



Wyre Forest District Council Local Plan 2016-2036

Examination

Matter 10: Design; conservation and enhancement of the natural and historic environments; green infrastructure and provision for community facilities, open spaces and recreation; water management

(Sections 9, 11, 14, 15, 20 and 27 of the Plan)

Wyre Forest District Council Response

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Wyre Forest District Council

Wyre Forest District Local Plan (2016-2036) Examination

Matter 10: Design; conservation and enhancement of the natural and historic environments; green infrastructure and provision for community facilities, open spaces and recreation; water management *(sections 9, 11, 14, 15, 20, 26 and 27 of the Plan)*

Q10.1 Does the Plan as a whole set out a clear design vision and expectations to create and protect distinctive places, including provision for inclusive design and accessible environments?

- 10.1.1 Yes. In the Council's opinion the Plan as a whole does set out a clear design visions and expectations to create and protect distinctive places, and provide for inclusive design and accessible environments, as set out in the Development Plan Aim and Objectives listed in table 3.02 of Chapter 3.
- 10.1.2 Under its duty to cooperate Wyre Forest District Council prepared a Statement of Common Ground with Historic England (SD10i – Appendix I) one element of which resulted in Plan Objective 8: *"To promote the historic environment and landscape and conserve heritage assets in a manner appropriate to their significance, so that they can be enjoyed for their contribution to the quality of life of this and future generations"*.
- 10.1.3 Strategic policy 11A part A of the plan sets out an expectation that all development within the District will exhibit high quality design which integrates effectively with its surroundings. This is then expanded upon in non-strategic policy 27A which sets out objective criteria to achieve this including ensuring provision for safe, accessible environments featuring inclusive design. These objectives are also effective when read in conjunction with strategic policy 9 in supporting development to assist people to lead healthy lifestyles.
- 10.1.4 Strategic policy 11A part B of the Plan, which focusses on creating and reinforcing local distinctiveness, sets objectives that new developments should respond to the qualities of the existing buildings and landscape within the District. Where this is weak or negative, the Council's vision is that new development will demonstrate an improvement in the quality of the area, to accord with the NPPF 2019 at paragraph 130.
- 10.1.5 Further detailed design guidance on the detailed design vision for the District is provided within the Design Guidance Supplementary Planning Document (adopted 2015) (OD06). It is acknowledged at paragraph 11.7 of the reasoned justification for strategic policy 11A that this must

be updated and read in conjunction with National Planning Practice Guidance (i.e. the National Design Guide of October 2019) and, whilst the precise wording for the SPD remains to be determined, the Council's vision will be honed through future consultations of the Design Guidance Supplementary Planning Document (adopted 2015) (OD06).

- 10.1.6 The Council therefore proposes modifications for consideration by the Inspector to strategic policy 11A: the omission of part C and the inclusion of a reference to the Design Guidance Supplementary Planning Document (adopted 2015) (OD06) within part B. This to reflect the status of the SPD as guidance not policy. The proposed modifications are set out in the Table of Proposed Modifications part 6, Chapter 11 (SD12).
- 10.1.7 Strategic policy 11C part A contains objectives which require development to protect and where possible enhance the landscape character of the District, and this is particularly effective when considered alongside strategic policies 11A, 14 and non-strategic policy 27C in meeting the objectives of the NPPF 2019 section 15.
- 10.1.8 To better align strategic policy 11C with the February 2019 NPPF the Council proposes modifications for consideration by the Inspector to strategic policy 11C part A to reflect the contribution that good design can make to the protection and enhancement of valued landscapes, sites of biodiversity or geological value and soils. The proposed modifications are set out in the Table of Proposed Modifications part 6, Chapter 11 (SD12).
- 10.1.9 Strategic policy 11C part A refers to further supplementary guidance produced by Worcestershire County Council and detailed in paragraph 11.27 of the reasoned justification. To clarify that this is indeed guidance and not policy the Council proposes modifications for consideration by the Inspector to strategic policy 11C part A. The proposed modifications are set out in the Table of Minor Modifications part 12, Chapter 11 (SD11).
- 10.1.10 Strategic policy 11F part A sets out objectives that development will preserve and enhance historic riverside towns, opening up views and enhancing the landscape and biodiversity of the District's waterways. These objectives are effective when read in conjunction with strategic policies 11B, 11C (more specifically policy 11C part B), 14, and non-strategic policies 23B and 27E, in seeking to promote and protect these waterways as distinctive and valued environments which contribute to the health and well-being of the population, and thus accord with the NPPF 2019 paragraph 127.

