



Wyre Forest District Council Local Plan 2016-2036

Examination

Matter 6: Other Allocations for Housing and Mixed Uses; Reserved Housing Sites

(Matter 6(i) Kidderminster (Section 30))

[Note: Gypsy and Traveller/Travelling Showpeople sites will be considered in Matter 8; employment sites and previously developed sites in the Green Belt will be considered in Matter 9]

Wyre Forest District Council Response

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Wyre Forest District Council

Wyre Forest District Local Plan (2016-2036) Examination

Matter 6: Other Allocations for Housing and Mixed Uses; Matter 6(i)

Kidderminster (*Section 30*) [Note: Gypsy and Traveller/Travelling Showpeople sites will be considered in Matter 8; employment sites and previously developed sites in the Green Belt will be considered in Matter 9]

Q6.1 Is the selection of the other site allocations in each of the identified areas based on an adequate assessment of all potential sites, including sustainability appraisal and assessment of their roles in serving Green Belt purposes? In particular:

a) have the assessments used suitable methodologies and applied them consistently?

- 6.1.1 The Council considers that the site assessments have used suitable methodologies and that they have been applied consistently.
- 6.1.2 All potential sites were initially assessed through the Housing and Economic Land Availability Assessment (HELAA) (HOU04/04a). The methodology for this was prepared in accordance with the NPPF and the NPPG at section ID3. The HELAA aims to identify sites and broad locations with development potential, assess their potential and suitability, and finally their likelihood of being delivered. Chapter 2 of HOU04 sets out the methodology used. Much of this work was undertaken by Council officers. However, an independent panel of specialists met over a series of weeks to discuss all the potential sites put forward in terms of their likelihood of being developed.
- 6.1.3 The Sustainability Appraisal (SD04) also assessed all of the potential allocations. A framework of sustainability objectives was developed for assessing the suitability of both the proposed policies and individual sites. A Policy Framework with 13 SA objectives has been used to assess the impacts of the Local Plan's vision and objectives, strategic options and policies. A specific SA framework was developed for the sites. This was revised in response to comments received at Preferred Options consultation and also to make it more practical and useful. To avoid duplication, the SA information was integrated into the HELAA site forms. Table 5.2 of the SA shows how the sites scored against the SA objectives.
- 6.1.4 A Green Belt Review has also been undertaken (GB01). This divided the Green Belt within Wyre Forest into 59 parcels for survey. Interested parties were consulted on the study methodology in May/June 2016. The methodology is based on that developed by LUC and which has been informally agreed by various West Midlands authorities. The method

deliberately does not use scoring to arrive at judgements as this would create problems of consistency. A common survey proforma is used for the different parcels. A Stage 2 assessment was then undertaken looking at smaller parcels which were being considered as potential allocations. The same methodology was used as at the strategic level first stage.

b) is it clear why the Council has decided to allocate the specific sites and not others?

- 6.1.5 The Site Selection Paper (SSP01/a/b) outlines the process undertaken starting with Issues and Options Consultation in 2015 followed by the Preferred Options Consultation in 2017. Several evidence base studies were commissioned in 2016 and many of these studies showed potential issues with some of the existing unimplemented allocations. Brownfield sites often have issues with flooding, both fluvial (from the River Stour) and from surface water runoff. There are also viability issues affecting many of the town centre sites. For this reason, a number of the existing allocations from the Kidderminster Central Area Action Plan of 2013 (DPH03) and Site Allocations and Policies Local Plan (2013) (DPH02) were not taken forward into the Preferred Options. One of the key issues to come out of the 2017 Consultation was a wish to limit Green Belt release and revisit the potential pool of brownfield sites to see if there were any that could be redeveloped for residential use. A few sites which officers had previously discounted, as they had been thought to be unavailable for development, were put forward for consideration together with new sites from landowners. In some cases, a planning application for site redevelopment was submitted or the existing use ceased or was given approval for relocation. Thus, sites that were previously thought not to be available were now found to be deliverable. During late 2017 the first Brownfield Land Register was published and some of these sites are now proposed allocations.
- 6.1.6 The involvement of the Local Plan Review Panel was key to the process of discussing site selection. This group consisted of District Councillors across all political parties together with representatives from the three town councils. This Panel met several times to discuss sites and it was concluded that there was insufficient brownfield capacity to meet identified housing need and for the first time since 1974, Green Belt boundaries would have to be reassessed. The final development strategy builds on that of the Adopted Core Strategy (2010) which concentrated development on urban brownfield sites.
- 6.1.7 The appendices to the Site Selection Paper (SSP01/a/b) list those sites which were considered earlier on in the process and subsequently removed together with the reasons for those decisions. An updated Site Appraisal spreadsheet can also be found in the Housing Topic Paper

