

## **Responses of Campaign to Protect Rural England, Worcestershire Branch**

### **Matter 1 – Procedural / General Matters**

**1. Has the Plan been prepared in accordance with relevant legal requirements, including the Duty to Co-operate and the procedural requirements of the National Planning Policy Framework?**

CPRE has no objection under this head.

**2. Is the Plan in general conformity with the Regional Spatial Strategy (RSS) and consistent with the National Planning Policy Framework (the Framework)? Does it reflect the National Planning Policy Framework's presumption in favour of sustainable development?**

CPRE believes so.

**3. Is the SAPDPD consistent with the adopted Wyre Forest Core Strategy and Waste Core Strategy?**

CPRE believes so, but we have not considered how the various plans mesh in with the County Waste Core Strategy

**4. What mechanisms are in place to ensure the necessary infrastructure is delivered?**

### **Matter 2 – A desirable Place to Live**

**1. It is suggested that the overall housing target as specified in the adopted Core Strategy is out-of-date. Does the Plan make provision for sufficient housing based on up-to-date assessments / evidence of need? Are the policies sufficiently flexible to accommodate any additional residential development that may be required?**

This plan is designed to implement the Core Strategy; it is not a revision of the Core Strategy. These questions were determined in the course of the adoption process of the Core Strategy. The Core Strategy was adopted in December 2010. It is improper (and premature) to reopen such questions at this stage. To do so would mean that the SAPDPD would cease to be in conformity with WFCS.

Wyre Forest has been comparatively depressed area since the collapse of the carpet trade in the 1980s. Demand for housing is accordingly comparatively low.

The inspector recommended the retention of the site at Hurcott Lane, Kidderminster as an ADR. The very slight change in the housing requirement, raised by Land Research and Planning on behalf of the owners, is no reason to reopen a question that has been determined already. The principle of *res judicata* should apply. As an ADR it is likely (though not certain) that the land will one day be released for development, but now is not the time.

Another person has raised a similar point, apparently in relation to a site in Rock. The appropriate forum for the question of housing needs in Rock to be considered is either a Neighbourhood Plan for the parish or a planning application following the production of a parish housing needs survey.

Our answer will be similar in respect of any other rural sites offered by landowners.

**2. How has the SAPDPD evolved in terms of the alternatives considered? How were these evaluated and have all reasonable options been examined? Are the choices made properly justified and is it clear from the Sustainability Appraisal why the preferred**

**options have been chosen? Have the choices and phasing of development been sufficiently informed by the Infrastructure Delivery Plan and Sequential Testing (Flooding) reports?**

**3. It is suggested that the DPD is flawed and unsound as it fails to identify enough land to accommodate sufficient affordable housing. Does the Plan adequately address the provision of affordable housing?**

See 1 above.

**4. Policy SAL.DPL2 restricts development in Bewdley and rural areas (other than those allocated for development), except in specific circumstances, including schemes for 100% affordable housing. Is the provision of 100% affordable housing justified and a viable proposition on windfall sites?**

Bewdley is on a confined site, so that it is difficult to find sites that are appropriate for development. The rural areas east of the Severn are entirely Green Belt. Their development would accordingly be contrary to National Policy, which discourages the development of Green Belt land. The area west of the Severn is comparatively remote.

**5. Is Policy SAL.DPL2 consistent with the Core Strategy, in particular Policy CPO4?**

The application of the policy to the urban area of Bewdley does appear to be inconsistent. The policy is headed “rural housing”. That heading appears to be inconsistent with it applying to Bewdley. We would suggest that the words “within or” on line 2 of item 1 should be deleted, so that housing within Bewdley remains subject to the general policy on housing.

**6. Is Policy SAL.DPL6 consistent with the National Planning Policy Framework, in particular paragraph 60?**

We consider that the SAL.DPL6 is over-restrictive. The “nuisance” is of a “granny flat” becoming a separate residence. Where a house is being built with an integrated granny flat, it might be appropriate to require them to have a shared entrance, but in practice most granny flats are extensions or garage conversions of existing dwellings, constructed to meet the particular needs of a family with an elderly or disabled relative, who needs some independence, but also some supervision from younger or able-bodied family members. There is a model planning condition for granny flats. It would be better for the model condition to be incorporated into SAPDPD.

### **Matter 3 - Gypsies and Travellers**

CPRE finds it difficult to participate fully in discussions over travellers’ sites. Nevertheless, there is a shortage of sites nationally, so that there is a continual problem of travellers, who have no regular abode, setting up sites either in the Green Belt or other inappropriate rural sites, whether as trespassers or through the purchase and occupation of agricultural land.

**1. Does the SAPDPD conform to the Planning Policy for traveller sites (PPTS)?**

**2. Is the current assessment of need robust? What is the justification for the pitch requirement figure of 35 pitches (to 2017) adopted by the Council for the purposes of the Plan?**

With a pitch requirement only to 2017, there must be potentially a long term problem. This ought to be addressed through the strategic planning process.

