



The Planning Inspectorate

Report to Wyre Forest District Council

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an Inspector appointed by the Secretary of State

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Planning and Compulsory Purchase Act 2004

(as amended)

Section 20

Report on the Examination of the Wyre Forest District Local Plan 2016-2036

The Plan was submitted for examination on 30 April 2020

The examination hearings were held between 11 January and 10 February 2021

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Contents

Abbreviations used in this report	page 3
Non-Technical Summary	page 4
Introduction	page 5
Plan Context	page 6
Public Sector Equality Duty	page 6
Duty to Co-operate	page 6
Assessment of Soundness	page 7
Issue 1 – local housing need and need for employment land	page 7
Issue 2 – spatial strategy, alterations to the Green Belt boundary, housing and employment land requirements	page 9
Issue 3 – Lea Castle Village	page 14
Issue 4 – Kidderminster Eastern Extension	page 19
Issue 5 – other allocations for housing and mixed uses and reserved housing sites	page 22
Issue 6 – housing land supply	page 36
Issue 7 – specific elements of new housing provision	page 38
Issue 8 – employment, retail, town centre and leisure development	page 41
Issue 9 – healthy and safe communities, well-designed spaces, natural and historic environments	page 44
Issue 10 – other key infrastructure and resource management	page 46
Other Aspects of Legal Compliance	page 49
Overall Conclusion and Recommendation	page 50
Schedule of Main Modifications (separate document)	Appendix

Abbreviations used in this report

dpa	dwellings per year
dph	dwellings per hectare
ED	examination document
ha	hectare
MM	main modification
NPPF	National Planning Policy Framework
pa	per year
PPG	Planning Practice Guidance
SD	submission document
sqm	square metres

Non-Technical Summary

This report concludes that the Wyre Forest District Local Plan 2016-2036 provides an appropriate basis for the planning of the district, provided that certain main modifications are made to it. Wyre Forest District Council (the Council) has specifically requested that I recommend any main modifications necessary to enable the Plan to be adopted.

Following the hearings, the Council prepared a schedule of the proposed modifications and carried out sustainability appraisal of them. The main modifications were subject to public consultation over a 6-week period. In some cases, I have amended their detailed wording and added consequential modifications where necessary. I have recommended their inclusion in the Plan after considering the sustainability appraisal and all the representations made in response to consultation on them.

The main modifications can be summarised as follows:

- Clarify the spatial distribution and quantity of development throughout the district and the time when development of individual housing allocations is expected to take place
- Modify policies for clarity and precision about what is expected to be delivered by new development
- Modify the type of development expected on certain site allocations, delete an allocation at Chaddesley Corbett, and make other amendments to the requirements for justification and effectiveness
- Update and extend policy provision to meet the identified accommodation needs of Gypsies and Travellers in the Plan period
- Give specific policy protection to the proposed Burlish Country Park
- Modify the monitoring and implementation framework to identify indicators, targets, and delivery mechanisms for effectiveness
- Make various other modifications to ensure that the Plan is up-to-date, internally consistent, positively prepared, justified, effective and consistent with national planning policy

Introduction

1. This report contains my assessment of the Wyre Forest District Local Plan 2016-2036 (the Plan) in terms of Section 20(5) of the Planning & Compulsory Purchase Act 2004 (as amended). It considers first whether the Plan's preparation has complied with the duty to co-operate. It then considers whether the Plan is compliant with the legal requirements and whether it is sound. The National Planning Policy Framework 2021 (paragraph 35) makes it clear that, to be sound, a local plan should be positively prepared, justified, effective and consistent with national policy.
2. The starting point for the examination is the assumption that the local planning authority has submitted what it considers to be a sound plan. The Wyre Forest District Local Plan, 2016-2036, submitted on 30 April 2020 is the basis for my examination. It is the same document as was published for consultation in November 2018, as amended by the document published for consultation in September 2019.