(ED3). In terms of Kidderminster sites, Appendix 2 of SSP01 lists 4 sites which were deleted after Preferred Options consultation together with the reasons. Appendix 3 lists 3 sites in Kidderminster which were submitted at Preferred Options via the Call for Sites but did not get taken forward. Appendix 4 lists several mainly brownfield sites in Kidderminster that were added in at Pre-Submission stage. Some of these had become available during the process and thus had not been originally considered as they were still in use. Others had planning applications submitted for their redevelopment which showed that housing delivery was considered viable when previously it had been ruled out as it was thought to be unviable.

c) is the proposed development of each of the allocated sites consistent with the Plan's vision, aim and objectives and with national planning policy?

6.1.8 The aim of the Local Plan is to set out:

- the areas where development will take place.
- the areas that will be protected; and
- policies that will be used to determine planning applications.

6.1.9 The site allocations are consistent with the NPPF:

- Paragraph 8 by ensuring that there are sufficient homes built meeting the identified need.
- Paragraph 15 by ensuring a positive vision for the future of each area...addressing housing needs.
- Paragraph 67 ..."planning policies should identify a sufficient supply and mix of sites, taking into account their availability, suitability and likely economic viability".
- Paragraph 127 by ensuring that the site allocations "optimise the potential of the site to accommodate and sustain an appropriate amount and mix of development (including green and other public space) and support local facilities and transport networks."

6.1.10 The site allocations are consistent with the aim of the Local Plan, sites are allocated in areas where the Council consider that the sites are sustainable locations whilst protecting other areas of the District where site allocations have not been proposed. This complies with Plan objective 1 which encourages long-term sustainable development. Part C of the Submission Plan, Proposed Allocations, outlines specific detailed policies for each site.

6.1.11 The Council considers that all of the site allocations in Kidderminster are consistent with the spatial vision and objectives together with a Plan aim to address housing needs in order that existing and future residents'

requirements are met... (objective 3) when read alongside other Plan policies. The site allocations also are consistent with plan objective 5 maximising the use of previously developed land ensuring the best use is made of available land.

6.1.12 These allocations will ensure that Kidderminster benefits from sustainable brownfield regeneration (vision 3) and to maximise the use of previously developed land in order to ensure the best use is made of available land both within and beyond the main towns (objective 5). Kidderminster continues to be the main focus for growth within the Plan period, but it is important that the towns maintain their distinctive and separate identities. Many of the allocations will also aid the vision of the River Stour and the Staffordshire and Worcestershire Canal together with green infrastructure providing valued links for both wildlife and residents both within Kidderminster and beyond (vision 1).

6.1.13 All of the proposed allocations directly support Objectives 1-3 to encourage sustainable development, address key challenges around housing, employment, health and transport. The majority of the allocations in Kidderminster (18/24) will redevelop brownfield sites including several former schools closed back in 2007 following the move from 3 to 2 tier education within the District or sites of special schools which have now merged onto a new site (AS/6, BHS/18, BW/3, OC/11). There are also a few existing allocations on former industrial sites which are now coming forward for redevelopment including Churchfields, the site of a former carpet works.

Q6.2(i) Are the specific requirements for development of the sites justified, consistent with national planning policy, and likely to be effective? Do they make sound provisions for the number and types of dwellings, mixed uses and other needs, air quality, noise and flood protection, infrastructure requirements including green and blue infrastructure, and protection and enhancement of the natural and historic environment?

6.2.1 The specific requirements for the sites within the Local Plan are drawn from the conclusions within the evidence base documents assembled during the plan preparation process including the site selection methodology (SSP01), green infrastructure concept statements (GI01-GI03), Preliminary Ecological Appraisals (GI06-GI08), the Heritage Impact Assessment (HSR01), Strategic Flood Risk Assessment (FR01), and the Infrastructure Delivery Plan (IFT01).

