

WYRE FOREST DISTRICT COUNCIL

PLANNING COMMITTEE

20<sup>TH</sup> SEPTEMBER 2022

**ADDENDA AND CORRECTIONS**

REFERENCE NO.	PAGE	ADDENDA AND CORRECTIONS
<b>PART A</b>		
21/0031/FUL	18	<u>Update Paragraph –</u> Para. 3.2 – should end with:  The development would therefore meet the social, economic and environmental objectives and would constitute ‘sustainable development’.
	28	Para. 2.9 –  Stourport High School has recently been rated Good by Ofsted in their recent inspection held on 12 <sup>th</sup> & 13 <sup>th</sup> July 2022).
	44	<u>Additional Information –</u> 1 additional letter of objection received from a nearby residents, and their concerns can be summarised as follows: <ul style="list-style-type: none"><li>- Greenfield sites are being allocated for building while brownfield sites remain.</li><li>- New housing should be targeted in run down areas &amp; empty retail premises to bring people back into town centres and make the town centres feel more vibrant.</li><li>- This development together with the other greenfield site in Pearl Lane that is currently being development (Malvern Hills DC) for approximately 70 homes could potentially mean around 400 extra homes.</li><li>- Having just one bridge creates a bottleneck with Mitton St/York St/Bridge already congested</li><li>- There have been numerous accidents adjacent to the site including fatalities</li><li>- The high school is right over the opposite side of town</li></ul>

- Local bus operator Diamond were fined for delays on the 3 service operating through Stourport/Areley Kings
- The site sits within the buffer zone of Areley Wood SSSI
- The field in question floods very badly
- Concerns over the existing highway infrastructure
- Over 200 people took the time to object to the Planning Dept
- Over 250 have signed a petition against the scheme
- During the zoom meeting with Mary Travers the County Education Spokesman was very concerned over lack of school places
- The plans show 3 storey flats abutting existing bungalows, hardly in keeping
- There is a lack of evergreen screening between existing homes & the proposed site
- There are no bungalows for the less mobile/disabled included in the plan
- Areley Kings has pockets of high unemployment with few jobs in the area for existing residents let alone more
- The WFDC local plan stated there is "no need for urban extension" in Stourport
- Neighbouring Astley & Dunley Parish Council have objected to the proposal(yet the local plan assures it will work in conjunction with neighbouring authorities)

[Officer comments – The Wyre Forest District Local Plan and the National Planning Policy Framework do not require brownfield sites to be developed first before greenfield sites can be considered. The Highway Authority raise no objection and agrees with the applicant’s Transport Consultant that the development would not result in an unacceptable impact on highway safety or cause a severe residual cumulative impact on the local road network. In the absence of any evidence, Officers are of the view that a reason for refusal on highway grounds could not be substantiated. The development would not result in a detrimental impact on ecology and surface water runoff would be appropriately managed to ensure no risk of flooding. Worcestershire Children First raise no objection and subject to developer’s contribution there would be sufficient local school provision. Whilst no bungalows are proposed, the development would provide one bed units and dwellings in compliance with Building Regulations M(4) Category 2 (accessible and adaptable) and M(4) Category 3 (wheelchair user dwellings). Officers are satisfied that the development would accord with Policy SP. 13 of the Local Plan and Paragraph 60 of the National Planning Policy Framework which requires new

developments to provide a range of homes to meet the needs of groups with specific housing requirements, including the elderly. The assertion that WFDC local plan states there is “no need for urban extension” in Stourport is false. Policy SP.5 (bullet point 2a) of the Local Plan advises that ‘... Stourport-on-Severn is expected to make an important contribution to meeting the District’s requirements for new homes. The focus will be on existing brownfield sites within the urban areas and sustainable, suitable greenfield sites such as the site at Pearl Lane (Policy SA.S4) site allocation as a suitable development within Stourport’. The Pearl Lane site allocation is therefore considered to be a suitable and sustainable location for new housing]

#### Additional Comments –

- 42 Highway Authority have assessed the Stourport road bridge that crosses the river Severn, and have advised the following:

##### BR2275 Stourport Bridge

We have no issues regarding the condition and carrying capacity of Stourport Bridge. The structure has an assessed capacity of 40 Tonnes.