Main Modifications

3. In accordance with section 20(7C) of the 2004 Act the Council requested that I should recommend any main modifications [MMs] necessary to rectify matters that make the Plan unsound and thus incapable of being adopted. My report explains why the recommended MMs are necessary. The MMs are referenced in bold in the report in the form **MM1.1**, **MM1.2** etc, and are set out in full in the Appendix.
4. Following the examination hearings, the Council prepared a schedule of proposed MMs and carried out sustainability appraisal of them. The MM schedule was subject to public consultation for 6 weeks.
5. I have taken account of the consultation responses in coming to my conclusions in this report. In this light, I have made some amendments to the detailed wording of the main modifications, added consequential modifications where these are necessary for consistency or clarity, and deleted one small allocation following additional focused consultation. None of the amendments significantly alters the content of the modifications as published for consultation or the additional focused consultation or undermines the participatory processes and sustainability appraisal that has been undertaken. Where necessary I have highlighted these amendments in the report.

Policies Map

6. The Council must maintain an adopted policies map which illustrates geographically the application of the policies in the adopted development plan. When submitting a local plan for examination, the Council is required to provide a submission policies map showing the changes to the adopted policies map that would result from the proposals in the submitted local plan. In this case, the submission policies map comprises the plan identified as the Submission Policies Map (January 2020) [SD02]. It is supported by the narrative in Amendments to the Pre-submission Policies Map, January 2020 [SD03] and by Appendix B of the submitted Plan.

7. The policies map is not defined in statute as a development plan document, and I do not have the power to recommend main modifications to it. However, some of the published MMs to the Plan's policies require further corresponding changes to be made to the policies map. In addition, there are some instances where the geographic illustration of policies on the submission policies map is not justified and changes to the policies map are needed to ensure that the relevant policies are effective. These further changes to the policies map were published for consultation alongside the MMs in document ED59. In this report I identify any amendments that are needed to those further changes in the light of the consultation responses or other matters.
8. When the Plan is adopted, to comply with the legislation and give effect to the Plan's policies, the Council will need to update the adopted policies map to include the changes proposed in SD02 and ED59, incorporating any necessary amendments identified in this report.

Context of the Plan

9. The Plan is intended to replace the Core Strategy (2010), Site Allocations and Policies Local Plan (2013) and the Kidderminster Central Area Action Plan (2013). As such, it will contain most of the elements of the development plan for the district in a single document. The other parts of the development plan are contained in the Worcestershire Waste Core Strategy, the Worcestershire Minerals Local Plan, and the made neighbourhood plans for the parishes of Chaddesley Corbett and Churchill and Blakedown.

Public Sector Equality Duty

10. I have had due regard to the aims expressed in S149(1) of the Equality Act 2010. This encompassed my consideration of several matters during the examination. It included accessible and adaptable housing, inclusive design, provision of accommodation for Gypsies, Travellers and Travelling Showpeople, and it addresses the needs of persons or groups with protected characteristics that are expected to arise over the Plan period. I have concluded that, subject to the main modifications I recommend, the Plan will provide for fair and equal treatment of the district's communities.
11. The Council carried out equality impact assessment of the Plan during its preparation. It concluded that in the majority, the Plan's policies would have either a positive or neutral effect, but with a potential adverse differential effect on Gypsies and Travellers. This was subsequently addressed by an updated assessment of their housing needs, allocation of a site to meet the assessed needs for the Plan period, and other policy modifications. The Plan will be monitored and reviewed in accordance with the legal duty. This will enable identification of any changes that may become necessary to address equality matters, and they will be addressed through a review of the Plan in due course.

Assessment of the Duty to Co-operate

12. Section 20(5)(c) of the 2004 Act requires that I consider whether the Council complied with any duty imposed on it by section 33A in respect of the Plan's preparation.

13. The evidence in SD10 and supporting documents shows that the Council has worked constructively, actively and on an on-going basis with the prescribed bodies and relevant organisations from the outset of plan preparation to identify and address the strategic matters in a systematic, timely and outcome-focused manner. These matters included housing, employment, Green Belt, the scale and location of growth, infrastructure, and flood prevention.
14. As a result, 14 statements of common ground were completed before the Plan was submitted. They clearly demonstrate how the Council has worked with neighbouring planning authorities, other prescribed bodies, and stakeholders to achieve positive outcomes in full on the key strategic matters, wherever possible, including putting forward suggested main modifications to the Plan. Policy 6A(B) reflects the Council's commitment to an early review of the Plan if it becomes clear that the housing needs of neighbouring authorities, which includes the Black Country and Birmingham, cannot be met within their boundaries.
15. A signed statement with Bromsgrove District Council, submitted in August 2020, makes clear that agreement has not been reached on transport infrastructure matters. However, this does not mean that the duty to co-operate was failed, and the overall evidence leads me to conclude that the Council has met its legal duty to co-operate with Bromsgrove District Council. The soundness of the Plan's provisions for transport infrastructure, including whether it has been positively prepared, is considered in Issue 10.
16. I am satisfied that, where necessary, the Council has engaged constructively, actively and on an on-going basis in the preparation of the Plan and that the duty to co-operate has therefore been met.

