

FORM 1

NOTICE OF DELEGATION OF DECISION TO CABINET MEMBER BY STRONG LEADER

Section 15(4) of the Local Government Act 2000, the senior executive member may discharge any of the functions that are the responsibility of the Cabinet or may arrange for them to be discharged by another member of the Cabinet or Officer. On 1st December 2010, the Council adopted the Strong Leader Model for Corporate Governance 2011 as required under Part 3 of The Local Government and Public Involvement in Health Act 2007 (The 2007 Act).

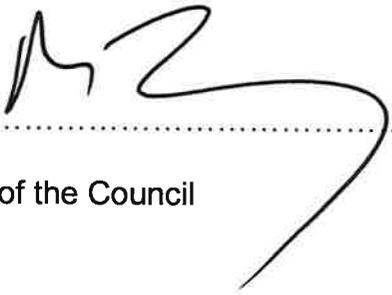
I, Cllr Marcus Hart, as Strong Leader, delegate the decision Worcestershire Minerals Plan Fourth Stage Consultation, as detailed in the Forward Plan to the Cabinet Member detailed below:

Cabinet Member for Housing, Health and Well-being

5th February, 2019.

Dated:

Signed:


.....
Leader of the Council

FORM 2

NOTICE OF DECISION OF CABINET MEMBER

Pursuant Section 15(4) of the Local Government Act 2000, as amended by section 63 of the Local Government and Public Involvement in Health Act 2007, the senior executive member may discharge any of the functions that are the responsibility of the Cabinet or may arrange for them to be discharged by another member of the Cabinet or Officer. On 1st December 2010, the Council adopted the Strong Leader Model for Corporate Governance 2011 as required under Part 3 of The Local Government and Public Involvement in Health Act 2007 (The 2007 Act).

In accordance with the authority delegated to *me / by the Leader* (delete as appropriate), I have made the following decision:

Subject	Decision	Reason for decision	Date for Decision to be taken
Worcestershire Minerals Plan Fourth Stage Consultation	The consultation comments in appendix 1 are approved.	As a constituent local authority, Wyre Forest district Council has been invited to comment on the Worcestershire Minerals Local Plan – Fourth Stage Consultation. Appendix 1 sets out the Council’s response to the Minerals Local Plan	05/02/2019

I confirm that the appropriate statutory officer consultation has taken place with regard to this decision.

Dated: 5/2/2019
Signed: Ian Hardiman

Councillor Ian Hardiman, Cabinet Member for Housing, Health and Well-being

WYRE FOREST DISTRICT COUNCIL

Strong Leader Report

Worcestershire Minerals Plan Fourth Stage Consultation

OPEN	
DIRECTOR:	Corporate Director: Economic Prosperity & Place
CONTACT OFFICER:	Daniel Atiyah
APPENDICES:	Wyre Forest District Council response to the Worcestershire Minerals Plan Fourth Stage Consultation.

1. PURPOSE OF REPORT

- 1.1 To agree the consultation comments to be submitted to Worcestershire County Council in response to their Worcestershire Minerals Plan Fourth Stage Consultation.

2. RECOMMENDATION

The Cabinet Member is asked to DECIDE that:

The consultation comments in Appendix 1 are approved.

3. BACKGROUND

- 3.1 Worcestershire County Council is continuing to progress with its Worcestershire Minerals Plan consulting on the fourth stage document. This consultation period runs from 17th December 2018 to 8th February 2019.
- 3.2 The Worcestershire Minerals Plan sets out the proposed vision and objectives for mineral development in Worcestershire, and includes the proposed strategic policies and development management policies which will be used to make decisions on planning applications once the plan is adopted.

4. KEY ISSUES

- 4.1 The policy specific comments are set out in the consultation response in Appendix 1.
- 4.2 The key issues include the following:
- Recognition of reduced size of the North West Strategic Corridor since the Third Stage Consultation.
 - Discussion of mineral extraction within the Green Belt and the potential site at Lea Farm.
 - Wider discussion of modular house construction and demand for minerals.

5. FINANCIAL IMPLICATIONS

- 5.1 There are no financial implications directly arising from this response.

6. LEGAL AND POLICY IMPLICATIONS

6.1 Duty to Co-operate and Statement of Common Ground.

7. EQUALITY IMPACT NEEDS ASSESSMENT

7.1 Not applicable.

8. RISK MANAGEMENT

8.1 If the Council fails to respond to this consultation it runs the risk of not engaging in the process to shape the future Worcestershire Minerals Local Plan and its impact upon the Wyre Forest district.

9. CONCLUSION

9.1 As a constituent local authority, Wyre Forest District Council has been invited to comment on the Worcestershire Minerals Local Plan- Fourth Stage Consultation. Appendix 1 sets out the council's response to the Minerals Local Plan.

10. CONSULTEES

10.1 Corporate Leadership Team.

11. BACKGROUND PAPERS

11.1 Worcestershire Minerals Local Plan- Fourth Stage Consultation
http://www.worcestershire.gov.uk/info/20652/emerging_minerals_local_plan

12. APPENDIX 1

12.1 Wyre Forest District Council consultation response to the Worcestershire Minerals Plan Fourth Stage Consultation.

Wyre Forest Response to Worcestershire Minerals Local Plan- Fourth Stage Consultation