- 10.1.11 Non-strategic policy 27A part A reinforces the objective that all development will be of high design quality, integrating effectively with its surroundings. This is effective when read in conjunction with non-strategic policy 26 and the remainder of policy 27 (q.v.).
- 10.1.12 The Council has proposed modifications to non-strategic policy 27A part A to replace the wording "high design quality" with "good design". The proposed modifications are set out in the Table of Proposed Modifications part 19, Chapter 27 (SD12). The NPPF 2019 at paragraph 124 refers to the creation of "high quality" buildings and places, and thus this modification may now be considered unnecessary.
- 10.1.13 Non-strategic policy 27A part B sets out specific design objectives referenced to the relevant supplementary information including Conservation Area Character Appraisals and the Design Guidance Supplementary Planning Document (adopted 2015) (OD06) to secure the overall objectives of strategic policy 11A.
- 10.1.14 Bullet points xii, xiii and xiv of non-strategic policy 27A part B specifically focus on the creation of safe, secure and accessible environments both in buildings and the public realm, to align with the NPPF 2019 paragraph 127 f).
- 10.1.15 Non-strategic policy 27A part B refers to the District's Design Guidance Supplementary Planning Document (adopted 2015) (OD06) and to clarify that this is guidance not part of the policy the Council proposes modifications for consideration by the Inspector. The proposed modifications are set out in the Table of Proposed Modifications part 19, Chapter 27 (SD12).
- 10.1.16 Non-strategic policy 27A part B bullet point ix. sets out an objective that trees should be incorporated into development or replacements provided and is effective when read with strategic policy 11C in meeting the objectives of the NPPF 2019 paragraph 170 b).
- 10.1.17 Non-strategic policy 27A part B at paragraph 27.8 of the reasoned justification specifically notes the importance of addressing ecological integrity if sustainable development is to be achieved. To highlight this the Council proposes modifications for consideration by the Inspector to bullet point xi. The proposed modifications are set out in the Table of Proposed Modifications part 19, Chapter 27 (SD12).
- 10.1.18 Non-strategic policy 27B part C provides more specific objectives in terms of design of extensions and alterations. Reference is made to the District's Design Guidance Supplementary Planning Document (adopted 2015) (OD06) at part B and to clarify that this is guidance not part of the policy the Council proposes modifications for consideration by the

Inspector. The proposed modifications are set out in the Table of Proposed Modifications part 19, Chapter 27 (SD12).

- 10.1.19 Non-strategic policy 27C part A includes reference to the District's Design Guidance Supplementary Planning Document (adopted 2015) (OD06) and to clarify that this is guidance not part of the policy the Council proposes modifications for consideration by the Inspector. The proposed modifications are set out in the Table of Proposed Modifications part 19, Chapter 27 (SD12).
- 10.1.20 Acknowledging that hedges make an important contribution to the natural landscape of the District, the Council proposes modifications for consideration by the Inspector to non-strategic policy 27C part C bullet point i. to ensure that specific consideration is given to hedges when landscape schemes are designed. This echoes the general requirements of the NPPF 2019 at paragraph 126. The proposed modifications are set out in the Table of Proposed Modifications part 19, Chapter 27 (SD12).
- 10.1.21 Non-strategic policy 27C part D is effective when read in conjunction with strategic policies 9 and 14 the combined objectives of which will ensure that for new development consideration is given to well-designed boundaries (key to protecting biodiversity whilst maintaining a favourable environment for community uses and recreation, as outlined in the reasoned justification) which will fulfil the objectives set out in the NPPF 2019 paragraph 127.
- 10.1.22 Non-strategic policy 27E sets out more specific objectives relating to development making a positive contribution to a high-quality environment adjacent to waterways in the District. It is effective when read in conjunction with strategic policies 11E and 14 and non-strategic policy 26.
- 10.1.23 Recognising that not all development fronts onto the waterside and that an active frontage may not be desirable at all locations the Council considers that a modification to non-strategic policy 27E part C is required. The proposed modifications are set out in the Table of Proposed Modifications part 19, Chapter 27 (SD12).
- 10.1.24 The NPPF 2019 at paragraph 128 identifies the importance of early engagement between applicants, the local planning authority and the local community and that design quality should be considered throughout the evolution and assessment of proposals. The Design Guidance Supplementary Planning Document (adopted 2015) (OD06) places a strong emphasis on the importance of pre-application discussions, and this is also explicitly encouraged in Paragraph 26.4 of the reasoned justification for non-strategic policy 26.

Q10.2 Are the policies on conservation and enhancement of the natural and historic environments clearly expressed, consistent with national planning policy and deliverable?

Historic Environment

- 10.2.1 Yes, the Council considers Policies 11 and 26 to be consistent with national planning policy and deliverable. Strategic Policy 11B on protecting, conserving and enhancing the Historic Environment aims to influence the character of the area giving it a sense of place whilst providing opportunities to be the catalyst for regeneration, inspiring new development and imaginative design. Strategic policy 11C part A focuses on the landscape character of the District. It contains objectives which require development to protect and where possible enhance the unique landscape character of the District. Non-strategic policy 26 paragraph 4 encourages the sympathetic and creative reuse and adaptation of historic buildings and is effective, when read in conjunction with non-strategic policy 27A, in fulfilling the objectives of the NPPF 2019 paragraph 200.
- 10.2.2 Paragraphs 11.13 to 11.15 of Section 11 provide a brief introduction to the historic environment of the District and what features contribute most strongly to this, which provides a context for strategic policy 11B.
- 10.2.3 Reference is made to the Worcestershire Historic Environment Record and the Council's Local Heritage List at paragraph 11.13 of Section 11. The intention of including these references here is to draw attention to these important sources of information regarding the significance of heritage assets; an understanding of which is fundamental to informed design proposals for development affecting the historic environment. This makes clear at a strategic level where information can be found to secure applications consistent with the NPPF 2019 at paragraph 189.
- 10.2.4 Strategic policy 11B focuses on the what the historic environment is and specifies objectives for the conservation and enhancement of all heritage assets and their settings. When read in conjunction with non-strategic policy 26 this sets out the District's vision for a sustainable historic environment which amplifies the objectives of the NPPF 2019 at paragraph 185 and encourages development to sustain a sense of place, a quality environment and economic vibrancy.
- 10.2.5 Building on the opening paragraph 184 of section 16 the NPPF 2019, strategic policy 11B identifies those specific elements of the historic environment within the District which are covered by the policy. This in order to raise awareness of the historic environment, its importance to the identity of the District and to identify where special consideration needs to be given to the design of development.

