Wyre Forest District Council Local Development Framework Kidderminster Central Area Action Plan Development Plan Document Schedule of Proposed Minor Amendments (October 2012)

Minor Amendment Number	Page / Para	Policy / Section	Proposed Change	Reason for Change	Relevant Representation (If Applicable)
KCA - MA1	Page 9	Vision	Include an additional paragraph in the Vision to take account of flood risk, as follows: Development will help to alleviate food risk and the waterways will be flanked by attractive waterside developments that make the most of these assets and bring them more into focus.	In order to recognise the flood risk issues that exists within the town.	Environment Agency KCAAPP111
KCA - MA2	Page 9	Vision	Include additional wording in the vision as follows: 'The town centre will be a vibrant, attractive, safe and crime free environment in which people wish to spend their time at all times of the day and night'	To ensure that the Vision links to the Objectives and that it helps to create safe and accessible environments where crime and disorder, and the fear of crime, do not undermine quality of life or community cohesion.	West Mercia Police KCAAPP142
KCA - MA3	Page 10	Strategic Objectives	Replace Objective 9 with the following:	Given the extent of flood risk to the KCAAP area	Environment Agency KCAAPP110

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			9. Improve the resilience of Kidderminster by reducing and managing flood risk and taking account of the impacts of climate change by ensuring good water management.	it may not be achievable to safeguard the town against all flood risk. Therefore the objective is proposed to be reworded to ensure that it can be met and is deliverable.	
KCA - MA4	Page 10	Strategic Objectives	Include additional wording in Strategic Objective 12, as follows: 12. Ensure the town is safe, <u>crime free</u> and enjoyable for all users	To ensure that the Objectives help to create safe and accessible environments where crime and disorder, and the fear of crime, do not undermine quality of life or community cohesion.	West Mercia Police KCAAPP140
KCA - MA5	Page 13	Policy KCA.PFSD1: Presumption in Favour of Sustainable Development	Include the additional wording in Policy KCA.PFSD1, as follows: Planning applications that accord with the policies and objectives in the DPDs'	To ensure that decisions accord with the polices and the objectives included in the	West Mercia Police SALPP251

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				Plan.	
KCA - MA6	Page 16	Policy KCA.DPL2 Mixed Use Development	Include additional wording in the policy as follows: Community uses (including medical and the emergency services)	It is considered that emergency services are one of the uses that can contribute to supporting the vitality and viability of the town centre, and as such should be specifically listed.	West Mercia Police KCAAPP133
KCA - MA7	Page 18	KCA.GPB1 Retail Development	Amend policy to read: "Limited retail growth, consisting of individual units of no larger than 250sq.m net, will also be allowed"	To clarify that the 250sq. m floorspace relates to the net retail floorspace.	England and Lyle KCAAP72
KCA - MA8	Page 22	KCA.GPB4 Edge-of-Centre and Out-of-Centre Retailing	Amend policy to read: "Proposals for further retail expansion, in excess of 250sq.m net, in edge-of-centre"	To clarify that the 250sq. m floorspace relates to the net retail floorspace.	England and Lyle KCAAP72
KCA - MA9	Page 24	KCA.GPB5 Employment Development	Under the Health and Education section of the policy, wording should now read: "Subject to site specific policies, the following areas will be the focus for health and education development falling under the C2 and D1 uses."	Existing wording had mixed up use class codes to read C1 and D2 instead of C2 and D1.	WFDC (Officer)