**3. How has the SAPDPD evolved in terms of the alternatives considered? How were these evaluated and have all reasonable options been examined? Are the choices made**

**properly justified and is it clear from the SA why the preferred options have been chosen? Have the choices had sufficient regard to flooding issues?**

**4. Does SAPDPD have due regard to the strategies of neighbouring authorities? In particular is there justification for encouragement in paragraph 4.67 to locate additional sites near Stourport-on-Severn?**

We suspect that this has been a course of least resistance. Most of the existing sites are in a cluster south of Stourport. The prejudice of the settled population against travellers means that it is difficult to accommodate them on ordinary housing sites. On the other hand, the Green Belt boundaries are drawn tightly around the settlements, so that it is difficult to find appropriate sites.

**5. Insufficient sites are allocated to meet the currently identified need for additional pitches over the Plan period. How is the shortfall of pitches to be addressed?**

That is also a question that we have. We would suggest a positive requirement for the Council to undertake a review to identify additional sites. Something similar to the standard requirement for a 5-year supply of approved housing sites and a 15-year supply of identified sites is needed here.

**6. What assessment has the Council made of the deliverability of sites to meet the identified need within the constraints of the selected criteria contained in Policy SAL.DPL9 & 10?**

**7. Should provision be made for windfall sites where there is no identified need (please refer to paragraph 10 of the PPTS)?**

**8. Is Policy SAL.DPL10 (Part 4) justified and sufficiently precise to maintain a balance between employment and residential uses and to ensure that the cumulative impact of gypsy sites within the Sandy Lane area of Stourport-on-Severn does not dominate the area?**

**9. Are the design criteria set out in Part 2 of Policy SAL.DPL10 justified? Part 2 (iv) requires communal recreation areas to be provided. It appears to assume that all sites will be for more than one pitch and will have a site manager. Is Policy SAL.DL10 intended to exclude private family run pitches?**

We would suggest that slight redrafting is required to take account of the smallest developments, referring to “any site manager”. We presume that the Council has adopted standards as to play provision for developments for the settled community, and would suggest that such be incorporated by cross-reference. For housing developments in Bromsgrove District, there is a threshold below which developers do not have to provide a play area. Something similar will be appropriate here.

## **Matter 4 - A Good Place to do Business**

**1. Is Policy SAL.GPB1 sufficiently flexible to ensure the deliverability of economic development on the allocated sites?**

**2. Does the amount of land allocated for employment purposes have regard to the requirements for the delivery of green infrastructure and open space?**

WE are unable to comment.

## **Matter 5 - Retailing**

### **1. Does the sequential approach set out in Policy SAL.GPB2 accord with the Framework?**

We are concerned that there has been an attempt to draft a single policy to cover both the market towns of Stourport and Bewdley and the retail hub of Kidderminster. It would be better for the SAPDPD policy explicitly to exclude Kidderminster Town Centre, leaving that to be covered in KCAAP.

We are concerned at the “edge-of-centre” definition covering too large an area, certainly as regards Stourport and Bewdley, each of which has a well-defined compact retail area. The objective is to allow developments that expand the retail area, but these should be adjacent to it. A site 250 metres away is liable to become a retail separate destination.

We are concerned at the implication, of this and various other plans that we have seen, that retail floorspace should for ever expand. With increasing mobility (using cars), it seems likely that smaller town centres will contract rather than expand. Accordingly the Plan should be providing a strategy for managing decline, instead of – or as well as – one for expansion. Successive large developments in Stourbridge have not resulted in an expansion of the retail area, so much as its relocation, with a considerable part of it that was formerly a prime retail area declined so that there are now few (if any) retail shops within it, only estate agents, financial services, hairdressers, and other service uses. The provision of Weavers Wharf may well have caused something similar in Kidderminster.

### **2. Is the retail floorspace threshold of 250 sq m referred to in a number of policies appropriate and justified?**

No view on the precise limit, but it should be a modest one.

## **Matter 6 - Climate Change**

### **1. Do policies in this section have sufficient regard to the Local Flood Risk Management Strategy?**

No comment

## **Matter 7 - A Unique Place**

### **1. Are policies SAL.UP1 & UP6 consistent with the Framework?**

- (a) The idea of protection for undesignated historic gardens looks like a minefield. It is suggested that provision should be made for a local listing of these, to be incorporated into HER.
- (b) To the list at the top of page 86 the following further paragraphs need to be added:
  - (v) Alterations should where possible be reversible. This is most important for the most important assets.
  - (vi) The retention of historic artefacts, such as surviving mill machinery.

### **2. Will the policies in the SAPDPD deliver open space?**

They may do, but there seems to be a lack of adequate provision for the future maintenance

### **3. Should the SAPDPD identify the amount of space required for green infrastructure?**

We suspect that the Council will already have standards on the provision of LEAPs, NEAPs and Playing Fields, perhaps in SPG. There would be no harm in bringing this into SALP.