- 10.2.6 Strategic policy 11B draws attention to the setting of heritage assets and to historic landscapes in the District in order to amplify the need to consider these factors in the design of sustainable development which conforms to the objectives of the NPPF 2019 paragraph 200.
- 10.2.7 Paragraph 11.21 of the reasoned justification also sets out the economic and environmental benefits associated with the conservation of heritage assets to amplify the objectives of the NPPF 2019 paragraph 185.
- 10.2.8 Strategic policy 11C part A is particularly effective when considered alongside strategic policies 11A, 14 and non-strategic policy 27C in meeting the objectives of the NPPF 2019 at section 15.
- 10.2.9 To better align strategic policy 11C with the NPPF 2019 section 15 the Council proposes modifications to strategic policy 11C part A to reflect the contribution that good design can make to the protection and enhancement of valued landscapes, sites of biodiversity or geological value and soils. The proposed modifications are set out in the Table of Proposed Modifications part 6, Chapter 11 (SD12).
- 10.2.10 Strategic policy 11C part A refers to further supplementary guidance produced by Worcestershire County Council and detailed in paragraph 11.27 of the reasoned justification. To clarify that this is indeed guidance and not policy the Council proposes modifications to strategic policy 11C part A. The proposed modifications are set out in the Table of Proposed Modifications part 6, Chapter 11 (SD12).
- 10.2.11 The NPPF 2019 at paragraphs 189-192 sets clear objectives related to the process of determining applications affecting heritage assets and the non-strategic policy 26 does not aim to repeat that. Non-strategic policy 26 paragraph 1 does however amplify the requirement for an assessment of significance to accompany applications affecting heritage assets.
- 10.2.12 The NPPF 2019 at paragraphs 193-202 sets out the process for considering potential impacts of development on heritage assets. Non-strategic policy 26 paragraph 2 draws attention to the relevant NPPF criteria without repeating it.
- 10.2.13 Non-strategic policy 26 paragraph 4 encourages the sympathetic and creative reuse and adaptation of historic buildings and is effective, when read in conjunction with non-strategic policy 27A, in fulfilling the objectives of the NPPF 2019 paragraph 200.
- 10.2.14 The Council, on reflection, in consultation with Historic England, and included within the Statement of Common Ground (SD10i – Appendix I) proposes modifications to paragraph 4 to remove the reference to “enabling development” which repeats the NPPF 2019 paragraph 202

and refer instead to heritage “at risk”. This to remove any potential conflict between objectives of the Local Plan and the NPPF 2019 paragraph 200. The proposed modifications are set out in the Table of Proposed Modifications part 18, Chapter 26 (SD12).

- 10.2.15 The Council, on reflection, proposes modifications to paragraph 26.6 of the reasoned justification to remove the reference to “enabling development” which repeats the NPPF 2019 paragraph 202. This to remove any potential conflict between objectives of the Local Plan and the NPPF 2019 paragraph 200. The proposed modifications are set out in the Table of Proposed Modifications part 18, Chapter 26 (SD12).
- 10.2.16 The Local Plan Historic Environment supporting documentation HSR01, HS0R1a, HSR01b, and HSR02 is designed to sit alongside both the strategic and non-strategic policies, providing an evidence base to support the selection of the proposed site allocations policies. This augments the County Historic Environment Record (into which it will ultimately be assimilated) and can be used to meet the objectives of the NPPF 2019 paragraph 187.
- 10.2.17 The Local Plan Historic Environment supporting documentation HSR03 and HSR03a on Landscape Character Assessment is also referenced within strategic policy 11C and within the reasoned justification at paragraphs 11.27 and 11.28. This provides a framework to support the vision for sustainable development in the more rural areas of the District and to better accord with the objectives of the NPPF 2019 at sections 12, 15 and 16; more specifically at paragraphs 126, 170 and 187.

Natural Environment

Policy 11D – Protecting and Enhancing Biodiversity

- 10.2.18 Yes, the Council considers Policy 11D to be consistent with national planning policy and deliverable. Policy 11D on protecting and enhancing biodiversity aims to deliver measurable net gains in biodiversity. This is consistent with national planning policy, which encourages net gains for biodiversity to be sought through planning policies and decisions. The NPPG states that “*Biodiversity net gain delivers measurable improvements for biodiversity by creating or enhancing habitats in association with development. Biodiversity net gain can be achieved on-site, off-site or through a combination of on-site and off-site measures.*” (Paragraph: 022 Reference ID: 8-022-20190721). Biodiversity net gain will also be formally introduced into the planning system when the Environment Bill (2019-21) receives Royal Assent. Clause 90 of the Environment Bill introduces Schedule 14 which amends the Town and Country Planning Act 1990 such that it will become mandatory for

developers to provide 10% biodiversity net gain in respect of any new development that results in habitat loss or degradation.