- 42 Worcestershire Children First – Our comments considered the 329 dwellings and there are no changes to be made to our comments since our first comment was made to this application in July 2021. In addition, there is still no need to request a contribution towards Early Years phase of education.

Arboricultural Officer – In relation to the recent landscaping scheme. I raise no objection but would request the following amendments are made:

The new arboricultural features within the landscape design are generally satisfactory. I’m very concerned by a lack of species diversity within the proposed tree planting lists, with two tree species (46 x *Sorbus aucuparia* Sheerwater Seedling and 43 x *Pyrus calleryana* ‘Chanticleer’ ) being overused. I fully appreciate the design element of using these species to tie the site together, but overuse of a species can result in significant canopy cover loss if a disease impacting those species enters the site. I would like to see a larger number of species added to the list please. Tree watering needs to take place every 2 weeks during spring and summer months unless there has been significant rainfall between

21/1071/FUL

waterings. This should take place for at least 3 years and be part of a wider management and establishment plan for the site. Finally, I mentioned this before, but I would like to see a soil structure protection condition that ensures areas not being developed are fenced off to prevent the soil structure of the site being adversely impacted and the knock-on effects of poor plant establish and vigour.

[Officer comments – Condition 5 to be amended to state 'Notwithstanding the details submitted for soft and hard landscaping, a revised landscaping scheme shall be submitted and agreed in writing by the Local Planning Authority, and the approved scheme implemented accordingly]

### Update Comments –

73

Para. 2.5 – Updated comments received from Worcestershire Children First:

Worcestershire Children First – No objection and no request for a financial contribution.

*Early Years Places* - The proposed development is estimated to yield the requirement for 5 full-time equivalent early years places. Currently there are sufficient spaces throughout the ward of Offmore and Comberton to absorb this number of children, there is also sufficient places within the Wyre Forest Rural ward, therefore there will be no contribution sought for early years.

*Primary School Places* - Offmore Primary School is the catchment school for this development. The proposed development is likely to yield 16 Primary aged students which equates to 2-3 children per year group. Currently, the PAN across the related schools for the proposed development equates to 275, with number of children in the largest year group (year 3) of 261. Therefore, there are sufficient places to absorb the yield of primary age children from this site within the wider related primary schools serving the area of Kidderminster. Worcestershire Children First will not be requesting a contribution towards this phase of education.

*Secondary School Places* - King Charles 1st School is the catchment school for secondary aged pupils covering the proposed development. The proposed development is estimated to yield 11 secondary aged children which equates to 1-2 pupils per year group. As seen above the school has sufficient spaces to accommodate these students, therefore no contribution for secondary school phase of education will be sought.

## Additional Comment –

70 Highway Authority have assessed the Husum Road bridge that crosses the railway line and have advised the following:

### **BR2044 – Husum Way Railway**

1. Assessment - The bridge was assessed in 2001. The deck has an assessed capacity of 40 Tonnes and it is not considered necessary to impose a weight limit on the structure. The footways were assessed as 7.5 Tonnes due to the presence of the service troughs, however, this was mitigated by the installation of Trief Kerbs to prevent vehicle loading on the footways.
2. The bridge parapets do not provide a primary method of containment, however the Trief kerbs go some way to provide some vehicular containment across the structure.
3. The previous Principal Inspection noted no defects to the main beams. Some seepage was noted between the precast planks forming the service troughs. It's worth noting that the structure is due a Principal Inspection this year and we are currently waiting for a date from NR for the track possessions – they're currently working on the BAPAs for us now. The condition of the main beams will be reviewed again during Principal Inspection.
4. The diagonal crack to the parapet will be reviewed during this year's Principal Inspection, however it is likely that the cracking is longstanding and does not highlight significant issues that would cause concern.
5. The staining noted on photograph 15 appears to be associated with seepage between the precast concrete planks forming the service troughs; note the area is isolated and not a defect of the main bridge beams. This will be reviewed during this year's Principal Inspection and subsequent trial hole investigation which is on our work bank to ascertain the condition of the existing waterproofing system. A view maybe taken to carry out some waterproofing or local remedial works to the joint.
6. The fractures to the abutments are likely to be longstanding shrinkage cracking which is typical for this form of construction. Some mortar pads have been installed to aid monitoring and again these will be checked during this year's Principal Inspection.
7. The bearings cannot be viewed without jacking the bridge deck, however they are formed for bituminous sheeting and galvanised dowels fix the