- 1 Wyre Forest District Council welcomes the fourth stage consultation on the Worcestershire Minerals Local Plan. The council recognises that the North West Worcestershire Strategic Corridor has been reduced in size by 11.1%, from 6061 ha to 5391 ha, since the Third Consultation stage in 2013¹.
- 2 The council also notes that the settlements of Blakedown, Broadwaters, Cookley, Kidderminster, Stourport–on-Severn and Wolverley have been removed from the corridor.
- 3 It should also be noted that a substantial part of the North West Worcestershire Corridor lies within the West Midlands Green Belt. As discussed in paragraph 4.142, mineral extraction in itself is not inappropriate in the Green Belt, providing that it preserves the Green Belt openness and does not conflict with the purposes of including land within it, which is further outlined in Policy MLP 18: Green Belt.²
- 4 Further to this paragraph 6.26 of the Minerals Plan notes that ‘*very special circumstances may need to be demonstrated for mineral developments (in the Green Belt) or elements of them, if they are to be considered acceptable*’. Indeed this was the basis that the case of *R (Samuel Smith Old Brewery (Tadcaster) and Oxton Farm) v North Yorkshire County Council and Darrington Quarries Ltd* was successfully appealed on³.
- 5 The council notes policy MLP 7 in reference to the North West Worcestershire Corridor in that planning permission will only be granted for mineral development that ‘*contributes towards the quality character and distinctiveness of the corridor through the delivery and enhancement of green infrastructure networks*’⁴. Any proposed mineral extraction will need to preserve and maintain the Green Infrastructure of the district.
- 6 Wyre Forest District Council is at the final stages of its Local Plan. The Pre-Submission Plan went out to consultation from the 1st November to the 17th December 2018, with the plan expected to be sent to the Planning Inspectorate later in 2019 with adoption taking place in 2020.
- 7 Wyre Forest District Council is aware of the potential application for mineral extraction near the proposed Lea Castle development at Lea Castle Farm of up to three million tons of sand and gravel over a 10 year period. The Lea Castle development is a key development site of 1,400 houses, employment, and land allocated for a primary school and a 3G football pitch. The Eastern Extension site of 1,440 houses in Kidderminster will also be within the North West Worcestershire strategic corridor.
- 8 Any mineral extraction north and south of Wolverley Road could have a detrimental impact by virtue of dust, noise and disturbance for the duration of the period of extraction on

¹ Worcestershire Minerals Local Plan Background Document: Location of development: screening and site selection methodology, August 2018, p14

² NPPF, July 2018, Paragraph 146

³ <https://www.publiclawtoday.co.uk/property/313-property-features/37603-mineral-extraction-in-the-green-belt>

⁴ Worcestershire Minerals Local Plan-Fourth Stage Consultation, 2018, p90

residents in the Lea Castle area and which could have a negative impact on the development of the site. The proposed site would be near part of the Staffordshire and Worcestershire Canal Conservation Area. The noise, dust and general pollution that could arise from such an operation could harm the character of the Canal Conservation Area.

- 9 It must also be noted that the north lodges at Wolverley Road are Grade II listed and the council would not be supportive of an application for partial demolition to provide vehicular access to a minerals extraction site.
- 10 The Kidderminster North Green Infrastructure Concept Statement document will also need to be considered in regards to any mineral extraction in this area. The document is seeking an overall net gain for biodiversity and to increase linkage to the Kidderminster East area.
- 11 The site will be within parcel N7 of Wyre Forest's green belt. This has been categorised as to contribute in preventing the *'incremental encroachment of development into open countryside and sprawl of Kidderminster along the A449'*.⁵
- 12 Any extraction in this area will require therefore sensitive co-ordination and forward planning to reduce further disruption to the nearby villages of Cookley and Wolverley as highlighted in Policy MLP 19: Amenity, whilst maintaining the Green Belt openness and prompting green infrastructure as part of its legacy. If development is to be permitted a site restoration scheme will be required, with the potential sterilisation of mineral resources not to be *'considered adequate justification for schemes which would result in unacceptable impacts of unacceptable final landforms'*.⁶
- 13 Cookley and Caunsall are developing their Neighbourhood Plan, and would require to be consulted on any proposed mineral extraction application at Lea Castle Farm. The Churchill and Blakedown Neighbourhood plan also resides within the North West Worcestershire Strategic Corridor.
- 14 Whilst recognising the need for aggregate mineral extraction to serve housing demand for Worcestershire and to maintain at least a seven year land bank, other construction methods could also be used for development. For example, modular off site homes could be used to alleviate some housing demand. Central Housing Investment Consortium have recently installed a Build Smart Show Home in Kidderminster (Wyre Forest Planning ref 18/0398/FULL) for a two year period⁷, whilst We Can Make It have carried out a community led off-site house building project in Knowle West, South Bristol⁸.
- 15 This may also be increasingly used due to the bricklayer shortage. This was highlighted in the recent Independent Review of Build out: Final Report by Sir Oliver Letwin, in which this will be *'would be a binding constraint in the immediate future if there was not either a substantial move away from brick-built homes or a significant import of more skilled*

⁵ Green Belt Review Strategic Analysis, Amec Foster 2016, p22

⁶ Worcestershire Minerals Local Plan-Fourth Stage Consultation 2018, Paragraph 6.22, p120

⁷ <http://www.chicltd.co.uk/accelerated-delivery-chics-modular-showhome-arrives-in-kidderminster/>

⁸ <https://kwmc.org.uk/projects/wecanmake/>

*bricklayers from abroad*⁹. With the uncertainty over migration from Brexit this may impact bricklaying construction.

- 16 Wyre Forest District Council welcomes the opportunity for further ongoing discussion with Worcestershire County Council. Consequently, Wyre Forest wishes to continue to be consulted on subsequent stages of the Worcestershire Minerals Local Plan review.

⁹ Independent review of build out: final report, October 2018, Paragraph 1.11,
<https://www.gov.uk/government/publications/independent-review-of-build-out-final-report>