Minor Amendment Number	Page / Para	Policy / Section	Proposed Change	Reason for Change	Relevant Representation (If Applicable)
KCA - MA10	Page 25	Paragraph 5.44	Include additional wording in paragraph 5.44 as follows: "Any new industrial development will need to consider the potential impact on ground water protection in the area. Types of activities, drainage and building design should be in line with the Environment Agency's Groundwater Protection Policy and Practice Guidance. Tighter controls are likely to be required in line with this guidance, as the sites overlie a principal aquifer with a relatively shallow water table. The aquifer is of regional strategic importance in terms of water supply and the sites fall within close proximity (Inner, Outer and Total Source Protection Zone) of a public water supply source."	To ensure that the water environment within the KCAAP area is protected and to improve the soundness of the plan.	Environment Agency KCAAPP96
KCA - MA11	Page 28	Policy KCA.GPB6: Tourism Development	Include additional wording in the policy as follows: 'Within these areas, development which is demonstrated to create a safe, enjoyable and crime free environment will be supported. Development for the following uses will be specifically encouraged:'	A reference in the policy is required to ensure that tourist related development is safe, enjoyable and crime free. It will help in ensuring that the KCAAP will deliver sustainable tourist related development from a social perspective, as	West Mercia Police KCAAPP134

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				required by paragraph 7 of the National Planning Policy Framework.	
KCA - MA12	Page 30	KCA.GPB7 Leisure Development	Amend policy to read: Major new D2 leisure and multiple-unit A3 and A4 food and drink developments will be concentrated towards the waterside environments of the Western Gateway Area. Smaller scale Other leisure developments will be supported throughout the Primary Shopping Area subject to these being in line with the site specific policies in Part B and the relevant policies in the Site Allocations and Policies DPD. Elsewhere in the KCAAP area, smaller scale proposals will be considered favourably subject to them meeting the broad objectives of the KCAAP.	To be consistent with the National Planning Policy Framework which allows for main town centre uses to located in town centres, which are considered to be the Primary Shopping Area of the town.	Arrowcroft Service Ltd KCAAP19
KCA - MA13	Page 30/31	Policy KCA.GPB7 Leisure Development	Include additional wording within the policy immediately before the Evening Economy section: "The enhancement of the Town Hall and its use as a multifunctional venue for the arts will be encouraged."	To include support for the Town Hall improvements within the policy	The Theatres Trust KCAAPP36
KCA - MA14	Page 33	Paragraph 6.6	Include additional wording in paragraph 6.6 as follows: The former industrial nature of parts of the town centre means that there is high potential for contamination issues to arise. Disturbance of any such contamination during redevelopment can mobilise pollutants and adversely impact on the groundwater and the wider water environment including the rivers, canals and wetlands. The KCAAP area overlies a	To ensure that the water environment within the KCAAP area is protected and to improve the soundness of	Environment Agency KCAAPP99

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			principal aquifer which is of strategic importance for water supply and the area falls within the Source Protection Zone of a public water supply borehole. The water table is relatively shallow, particularly within the Stour valley. It is therefore essential that Where appropriate ground and water contamination must be addressed as part of any redevelopment and suitable remediation measures taken. Part B of this document identifies sites where this risk is known to be particularly apparent; however a desk study will be required for most sites to assess this potential. New development should be in line with the Environment Agency's Groundwater Protection Policy and Practice Guidance (GP3).	the plan.	
KCA - MA15	Page 39	Policy KCA.UP1: Urban Design Key Principles	Include additional wording in Policy UP1 as follows: 'respect and enhance the blue and green infrastructure of the town centre'	This would provide more positive wording in identifying opportunities through new development to achieve environmental gains for watercourses and the River Stour Valley such as: flood risk betterment; biodiversity; water quality, and in working towards the objectives of the	Environment Agency KCAAPP106