6.2.2 Paragraph 29.7 within the Local Plan (SD01) outlines the structure of the sites allocations within policies 30 to 36. The policies also set out the specific requirements for the individual sites, which are consistent with the National Planning Policy Framework (NPPF). The specific

requirements as outlined within the individual site policies will be delivered by developers and through S106 agreements.

- 6.2.3 The number and types of dwellings proposed within the Local Plan are drawn from the Housing Need Study (HOU01) which has evidenced the overall requirement for 276 new dwellings per annum plus 487 C2 institutional units over the whole plan period. The overall mix by dwelling type, size and tenure is summarised in Table 7.6 (HOU01). Table 8.0.1 shown in Policy 8A of the Submission Local Plan reflects this data. It should be noted that this data will be subject to regular review. The Plan period will see an increased demand for smaller two- and three-bedroom dwellings and a reduction in demand for four-bedroom dwellings. This is due to a variety of factors such as rising divorce rates, desire for downsizing in later life, and newly forming households as youngsters set up on their own. The average household size in the district is expected to be 2.1 by 2036, compared to 2.25 for Worcestershire as a whole, and 2.34 for England¹. The employment land provision and specific site allocations are drawn from the 2018 Employment Land Review update within the evidence base (ECON04).
- 6.2.4 Kidderminster has an existing Air Quality Management Area (AQMA) at the Horsefair. Policy 16A states that development proposals must be designed to avoid significant adverse impacts from pollution on the AQMAs. The Churchfields site proposal (BW/1) will result in no negative impact on the existing air quality in the Horsefair area. The building of a new link road to access the site which has allowed for the Horsefair to be made one-way. Air quality within Kidderminster in the Plan period will be positively affected by the recent decision by the UK government to end the sale of new diesel and petrol cars by 2030 as part of the Green Revolution Plan². Policy 24B in the Local Plan also includes a requirement that all new developments should include electric car charging points. Appropriate noise mitigation measures have been referenced for the relevant specific site policies, which is consistent with paragraph 180 of the NPPF.
- 6.2.5 The specific requirements contained in a number of the site policies in relation to flood protection have been informed by the Strategic Flood Risk Assessment (FR01) within the evidence base. The Local Plan has applied a sequential risk-based approach to the location of development, consistent with paragraph 157 of the NPPF and the Flood Risk Sequential Test Assessment of Proposed Development Sites (FR02)

¹ WFDC Housing Topic Paper (June 2020), paragraph 4.9 (ED3)

² <https://www.gov.uk/government/news/pm-outlines-his-ten-point-plan-for-a-green-industrial-revolution-for-250000-jobs>

- 6.2.6 The specific requirements for the sites are considered to make sound provision for each site and are justified by the Infrastructure Delivery Plan within the evidence base (IFT01) to meet paragraphs 92-94 of the NPPF. This is a living document that details both the infrastructure required to support the proposals, the development sites in the plan, and the likely delivery partners. The IDP sets out future capacity requirement for education, health, utilities, community space and transport. Additionally, Travel Plans will be required for all major developments (Policy 13).
- 6.2.7 In terms of green and blue infrastructure, a number of proposed modifications are suggested for Policy 14 (see SD12) which will have implications for the many brownfield sites in Kidderminster. The Policy does not give an indication of the quantity of GI expected on brownfield sites. However, mitigation would be expected if the proposed development impacts negatively on protected sites or where brownfield sites have high environmental value. New development will be expected to retain, protect and enhance Green Infrastructure (GI) assets by integrating GI into developments and contributing positively to the District's green infrastructure network (Policy 14). Where appropriate, specific site requirements have included proposals to take into consideration the Waterfront Strategic Development Corridor Green Infrastructure Concept Statements (GI01-GI03).
- 6.2.8 Within table 3.0.1, the vision of Wyre Forest District by 2036, section 2 addresses the natural and historic environment, in that '*The District's varied natural habitats, together with its diverse and historical landscapes are thriving, and offer a range of outdoor interests, contributing to local educational opportunities and sustainable tourism*'. Any proposal that is likely to affect the significance of a heritage asset will have a specific requirement to submit a Heritage Statement with the planning application.
- 6.2.9 As outlined in paragraph 29.7 of the Plan, as well as any site-specific policies set out in Chapter 30 Kidderminster Town, any provisions of other relevant policies must also be taken into consideration by developers.

