of more than 10 residential units to be constructed or, where the number of residential units is not given, those having a site area of 0.5 hectares

the incorporation of fire safety measures. The current guidance supporting developer contributions to emergency services infrastructure, which includes the police, fire and rescue and ambulance services are covered within the:

- Crime and Disorder Act 1988
- National Planning Policy Framework
- National Planning Practice Guidance
- Core Strategy 2006-2026 (adopted 2010)
- Site Allocations and Policies Local Plan 2006-2026 (adopted 2013)
- Kidderminster Central Area Action Plan 2006-2026 (adopted 2013)

Fire and Rescue, Police and Ambulance Services

3.56 The District Council considers that the emergency services infrastructure should not be distinguished from other items of community infrastructure necessitated by a development. Where development would result in increased risk or the extension of developed areas, then mitigation measures will be required to safeguard the provision of adequate fire and rescue infrastructure. All contributions from planning obligations shall be used predominantly for capital purposes (for example premises / police posts), by West Mercia Police, Hereford and Worcester Fire and Rescue Services and West Midlands Ambulance Service. These will be given further consideration as part of the emerging Infrastructure Delivery Plan Review.

3.57 Water supply works may be needed to fulfil the Hereford and Worcestershire Fire & Rescue Service's duty to ensure the provision of an adequate supply of water for fire fighting. Requirements for the provision of fire hydrants and for other works necessary to ensure adequate supplies of water, in terms of both volume and pressure, may be required by the fire service. Developers should bear in mind that these requirements may relate to small-scale developments, particularly in more isolated locations without adequate infrastructure.

3.58 Fire hydrants should be sited in positions to be agreed by the Hereford and Worcestershire Fire Authority and the District Council. Such locations will be at main roads, feeder roads or road junctions where they are readily visible.

Preventing Crime and Disorder

3.59 Crime prevention can be a material consideration in the determination of a planning application and new development in the District should be designed to reduce the potential for crime and disorder. Failure to do so could result in the District Council refusing planning permission.

3.60 The Crime and Disorder Act 1998 places a duty upon local authorities to seek to prevent crime and disorder in its area in carrying out its duties. Specifically, Section 17 of the Act requires:

'Without prejudice to any other obligation imposed on it, it shall be the duty of each authority to which this section applies to exercise its various functions with due regard to the likely effect of the exercise of those functions on, and the need to do all that it reasonably can to prevent, crime and disorder in its area.'

3.61 The duty imposed by the Crime and Disorder Act, therefore, is for the District Council (together with other responsible authorities) to seek to prevent crime and disorder, to have regard to the crime and disorder implications of its decisions and the need to do all it reasonably

can to prevent crime and disorder in its area. The duty applies to all of the District Council's functions; therefore the issue is neither the responsibility of any particular department nor one particular element of its theatre of operation, but a cross-departmental corporate responsibility. In this regard, planning can contribute to the success of preventing crime and disorder, but does not operate in isolation and will not, on its own, provide the mechanism or the means for the District Council to prevent crime and disorder in its area.

3.62 The fifth bullet point of paragraph 58 of the NPPF states that 'Planning policies and decisions should aim to ensure that developments create safe and accessible environments where crime and disorder, and the fear of crime, do not undermine quality of life or community cohesion'.

3.63 The Corporate Plan has two priorities and one of these is to 'Support you to live in clean, green and safe communities. Through strategic actions the Plan will support low levels of crime and anti-social behaviour'.

3.64 Policy CP07 of the Adopted Core Strategy sets out that the District Council will require developer contributions with regard to, amongst others, 'health and community safety (including emergency services) facilities and services.'

3.65 In most cases, this can be satisfactorily achieved through effective and appropriate layout and design of new development. Those developments that would generate additional requirements for safety and security measures, where evidenced and justified to meet the planning obligation tests, will be determined on a site by site basis.

4 Green Infrastructure

- Air Quality, Noise and Pollution
- Historic Environment
- Biodiversity and Geodiversity
- Flood Alleviation
- Public Realm
- Waste / Recycling

4.1 The District Council as local planning authority has a duty under European, national, regional and local directives, policies and guidance to protect the local environment from inappropriate development and seek sustainable development. Green Infrastructure (GI) is the network of green spaces that intersperse and connect our cities, towns and villages, providing multiple benefits for our environment, economy and communities. GI is a holistic approach to viewing and managing the natural environment; acknowledging the multiple benefits and vital services it provides and making tangible links to economic, health and social welfare agendas and aspirations. The components of GI include biodiversity, landscape, historic environment, access and recreation and water