10.2.19 During the plan making process, the Council worked closely with the Worcestershire Green Infrastructure Partnership to produce Policy 11D and has also received feedback from Natural England on the policy wording. The Council therefore considers the policy to be fit for purpose and deliverable, following its collaborative approach with these statutory bodies. Policy 11D follows NPPF requirements through clearly establishing the hierarchy of nature conservation sites and how these will be considered in DM process, and clearly communicates the mitigation hierarchy to give developers and stakeholders clarity and confidence in planning requirements. A commitment to provide further detail in a subsequent GI Supplementary Planning Document is also clearly stated.

10.2.20 The Table of Additional (Minor) Modifications (SD11) includes some suggested minor changes to the policy wording following feedback from the Pre-Submission consultations. The Table of Modifications for consideration by the Planning Inspector (SD12) also includes a suggested change to the policy following discussions with Natural England through the Duty to Co-operate process. This is evidenced in the Statement of Common Ground between Wyre Forest District Council and Natural England (SD10h). These suggested changes will improve the clarity of Policy 11D and ensure that it is expressed clearly.

10.2.21 The Sustainability Appraisal report (SD04) assessed Policy 11D in the Local Plan and found positive impacts of policy on several SA Objectives. No mitigation was proposed. The SA assessment of Policy 11D is shown in the table below.

| Policy 11D – Protecting and enhancing biodiversity | | |
|--|-------------------------|---|
| SA objectives that are not relevant to this policy | 2, 4, 5, 11 | |
| SA objective | Impact of policy | |
| 1. To improve health and well-being within the District and reduce inequalities in health. | + | This policy protects and enhances ('net gains') biodiversity. This is beneficial for health as green areas encourage walking and cycling, and are good for mental health. |
| 3. To ensure that the housing needs of all residents and communities are met | - | This policy restricts where housing can go. The requirement to not just protect biodiversity sites but also provide net gain could affect viability. |
| 6. To protect soil & land | + | This policy aims to protect and enhance (via net gain) biodiversity in the district. This will indirectly help to protect and |
| 7. To protect water resources and quality; reduce flood risk. | | |

| Policy 11D – Protecting and enhancing biodiversity | | |
|---|-------------------------|---|
| SA objectives that are not relevant to this policy | 2, 4, 5, 11 | |
| SA objective | Impact of policy | |
| 8. To protect and enhance landscape and townscape | + | enhance soil/land, water quality and the landscape. It is unlikely that the policy will lead to significant enhancements in practice, hence the single +. |
| 9.To conserve & enhance the District’s biodiversity and geodiversity | | |
| 10. To support the economy & ensure suitable employment opportunities | - | This policy restricts where employment development can go. The requirement to not just protect biodiversity sites but also provide net gain could affect viability. |
| 12. To maintain the integrity of the Green Belt within the District. | + | This policy is consistent with maintaining the integrity of the Green Belt and enhancing communities, and may improve them. |
| 13.To maintain & enhance community & settlement identities | | |
| Possible mitigation | | |

Source: SA Report (July 2019) (SD04)

Policy 11E – Protecting and Enhancing Geodiversity

10.2.22 Yes, the Council considers Policy 11E to be consistent with national planning policy and deliverable. The policy is also clearly expressed, as there have been no suggested changes to the policy wording from consultation responses.

10.2.23 The Sustainability Appraisal report (SD04) assessed Policy 11E in the Local Plan and found only neutral impacts of policy on some of the SA Objectives. No mitigation was proposed. The SA assessment of Policy 11E is shown in the table below.

| Policy 11E – Protecting and enhancing geological conservation | | |
|--|-------------------------|--|
| SA objectives that are not relevant to this policy | | |
| SA objective | Impact of policy | |
| 6. To protect soil & land | 0 | This policy protects (and to a limited amount aims to enhance) geodiversity sites. This will indirectly help to protect soil/land and the biodiversity associated with the geodiversity feature. |
| 8. To protect and enhance landscape and townscape | | |
| 9.To conserve & enhance the District’s biodiversity and geodiversity | | |
| Possible mitigation | | |

Source: SA Report (July 2019) (SD04)

Q.10.3 (i) Are the requirements laid down by Policy 14 justified, effective and consistent with national planning policy?

- 10.3.1 Yes, the Council considers Policy 14 to be justified, effective and consistent with national planning policy.
- 10.3.2 The NPPF (paragraph 8) states that sustainable development in the planning system has three overarching objectives: economic; social; environmental. The environmental objective recognises the importance of contributing to protecting and enhancing our natural environment. Green Infrastructure can deliver benefits with respect to each of the economic, social and environmental objectives to sustainable development, e.g. helping to mitigate extreme temperatures; flood mitigation; habitat protection and creation; property value enhancement; and stimulating inward investment. In most cases, planning for the protection, enhancement or inclusion of Green Infrastructure can deliver multiple benefits simultaneously. As recognised in NPPG Paragraph: 006 Reference ID: 8-006-20190721, GI assists in delivering planning goals including 'building a strong, competitive economy, achieving well-designed places, promoting healthy and safe communities, mitigating climate change and flooding and conserving and enhancing the natural environment.' Plan requirements are justified and consistent.
- 10.3.3 NPPF para 20(d) requires strategic policies to make 'sufficient provision' for the "conservation and enhancement of the natural, built and historic environment, including landscapes and green infrastructure, and planning measures to address climate change mitigation and adaptation." NPPF para 181 also states "Opportunities to improve air quality or mitigate impacts should be identified, such as through traffic and travel management, and green infrastructure provision and enhancement." In addition, NPPG Paragraph 008 Reference ID:8-008-20190721 encourages GI opportunities and requirements 'to be considered at the earliest stages of development proposals, as an integral part of development and infrastructure provision, and taking into account existing natural assets and the most suitable locations and types of new provision.' Inclusion of GI requirement within Policy 14 is therefore considered far more effective than attempting to 'retrofit' any GI requirement later in the planning or design stages.
- 10.3.4 The Sustainability Appraisal report (SD04) assessed Policy 14 in the Local Plan and found positive impacts of policy on the SA Objective 'To improve health and well-being within the District and reduce inequalities in health'. Since the outbreak of Covid-19, the importance of green infrastructure and public access to green spaces has become crystallised and community demand for quality GI destinations has only been