Minor Amendment Number	Page / Para	Policy / Section	Proposed Change	Reason for Change	Relevant Representation (If Applicable)
				Water Framework Directive.	
KCA - MA16	Page 39	Urban Design and Place Making Objectives	Create a safe and secure environment which reduces opportunities for crime and anti-social behaviour. Behaviour.	To ensure that the Objectives help to create safe and accessible environments where crime and disorder, and the fear of crime, do not undermine quality of life or community cohesion.	West Mercia Police KCAAPP141
KCA - MA17	Page 40	Policy KCA.UP1	Amend criteria (i) " enhances local <u>character</u> and distinctiveness". Amend criteria (I) "green infrastructure <u>and heritage assets</u> of the town centre".	To improve consistency with NPPF	English Heritage KCAAPP22
KCA - MA18	Page 56	Heritage section para.7.73-7.80	Add in additional sentence at end of para. 7.8 & 7.22 as follows: "It is also important to consider how any proposals will take account of and promote the surviving historic character of the townscape."	To clarify inter- relationships between policies	English Heritage KCAAPP27
KCA – MA19	Page 50	Policy KCA.UP5: Staffordshire and Worcestershire Canal	Include additional wording in Policy UP5 as follows: viii. Where appropriate, enhance the canal's <u>water environment and role</u> as part of the green infrastructure and biodiversity network."	To improve the effectiveness of the policy and to help meet the objectives of the Water	Environment Agency KCAAPP108

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				Framework Directive.	
KCA - MA20	Page 50	Policy KCA.UP5 Staffordshire and Worcestershire Canal	Replace criteria i of Policy KCA.UP5, with the following: (i) Create a safe, secure and crime free environment through providing active frontages, natural surveillance, incorporation of Secured by Design principles and supporting security infrastructure where necessary.	To improve the clarity of the document and to ensure that development not only improves natural surveillance and active frontages along the canal but will also help deter crime and antisocial behaviour.	West Mercia Police KCAAPP137
KCA - MA21	Page 52	Policy KCA.UP6: River Stour	Include additional wording in Policy UP6 as follows: New developments adjacent to the River Stour should contribute to the improvement of the water environment by: i. Providing a positive relationship to the water's edge. ii. Making on-site improvements to the green infrastructure links. iii. Enhancing the biodiversity value of the river and riverside areas as part of a wildlife corridor. iv. Improving the morphology of modified sections of the river,	Due to the current condition of the River Stour and the UK's requirement to meet the objectives of the Water Framework Directive (WFD). Planning authorities have a duty under the WFD to take account of the	Environment Agency KCAAPP109

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			where appropriate, to recreate more natural conditions and	River Basin	
			better habitat (i.e. de-culverting, re-profiling and buffer strips).	Management	
			v. Putting in place measures to protect and improve water quality (including groundwater).	Plans and can help deliver WFD objectives. This additional	
			vi. Providing flood risk betterment where practical.	wording will strengthen that commitment to	
			vii. Providing opportunities for promenading and interaction with the environment of the River Stour.	meeting the WFD objectives.	
			Added Reasoned Justification:		
			The River Stour is currently classified as poor ecological		
			status and failing good chemical status, as reported in the		
			Severn River Basin Management Plan. Two of the objectives		
			of the Water Framework Directive (WFD) are: to prevent		
			deterioration in the status of aquatic ecosystems, protect		
			them and improve the ecological condition of waters; and to		
			achieve at least good status for all waters by 2015. Where		
			this is not possible, and subject to the criteria set out in the Directive, aim to achieve good status by 2021 or 2027. New		
			development should contribute towards improving the River		
			Stour to assist the UK in meeting its objectives of the WFD.		
KCA - MA22	Page 54,	Green	Insert additional green infrastructure objectives as follows:	To explain that	Worcestershire County
	Green	Infrastructure	,	the role of green	Council
	Infrastructu	Opportunities	Use green infrastructure to deliver attractive walking	infrastructure is	KCAAPP127
	re box		and cycling routes.	wider than	
			Enhance the role of green infrastructure in adapting to and mitigating against the effects of climate	biodiversity alone.	