4.2 In 2010, the District Council prepared a Green Infrastructure Study which mapped all existing areas of green infrastructure and identified the issues and opportunities relating to green infrastructure within the District. The Green Infrastructure Study sets out a strategic view of the GI assets which exist within the District and looks at basic principles for developing the network further. This study was further developed with the District Council's Green Infrastructure Strategy in 2012 which sets out proposals for the protection and enhancement of existing green infrastructure and the creation of further multi-functional green spaces and corridors in order to create a network of green infrastructure throughout the District. It sets out more detailed guidance for incorporating Green Infrastructure into new development within the District. These documents are available to download from the District Council's website:

<http://www.wyreforestdc.gov.uk/media/105935/Final-Green-Infrastruture-Study.pdf>

http://www.wyreforestdc.gov.uk/media/105947/EB047Final-GI-Strategy_opt.pdf

4.3 New development can have both a minor or major impact on the local environment. The way a scheme minimises or off-sets its impact and contributes positively to its surroundings, whether in an urban setting or more rural, green environment, will determine how acceptable a proposal is likely to be. As a first priority, adverse environmental impacts should always be avoided. Only where there are no suitable alternatives and reasons for the development outweigh any avoidance of damage should planning obligations be considered to mitigate against environmental damage.

Environmental Requirements in Relation to Air Quality, Noise and Pollution

4.4 The justification for seeking planning obligations with respect to environmental requirements is set out in the National Planning Policy Framework (NPPF) and national Planning Practice Guidance (PPG) which requires Councils to take account of the risks of and from pollution when considering development proposals, and how this can be managed or reduced in order to remove any unacceptable risks.

4.5 The PPG indicates that it may be appropriate for developers to provide planning obligations in instances where the Council's planning objectives cannot be achieved by imposing a planning condition; for example where there is a requirement to make a financial contribution, or they relate to development, roads or buildings other than those covered by the planning application.

Air Quality

4.6 The District has two designated Air Quality Management Areas (AQMAs) at Welch Gate, Bewdley and Horsefair/Coventry Street, Kidderminster, which have been designated due to high levels of NO₂ emissions from road vehicles. Promoting healthy living is a key element of a sustainable community and reducing exposure to poor air quality will improve the health and quality of life of the population of Wyre Forest District.

4.7 Paragraphs 109 and 120 of the NPPF require that the effects (including cumulative effects) of pollution on health, the natural environment or general amenity should be taken into account.

4.8 Policy CP03 of the Adopted Core Strategy requires proposals for new development to fully consider their impact on air quality, particularly for areas within or adjacent to designated Air Quality Management Areas.

4.9 The Air Quality Action Plan for Worcestershire (2013) sets out how the District Council will work, in partnership with Worcestershire Regulatory Services, towards improving air quality, particularly with regard to reducing levels of nitrogen dioxide. A copy of the latest Plan can be found on the Worcestershire Regulatory Services website at: <http://www.worcsregservices.gov.uk/pollution/air-quality/air-quality-action-plan.aspx>

4.10 The District Council will consider the impact of development on local air quality arising from developments which generate additional traffic and the consequent likely increase in emissions of nitrogen dioxide.

4.11 Residential developments of 10 or more dwellings, commercial developments with 10 or more parking spaces and developments likely to increase traffic and therefore emissions, will all be required, usually through planning conditions, to put in place measures to mitigate increased emissions. Such measures could include Travel Plans, design improvements, reduced car parking, sustainable vehicle measures, cycling/pedestrian facilities and improvements to local public transport.

4.12 Where assessments made by the appropriate body indicate a development will have a negative impact on local air quality, schemes will be expected to include further mitigation measures which could incorporate but not be limited to a financial contribution to a specific Worcestershire Air Quality Action Plan measure. The amount of contribution will be determined using the Damage Cost Calculation matrix produced by the Department for Environment Food

& Rural Affairs. In some circumstances it may be appropriate for a developer to fund mitigating measures elsewhere. This would be to offset any increase in local pollutant emissions resulting from the proposed development.

Noise

4.13 A planning obligation for noise will only be required in circumstances where the District Council considers that there is noise from a source outside of the development site boundary that is likely to be detrimental to the amenity of future residents/occupiers, and which can not be mitigated against in any other way. It is good practice, in circumstances where noise of an industrial/commercial nature is involved, for the applicant to provide a report to the local planning authority on noise affecting the development site using 'British Standard 4142- Methods for rating and assessing industrial and commercial sound', where applicable. The report should detail the action proposed by the developer to mitigate the noise issues.