22/0532/RG3	104	<p>beams in position at the fixed end. There is no evidence at the last principal inspection of any defects associated with bearing failure.</p> <p>8. The proposed development and increase in traffic levels should will have no adverse effects on the structures carrying capacity for normal highway loading. The structure is not on a heavy goods route for the county and any movements involving STGO vehicles would be notified through the county abnormal loads service.</p> <p><b>Additional Information –</b></p> <p><b>Para 4.6:</b></p> <p>The report refers to what mix of individuals and families are likely to require short term accommodation and Officers can advise that residents are primarily from Wyre Forest who have a local connection to our area. The only exceptions are for victims of violence who have a legal right to approach another authority (for safety reasons) or for children leaving care who have a right to be accommodated anywhere in the county. Our households are made up of families with children as well as elderly or disabled people, those with serious medical issues, care leavers and those fleeing domestic violence. One third of our households become homeless due to their private rented sector accommodation ending through no fault of their own. The majority of the remainder become homeless due to relationship breakdown with their partner (including due to domestic abuse) or family and friends.</p>
<b>PART B</b>		
22/0315/OUT	131	<p><u>Update Consultee Comments –</u></p> <p><u>Severn Trent Water</u> – No objection subject to a condition to require details of disposal of foul and surface water flows. The Catchment Team have also advised that within SPZ3 and 750m from an active abstraction site. Ensure EA guidance and best industry practices are employed. Best practice construction methods and mitigation measures should be developed and presented in a Construction Environmental Management Plan for the Proposed Development, which should be agreed with the local planning authority in advance of construction commencing. Within Worcester Middle Severn priority</p>

catchment for pesticides. Ensure EA guidance and best industry practices are followed.

### Update Paragraph –

122 Paragraph 2.5 – replace North Worcestershire Water Management Officer with ‘Lead Local Flood Authority’

### Additional Consultee Comments –

133 WCC Landscape Advisor – No objection.

Having considered the revised scheme presented in this outline application I have no objection on landscape grounds. There are, however, some matters outlined below that I recommend for consideration by the joint Local Planning Authorities prior to determination. Previous comments I submitted in response to 17/00142/OUT concerning the transition from urban to rural landscape, including density strategy, and the provision of street trees are acknowledged in paragraph 4.6.3 of the Planning and Affordable Housing Statement.

*Reduced density of housing along the southern edge of the site* - Comparing the illustrative masterplans of the 2017 and 2022 submissions, the density appears broadly similar. Taking the whole into account, the addition of the “country park” changes the way I assess transition from urban to rural because it will help to filter views and soften the development edge. The detailed design will determine how well this works in practice and there are choices, such as the use of timber cladding on houses that face onto the county park, that can contribute towards blending with the landscape. The inclusion of variations in the set-back of the houses and the GI corridors is welcomed and adds some variation in alignment of the settlement edge. Therefore, with these measures, including the country park, I don’t consider the density matter to be of concern from a landscape perspective.

*Additional street trees* - I welcome the revised plan to introduce additional trees throughout the urban parts of the scheme. These will, in time, help to soften the development from higher, medium-range viewpoints and will contribute towards the internal green infrastructure network linking the major GI assets proposed for the 7 scheme. I recommend that single species are avoided for street trees. While this can be desirable, because it delivers a uniform aesthetic to the street scene, there is now a greater imperative to deliver a more diverse assemblage that will in-turn deliver more diverse habitat

and build resilience against the longer-term trends of climate change and diseases. Greater species diversity still offers opportunities to enhance the street scene and contribute towards defining character areas. I recommend this is secured through a suitably worded condition with the species selection agreed with the landscape/arboriculture officers of Malvern Hills and Wyre Forest District Councils prior to determination.

*Overall landscape scheme* - The addition of the country park (which will also contribute positively towards the urban to rural transition) and integrated surface attenuation feature is welcomed. I recommend that details of landscaping scheme (design and species selection) as whole are secured by both Local Planning Authorities prior to determination so that maximised benefits for Biodiversity Net Gain and multifunctional green infrastructure are agreed and secured. Details of delivery and aftercare of the landscaping scheme can be secured through a Landscape and Ecological Management Plan attached as a suitably worded condition.