Minor Amendment Number	Page / Para	Policy / Section	Proposed Change	Reason for Change	Relevant Representation (If Applicable)
			change, particularly flood risk.		
KCA - MA23	Page 55, Para 7.70	Green Infrastructure Opportunities	Amend last sentence to read: Implementing measures such as street trees, green roofs and SuDS can all provide an enhancement provide visual enhancement as well as benefits such as flood mitigation and amenity greenspace."	To explain that the role of green infrastructure is wider than biodiversity alone.	Worcestershire County Council KCAAPP129
KCA - MA24	Page 55, Para 7.71	Green Infrastructure Opportunities	Amend paragraph 7.71 to read: "The area's existing parks and green spaces are also an important part of the wider green infrastructure network. They provide vital urban biodiversity habitats as well as recreational space, whilst helping to reduce the urban heat island effect. These spaces, together with the linear parts of the green infrastructure network provide important walking and cycling routes. These spaces should be maintained and connected where appropriate to enhance the green infrastructure network within the town."	To explain that the role of green infrastructure is wider than biodiversity alone.	Worcestershire County Council KCAAPP130
KCA - MA25	Page 58	Paragraph 8.1	Reproduce the map detailing the KCAAP Character Areas in Appendix C.	The map refers to the whole document and not just to Part B and therefore should be included with the other maps	CPRE KCAAPP95

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				included at Appendix C	
KCA - MA26	Page 62	Paragraph 9.16	Include additional wording in Paragraph 9.16, as follows: 'The Churchfields Masterplan sets out the priority areas for development contributions which includes off-site highways works, public transport and affordable housing. However, contributions will also be sought for other important infrastructure including education, drainage infrastructure, emergency services and community facilities, where appropriate.	To ensure that the document is consistent with changes proposed to Policy KCA.Ch2.	West Mercia Police KCAAPP139
KCA - MA27	Page 63	Policy KCA.Ch2: Phase 1 – Grasmere Close	Include additional wording in Policy KCA.CH2, as follows: Policy KCA.CH2 Phase 1 – Grasmere Close The redevelopment of this area will be expected to include: • C3 Dwelling House • Community Uses (D1, including Police Post) Any new development on this site should: 1. Provide a strong frontage along Stourbridge Road and Hurcott Road. 2. Provide active frontages and sense of enclosure to all roads within the site. 3. Have regard to Policy SAL.DPL11 when considering any redevelopment involving the existing Police	To help to meet concerns raised through representations and to ensure that the community element of this site (police post) is fully recognised.	West Mercia Police KCAAPP132

Minor Amendment Number	Page / Para	Policy / Section	Proposed Change	Reason for Change	Relevant Representation (If Applicable)
KCA - MA28	Page 72	Policy KCA.Ch7: Phase 4 – Crossley Park	Include additional Reasoned Justification as follows: 9.21 The Community Housing Group owns the site , which currently consists of maisonette blocks, tower blocks and a Police Post. It is proposed to redevelop the site with a scheme for more traditional houses. The redevelopment of the Maisonettes will provide up to 100 dwellings and will provide a more attractive environment. Include the additional wording in Policy KCA.Ch7, as follows: 'New development should demonstrate appropriate remediation, building and drainage design in order to deal with any contaminated land and to protect the water environment.'	In order to ensure that any contaminated land and environmental constraints associated with this site are fully considered. This amendment will help to improve the effectiveness of	Environment Agency KCAAPP100
KCA – MA29	Page 74	KCA.Ch8 Horsefair	Amend Policy KCA.Ch8, as follows: iv. "An improved public realm will be sought along Blackwell Street, including a new public space and car parking."	the plan To highlight the need to provide parking as part of any public realm improvements to Blackwell Street	Horsefair Traders Partnership KCAAPP31 & KCAPP64 Mr Amerjit Sidhu KCAAPP76

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KCA - MA30	Page 74	KCA.Ch8 Horsefair	Amend Policy KCA.Ch8, as follows: "The development does not exceed 250sq.m net"	To clarify that the 250sq. m floorspace relates to the net retail floorspace.	England and Lyle KCAAP72
KCA - MA31	Page 77	KCA.EG1 Comberton Hill Area	Amend policy point i. to read: "Small scale retail (up to 250sq.m net)"	To clarify that the 250sq. m floorspace relates to the net retail floorspace.	England and Lyle KCAAP72
KCA - MA32	Page 85	KCA.EG5 Phase 1: Bromsgrove Street Area	Revise the wording as follows: "The District Council will aim to secure the comprehensive redevelopment of the Bromsgrove Street area as defined within this policy and the Plan on page 88. Delete the following wording: Development proposals in any part of the area must demonstrate how the scheme complies with a wider masterplanning approach."	In light of the Local Housing Delivery Group's Viability Testing of Local Plans and the National Planning Policy Framework; the proposed rewording is intended to provided additional clarification and flexibility in light of overall viability concerns emanating from the above	WFDC (Officer)