Q6.2 (ii) Should provision be made for Gypsy and Traveller accommodation on any of the sites, subject to identified need?

- 6.2.10 Gypsy and Traveller site provision is outlined in Policy 8F. This policy shows that all of the existing provision and that proposed is outside of Kidderminster. The 2014 Worcestershire Gypsy and Traveller Accommodation Assessment (HOU05) identified a need for 29 pitches over the Plan period of which 12 have already been provided or allocated. Since Plan submission a new GTAA has been produced for

Wyre Forest (ED15). This new study also shows a net shortfall of 29 pitches for the Plan period.

- 6.2.11 Proposals for Gypsy and Traveller sites are predominantly residential and will be acceptable on previously developed land or in areas allocated primarily for residential development subject to all relevant policies within the Local Plan being met. The Council has reassessed the proposed allocations in Kidderminster and considers that site LI/10 adjacent to the proposed Travelling Showpeople site may potentially be suitable for gypsy use. It is currently proposed for employment use. The site is adjacent to an existing residential estate where a number of gypsy families live. It has good access to facilities, including schools, shops and employment and is near a high frequency bus route.

Q6.2 (iii) Are the policies clearly written and unambiguous?

- 6.2.12 The Council agrees with the Inspector that the site policies could be made much clearer to ease understanding. It is proposed to change the individual site policy numbering to reflect the Plan chapter and the HELAA reference. For example, Policy 30.1 Chester Road South Service Station AS/3 would be renamed as Policy 30 AS/3 Chester Road South Service Station. This will avoid confusion as all other policies are referenced by chapter followed by a letter of the alphabet. However, in the case of Chapter 30 Kidderminster Town there are too many policies to follow this system. Using the site reference number as part of the policy name for all the site specific policies will simplify any cross referencing to the evidence base where the HELAA reference numbers have been used and also allow cross referencing to the initial Policies listing the sites in the tables at the start of each of the allocation chapters. This policy referencing system will be applied throughout the site allocation policies.
- 6.2.13 The Council has taken on board the suggestions raised by the Inspector in the Initial Questions (ED6) and will ensure that each individual site policy specifies the site size and quantity and type of development expected. Suggested amendments to individual site policies can be debated during the hearing sessions.
- 6.2.14 Documents SD11 and SD12 already set out a number of modifications proposed to the site policies. These amendments take into account suggestions made by respondents during the Regulation 19 consultations and also what was agreed through the various Statements of Common Ground (SD10 a-n)
- 6.2.15 It should be noted that a number of sites are currently being developed or have recently completed. Therefore, the individual site policies may not be required in the final adoption document.

Q6.3 Is each of the allocated sites viable and likely to be delivered within the expected timescale? Does the evidence, including any up-to-date information, support the housing trajectory for the individual sites?