4.14 It may be necessary for a developer to enter into a planning obligation for noise, particularly in circumstances where the proposed development is for a sensitive development, i.e. residential, hospital, school etc. and there is an existing industrial use/ railway/ busy road etc. located nearby.

4.15 The planning obligation will be required to enable the developer to undertake works outside of the development site boundary in order to reduce noise at source for example by the provision of an off-site barrier. The purpose of this action will be to effect a reduction in noise at the development site which is sufficient to enable the proposed development to go ahead without adversely affecting the operation of the existing use whilst providing an acceptable noise climate at the location of the proposed development.

4.16 Detailed advice on noise assessments is provided in Worcestershire Regulatory Services' noise technical guide (2nd edition) <http://www.worcsregservices.gov.uk/media/1373587/noise-technical-guidance-v23.pdf>

Contaminated Land

4.17 Land affected by contamination due to the presence of metals, liquids, chemicals and vapours and/or air may give rise to hazards that put at risk occupiers or other users of the land, and may cause damage to buildings and infrastructure. The contaminants may also migrate to and affect nearby land by polluting surface and ground waters and/or having a detrimental impact on ecological systems. Land affected by contamination that remains untreated can therefore restrict development potential in the District or prevent the introduction of uses involving public access.

4.18 Paragraph 109 of the NPPF seeks to ensure that 'The planning system should contribute to and enhance the natural and local environment by: remediating and mitigating despoiled, degraded, derelict, contaminated and unstable land, where appropriate'.

4.19 Policy CP01 of the Adopted Core Strategy also requires all new developments to demonstrate that land contamination issues have been fully addressed. Proposals must also include appropriate remediation measures and verification works where contamination issues are identified.

4.20 Although in the majority of cases planning conditions will suffice, where a planning obligation is considered appropriate, the District Council will seek contributions towards site investigation and/or remediation works on land affected by contamination. In particular, these could include the following:

- Review / verification of such works carried out at the development site under condition, where necessary.
- Site investigation and remediation works for other affected land related to the development; for example, actions to address migration of contamination from adjoining land onto the development site.
- Monitoring works following the completion of the development. Examples include measuring gas and/or water contamination in boreholes and/or installing permanent monitoring equipment.
- The management of contaminated land, including a requirement for certain operations and activities to be carried out, such as the maintenance of remedial works. Examples include landscaping improvements and maintenance, gas protection and/or leachate treatment facilities (e.g. water treatment barriers).
- Restrictions on the development or use of the land.
- Any other measures deemed appropriate, for example independent monitoring / investigation during remediation works to ensure there are no off-site effects as a result of contamination.

Historic Environment

4.21 Wyre Forest District contains a variety of heritage assets including listed buildings, conservation areas, monuments, historic landscapes and archaeology. These assets, both designated and non-designated, all combine to provide a sense of place and help to make the area unique. The continued protection, conservation and enhancement of existing assets is seen as a key objective for the future development of the District.

4.22 The NPPF states that 'when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation.'

4.23 Policy SAL.UP6:Safeguarding the Historic Environment of the Site Allocations and Policies Local Plan requires any development proposal to demonstrate how the heritage assets will be protected, conserved and, where appropriate, enhanced.

4.24 In order to secure the relevant 'heritage objective,' the types of planning obligations that may be used by the local authority in respect of the historic environment fall into three broad categories: -

- To require the carrying out of specific operations or activities to a heritage asset
- To require a sum or sums of money to be paid towards the cost of the carrying out specific operations or activities to an heritage asset
- To restrict the development or use of the land until the identified 'heritage objective' has been met.

4.25 Planning applications which are close to certain types of heritage asset or its setting (e.g. canals, publicly owned Listed or Locally Listed Buildings etc), or that directly impact upon or fall within a heritage asset may result in a developer being required to either carry out specific improvement works or to set aside a commuted sum of money.

Historic Bridge in Harvington



4.26 The type of contributions or specific operations or activities likely to be required for the District's historic heritage are as follows (this list is not exhaustive but provides an indication of how planning obligations may be used):

- Contribution towards the repair, restoration or maintenance of a heritage asset.
- Contribution towards improved signage to and from a heritage asset.
- Contribution towards the provision of interpretation panels/ material illustrating the history of a heritage asset. Please note that where proposed development directly involves sites of historic or local interest (e.g. canal side development, or sites that contain Listed or Locally Listed Buildings) developers will be expected to make full use of this heritage asset as an information resource and as such, new development will be expected to be accompanied by relevant interpretation material of the historical and archaeological background of the heritage asset.
- Contribution towards environmental improvements of a heritage asset e.g. public realm improvement in a conservation area.
- Contribution towards better understanding, education and research of an archaeological site or resources that have not only wider community benefits but an identifiable relationship/ connection with the development concerned.