Relevant Representation (If Applicable)
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Minor Page / Policy / Section Proposed Change Number Para	Reason for Relevant Change Representation (If Applicable)
KCA - MA34 Page 89 KCA.EG6 Phase 2 - Worcester Street Retail Development Worcester Street Retail Development Remove the following wording from polic "ii. Seek to provide a comprehensiv redevelopment of the area."	The current wording ref to retail is inconsistent with the mix of uses promoted for the site which is in

Minor Amendment Number	Page / Para	Policy / Section	Proposed Change	Reason for Change	Relevant Representation (If Applicable)
				appropriate safeguards	
KCA - MA35	Page 90	Paragraph 10.37	Remove the following wording: "and an ambition for this site is to provide a new 'street' that would provide clear access." And replace with: At the very least proposals will be expected to maintain and enhance the existing links between Worcester Street and Bromsgrove Street."	Wording is too prescriptive in terms of a solution to improving connectivity and is questionable in terms of its viability. Instead suggest revised wording to RJ to refer to maintenance and enhancement of existing links (see Para 10.34	WFDC (Officer)
KCA - MA36	Page 91	KCA.EG7 Phase 3 – Lion Street	Revise the following wording from policy: "Development proposals in any part of the area will be expected to consider how the scheme relates positively to the wider setting of the 'Eastern Gateway'."	changes) In light of the Local Housing Delivery Group's Viability Testing of Local Plans and the National Planning Policy Framework; The Council is not intending to provide a wider masterplan for	WFDC (Officer)

Minor Amendment Number	Page / Para	Policy / Section	Proposed Change	Reason for Change	Relevant Representation (If Applicable)
				the Eastern Gateway and therefore this requirement is considered overly onerous and lacks sufficient clarity/	
KCA - MA37	Page 93	KCA.EG8 Waterloo Street Area	Amend policy to read: "A1-A5 Retail (not exceeding 250sq.m net)"	certainty To clarify that the 250sq. m floorspace relates to the net retail floorspace.	England and Lyle KCAAP72
KCA - MA38	Page 107 and Page 126	Policy KCA.CW1: Castle Wharf and Policy KCA.HP4: Bus Depot	Include an additional paragraph in the policy, as follows: x. Take full account of the Groundwater Source Protection Zone that exists within this area, in safeguarding groundwater supply. Added Reasoned Justification: The site sits on a Groundwater Source Protection Area (SPZ1 and 2). SPZ1 is the inner zone and is highly sensitive to land use / contamination. Therefore the type of	As identified in the representation there is currently limited reference to the areas sensitive hydrogeological setting. There are likely to be restrictions for	Environment Agency KCAAPP101 KCAAPP105
			development and activities that can take place within this zone need to have full regard to the Environment Agency's Groundwater Protection: Policy and Practice (GP3) document. In addition to control of land use, drainage and building design (i.e. foundations), tight control of the investigation and remediation of any land contamination	new development on the drainage, building designs (foundations) and land uses.	

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			issues would also be required within this location.	Therefore, it is considered that the additional wording is appropriate for the policy and would improve the soundness of the Plan.	
KCA – MA40	Page 112	KCA.MS1 Mill Street Mixed Use Area	Amend policy point 1. To read: "The development does not exceed 250sq.m net"	To clarify that the 250sq. m floorspace relates to the net retail floorspace.	England and Lyle KCAAP72
KCA – MA41	Page 119	Policy KCA.HP1 Heritage Processions Area	Include additional wording in Policy HP1 as follows: New development should incorporate appropriate remediation, building and drainage design in order to deal with any contaminated land and to protect the water environment.	Within this area there is high potential for ground/water contamination issues. Therefore, it is considered that the additional wording is appropriate for the policy and would improve the soundness of the Plan.	Environment Agency KCAAPP102