Assessment of Soundness

Main Issues

17. Taking account of all the representations, the written evidence and the discussions that took place at the examination hearings, I have identified 10 main issues upon which the soundness of the Plan depends. This report deals with these main issues. It does not respond to every point or issue raised by representors. Nor does it refer to every policy, policy criterion or allocation in the Plan.

Issue 1 – Is the Plan based on robust, objective assessments of the local housing need and the need for employment land?

Local housing need

18. The Plan seeks to provide for the need for new dwellings for the period 2016-2036. It is informed by a substantive body of evidence, including the Housing Needs Study 2018 and Wyre Forest Demographic Update (2018) that take account of national planning policy and guidance on this matter.
19. Assessments of the district's housing need have been carried out and updated since preparatory work on the Plan commenced in 2015. This has resulted in a range of figures, depending on various scenarios and against the background

of changes to NPPF and Planning Practice Guidance (PPG) about the way in which local housing need should be assessed. Based on the standard method for establishing the need as laid down in NPPF 2018 and the related guidance, the minimum average need figure for the district, using the 2014-based household projections and 2017-based affordability ratios, is 253 dwellings per year (dpa).

20. In accordance with the subsequent revisions of NPPF and PPG, the 2014-based household projections should be the starting point for assessing need, along with the most up-to-date affordability ratios. However, unlike the position in many other areas of England, this would result in a lower minimum figure (248dpa) for the district, compared with use of the 2016-based projections as the starting point (276dpa).
21. Net internal migration, dominated by young retirees, has been the driver of population change in the district in the 21st century, and while its volume declined during the economic recession, it has increased further in recent years. In-migrants have mainly comprised single or 2-person households, and this has resulted in proportionately greater growth in the number of households than would be expected from the population increase.
22. Analysis of the key differences between the 2 sets of projections supports the Council's decision to use the 2016-based projections, since it indicates that the number of households and the population in households was under-estimated in the 2014-based projections and that the under-estimation would be likely to increase throughout the Plan period.
23. The evidence that informed the Plan's preparation includes comparison of a range of economic scenarios with varying levels of housing provision. This shows that 276dpa would support a larger labour force than estimated under the employment-led scenarios. This is consistent with the Council's ambition to support economic growth in the district and replace jobs that were lost with the decline of the carpet industry. It is justified and positive, giving reasonable flexibility to respond to an increase in employment opportunities that may arise over the Plan period.
24. In accordance with the standard method, the 276dpa figure includes an affordability uplift of 24% to the 2016-based household projection figure. In the absence of substantive evidence that a further uplift would improve affordability, the Council's approach in this respect is justified. And the evidence does not indicate that the housing need may be greater than 276dpa for other reasons such as the scenarios referred to in PPG. I consider the Plan's detailed provisions for affordable and other types of housing in Issue 7.
25. The 2018-based household projections were published in June 2020, after the Plan had been submitted for examination. They indicate a higher rate of household growth for 2018-2036, equivalent to 303dpa, and a continuation of the trend that the largest component of growth will come from households headed by people aged over 75. Even so, it would not have been justified to delay progress of the Plan for further consideration of these projections; rather, their implications will be better addressed in the light of evidence covering a longer-time period which will inform the review of the Plan.

26. In conclusion on the local housing need figure, it is based on robust assessment of the demographic and economic growth factors that is necessary for establishing the need, and it is justified and consistent with the thrust of national planning policy. The implications for the overall spatial strategy, including the housing requirement figure and other growth that is proposed in the Plan, is considered in Issue 2.