4.27 Consultation with the landowner will be required for the above operations and activities.

Biodiversity and Geodiversity

4.28 The NPPF and PPG, together with DEFRA Circular 01/2005, provides guidance on how local authorities should protect and enhance biodiversity. Section 40 of the Natural Environment and Rural Communities Act 2006 placed a duty on local authorities to conserve biodiversity so far as it is consistent with the proper exercise of its functions. It defines conserving biodiversity as including the restoration or enhancement of populations of a living organism or type of habitat. The Natural Environment White Paper (June 2011) provides further guidance on the value of the environment to business, health and education.

4.29 Wyre Forest District supports a wide range of habitats and species which are recognised in the UK Biodiversity Action Plan for habitats and species (UK HAPs & UK SAPs). Of particular note are the District's lowland acid/heathland communities; wetland corridors, including some of the most important wetland and wet woodland; and extensive ancient semi-natural broadleaf woodlands such as the National Nature Reserves of the Wyre Forest and Chaddesley Woods. A large area of the District falls into the Abberley and Malvern Hills Geopark.

4.30 Policies CP14 of the Adopted Core Strategy and SAL.UP5 of the Site Allocations and Policies Local Plan require new development to contribute to biodiversity within the District, either by enhancing opportunities within the site or making a contribution to off-site biodiversity projects. Furthermore, the policy seeks to ensure new development strives to enhance and not have a detrimental impact on the geodiversity of the District.

4.31 In addition, policy KCA.UP7 of the Kidderminster Central Area Action Plan requires sites adjacent to the Staffordshire & Worcestershire Canal and the River Stour to enhance the biodiversity value of the canal and rivers where appropriate.

4.32 Where planning applications affecting a site or feature of environmental interest are submitted, detailed site surveys will be sought from developers to establish the quantity and quality of the existing features so that decisions may be made about those which should be safeguarded and enhanced and others where offsetting benefits may be acceptable. Where appropriate, the District Council will expect the developer to identify appropriate enhancement.

4.33 The District Council will seek to ensure that, as far as is possible, there is no overall loss to the environment and quality of life as a result of development. The District Council is not just concerned with the rare and special but also with conserving, enhancing and creating the more commonplace which provide a sense of locality and are valued by local people such as supporting woodland creation which benefits the local community.

Wyre Forest

4.34 Any development, whether residential or commercial, which affects an area of ecological importance such as National Nature Reserves, Sites of Special Scientific Interest, Local Nature Reserves, Local Wildlife Sites, Local Geological Sites and areas known to support UK Priority habitat and species, will need to be assessed individually. Within the context of the development proposals, if the District Council considers that the development requires environmental mitigation to make it acceptable and this cannot be appropriately secured through planning conditions, then the District Council will



seek to secure appropriate mitigation through planning obligations. Consideration will be also be given to negotiating appropriate actions or contributions, (subject to the restrictions on the use of Section 106 under the CIL Regulations) to provide net gains in biodiversity from residential and commercial development, as set out in Paragraph 109 of the NPPF.

4.35 Mitigation is usually very site and development specific and is considered on this basis. It is not possible to provide specific guidelines on these two aspects. The NPPF states that local planning authorities, when determining planning applications, should aim to conserve and enhance biodiversity by applying the principles listed in paragraph 118 of the NPPF. The District Council should be consulted for further information.

4.36 Avoidance and mitigation measures should be used to neutralise the negative impacts of a development. However, in exceptional circumstances, where damage is permitted and full avoidance and mitigation would not be possible, the District Council may consider off-site mitigation for the loss of biodiversity. There may be a need for a management agreement to be brought forward as part of any mitigation. It may not always be possible to mitigate the loss of certain types of habitats such as ancient woodland as these are unique habitats that have evolved over long periods of time and therefore should be protected wherever possible.

4.37 Mitigation will normally involve on-site works; however, in some circumstances, off-site mitigation may be considered. The character and scope of these works and/ or contributions will be based on the specific negative impacts created by the development. The District Council should be consulted for further information

4.38 There are two methods of mitigation which one is favoured will depend on site circumstances:

- Creation and establishment (min. 15 years) of a better or equivalent area or quality of new habitat to that which is lost.

Or

- Improvement of existing habitat.