exacerbated since preparation of Worcestershire's GI Strategy Framework 3 'Access & Recreation' evidence base in 2019. The SA assessment of Policy 14 is shown in the table below.

| Policy 14 – Strategic Green Infrastructure | | |
|--|-------------------------|--|
| SA objectives that are not relevant to this policy | 2, 11, 12 | |
| SA objective | Impact of policy | |
| 1. To improve health and well-being within the District and reduce inequalities in health. | + | This policy protects and enhances Green Infrastructure. This is beneficial for health as it encourages walking and cycling, and is good for mental health. |
| 3. To ensure that the housing needs of all residents and communities are met | - | The need to provide green infrastructure as part of new development – quite a lot in the case of larger sites – reduces the amount of land available for housing, although it also makes the new housing more attractive. |
| 4. To promote energy efficiency & energy generated from renewable and low carbon sources. | ? | More GI space in theory also allows for the siting of wind turbines etc. |
| 5. To reduce the need to travel and move towards more sustainable travel modes; to reduce associated effects of air quality & greenhouse gas emissions | +/- | More GI helps to improve air quality. However the requirement for large quantities of GI could lead to developments being sprawling, thus encouraging car transport. |
| 6. To protect soil & land | 0 | This policy helps to protect soil, land, water resources, the landscape and biodiversity. In the case of the country park, it could also improve biodiversity but its implementation is not certain. |
| 7. To protect water resources and quality; reduce flood risk. | | |
| 8. To protect and enhance landscape and townscape | | |
| 9. To conserve & enhance the District's biodiversity and geodiversity | | |
| 10. To support the economy & ensure suitable employment opportunities | - | The need to provide green infrastructure as part of new development – quite a lot in the case of larger sites – reduces the amount of land available for employment development, although it also makes the new development more attractive. |
| 13. To maintain & enhance community & settlement identities | 0 | This policy helps to protect the identity of settlements by helping to protect the Green Infrastructure that contributes to that identity. |
| Possible mitigation | | |
| Requiring 40% GI for larger sites seems like a lot. | | |

Source: SA Report (July 2019) (SD04)

- 10.3.5 Part B of Policy 14 aims to deliver 40% Green Infrastructure (GI) on greenfield sites exceeding 1ha. The SA concluded that 40% GI 'seemed like a lot' for the larger sites. The Plan has also received some objections to the use of this percentage. However, this is to be tested on a site-by-site basis and Policy 14 is clear that this apportionment is 'subject to viability requirements designated by the NPPF'. The 40% GI is an established target for development across Worcestershire, whereby the capacity to deliver multifunctional GI and connectivity is maximised. The same GI percentage is used in the adopted South Worcestershire Local Plan (adopted 2016) and has been successfully applied and delivered on a number of planning applications in the three South Worcestershire areas (Malvern Hills/Wychavon/Worcester City). Development within the southern Worcestershire districts over the previous SWDP plan period have demonstrated that both the 40% (majors) and 20% (minors) GI targets are proportional, reasonable and deliverable. GI provides recognised multifunctional benefits to economy, society and environment and is considered deliverable via provision of measures which may also be required in discharging other development requirements e.g. SuDs, highway verges, public open space, etc. The 40% GI has been tested in the viability work undertaken for the Wyre Forest District Local Plan.
- 10.3.6 For the two large strategic sites in the Local Plan, the Council has worked with the developers and landowners to produce masterplans and more than 40% GI is proposed on both of these sites and is considered to be achievable. The Council has also worked with the Worcestershire Green Infrastructure Partnership to produce GI Concept Plans for these two strategic sites (GI02, GI03).

Q10.3(ii) Is it clear what lies within the scope of green infrastructure, including on brownfield sites?

- 10.3.7 When considering Green Infrastructure on brownfield sites no specific figure has been set in Policy 14, as brownfield sites can be relatively constrained by development viability. Therefore, any GI provision will be as a direct consequence of development proposals having to meet other policy requirements in the Local Plan, as necessary, in order to make the development acceptable in planning terms.
- 10.3.8 Natural England noted that Policy 14B.iii does not give a specific figure for the provision of green infrastructure on brownfield land. Natural England therefore suggested that the Council added in a proviso for circumstances where there may be a need to require a certain amount of GI for a proposal. For example, for onsite mitigation for impacts on a protected site or where brownfield sites have high environmental value. The proposed wording from Natural England is as follows:

Policy 14:

- i. For Brownfield sites: no specific GI figure. **However, mitigation would be expected if the proposed development will impact negatively on protected environmental sites and/or where brownfield sites have a high environmental value.**

Reasoned Justification:

When considering GI on brownfield sites no specific figure has been set as such sites can be relatively constrained by development viability. Therefore any GI provision will be as a direct consequence of development proposals having to meet other policy requirements as necessary in order to make the development acceptable in planning terms. Where proposed development is likely to impact negatively on protected sites and/or where brownfield sites have a high environmental value then appropriate mitigation measures will be expected. Brownfield habitats qualifying as Open Mosaic Habitat or supporting NERC S.41 species would qualify as a site offering 'high environmental value'.