Need for employment land

27. The Plan's provisions for a diverse local economy have been informed by a range of studies including the Wyre Forest Employment Land Review Update (October 2018) and by on-going strategies at local and regional levels that seek to co-ordinate and support renewal initiatives and drive future growth and productivity. Overall, these show positive indicators about the health of the local economy but also that challenges remain, as recovery is continuing from the decline of carpet manufacturing in Kidderminster in the 1980s.
28. The Employment Land Review is based on comprehensive, relevant evidence and is informed by an appropriate range of scenarios. It identifies an employment land need figure that is lower than in the 2016 study, but this reflects changes in the economic climate and slower rates of take-up than had been expected when the 2016 study was completed. While it has taken account of homeworking, it pre-dated the Covid-19 pandemic, and the longer-term implications for workplaces are yet to become clear and understood.
29. The review recommends that at least 29ha of employment land should be allocated for development during the Plan period, and this is the requirement figure in Policy 10A of the Plan. Taking account of all the evidence, this is a reasonable, robust figure that will help to ensure that the needs of the economy can be met, bearing in mind that there are a range of uncertainties about the economic outlook for the district and wider areas.
30. As a result of recent changes to the Use Classes Order, some modifications to detailed wording in the Plan are necessary for justification and effectiveness, and these are dealt with elsewhere in the report, but the overall policy framework remains valid. The proposed allocations for employment land and related matters on the land supply are considered in Issue 8 below.

Conclusion

31. In conclusion, I am satisfied that the Plan is based on robust, objective assessments of the local housing need and the need for employment land.

Issue 2 – Is the overall spatial strategy sound, including its reliance on alterations to the Green Belt boundary? And are the Plan's overall requirements for housing and employment land sound?

Overall spatial strategy

32. The Council has followed NPPF in bringing forward a plan to meet the housing, employment and other needs that will arise over the Plan period and in doing so, the Plan will contribute to the achievement of sustainable development. In addition to the housing and economic needs studies and land availability assessments, the Plan has also been informed by up-to-date, robust evidence

on other relevant matters; this includes the settlement hierarchy, transport, flood risk, water management, green infrastructure, biodiversity, open space and recreational facilities, other infrastructure needs, and heritage assets. The landscape character assessment evidence (August 2012) also remains relevant.

33. Policies 6B - 6F set out the spatial strategy to deliver the vision and objectives for the district over the period up to 2036. The proposed focus for growth is the 3 main towns of Kidderminster, Stourport-on-Severn and Bewdley. The location and scale of development is expected to maintain their distinctive and separate identities, bearing in mind landscape character, infrastructure, heritage, and other factors that affect their capacity for growth.
34. In addition, a new village at Lea Castle and an eastern extension of Kidderminster are expected to meet a large part of the future needs, including green infrastructure. Lower levels of growth are proposed for the outlying villages, respecting their roles in the settlement hierarchy.
35. This strategy aims to maximise the potential of the district's main centres to accommodate future needs, and it prioritises the development of previously developed land first. About 49% of the allocated housing is on previously developed land. The broad distribution of future growth between the 3 main centres and the smaller settlements is consistent with the evidence base and will help to deliver sustainable development. The expectations about development density and the capacity of sites are reasonable and take account of the relevant factors, including viability.
36. However, there is compelling evidence that there are not enough developable and deliverable sites within the urban areas to provide for housing, employment, and other needs, taking account of flood risk constraints affecting the 3 towns. It would not be reasonable to rely to a greater extent on windfalls from permitted development rights, changes in the Use Classes Order or other sources than the Council has done in assessing the housing land supply. Also, landscape and infrastructure constraints, poor accessibility to services and employment and other factors significantly limit the potential for development to the west of the River Severn.
37. In contrast, while the countryside to the east of the River Severn lies within the Green Belt, this part of the district has generally good transport links to services and employment, including in the West Midlands conurbation beyond the district's boundaries. It also offers potential for larger-scale, sustainable development adjoining the eastern edge of Kidderminster and one that is centred on the large, previously developed site at Lea Castle hospital to the north-east of the town.
38. Against this background, the Council's conclusion that there is insufficient, suitable land outside of the Green Belt to meet the district's needs is evidence-based and robust. Joint working with neighbouring planning authorities shows that there is no reasonable prospect that some of the district's needs will be accommodated in these other areas, large parts of which also lie within the West Midlands Green Belt. In summary, there is compelling evidence that in principle, exceptional circumstances exist which justify alterations to the Green Belt boundary in the Plan.