Flood Alleviation

4.39 Worcestershire's natural environment and geography is such that the County is already at risk of flooding from a number of sources including both rivers and surface water and this is predicted to increase with climate change. This is demonstrated by the emerging Worcestershire Local Flood Risk Management Strategy and emerging Worcestershire Surface Water Management Plan.

4.40 Environment Agency figures suggest that the following number of properties are at risk in the whole of Worcestershire:

1 in 100 years (1% annual probability) fluvial = 6,300

1 in 1000 Years (0.1% annual probability) fluvial = 11,200

1 in 100 year surface water (uFMfSW) = 15,100

4.41 As set out in the NPPF and especially the PPG, inappropriate development in areas at risk of flooding should be avoided. In exceptional circumstances development might be permitted in an area at risk of flooding, following application of the Sequential Test. Where development is permitted in areas at risk of flooding, paragraph 103 of the NPPF is clear that the risk of flooding should not be increased elsewhere and that any residual risk is safely managed, applying the Exception Test if required.

Bewdley Flood Defences



4.42 Policy CP02 of the Adopted Core Strategy requires that, for developments in areas with known surface water flooding issues, appropriate mitigation and construction methods are provided. Also of relevance are policies SAL.CC7 (Water Management) of the Site Allocations and Policies Local Plan and policies KCA.CC1 (Water Management) and KCA.UP6 (River Stour) in the Kidderminster Central Area Action Plan.

4.43 Residual risk management might require on-site mitigation measures, such as the raising of floor levels, positioning of electrical sockets at a higher level or using more water resistant materials. The use of such measures will normally be secured through planning conditions rather than a planning obligation.

4.44 In order not to increase the risk of flooding elsewhere, it is important that the development will not have an adverse impact upon flood flows or storage and that runoff rates and volumes leaving the development site will be limited to pre-development (greenfield) levels. If this level of limitation is not reasonably practicable then for brownfield sites higher rates and volumes could be considered; however, they should be as close as possible to greenfield levels and provide a betterment compared to the pre-development situation.

4.45 Where a development includes the provision of off-site flood defence and mitigation works, a planning obligation may be appropriate. The developer will be expected to provide either the works or adequate funding in order to secure timely completion of the necessary works as well as a contribution to ensure that the works will be maintained in order to aid effective operation. In all cases, the type and location of the works should be justified and agreed with the appropriate Risk Management Authority, as defined in the Flood and Water Management Act 2010.

Sustainable Drainage Systems (SuDS)

4.46 There is the expectation that SuDS will be provided for the management of runoff in all major developments wherever appropriate and in all new developments in areas at risk of flooding, and that the design will conform to the non-statutory technical standards for SuDS (Defra, 2015). The ongoing maintenance of the SuDS scheme may need to be subject to a Section 106 Agreement. The maintenance contribution required will be determined on a site by site basis.

Flood Warning and Existing Flood Defence Contributions

4.47 Where it can be demonstrated by the appropriate Risk Management Authority that a development puts additional demand on a flood warning system or existing flood defence scheme, a contribution will be required to support the additional demand. Contributions will be directed towards a specific flood warning system or existing flood defence scheme which will be named within the planning obligation agreement. A system or scheme may be funded from contributions pooled from up to a maximum of five planning obligations. As part of the Local Plan Review, specific requirements will be set out in that Revised Local Plan.

Public Realm

4.48 The public realm relates to all areas of the District accessible to the public where social interaction takes place. High standards of design and the quality of the public realm are essential in creating successful environments for movement, interaction and activity, as well as defining the setting and relationship between surrounding buildings. High standards of public realm will further enhance the historic environment and serve to promote sustainable travel choices by facilitating walking, cycling and access to public transport.

4.49 The NPPF (paragraph 57) highlights the importance of planning positively for the achievement of high quality and inclusive design for all development, including individual buildings, public and private spaces.

4.50 An ambition of the ReWyre Initiative ⁽²⁾ is to seek improvements to the public streets and spaces.

District Wide Policies

4.51 A number of Local Plan policies are relevant including:

Adopted Core Strategy:

- CP11 – Quality Design and Local Distinctiveness
- CP13 – Providing a Green Infrastructure Network
- CP15 – Regenerating the Waterways

Site Allocations and Policies Local Plan:

- SAL.UP6 - Safeguarding the Historic Environment
- SAL.UP7 - Quality Design and Local Distinctiveness
- SAL.UP8 - Design of Extensions
- SAL.UP9 - Landscaping and Boundary Treatment

Kidderminster Central Area Action Plan:

- KCA.UP1 - Urban Design Key Principles
- KCA.UP2 - Public Realm

Kidderminster Town Centre



2 ReWyre Initiative/Regeneration Prospectus – the prospectus aims to highlight Kidderminster’s challenges and opportunities in order to attract support and investment into the town

4.52 The Wyre Forest Design Guidance Supplementary Planning Document (June 2015) provides detailed advice on the District Council's expectations for the delivery of high quality development, setting out how the District Council's design policies should be interpreted and what will be expected from developers and designers.