133 Public Rights of Way - The definitive line of public right of way, Astley and Dunley footpath AD-545 and bridleways AD-546 and AD-547 run through the application site. The attached illustrative plan shows the public right of way. We note the intention of the developer to incorporate the public rights of way within the scheme on the current definitive lines.

Reference is made within the Travel and Landscape Plans to 'regrading' and 'upgrading' the right of way, widening the bridleways to 3 metre width. It should be noted, the surface of a right of way is vested in the Highway Authority and no disturbance of, or change to, the surface of a path or part thereof is to be carried out without written consent of the Highway Authority. We would not generally support the surfacing of a path with material such as asphalt or block paving but would look to the use of self-binding gravel or similar. We would likely seek a condition of planning concerning any proposed alteration to a public right of way.

The scheme proposes a primary vehicular link crossing bridleway AD-546. We note the intention to create a 'Focal Squares/Shared Surface' at the intersection to promote pedestrian priority and create a safe space to cross but would ask that note be taken of the needs of those riding or leading horses.

In respect of any planting of trees and other vegetation, it must be ensured that any planting will not obstruct the definitive line of the public right of way, reduce the existing



width or cause disturbance to the surface of a path. It is the responsibility of the owner or occupier of land to maintain trees and other vegetation to prevent obstruction, danger to users or damage to the surface of a right of way. If vehicular access to the site is via the public right of way, it should be noted that under section 34 of the Road Traffic Act 1988 any person who, without lawful authority, drives a motor vehicle on a public right of way commits an offence. The applicant should make themselves satisfied that they, and anyone else who may use public rights of way for private vehicular access in connection with the development, has a right to do so. They may wish to seek legal advice on the matter. The County Council is responsible for maintaining rights of way to a standard suitable for their usual public use.

Where possible, the definitive line of public rights of way should be kept open and available for use throughout the construction phase. However, if public safety requires a temporary closure of a public right of way during works the appropriate application should be made to the Public Rights of Way Mapping Team at Worcestershire County Council at least 8 weeks prior to the earliest requested closure date.

In addition, the applicant is expected to adhere to the following obligations:

- No disturbance of, or change to, the surface of the path or part thereof is carried out without written consent of the Highway Authority.
- No diminution is made in the width of the right of way available for use by the public.
- No additional barriers are placed across the right of way. No stile, gate, fence or other structure should be created on or across the public right of way without written consent of the Highway Authority.
- Building materials and equipment associated with the development must not be stored on the right of way and work undertaken to carry out the development should not obstruct the footpath at any time.
- Vehicle movements and parking must be arranged so as not to interfere with the public's use of the right of way.
- The safety of the public using the right of way is to be ensured at all times.

The applicant should note the National Planning Policy Framework published by the Ministry of Housing, Communities and Local Government in March 2012, updated in July 2021, particularly paragraph 100, to ensure that planning policies protect and enhance public rights of way and access.

The developer should also be aware of the Department for Environment Circular 1/09 (part 7) which explains that the

	<p>effect of development on a public right of way is a material consideration in the determination of applications for planning permission and that the grant of planning consent does not entitle developers to obstruct a public right of way.</p>
133	<p>[Officer comment – Officers have considered the comments received from the WCC Landscape Advisor and Public Rights of Way, however, the planning judgement of the application remains unchanged]</p>
133	<p><u>WCC Archaeologist – Second comments</u> - Following receipt of the recent Geophysical Survey, my comments remain unchanged and it is noted that a condition was recommended on the 2017 application to require appropriate archaeological investigation and evaluation works to be undertaken.</p>
133	<p><u>WCC Minerals Team – Second comments</u> – The Worcestershire Minerals Local Plan was adopted in May 2022 and my comments remain unchanged, and I am comfortable with the wording of the recommended reason for refusal.</p>
133	<p><u>North Worcestershire Water Management Officer</u> – Comments relating to drainage and flood risk have been given by the Lead Local Flood Authority and South Worcestershire Land Drainage Partnership’s (SWLDP). However, I am satisfied with the wording of the recommended reason for refusal.</p>