- 6.3.1 The 2018 Wyre Forest Viability Update (IFT06) considered the deliverability of the development sites in the emerging Plan together with updates to the NPPF and PPG. In May 2019, the viability section of PPG was changed in relation to the establishment of the Benchmark Land Value (BLV). Viability assessment now uses Existing Use Value (EUV) as the starting point. The updated PPG (10-010-2018072) states that the purpose of viability testing is to ensure that the aim of the planning system to secure maximum benefits in the public interest through the granting of planning permission has been met.
- 6.3.2 Different site typologies were tested – large brownfield, smaller brownfield, large greenfield, medium greenfield and small greenfield. These different typologies were developed having regard to the potential sites identified through the HELAA. The greenfield sites were also split between east and west of the River Severn. A total of 25 site typologies were modelled (see table 9.5 in 2018 Local Plan Viability Update (IFT06). Initial viability was tested with 30% affordable housing and a S106 contribution of £2000 per dwelling. This showed all the brownfield typologies to be unviable as they would not generate a Residual Value greater than the Existing Use Value. However, these types of site have consistently come forward in Wyre Forest and have delivered affordable housing albeit at reduced levels. Subsequently, testing showed that at 25% affordable, most site typologies would become more viable.
- 6.3.3 Viability Assessments consider infrastructure costs but do not allow for grant funding to help with such costs. The modelling showed that Churchfields (site BW/1) was unviable but that site has now obtained planning approval with 7% affordable housing and grant funding has now increased affordable housing provision to 60% and major highway works to open up the site and improve air quality have been funded externally in advance of the development coming forward.
- 6.3.4 The Council is confident that the proposed allocations will come forward as set out in ED11. These tables show the indicative 5-year phasing period for when the sites will be developed. It shows that many sites are already well progressed with 7 housing sites already nearing completion in Kidderminster ie 2016-21. Of those expected to deliver in 2021-26, FPH/23 is under construction, OC/11 is due to begin site clearance and construction in early 2021, AS/3 is now a cleared site with outline approval and full approval expected before the end of 2020, FPH/5 has Permission in Principle for residential development and FPH/19 has outline approval. Pre-application discussions have commenced on

WA/KF/3. Appendix F of ED10A shows the proposed housing trajectory for all the sites. This information is based on information received from landowners, agents and developers as set out in the Engagement Statement (ED12/A). Until planning applications are submitted for the sites, the capacity and timeframes for delivery can only be best estimates.

- 6.3.5 Site BW/1 Churchfields has outline approval for up to 240 dwellings with commercial uses in part of the retained 1902 building. Reserved Matters approval is expected before the end of 2020. This is now a purely residential scheme. An additional 6 dwellings also have approval. Site clearance and archaeological investigations have been completed and contractors are expected on site in early 2021. Construction is programmed to complete by the end of 2024 over 14 phases. The Sladen School site (BW/3) will now be split into two land parcels with the larger one accommodating a new special school run by the Rivers Trust (Government funding approved Spring 2020) together with a playing pitch and the smaller one being redeveloped for housing with access taken from the neighbouring affordable housing estate. This is now likely to be for general family housing and will not include any specialist provision as envisaged in the response in ED12A. Capacity is likely to be between 20 and 30 dwellings depending on final mix.
- 6.3.6 The Inspector is requested to note that committee approval has been given (subject to S106 agreement for a contribution to public open space) for the conversion to 22 apartments of the Former Rock Works (BHS/17) which is currently proposed for employment uses under Policy 30.24. If implemented, this will require an amendment to the Policy and consequential amendments to Policy 30.1.

Q6.4 Regarding the changes to the Use Classes Order in September 2020, are any modifications required for the soundness of the allocation policies?

- 6.4.1 In September 2020 the Town and Country Planning (Use Classes) (Amendment) (England) Regulations amended the Town and Country Planning (Use Classes) Order 1987 (UCO). Significant changes to the system of use classes were introduced. They include the reclassification of a number of uses. Class B1 which includes offices and light industrial are removed and incorporated within a new Use Class E which also includes previous use classes A1 (Shops), A2 (Financial and professional services), A3 (Restaurants and cafes), D1 (Non-residential institutions) and D2 (Assembly and leisure). Change of use to another use within Class E will be allowed without the need for planning permission.

6.4.2 The change to the Use Classes Order does not make changes to residential and therefore all of the housing allocated sites will be unchanged. A number of sites allocated in the Submission Plan are mixed use sites.

6.4.3 The Submission Plan lists the following allocations as mixed-use sites.

Site Ref	Site Description	Details of mixed use.
BHS/2	Bromsgrove Street (Lion Fields)	Leisure use including cinema, residential and in existing building commercial/residential.
BHS/16	Timber Yard, Park Lane	Residential, possibly C2 or C3 and commercial.
BHS/18	Blakebrook School	Residential part of site has been built, within the site is an existing dance studio and a school occupying existing buildings.
BW/1	Churchfields	Scheme is now totally residential.
FPH/15	Severn Grove Shops, Rifle Range Estate	Residential and possibility of a shop.