4.53 Developer contributions will be sought in appropriate circumstances for works to improve the public realm. This will need to take account of ongoing maintenance and may include:

- Pedestrian links to local facilities and public transport
- Tree planting
- Surrounding footways and streetscape
- Community safety initiatives
- Street furniture
- Public art

4.54 The quality of the environment within the three town centres is extremely important in maintaining their viability. New development both within and adjacent to the town centres enhances the use of the public realm, resulting in an increased need for new infrastructure. The District Council therefore considers it appropriate to secure contributions from individual major developments to improve the public realm within town centres.

4.55 Contributions will be directed towards a specific public realm project which will be named within the planning obligation agreement. Contributions will be directed to locations where the provision or improvement of public realm would be directly related to the development, although this may not always be immediately adjacent to the development site. A project may be funded from contributions pooled from up to a maximum of five planning obligations.

Kidderminster

4.56 In respect of Kidderminster, there are three main public realm elements set out in the Kidderminster Central Area Action Plan (KCAAP):

- Key spaces and routes within the town centre (Policy KCA.UP2)
- The Ring Road (Policy KCA.UP3 & KCA.UP4)
- Staffordshire and Worcestershire Canal (Policy KCA.UP5)

4.57 Policy KCA.UP2 identifies that proposals within the primary and secondary shopping area will be expected to contribute towards the improvement of key spaces within the town centre including pedestrianised streets at the Town Hall Square and Bull Ring. The Town Hall Square is now completed as a project.

4.58 The KCAAP has identified a number of places as having an important future role as civic spaces:

- Town Hall Square (in front of the Town Hall)
- Bull Ring (around the Bull Ring traffic island)
- Church Square (in front of St.Mary's Church)
- Comberton Island
- Kidderminster Railway Station

4.59 Developments adjacent to these spaces are expected to make a positive contribution towards the relevant project. Any requests will need to meet the pooling requirements of the CIL Regulations.

4.60 In addition, policy KCA.UP3 expects new development in the town centre and adjacent to the Ring Road to contribute to the enhancement of the environment of the Ring Road, including contributing towards:

- transforming the Ring Road to reduce the negative impact of traffic on the pedestrian environment by creating an urban boulevard
- surface level pedestrian crossings over the Ring Road to create links between the town centre and adjacent neighbourhoods along primary desire lines and routes.

4.61 Policy KCA.UP5 expects new development on sites adjacent to the canal to contribute to the improvement of the canalside public realm.

4.62 Further details of the nature of public realm improvements in Kidderminster can be found in the KCAAP and the Churchfields Master Plan.

Stourport-on-Severn

4.63 The adopted Public Realm Design Guide for Stourport-on-Severn determines an overall conceptual framework for the creation of a re-established public realm for the town centre of Stourport-on-Severn. Four character areas are identified:

- Town Centre Core
- The Canal Basins
- Rivers Severn & Stour
- Gilgal

4.64 A map of the areas can be found in the Public Realm Design Guide available to view at <http://www.wyreforestdc.gov.uk/planning-and-buildings/planning-policy/supplementary-planning-documents.aspx> Major development proposals falling within these areas will be required to make a contribution towards public realm improvements identified in section 3 of the document.

4.65 Further information can also be found in the Bridge Street Basins Link Development Brief and in the Severn Road Development Brief, which can also be found on the above website.

Bewdley

4.66 Within Bewdley, development opportunities are limited due to the town's heritage. However, traffic management and public realm quality within the central area provides the potential to improve the overall experience of the town centre. General guidance on what these might be is contained in section 3.28 the Design Guidance SPD (2015).

Waste / Recycling

4.67 The District Council is committed to promoting sustainable development and to encouraging the recycling of waste.

4.68 Policy CP01 of the Adopted Core Strategy sets out that all new developments must make provision for waste recycling and, as a minimum, developments will be required to provide sufficient space to store materials for recycling. For all new residential development the developer will be required to pay Wyre Forest District Council for the provision of rubbish and recycle bins at all individual dwellings and communal bins for multi-occupancy developments.