Minor Amendment Number	Page / Para	Policy / Section	Proposed Change	Reason for Change	Relevant Representation (If Applicable)
KCA – MA42	Page 124	Policy KCA.HP3: Green Street Depot	Include additional wording in Policy HP3 as follows: vi. Take full account of the Groundwater Source Protection Zone that exists within this area, in safeguarding groundwater supply. Include additional wording at Paragraph 15.18: In addition to control of land use, drainage and building design (i.e. foundations), tight control of the investigation and remediation of any land contamination issues would also be required within this location.	To improve the clarity and consistency within the document.	Environment Agency KCAAPP104
KCA – MA43	Page 128/129	Monitoring and Implementation Framework	Expand 'Relevant Core Strategy Policies' table and 'Relevant policies from Site Allocations and Policies DPD' table to incorporate all KCAAP policies.	To provide consistency within cross-referencing to Core Strategy and Site Allocations and Polices DPDs.	Worcestershire County Council KCAAPP126
KCA – MA44	Page 133	Jargon Guide	Include the term SSSI within the Jargon Guide between ReWyre Initiative and Stourport Road Employment Corridor as follows: "Site of Special Scientific Interest (SSSI) - a specifically defined area within which protection is afforded to ecological or geological features. Sites are officially notified by Natural England."	Term is used within the DPD and not currently included within Jargon Guide.	Natural England KCAAPP118
KCA – MA45	Page 133	Jargon Guide	Amend the definition of "Previously Developed Land (PDL) to read as follows:	The definition of PDL in the Jargon Guide is	Mr Robert Watkins SALPP47

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			"Land which is, or was occupied by a permanent structure, including the cartilage of the developed land (although it should not be assumed that the whole of the cartilage should be developed) and any associated fixed surface infrastructure. This excludes: land that is or has been occupied by agricultural or forestry buildings; land that has been developed for minerals extraction or waste disposal by landfill purposes where provision for restoration has been made through development control procedures; land in built-up areas such as private residential gardens, parks, recreation grounds and allotments; and land that was previously-developed but where the remains of the permanent structure or fixed surface structure have blended into the landscape in the process of time."	a précis of that set out in Annex 2 of the NPPF (p.55). This creates potential confusion as the précis omits phrases which might be material as case law/PINs decisions emerge.	
KCA-MA46	Various	Para 9.11 Para 9.31 Policy KCA.Ch8 Policy KCA.EG1 Policy KCA.EG3 Policy KCA.EG8 Policy KCA.MS1	Amend 250sqm to 280sqm.	Consequential amendment as a result of minor amendment SA-MA16.	Brook Green Estates (Nathaniel Lichfield) SALPP121

Typographical errors

Paragraph/policy number	Error	Correction
Para 12.4 and Para 15.4	Environment Agency's G3 Guidance.	Environment Agency's GP3 Guidance.
5.5	"contribute to the the vitality"	"contribute to the vitality"
5.18	' core of the the town's'	'core of the town's'
KCA.GPB2	b. 'contribute to the the vitality'	"contribute to the vitality"

6.16	' multi-modal use of the the ring road'	' multi-modal use of the ring road'
7.58	"enhance the use of the the canal"	"enhance the use of the canal
7.61	"western edge of the the KCAAP area."	' western edge of the KCAAP area.'
9.10	"to be address within Churchfields"	"to be addressed within Churchfields"
KCA.EG5	'Phase 1: Bromsgrove Street'	'Phase 1 – Bromsgrove Street'
Title above 10.20	'Phase 1: Bromsgrove Street'	'Phase 1 – Bromsgrove Street'
Policy KCA.EG4	Policy Title Missing	Comberton Hill Island
10.23	"pedestrian crossing across the the ring road"	"pedestrian crossing across the ring road"