Implications for the Green Belt

39. The potential for release of Green Belt land to meet development needs was assessed in the Green Belt Review. Part 1 of the study (the strategic analysis, (2016)) considered the contribution made to Green Belt purposes by larger, strategic parcels of land, as well as consideration of the district's Green Belt villages. The Part 2 study (2018) carried out a more fine-grained analysis of the role played by smaller parcels of land, and it considered other relevant matters affecting positive use of the Green Belt and its future extent. Additional site assessment evidence was submitted during the examination.
40. The review has used a robust methodology, consistent with comparator studies carried out by other local planning authorities whose plans were found sound. The methodology was applied consistently, and the findings were reasonable and justified, taking account of the range of factors that influence how specific parcels of land serve the Green Belt's purposes.
41. In accordance with national planning policy and guidance, the Council's decisions to remove sites from the Green Belt to meet needs for the Plan period have been informed by a robust body of evidence in addition to the Green Belt review. The soundness of these allocations is considered in more detail elsewhere in the report.
42. Overall, their impact on the purposes and integrity of the wider West Midlands Green Belt will be very limited, taking account of the location, nature and extent of the Green Belt that will remain in the district. The Plan provides for suitable, compensatory improvements to the environmental quality and accessibility of remaining Green Belt land, to offset the proposed losses. These include the proposed Stour Valley and Burlish Country Parks.
43. Policy 7B identifies 5 reserved housing sites in the Green Belt. Of these, 4 are carried forward from the extant development plan where they were described as Areas of Development Restraint, while the site at Lawnswood, Cookley is a new addition. The total housing capacity of these sites, which are in effect 'safeguarded land', is only about 120 dwellings. However, the Plan provides for a housing land supply surplus of more than 20 % over and above the assessed need, thus providing a 'supply cushion' for the longer term, and its flexible policies will enable sustainable development opportunities for housing and other uses to be maximised.
44. Bearing in mind all the evidence, the harm that would be caused to the purposes of the Green Belt by removing more than the allocated sites from it, or by safeguarding more land, would not be outweighed by any benefits. Nor is there good evidence that new areas of Green Belt should be designated in the Plan. While further changes to the Green Belt boundary might be required to address needs beyond the end of the Plan period, this matter is likely to be better considered in a sub-regional context in due course, in the interests of sustainable development.
45. Chapter 7 of the Plan sets out the policy background for the proposed changes to the Green Belt boundary. Modifications to this chapter are necessary to update references to NPPF and to clarify that a boundary alteration to the Green Belt at Blakedown is included in the Plan.

46. Also, Policy 25 should be modified to set out clear, effective requirements for protection of Green Belt land, consistent with NPPF. Subject to **MM7.1-MM7.7** and **MM25.1-MM25.2** which resolve these matters, the Plan is sound in this regard. I have amended MM25.2 as published for consultation to include criterion d) on limited infilling in villages, and added a consequential change to Table 6.0.3, for consistency with NPPF.

Other considerations

47. Throughout its preparation, the Plan has been informed by an iterative process of sustainability appraisal which assessed the preferred overall level of growth, spatial distribution, and potential site allocations against reasonable alternatives. The sustainability appraisal process was systematic and thorough, the alternatives considered were clearly different and meaningful, realistic, and deliverable, and the professional judgements that were made as an intrinsic part of this process were reasonable. Overall, the Plan's likely significant effects on the various dimensions of sustainability can reasonably be expected to be neutral or positive.
48. The objectives to mitigate and adapt to climate change and reduce flood risk have clearly guided the Plan. The Council has worked closely with the Environment Agency to ensure that the site allocations and other policies are justified in this regard and will not increase the risk of flooding in the district. And there is clear evidence (including documents G101-G109) that the implications for biodiversity, and the need to seek measurable net gains in biodiversity, informed the spatial strategy and specific policies in the Plan.
49. The transport implications of the strategy have been assessed in consultation with National Highways (formerly Highways England), adjoining local authorities, public transport providers and other stakeholders. More detail is set out in Issue 10 below and, in summary, the Plan is sound in this respect.
50. The spatial strategy emerged from a balanced assessment of all the evidence. The selection of sites for allocation was guided by their scores on relevant criteria, as explained in the Sites Selection Paper. Where possible, the selection process took account of updated information about sites, but it would not have been in the interests of plan making to continue to revisit the site selection evidence after the Council had identified a sufficient supply of developable and deliverable land to implement the spatial strategy.
51. Plan-making requires the application of planning judgement, and it may properly attribute more weight to some objectives than to others. The Council has given adequate reasons for the selection of its preferred spatial strategy, compared with the reasonable alternatives. So far as any error may have arisen in the site assessments, or new information emerged that might overcome concerns about a potential site, there is insufficient reason to conclude that an alternative strategy and/or allocation of alternative sites would perform significantly better than the Plan's chosen approach.
52. The supply of land for housing, employment and other needs is considered elsewhere in the report. There is no need to allocate more sites to meet the district's housing and other requirements for the Plan period. Also, the evidence is inadequate to justify allocating more market-led sites to seek to boost the potential supply of affordable housing or improve its affordability.