10.3.9 This suggested modification to Policy 14 and its reasoned justification is included in the Statement of Common Ground between Wyre Forest District Council and Natural England (SD10h), and is also included in the 'Table of Modifications for consideration by the Planning Inspector' (SD12).

10.3.10 The 'Table of Modifications for consideration by the Planning Inspector' (SD12) also includes the following suggested change to paragraph 14.7 of the Local Plan:

"GI will need to be carefully planned into new developments from the outset. When determining planning applications the way in which the proposals contribute to delivering the GI network will be of paramount importance. **GI (and associated Blue Infrastructure) is an overarching approach to secure a range of measures already required and being delivered by development, including: formal and informal play areas, sustainable drainage systems, footpaths and bridleways, public open space, community gardens, living walls, and wildflower verges etc. For sake of clarity: this is not a requirement to be considered alongside such features, but the GI target in Policy 14 should constitute a quantitative summation of GI measures. For GI to be deemed of acceptable quality, matters including multi-functionality, cohesion and aftercare also require careful consideration.**

Helpful demonstration of such consideration could include benchmarking of development through assessment tools such as Building with Nature (www.buildingwithnature.org.uk/about). The GI Concept Plans and/or a Supplementary Planning Document will be of assistance to developers in crafting robust and effective GI schemes.

10.3.11 With these suggested changes set out in SD12, the Council is of the opinion that Policy 14 will be clearer as to what lies within the scope of green infrastructure, including on brownfield sites.

Q10.3(iii) How does the designation of Natural Space on the Policies Map relate to Policy 14 and other policies in the Plan?

10.3.12 Natural space was identified, along with semi-natural greenspace, in the Open Space Assessment (2017) (OS03) and is primarily focussed on sites of biodiversity and conservation importance. It is shown on the Policies Map as 'Natural Spaces' and relates to Policy 11D and Policy 14 in the Local Plan as these natural space areas form part of the green infrastructure for the district. Policy 11D on protecting and enhancing biodiversity which aims to deliver measurable net gains in biodiversity; and Policy 14 on strategic green infrastructure, which aims to provide a range of new green infrastructure as part of new development.

10.3.13 The Worcestershire Biodiversity Action Plans were used as the starting point to identify sites across the Wyre Forest District documented as being of biodiversity and conservation importance. Other sites provided by WFDC but recognised as providing wildlife habitats and opportunities as well as having recreational functions often associated with such forms of provision (i.e. country parks etc) are also included (OS03, para 108). In total, 26 sites are identified as natural and semi-natural greenspace. The biggest contributor to this is the Wyre Forest at 1,046 hectares.

10.3.14 The natural space sites within the District have limitations and restrictions in terms of access. For instance, access to the whole or part of the site may not be allowed in order to preserve its high conservation value. Several sites are identified as having access restricted to set pathways and/or may contain areas of land not permitted for access (i.e. marshes, wet areas). These are also examples where public access to a site is not possible without permission (e.g. Wilden Marsh).

10.3.15 The natural space sites identified on the Policies Map should be protected for their biodiversity and conservation importance. The Council agrees this is not clearly defined within the Plan itself and therefore a modification is required to improve clarity and ensure that

the Plan and Policies Map are clear and consistent with one another in relation to 'natural space' sites.

Q10.3(iv) Taken together, what modifications may be necessary for Policies 14, 20B and 20C to provide clear, consistent and justified requirements for the protection and provision of green infrastructure, open space and for outdoor sports facilities in residential developments?

- 10.3.16 The strategic green infrastructure set out in Policy 14 and recreational open space/outdoor sports facilities set out in Policy 20B are two separate but interconnected issues.
- 10.3.17 Policy 20C outlines the requirements of major developments, subject to viability requirements, to make provision to meet local needs for open space, sport and play. This is based on the requirements as outlined by the playing pitch, open space and indoor and built facilities documents, reference OS03-OS08 within the examination library. Additional addendums and further updates have also been produced within the examination library, reference OS09-OS14. The exact nature and location of provision associated with these developments should be fully determined through the local planning process, which may in some instances, for example, include off site contributions in the form of enhancing existing sites where appropriate¹.
- 10.3.18 Green infrastructure is a term which encompasses other requirements, along with recreational open spaces. This is the living network of green spaces, water and environmental systems, in, around and beyond urban areas. The GI Concept Plans (GI01, GI02, GI03) set out a definition of Green Infrastructure as: "Green Infrastructure is the network of green spaces and the natural elements that intersperse and connect our cities, towns and villages. It is the open spaces, waterways, gardens, woodlands, green corridors, wildlife habitats, street trees, natural heritage and open countryside. Green Infrastructure provides multiple benefits for the economy, the environment and people."
- 10.3.19 Proposed revisions to Policy 14 are outlined within the 'Table of Additional (Minor) Modifications' (SD11) and the 'Table of modifications for consideration by the Planning Inspector' (SD12). The Council is of the opinion that these modifications will improve the clarity of Policy 14.
- 10.3.20 To improve clarity of 'Policy 20B: Open Space', the Council suggest that the text in A(ii) is amended to the following wording:
- Policy 20B, part A(ii) – ~~"This policy should be read in conjunction with Policy 14 (Strategic Green Infrastructure). Any new open space for recreation or sport Green Infrastructure secured through new~~

¹ Open Space Addendum, October 2018, p11, OS09.

development ~~under these policies~~ will be designated and protected as ~~green~~ Open Space, **in accordance with Policy 20B.**"

10.3.21 In addition, the term 'green open space' should be removed from Policy 14. In Policy 20C, the term 'green open space' should be amended to 'Open Space', so it is consistent with Policy 20B. This should improve the clarity of these policies.