6.4.4 To protect the integrity of the Local Plan and the amenities of residents and other sensitive uses within the vicinity of employment developments amendments to the policies for mixed use sites could be made. This does not include the site that is 100% residential as there is no change to policy required. The policies for mixed use sites could be subject to a condition through planning permission:

Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any Order revoking or re-enacting that Order with or without modification), the premises/building(s)/site(s) shall be used for shop/offices/research and development/light industrial and for no other purpose including any other purpose in Class E of the Schedule to the Town and Country Planning (Use Classes) Order 2020, (or in any provision equivalent to that Class in any statutory instrument amending, revoking and/or re-enacting that Order with or without modification).

Reason: In order to define the permission in accordance with Policy 31.1 of the Wyre Forest District Local Plan and the National Planning Policy Framework.

6.4.5 Tables of sites where Use Class is or is not listed.

Site Ref	Site Description	Policy changes
BHS/2	Bromsgrove Street (Lion Fields)	No use classes listed in policy; no policy change proposed.
BHS/16	Timber Yard, Park Lane	No change to Use Classes listed, no policy change proposed.
BHS/18	Blakebrook School	Residential has been built and therefore no policy in Submission Plan.

Site Ref	Site Description	Policy changes
FPH/15	Severn Grove Shops, Rifle Range Estate	No use classes listed in policy; no policy change proposed.

Q6.5 Taking account of the specific characteristics of the allocation sites that are currently within the Green Belt, are there exceptional circumstances that justify the proposed alterations to the Green Belt boundary?

- 6.5.1 Within the proposed Kidderminster allocations there are two housing allocations which affect land currently within the Green Belt. Site WFR/WC/18 Sion Hill School site already has approval and is currently being redeveloped for 57 affordable homes. This development is on course to complete by March 2021. The other site is WA/KF/3 Land at Low Habberley.
- 6.5.2 The Site Selection Paper (SSP01) at Appendix 4 notes that Land at Low Habberley (WA/KF/3) was submitted at Preferred Options Consultation. The proposed allocation is a single field with road frontage on two sides, a bridleway on another side and a hedge along the fourth boundary. The site is in a sustainable location with both primary and secondary schools and a supermarket as well as local facilities within an easy walk.
- 6.5.3 It is considered that development of this site will not result in unrestricted sprawl of the built-up area as the site is well contained. The site represents a minimal extension to the north-west edge of Kidderminster. The proposed scheme is designed to enhance the rear field boundary with an enhanced landscaped buffer which will provide a defensible Green Belt boundary which will endure beyond the Plan period. This is the only allocation on the northern side of Kidderminster and at 5.6 hectares will not encroach into the open countryside which stretches north towards Trimpley.
- 6.5.4 The Green Belt Topic Paper (ED20) concludes that whilst the site meets Green Belt purposes significantly, the site can contribute to meeting the development needs of the District in a relatively sustainable location. It is also considered that the impacts on the Green Belt at this location can be mitigated to some degree through site design. The Council considers that the sustainability of the site outweighs any perceived harm to the Green Belt at this location.
- 6.5.5 There are also four additional sites around Kidderminster, currently in the Green Belt, which are proposed for non-residential allocations. Three of these sites are off Zortech Avenue (LI/10/12/13) and are proposed for employment use and a travelling showpeople site. The other site is an extension to the Easter Park employment allocation (FPH/27). The Green Belt Topic Paper (ED20) sets out the exceptional circumstances for their

removal from the Green Belt. Site FPH/27 is assessed as making a limited contribution to Green Belt purposes. The benefits of releasing this site and its development are judged to outweigh any perceived harm to the Green Belt at this location. The sites at Zortech Avenue are adjacent to the built-up edge of Kidderminster. They are judged to meet Green Belt purposes only moderately. The sites can make an important contribution to the development needs of the District in a very sustainable location adjacent to an existing residential and employment uses. Site LI/12 contains the fire-damaged buildings of the former Burlish Farmhouse. The adjacent land at LI/10 has previously been tipped as part of works on the former golf course. Most of the land is visually contained so development is unlikely to compromise the openness and permanence of the Green Belt at this location. The benefits of releasing LI/10 and LI/12 and their development are judged to outweigh any perceived harm to the Green Belt at this location. Development of the neighbouring site at LI/13 would create a new urban edge at this location but it is considered that the works to create the new Country Park on the adjacent land should more than compensate for this.