Waste/Recycling Storage

4.69 The following key principles will underlie the provision of efficient waste storage and collection facilities within new developments:

- Ensuring waste storage areas are well located and designed in relation to properties
- Ensuring a means of moving waste containers from the rear of a property to the front or, where possible, to create a suitable storage area
- Provision of a collection point nearest to the highway from which bins can be easily collected. This is particularly relevant to communal properties or those developments that have access roads that are unsuitable for use by standard collection vehicles
- Provision of communal bin stores where necessary that are fit for purpose, well located, designed and accessible to the collection crews.

Recycling Micro Sites

4.70 Major development proposals, most notably larger residential/multi occupancy development proposals, should consider the provision of recycling micro sites in appropriate circumstances. Such sites should be easily accessible from the proposed development. Facilities could include banks or containers for mixed glass, paper, card, textiles, cans and plastic bottles or all mixed recycles. The provision of such facilities as part of a new development may need to be the subject of a Section 106 Agreement to cover management issues and the on-going cost of the facility.

Re-using On-site Materials

4.71 The District Council considers that proposals for major new development on brownfield sites should demonstrate how they will make maximum use of the existing on site materials. Policy CP01 of the Adopted Core Strategy requires all major developments to include a sustainability statement and site waste management plan.

Jargon Guide

Adopted Core Strategy (2010) – this is the strategic level document within the District's Development Plan. It sets out the broad locations for delivering housing and other major development needs in the District such as employment, retail and transport. It guides the site specific policies within the Site Allocations and Policies Local Plan and the Kidderminster Central Area Action Plan.

Authority Monitoring Report (AMR) – The Authority Monitoring Report (AMR) has two main purposes;

- to review progress made in achieving the timetable set out in the Authority's Project Plan
- to assess the extent to which policies in Local Plan Documents are being implemented and the effects that they are having.

Recent Government legislation has changed the title of this report from Annual Monitoring Report to Authority Monitoring Report.

Air Quality Management Area (AQMA) – areas designated by Wyre Forest District Council where the level of pollutant concentrations in the atmosphere results in the air quality not meeting the objectives set out by central government in 2005.

Biodiversity - the variety of life on earth or in a specified region or area.

Community Facilities – facilities which provide for the health, welfare, social, educational, spiritual, recreational, leisure and cultural needs of the community.

Community Infrastructure Levy (CIL) - allows local authorities in England and Wales to raise funds from developers undertaking new building projects in their area. The money can be used to fund a wide range of infrastructure that is needed as a result of development. This includes transport schemes, flood defences, schools, hospitals and other health and social care facilities, parks, green spaces and leisure centres. In order to collect CIL, local planning authorities must prepare, consult on and adopt a charging schedule setting out how much CIL developers need to pay for each type of development and a Regulation 123 list setting out what CIL monies will be spent on. Once collected, CIL receipts must be spent on the projects on the authority's Regulation 123 List.

Conditions - attached to planning approval Decision Notices which restrict the development or require additional details.

Conservation Area - an area of special architectural or historic interest, the character or appearance of which it is desirable to preserve or enhance.

Development Plan – the Development Plan for the District is currently made up of the Adopted Core Strategy, the Site Allocations and Policies Local Plan, and the Kidderminster Central Area Action Plan. Neighbourhood Plans will also form part of the Development Plan once adopted.

Geodiversity – the range of rocks, fossils, minerals, soils, landforms and natural processes that go to make up the Earth's landscape and structure.

Green Infrastructure – the living network of green spaces, water and environmental systems in, around and beyond urban areas.

Heritage Asset - a building, monument, site, place, area or landscape identified as having a degree of significance meriting consideration in planning decisions, because of its heritage interest.

Infrastructure Delivery Plan (IDP) - this 2012 document contains a list of all infrastructure needed to support sustainable growth, as set out in the Adopted Core Strategy, the Site Allocations & Policies DPD and the Kidderminster Central Area Action Plan. This document is being updated during autumn 2016.

Kidderminster Central Area Action Plan (KCAAP) – a plan specifically targeted to regenerating the central area of Kidderminster.

Listed Building - buildings designated to be of ‘special architectural or historic interest’ by the Secretary of State under the Listed Buildings and Conservation Areas Act 1991.

Local Needs Housing – including affordable housing and market housing which addresses the needs of different groups in the community such as, but not limited to, families with children, older people, people with disabilities, service families and people wishing to build their own homes, as established through Parish Housing Needs Surveys, Neighbourhood Plans and the Housing Register.