Q10.4 How should Policy 20A be modified to clarify how it will be applied in determining proposals for development entailing the loss of community facilities?

10.4.1 **The Council proposes to amend** Policy 20A Community Facilities ~~has been amended, as shown below,~~ **in order** to clarify the marketing requirement of community facilities, other than sports and recreation facilities. Policy 20A has been drafted following correspondence with Sport England who supports this policy as evidenced within the Statement of Common Ground (SD101). Policy 20A is also consistent with the National Planning Policy Framework in regards to open space and recreation².

10.4.2 The Council want to ensure that community facilities are retained wherever possible and for any loss of facilities it must be demonstrated that it would not be economically or operationally viable. This would require the facility to be actively marketed by a recognised estate agent or a similar professional occupation. The facility must have been valued at the current market value and details of how and where the marketing has taken place. This is to ensure that the facility has been properly marketed. If this cannot be demonstrated the proposal for the loss of the community facility should be resisted.

Policy 20A - Community Facilities

- The provision of new community facilities or the enhancement of existing facilities will be permitted, subject to satisfying the sequential test in the NPPF, where applicable, where they are demonstrated to meet an identified local need. Proposals for new community facilities which can offer an increased overall provision will be supported subject to not conflicting with any other policies contained in the Plan.
- Heritage assets can have a positive impact on its location and its communities. The use of under used heritage assets to provide community facilities as a benefit to the community and the historic environment will be supported.
- Sites that have existing community, natural or historic points of

² National Planning Policy Framework (February 2019), Paragraph 97.

interest within the site boundary should look to enhance these assets within the development.

- Any proposal that would result in the loss of land or buildings currently or formerly used as a community facility will only be permitted if:
 - i. It has been demonstrated that there is a surplus of similar provision in the appropriate catchment area for that particular facility and the land or building(s) are not needed for any other community facility; or
 - ii. The community facility, lost as a result of the proposed development, would be replaced by equivalent or better provision in terms of quantity and quality in a suitable location; or
 - iii. The development is for alternative community facilities to meet local needs and, in the case of the loss of sports and recreational facilities, the benefits of which clearly outweigh the loss; or
 - iv. In the case of community facilities other than sports and recreational facilities, it has been demonstrated that it would not be economically or operationally viable to retain the facility for community use and the community facility could not be provided or operated by either the current occupier or by an alternative occupier (e.g. by a local community body, public-private partnership etc) and it has **actively** been marketed for at least 12 months. **It must be demonstrated where and how the marketing has taken place and that it has been marketed with a suitably qualified agent and proof that it has been actively marketed at a reasonable value.**
- Applicants are required to scope existing facilities in the area and consider whether it would be more appropriate to combine or rationalise existing facilities in the first instance.
- Applicants proposing to re-develop or convert a community facility should demonstrate that they have consulted the appropriate community prior to the submission of a planning application.

Q10.5 (i) Is the Plan's approach to water management sound? (ii) Is the requirement in Policy 15a for a water efficiency standard of 110 litres per person per day justified, and how should the policy be modified for clarity?

10.5.1 The Council considers the Plan's approach to water management is sound. Robust evidence has been produced during the plan making process. This includes the following:

- (FR01) - Level 1 and Level 2 Strategic Flood Risk Assessment (August 2019)
- (FR02) – Flood Risk Sequential Test of Proposed Development Sites (September 2019)
- (FR03) – Water Cycle Study (May 2017)
- (FR04) – Water Cycle Study Addendum 1 (October 2018)
- (FR05) – Water Cycle Study Addendum 2 (January 2020)

10.5.2 In addition, the Sustainability Appraisal (SA) report (SD04) assessed the water management policies within the Local Plan. The SA report recommended a possible mitigation to Policy 15A in terms of the 'and/or' in the policy wording. The Council suggest the 'and/or' is deleted from the policy wording to improve clarity.