And while the Plan will not provide for a 15-year 'horizon' from its adoption, seeking to extend the plan period to meet this objective would lead to unjustified delay in bringing forward development to meet current needs.

53. The examination has taken place during the Covid-19 pandemic that has increased uncertainties affecting spatial planning. However, the Plan is flexible and will be reviewed, and it is currently too early to assess whether social and economic changes that are taking place may result in significant alterations in patterns of land use and development needs in the future.
54. Overall, the Plan sets out a justified, positively prepared spatial strategy that takes full account of the nature and needs of the district and is consistent with the overall thrust of national planning policy. However, Chapters 1 and 3 should be modified to update the context for the Plan and its vision, and Chapter 5 should be deleted to remove paraphrasing of Section 2 of NPPF which is unnecessary and may become out-of-date. These modifications are contained in **MM1.1-MM1.27**, **MM3.1-MM3.3** and **MM5.1**.
55. Reflecting the above, Policy 6B confirms the principles that underpin the overall development strategy and the site allocations, and it sets out the settlement hierarchy in Table 6.0.3. For the most part this is sound, but a development principle should be included about the protection of areas that are sensitive due to their landscape, heritage assets or biodiversity. Also, the table should reflect the amended Use Classes Order, and include reference to settlements and rural hamlets that are washed over by the Green Belt.
56. **MM6.7-MM6.9** make the above amendments for a justified, effective Plan that is consistent with NPPF. Also, modifications to Policy 6A, including a new Table 6.0.2, are required for an effective Plan that sets out clearly the overall spatial distribution and quantity of development over the Plan period. This also clarifies that the expected growth figure for each settlement area identified in the table is the minimum requirement (**MM6.1-MM6.2**).
57. **MM6.11-MM6.12** are necessary to ensure consistency between Policy 6B and Policy 6E about the role that will be played by Bewdley, and between Policy 6F and Policy 18B, regarding residential infill development.
58. In addition, the monitoring and implementation framework in the submitted Plan requires modification to identify indicators, targets, and delivery mechanisms for effectiveness (**MM37.1**). And for consistency with NPPF, a new annex should be added to the Plan to identify the policies that are regarded as 'strategic' (**MMA.1**). Also, the Key Diagram should be amended to reflect the necessary updates of the Policies Map and to include Stour Valley Country Park and Burlish Country Park (**MMKD.1**).

Housing and employment land requirements

59. Taking the above into account, Policy 6A is justified and positively prepared in providing for 5,520 net additional dwellings (at least 276dpa) and 29ha of employment land over the period 2016-2036. It will meet the objectively assessed local housing and employment needs, and for the reasons set out in more detail elsewhere in the report, it is also deliverable and consistent with national planning policy, including on the Green Belt.

60. There are no compelling reasons to require lower or higher levels of development in the Plan. The overall evidence supports the definition of Wyre Forest district as a largely self-contained housing market area, even though it has functional relationships with other parts of Worcestershire, the Black Country, Greater Birmingham, and other parts of the West Midlands. There is insufficient evidence that this Plan should seek to address a future strategy for accommodating unmet housing needs from elsewhere in the sub-region and I have concluded that it would not be justified to adjust the housing requirement on this basis. Also, to do so would cause unacceptable delay in implementing the Plan. Policy 6A(B) referred to in paragraph 14 above is sound.
61. It would not be expedient to set specific housing requirements for neighbourhood planning areas in the district, given the sufficiency of overall provision for the district, the flexibility of the Plan's policies to enable local needs to be met, and having regard to the Green Belt context of the areas.
62. However, for clarity and justification, **MM6.3** is necessary to confirm in paragraph 6.6 that the requirement for 487 bed spaces of Class C2 accommodation (e.g. care homes/nursing homes bed spaces) over the Plan period does not form part of the requirement for 5,520 dwellings.

