

Wyre Forest District Council

Record of a Council Decision delegated to be made by an Officer

This includes a record of an Executive Decision made by an officer under Regulation 13, Part 4 of the Local Authorities (Executive Arrangements) (Meetings and Access to Information) (England) Regulations 2012

Item decided: To dispose of open space at Dunley Road in accordance with Section 123 of the Local Government Act 1972	
Officer who has taken the decision	Corporate Director: Economic Prosperity & Place
Date of the decision	12th November 2019
Reason for the decision/alternatives considered	At the Cabinet meeting on 16th July 2019 the principle of disposing of part of land owned by the Council and used as open space was agreed in order to facilitate the construction of a new medical centre for Stourport. This decision was subject to inter alia the Council advertising the proposed disposal under Section 123 of the Local Government Act 1972, considering any representations received and then deciding whether to proceed with the disposal. The advertisement was published for consecutive weeks in October and the representations received and the Council's response is attached as part of this decision.
Date and source of Delegated Decision (if appropriate)	Cabinet 16th July 2019
Council/Cabinet member consulted – if applicable	Cabinet Member for Economic Regeneration, Planning & Capital Investments
Any interest declared by the Consultee or officer	None

Disposal of Open Space at Dunley Road, Stourport-on-Severn in accordance with s123 of the Local Government Act 1972

Section 123 of the Local Government Act 1972 stipulates that:

“(2A) A principal council may not dispose under subsection (1) above of any land consisting or forming part of an open space unless before disposing of the land they cause notice of their intention to do so, specifying the land in question, to be advertised in two consecutive weeks in a newspaper circulating in the area in which the land is situated, and consider any objections to the proposed disposal which may be made to them.”

The Council advertised its intention to dispose of the land at Dunley Road in consecutive weeks in the Kidderminster Shuttle on 26 September 2019 and 30 October 2019. A total of five representations were received in response to the advertisement. The Council has also received a planning application proposing “Formation of new access onto Dunley Road and erection of two storey medical centre (D1) including Pharmacy (A1) with associated car parking, landscaping and site works” on 16th September 2019 and to ensure completeness and transparency has also considered responses received in respect of the planning application which make reference to the disposal of the land. A total of 26 responses have been received in respect of the planning application at the time of writing and where reference has been made to the loss of open space those comments have been considered below.

It should be noted that it is not the purpose of this document to predetermine matters which will be quite properly dealt with through the determination of the planning application.

A summary of the objection and the Council’s response is set out below (where the same or similar comments have been made by more than one respondent they are only considered once).

Objection	Response
1. The presence of a pharmacy at the proposed medical centre will result in the increase in empty shops in the town which is contrary to the District Council’s Site Allocations and Policies Local Plan 2006 – 2026 (Section 5.25) which states that “Retailing is an essential part of life in the District and is a function that has traditionally formed the staple activity of the District’s town centres. It is considered vital that the retailing	This is a matter which will be dealt with fully as part of the determination of the planning application where the issues of impact on the town centre will need to be considered; there is no direct reference to the loss of the open space.

<p>areas are protected and enhanced through positive planning policy which safeguards the integrity of the shopping area whilst also providing flexibility to consider appropriate diversification of the current offer and reacting to market trends.”</p>	
<p>2. The traffic that builds up on the A451 into Stourport town centre is already concerning. It gets very busy with stationary traffic queuing on most days. Dunley Road cannot service another entrance especially servicing the proposed Medical Centre. This area will develop into one of the busiest areas in Stourport. The proposed entrance is between the dangerous Rough crossroads (servicing 565 Holiday Homes) and the busy Harold Davis Drive (servicing The Old Beams Public House, The Boat Club, Stourport Swifts Football Club, Stourport Cricket Club, Stourport Rugby Club and the decaying Stourport Leisure Centre). A third entrance is shared with the boat yard and Bridge Cottage. The distance between The Rough and Harold Davis Drive is only 141m. Another junction between these two very busy roads would produce a dangerous situation.</p>	<p>This is a matter which will be dealt with fully as part of the determination of the planning application where the issues of impact on the highways will be considered in full with the benefit of advice from Worcestershire County Council as the Highway Authority; there is no direct reference to the loss of the open space.</p>
<p>3. Land by Tesco store would have been better for accessibility.</p>	<p>There is no direct reference to the loss of the open space in this comment. The agents for the GPs have set out transparently as part of the planning application the other sites in Stourport that were considered. The land referred to in this comment is not available for development in the timescales required to benefit from the NHS funding.</p>
<p>4. Location will be likely to cause ‘rat running’ on Raven Street and Moorhall Lane and will add to congestion in York Street.</p>	<p>This is a matter which will be dealt with fully as part of the determination of the planning application where the issues of impact on the highways will be considered in full with the benefit of advice from Worcestershire County Council as the Highway Authority; there is no direct reference to the loss of the open space.</p>
<p>5. Your notice left me shocked with thoughts of disbelief that Stourport</p>	<p>Noted. The loss of the open space has to be balanced against the overall community</p>