Local Plan Review - The District Council is currently in the early stages of undertaking a Local Plan Review. The new Local Plan will replace the current Adopted Core Strategy, Site Allocations and Policies Local Plan and Kidderminster Central Area Action Plan.

Local Transport Plan - a five-year integrated transport strategy, prepared by local authorities in partnership with the community, seeking funding to help provide local transport projects.

Major Developments - major developments include;

- Residential development comprising at least 10 dwellings or a site area of at least 1 hectare if the number of dwellings is not specified.
- Other uses where the floor space to be built is greater than 1,000 square metres or the site area is at least 1 hectare in size.

Material Consideration - any consideration that relates to the use and development of land is capable of being a material planning consideration.

National Planning Policy Framework (NPPF) – the document which sets out the Government’s planning policies for England and how these are expected to be applied. It provides a framework within which local people and their accountable councils can produce their own distinctive local and neighbourhood plans that reflect the needs and priorities of their communities. The NPPF must be taken into account in the preparation of local and neighbourhood plans, and is a material consideration in determining planning applications.

National Planning Practice Guidance (PPG) - web based resource which brings together planning practice guidance for England.

Public Realm - the areas of a settlement for the general use of the public such as streets, squares and parks, most frequently in the ownership of a public body.

ReWyre Initiative/Regeneration Prospectus – the prospectus aims to highlight Kidderminster's challenges and opportunities in order to attract support and investment into the town.

Rural Exception Sites – small sites for the provision of affordable housing in perpetuity or to meet another specific identified local housing need (as evidenced through the Parish Housing Needs Survey, Neighbourhood Plan or the District Council's Adopted Local Connections Policy), at locations which would not normally be suitable for housing. Rural exceptions sites seek to address the needs of the existing local community by accommodating households who are either current residents or have an existing family or employment connection. Small numbers of market homes may be allowed at the local authority's discretion, for example where essential to enable the delivery of affordable units without grant funding.

Section 106 Agreement (S106) - an agreement entered into between a landowner and the local planning authority, whereby the landowner undertakes to do specific actions in relation to the development the Section 106 (of the Town & Country Planning Act) Agreement relates to. This could cover, for example, providing public open space or agreeing the detailed use of the land. Also referred to a planning obligation. A Section 106 Agreement or obligation can only be imposed if it is necessary to make the proposal acceptable in land-use planning terms.

Site Allocations and Policies Local Plan (SALP) – this document allocates specific areas of land for specific uses. Most notably land to deliver housing but also for other major development needs such as employment, recreation, open space, and community uses, in order to meet the requirements set out within the Adopted Core Strategy. Additionally, the plan sets out important development management policies which will apply across the whole of the District and will be used for determining planning applications.

Site of Special Scientific Interest (SSSI) – a specifically defined area within which protection is afforded to ecological or geological features. Sites are officially notified by Natural England.

Strategic Housing Market Assessment (SHMA) – the SHMA is an assessment of housing market influences, current and future housing demand issues, impacts of past and planned housing supply and the impacts of economic and demographic changes. A Monitoring Report is produced annually to monitor changes in the data which underpins the assumptions in the SHMA.

Supplementary Planning Document (SPD) – provide additional information to guide and support the Development Plan.

Sustainable Communities – sustainable communities are places where people want to live and work, now and in the future. They meet the diverse needs of existing and future residents, and are sensitive to their environment, and contribute to quality of life. They are safe and inclusive, well planned, built and run, and offer equality of opportunity and good services for all.

Sustainability Appraisal (SA) – the purpose of SA is to ensure that the Development Plan and associated Supplementary Planning Documents (SPDs) conform to the Government principles of sustainable development which are:

- Living within environmental limits

- Ensuring a strong, healthy and just society
- Achieving a sustainable economy
- Promoting good governance
- Using sound science responsibly

Sustainable Drainage Systems (SuDS) - schemes for handling surface water by means other than pipes and storm drains, such as permeable surfaces, filter drains, filter strips, swales, retention or balancing ponds, infiltration basins, trenches and soakaways, to reduce the potential of flooding and improve water quality on new and existing urban developments

The Town and Country Planning (Local Planning) (England) Regulations 2012 – these regulations provide the legal framework for the preparation of planning policy documents including the Local Plan and Supplementary Planning Documents (SPDs).

Water Cycle Strategy – the Water Cycle Strategy assesses the constraints and requirements that may arise from the scale of the proposed development on the water infrastructure in the District. The report focuses on potential development sites and assesses the flood risk, water supply, sewerage infrastructure, waste water treatment, river quality and demand management measures.