Conclusion

63. Subject to the main modifications recommended above, the Plan's overall spatial strategy, including its reliance on alterations to the Green Belt boundary, and the housing and employment land requirements are sound.

Issue 3 – Is the allocation of Lea Castle Village justified, effective and consistent with NPPF?

Background

64. Policy 31 allocates land for development of a new village at Lea Castle, north-east of Kidderminster. It makes provision for about 1,400 dwellings, approximately 7ha of employment land, retail, and community facilities (including potential for a GP surgery together with Class C2 accommodation), a primary school and enhanced recreational facilities in an extensive woodland setting.
65. In accordance with the Plan, all the land bounded by the A449 (Wolverhampton Road), Axborough Lane, A451 (Stourbridge Road) and B4190 (Park Gate Road), amounting to about 120ha, will be removed from the Green Belt. However, a large part of this land will remain undeveloped, being reserved for green infrastructure and protection and enhancement of natural environmental assets.
66. The proposed village will be developed around the site of the former Lea Castle hospital. This lies in the central, elevated part of the overall land allocation and it was designated as a Major Developed Site in the Core Strategy. The buildings have been demolished and the area is currently under construction for about 600 dwellings and mixed uses in accordance with outline planning permission granted in 2017 and subsequent approval of reserved matters.

67. Policies 31.1 and 31.2 set out the vision statement and development principles to create a well-designed sustainable village that will provide for the new community and minimise impact on nearby social infrastructure. Also, the extensive, reasonably dense woodland that surrounds the area of the former hospital buildings will mostly be retained and it will be enhanced by planting of native species. The ancient woodland of Axborough Wood on the eastern side of the site is excluded from the proposed development area.

Green Belt review and site selection

68. The decision to allocate the site has emerged from the substantive, relevant body of evidence and systematic process of assessment and consultation that has informed the Plan as a whole. The site corresponds with parcel NE2 in part 1 of the Green Belt Review. The methodology assessed the importance of the parcels in serving the relevant Green Belt purposes, using suitable criteria and assessment scores of 'significant contribution', 'contribution' or 'limited contribution'. Correctly, the scores against each of the Green Belt purposes have not been weighted, since professional judgement is necessary to reach an overall assessment of the site's contribution in the round.
69. Part 1 of the review concluded that, overall, parcel NE2 makes a contribution to preventing incremental encroachment of development into the open countryside and sprawl of Kidderminster along the A449 and A451, on its visually sensitive eastern, western and northern flanks. Having regard to the orientation and shape of the site, the eastern, western and northern flanks, taken together, circumscribe the entire site.
70. The likely impact of development of individual sites within parcel NE2 on Green Belt purposes, and with specific attention to impacts on openness, was considered in the part 2 review. This makes clear that the individual sites described as Lea Castle East and Lea Castle North are sensitive 'gateway sites' that will require specific attention to mitigate the impacts of any development on the Green Belt's purposes and its openness. In my view, this does not invalidate the overall conclusions about parcel NE2 in part 1 of the review, nor would it have supported removal of Lea Castle East or Lea Castle North from further consideration as part of a larger allocation.
71. The sustainability appraisal, as submitted with the Plan, considered the impact of the individual sites in parcel NE2, rather than that of the entirety of the proposed allocation. The cumulative impact assessment, taking together the 4 individual sites that make up the Lea Castle Village allocation, was submitted during the examination. The findings of the cumulative impact assessment do not differ significantly from the individual site assessments.
72. Both the individual and cumulative assessments show that a range of significant effects are likely to arise from development of these sites, and the only significant negative effect in the cumulative assessment is on landscape, which reflects the scores for Lea Castle East and Lea Castle North in the individual assessments. However, the policies for development of the overall allocation include specific measures to minimise these negative effects, and I have found no reason to conclude that a landscape visual impact assessment or more detailed evidence on landscape character and appearance is necessary to inform the Plan or the specific policies for Lea Castle village.