<p>may lose Walshes Meadow Green Park Land.</p>	<p>value that will be brought about by the development of the medical centre. The decision to pursue the development of the open space is one of 'last resort' after all other brownfield land sites had been considered and dismissed for a variety of reasons including size of some sites being too small and most sites not being available for development in the timescales involved. The timescale pressure is twofold, firstly the NHS funding required to support the development has to be spent by the end of March 2021 and given a 12 month construction period that means a Spring 2020 commencement on site; secondly the lease on the Lombard Street site ends in March 2021. No other site which could accommodate the size of development is available to meet those timescales, so the harsh reality is that if this development does not proceed on this site there will be no new medical facility for Stourport. The proposal involves about two thirds of the open space available at this particular location, so there will be open space that will remain. There is also significant open space very close by at Lloyds Meadow and Riverside Meadows which mitigate against the impact of the loss of this open space.</p>
<p>6. It would be a loss of open space, which has blossom trees that support bees, insects and other wildlife.</p>	<p>See 5 above. The space is predominantly grassed and has no trees which are protected and most are around the periphery of the site. There are significant areas of trees and wooded areas in close proximity to the site. The impact of the proposal is considered to be minimal on balance, especially when set against the benefits to the community.</p>
<p>7. While planners may call this "vacant land", it is a loss of a popular piece of green space, which is used recreationally and as a pedestrian and cycling path into/out of the town centre.</p>	<p>See 5 above. No reference has been made to this being 'vacant land'; in the adopted Local Plan the land is allocated as part of the wider Natural and Semi Natural Open Space to the south. The loss of the open space has to be balanced against the wider community benefits from the presence of a new medical centre. The loss of the space also has to be balanced against its contribution to the wider locality. There are significant areas of trees and wooded areas and formal and informal recreation areas (and designated as such in the adopted Local Plan) in close proximity to the site such that the overall impact of the loss of the space would be minimal.</p>
<p>8. It is earmarked for the route of a</p>	<p>Although the route of the Stourport Bypass is</p>

<p>Stourport bypass road. Is this not a preserved route?</p>	<p>indicated in the current adopted Local Plan, the advice of Worcestershire County Council as Highway Authority is that there is no chance funding for the route would ever be achieved; and it is therefore not retained in the Local Plan which is currently being developed to replace the existing adopted plan.</p>
<p>9. With plans for the development of more and more new housing in our area makes the construction of a 'Stourport Relief Road' inevitable and just the other day Sajid Javid promised an “infrastructure revolution” to build more roads?</p>	<p>See 8 above. The current Pre Submission Local Plan which has just been out to consultation sets out the amount and location of proposed new housing in the district up to 2036. It is accompanied by an Infrastructure Delivery Plan which sets out the infrastructure necessary to support that new housing development, including new highways. The Stourport Relief Road is no longer a feature of the infrastructure necessary to support the proposed new development.</p>
<p>10. The intended use as a large medical centre and car park, is inappropriate because (1) it is siting a community facility further away from where most of the patients live; and (2) it will create more car journeys and congestion. There are other sites, on brownfield land, that one or more doctors' surgeries could be built on that would also be closer to the communities they should be serving. Just because it is the cheapest option does not mean it is the best for Stourport's communities.</p>	<p>See 2,3 & 5 above.</p>
<p>11. Building on this site would detract visually from the adjacent heritage listed Old Beams pub.</p>	<p>The part of the open space to the front of the Old Beams is being retained to ensure that the building retains the foreground to maintain views. The impact of the development on this building will be considered in full as part of the determination of the planning application.</p>
<p>12. The site gives a pleasing aspect to the Town, a Town that attracts lots of visitors that wish to see open spaces like this meadow and not ugly buildings as proposed.</p>	<p>The site is on a key gateway into the town and the impact of the development on the town from that perspective will be considered in full as part of the determination of the planning application. This is not the only green land on the approach to the town, the route along the Dunley Road from the south is predominantly a green corridor before this site is reached. At some point in approaching the town there will be a transition to more of the built form and the development of this</p>

	<p>site in that respect is considered to be an appropriate transition. It is unfortunate that the first sight of Stourport is the funfair which is the view from the Dunley Road as this site is passed when travelling towards the town, such that the urban townscape at this end of Stourport has little visual merit.</p>
<p>13. The land on which the Health Centre will be built on is a green area that has always been appreciated by the public living on that side of the bridge, and it should be left as a green area.</p>	<p>See 5,6,7 & 12 above.</p>
<p>14. There are numerous suitable sites on the town side of the river. Not least the car park at the back of the Civic Centre - a central site with plenty of car parking around it next to the library and near to the shops. There are also plenty of other sites, which should not have been discounted - the current Health Centre, Police Station and old library site, the Caravan Sales site on Vale road to mention just a couple. The fact that these extremely suitable sites have been marked as prime building land for houses, and therefore expensive, should not be allowed to dictate the new Health Centre ending up on valuable green space, that has been enjoyed for generations, in a completely inappropriate part of town.</p>	<p>See 3 & 5 above.</p>
<p>15. The other major problem with this new proposal is the loss of such a prominent attractive field enjoyed by families and visitors to the Beams public house. Many caravan occupants on the Walshes caravan site too enjoy the views of trees and wildlife, what will happen to the beautiful mature trees including Weeping Willow & Japanese Cherries?</p>	<p>See 5,6 & 11 above.</p>
<p>16. The loss [of open space] resulting from the proposed development cannot be replaced elsewhere, it is unique in its location adjacent the Old Beams and Walshes Barn</p>	<p>See 5, 6, 11 & 12 above</p>

<p>17. The site of the Bewdley Leisure Centre would not take away green space.</p>	<p>The Bewdley Leisure Centre site is not available for development and even if it were it is too far out of Stourport to provide suitable premises to serve the Stourport community, nor would it meet the approval of the GPs or NHS. If this comment was meant to refer to the former Stourport Leisure Centre site nearby, this land is now in third party ownership and is not available for purchase and redevelopment in the timescales necessary.</p>
<p>18. Walshes Meadow is totally unsuitable any (sic) commercial building.</p>	<p>See 1 above. This will be a matter dealt with in full as part of the determination of the planning application.</p>