### **4. Is Policy SAL.UP13 positively prepared and sound?**

(a) The excessive use of bridleways by horses churns them up, so that the surface has a deep layer of mud except in the driest weather. This may well be covered by the present wording, but it could usefully be strengthened by adding to the end of the first sentence of the 4th paragraph “for all lawful users, including pedestrians on bridleways” and including the word “possibility” near “capacity.”

(b) In paragraph 7.107, the use of maxima implies that lesser sizes would be acceptable. Presumably the standards of BHS are minima, not maxima. It would be better to provide a range of acceptable sizes.

Generally on policy on Horses we would commend the Malvern Hills AONB policy, which is submitted herewith as additional evidence.

## **Matter 8 - South Kidderminster Enterprise Park**

**1. Are policies SAL.SK1, SK2 & SK3 consistent with the Waste Core Strategy in terms of the uses proposed?**

**2. Is Policy SAL.SK1 consistent with the Framework in terms of the longer term protection of employment sites?**

This policy is consistent with what emerged from the Core Strategy examination, where evidence was given that the development of the site solely for employment uses would yield a loss of £10 million. Accordingly the Council conceded that some housing should be allowed. For the purposes of the Core Strategy, the Council had reviewed all employment sites and decided to release certain of them. This having been determined under the Core Strategy adoption process, it is wrong for the question to be reopened at this stage.

**3. Is economic development within the South Kidderminster Enterprise Park, in particular land in the ownership of Revelan, justified and deliverable given the current economic circumstances?**

**4. Is the indicative phasing period for Oasis Arts & Crafts and Reilloc Chain justified?**

We are not commenting on particular sites, whose precise location is not clear to us.

## **Matter 9 - Rural allocations**

### ***Blakedown Nurseries***

**1. Does Policy SAL.RS1 adequately address local needs? Is it consistent with the Core Strategy?**

Planning consent has now been granted for this site to a larger house-building company. In view of the identity of the developer and the land being within the area from which many people commute into Birmingham and the Black Country and within the catchment of the popular Haybridge High School at Hagley, it is likely that the site will be developed in the course of the next year or two. It is thus probably unnecessary for the plan to do much more than note that this is an identified housing site.

Our view was that a local need (in the terms of WMRSS) had not been established for a development on the scale that has now been permitted, but that is now water under the bridge.

### ***Clows Top***

**2. The Coal Authority suggests that the development of this site would sterilise mineral reserves. Has consideration been given to how this would impact on the deliverability of the site within the Plan period?**

The land is within the Wyre Forest coalfield, but little coal has been worked in the coalfield since the closure of Highley colliery in 1969. D. Poyner and R. Evans [in *The Wyre Forest Coalfield* (Tempus, Stroud 2000), pp. 143-5] indicate that there are some untouched coal reserves that could be worked by a small scale drift mine. Opencast mining of extract the pillars left in deep mining might also be possible. However, the site is quite a small one and adjacent to a village, where coalmining would probably be unacceptable on other grounds. We thus consider the objection of the Coal Authority to be misconceived.

Our concern is that by defining the site too precisely, the opportunity for a developer to assemble a slightly larger site (with a more rational shape) is ruled out.

**3. Has sufficient regard been made to the necessary infrastructure upgrades referred to by the Environment Agency in the allocation of this site and the implications that may arise in terms of its deliverability within the Plan period?**

## **Matter 10 - Green Belt**

**1. Concerns are raised about the viability of development on the former Lea Castle Hospital site. Is the relevant section of Policy SAL.PDS1 sufficiently flexible to ensure that the re-development of the site is deliverable?**

We are concerned about this as a substantial brownfield site in the Green Belt. Nobody has so far come up with any rational suggested reuse for the site. The gap between Kidderminster and Cookley is a comparatively narrow one into which this site intrudes. We would be profoundly unhappy with any more intensive use of the site.

We note the statement from Amec on behalf HCA and others. We have not seen the Council's Statement of Common Ground with them. Conversion of the existing buildings or some of them to residential might perhaps be acceptable, as might the substitution of housing of a similar scale to the existing buildings. However, we have observed elsewhere that such schemes tend to stretch the scope of the previously developed area, by including what was once garden or other amenity ground in the area to be built on. Development should be limited to the footprint of the existing buildings and the area enclosed by them, leaving the land beyond to be gardens.

When the hospital was built, a significant amount of planting was undertaken to hide it, so that the presence of a developed site would not be apparent from the countryside beyond. In recent years as the coniferous trees shielding from the A451 to the southeast of the site have grown up, the barrier has become thin, so that the existence of the buildings has now become apparent. Upon any development, it is important, so as to preserve the openness and greenness of the Green Belt that some under-planting take place to thicken the barriers and ensure that there is a continuing barrier when the present trees reach maturity and are felled.