10.5.3 The SA report (SD04) found Policy 15A to have a positive effect for SA Objective 7 (To protect water resources and quality; reduce flood risk) and stated: *"The requirement for 110 litres/day is more exigent than at present. This should help to protect water resources. The increase in population will, however, at least partly neutralise this benefit."* The SA assessment of Policy 15A is shown in the table below.

| Policy 15 A – Water conservation and efficiency | | |
|--|-------------------------|---|
| SA objectives that are not relevant to this policy | 2, 4-6, 8, 11-13 | |
| SA objective | Impact of policy | |
| 1. To improve health and well-being within the District and reduce inequalities in health. | ? | Reducing water consumption can affect health, e.g. cooling off during a heat wave. However improved water efficiency should allow the same health benefits to be achieved with less water, so at less cost. |
| 3. To ensure that the housing needs of all residents and communities are met | 0 | The additional cost of water conservation features is minimal, so should not affect the viability of housing developments. |
| 7. To protect water resources and quality; reduce flood risk. | + | The requirement for 110 litres/day is more exigent than at present. This should help to protect water resources. The increase in population will, however, at least partly neutralise this benefit. |
| 9. To conserve & enhance the District's biodiversity and geodiversity | 0 | Protection of water resources also helps to protect the biodiversity that relies on these resources. The policy is unlikely, however, to lead to biodiversity improvements. |
| 10. To support the economy & ensure suitable employment | +/- | The policy may require water efficiency and recycling technologies to be |

| Policy 15 A – Water conservation and efficiency | |
|---|--|
| SA objectives that are not relevant to this policy | 2, 4-6, 8, 11-13 |
| SA objective | Impact of policy |
| opportunities | installed at employment sites, notably some industrial and agricultural operations. This would have a direct cost; however in the longer run this will help the organisation to save money in reduced water bills. |
| Possible mitigation | |
| I found the 'and/or' bit difficult to understand (which suggests that implementation might be a problem). Does i. apply to housing and ii. apply to both housing and employment development? Clarify? | |

Source: SA Report (July 2019) (SD04)

10.5.4 The Planning Practice Guidance advises planning authorities on how to gather evidence to set optional requirements, including for water efficiency. It states that “all new homes already have to meet the mandatory national standard set out in the Building Regulations (of 125 litres/person/day). Where there is a clear local need, local planning authorities can set out Local Plan policies requiring new dwellings to meet the tighter Building Regulations optional requirement of 110 litres/person/day.” Planning authorities are advised to consult with the Environment Agency and water companies to determine where there is clear local need.

10.5.5 The signed Statement of Common Ground (SofCG) between Wyre Forest District Council and the Environment Agency (SD10j) includes the following comment from the Environment Agency:

"Policy 15A – Water Conservation and Efficiency: The EA note that a policy has been included to secure higher (more stringent) levels of water efficiency for residential development throughout the district.

In line with the approach for justifying higher levels of water efficiency policies, the EA have recently produced mapping which shows areas of water stress and/or catchments that are likely failing due to low flows. This is within appendix A of the EA response for information/inclusion within the Water Cycle Study evidence. It should be noted that whilst this does not cover the whole area, it covers most of Wyre Forest district (covering the east of the district). WFDC may want to secure higher water efficiency throughout the district as proposed in the policy to help achieve this water resource reduction objective. Note – primary sources of evidence which might support higher water efficiency standards for new dwellings are detailed in appendix A of the EA 2018 consultation response. The EA map is collated based on the following sources: Water Stressed Areas Classification (2013), Water resource

management plans produced by water companies, River Basin Management Plans. Please see 'Appendix A' – Map and note on Water Resource and Efficiency." (See SD10j for further details, including maps).

- 10.5.6 The Environment Agency is supportive of the 110 litres water efficiency standard and has provided us with evidence to justify a clear local need. If the standard is not applied then it is very unlikely that development will include meaningful design features to reduce water consumption. The Council is therefore of the opinion that the 110 litres water efficiency standard should remain in Policy 15A to help secure higher levels of water efficiency for residential development throughout the district. Water efficiency is becoming increasingly more important in terms of climate change; it is therefore vital that we have policies in the Local Plan that increase resilience to climate change impact through new development.
- 10.5.7 The Water Cycle Study (May 2017) (FR03) includes a table of climate change actions (see Table 9-3). One of these recommended actions is: *"Take 'no regrets' decisions in the design of developments which will contribute to mitigation and adaptation to climate change impacts."* In the WCS (FR03) conclusion, the study recommends: *"Use planning policy to require the 110l/person/day water consumption target permitted by National Planning Policy Guidance in water-stressed areas."*
- 10.5.8 The Water Cycle Study (May 2017) (FR03) found that meeting the standard of 110 litres per person per day would cost only £9 for a four-bedroom house (DCLG Housing Standards Review, Sept 2014). Therefore, it is not deemed to prevent the speedy delivery of housing and should remain in Policy 15A.
- 10.5.9 The Environment Agency published the 'National Framework for water resources' in March 2020, see weblink: <https://www.gov.uk/government/publications/meeting-our-future-water-needs-a-national-framework-for-water-resources>
- 10.5.10 The next step is the production of a regional plan (WFDC falls within the Water Resources West region) which considers how the region will be resilient to a range of uncertainties and future scenarios. The national framework specifically mentions the adoption of a planning assumption of achieving on average, 110 litres of water use per person per day by 2050, while also reducing non-household demand.
- 10.5.11 The NPPF in paragraph 149 also states that *"Plans should take a proactive approach to mitigating and adapting to climate change, taking into account the long-term implications for flood risk, coastal change,*

***water supply**, biodiversity and landscapes, and the risk of overheating from rising temperatures. Policies should support appropriate measures to ensure future resilience of communities and infrastructure to climate change impacts..”*

10.5.12 Therefore, by introducing the 110 litres water efficiency standard in our Local Plan we take a pro-active approach as detailed in the NPPF and the water efficiency standard chosen is pre-empting the embedment of this standard in emerging regional plans for water resources following the publication of the National Framework for water resources by the Environment Agency in March 2020.