73. The final decision to include Lea Castle village in the submission Plan was informed by the site selection paper, which drew together the key conclusions from the other evidence base documents. This included consideration of any cumulative effects or common circumstances that affected whether a site, or a group of sites, should go forward for allocation; it also took the policy implications into account. It concluded that the allocation of the Lea Castle hospital site together with the 3 surrounding sites (Lea Castle North, East and West), all of which are in the same ownership as the hospital site, would provide a settlement of sufficient size to support a primary school, community, and employment facilities.
74. This conclusion was consistent with the detailed, supporting evidence on the range of relevant criteria for allocating sites for development. While Appendix 1 of the site selection paper summarises the analysis of constraints affecting the individual sites rather than the whole of the proposed allocation, it concludes that they should be brought forward as part of the wider Lea Castle village allocation. On a fair reading of all the evidence, this conclusion is justified and is underpinned by reasonable planning judgements about the attributes of the individual sites and the potential to develop them comprehensively.
75. Taking all the evidence into account, the release of the Lea Castle Village site from the Green Belt will not undermine its overall integrity or the fundamental purposes that it serves in this part of the district. The Plan provides for clearly defined, durable boundaries for the site that will prevent physical coalescence of Kidderminster, Cookley and Lea Castle village.
76. The extent of the gap from Cookley will be limited to about 200m-300m. Even so, the varied topography of the area, the physical barrier of the A449, the proposals for retention and enhancement of existing woodlands on the site, and sensitive masterplanning in accordance with the allocation policies will minimise the visual impacts on the surrounding areas to an acceptable level and protect the identity of the nearby settlements. There is no need to retain Axborough Wood within the Green Belt since its protection for nature conservation purposes will secure its openness.
77. Centred on a large area of previously developed land and in a part of the district that is close to its main town, allocation of Lea Castle village provides a unique opportunity to meet large-scale development needs in a high-quality village setting. The loss of Grade 2 agricultural land that is entailed is outweighed by the overall sustainability benefits.
78. As concluded in Issue 2, there is a significant level of need for new homes in the district, far exceeding the supply of developable and deliverable housing land within the urban areas. This allocation, which includes a large element of previously developed land, will make a major contribution to meeting the identified needs for housing, together with employment and community facilities, recreational provision, green infrastructure, and environmental protection. As such, it will enable a high level of sustainable access to services and facilities. There is comprehensive and compelling evidence that exceptional circumstances exist for release of the site from the Green Belt.

Detailed policy requirements

79. A new relationship between town (Kidderminster town and to a lesser extent, Cookley village) and country will need to be created through the implementation of a carefully designed, comprehensive masterplan for the new village. For consistency with NPPF, the Plan's principles of development for the site should be amended to require that it will be planned and developed on a comprehensive basis to ensure a sustainable, high-quality development.
80. There are reasonable grounds for confidence that this will be achieved, based on the emerging proposals in the concept plan that was available for the examination, and bearing in mind the policy requirements laid out in the Plan. Taken together, these will help to avoid or minimise potential negative effects of the development. They will maintain the woodland separation between Cookley and Lea Castle and secure a countryside gap between Kidderminster and the new village on its north-eastern flank.
81. The overall layout of green infrastructure can minimise the visibility of the new development from Kinver, Iwerley or other potential receptors. However, modifications to the development principles are necessary for clarity and effectiveness of the relevant requirements, including that the development will have a net positive effect on the green infrastructure network.
82. Mitigatory measures to protect the bat population are already well-established on the former hospital site, and biodiversity net gain has been achieved. I have found no reason to doubt that potential adverse impacts of the development on protected species and on the Sites of Special Scientific Interest in the surrounding area, including the Hurcott Pools, will be avoided through detailed site planning measures and implementation of the conditions on planning permissions.
83. However, for effectiveness, the Plan should make clear that any mitigation required in terms of noise, air quality, drainage and ecology should be determined at an early stage and that appropriate buffering, ecological connectivity and other measures are provided. Also, specific provision for recording and protection of heritage assets should be included in the development principles.
84. The proposed development will have a net residential density ranging from 25-35 dwellings per hectare (dph). This reflects the vision for the village, and it is consistent with about 40% of the allocation being reserved for green infrastructure. The allocation for 1,400 dwellings is justified and it provides the critical mass that will help deliver a sustainable village in the round.
85. The residential component will provide a mix of dwelling types and tenures. Based on the evidence, it is likely that at least 25% of the total will be delivered as affordable housing. The tenure mix that will be achieved will reflect viability and national planning policy's definitions and priorities for types of affordable housing that are current at the time. While it is not certain that the outcome will fully achieve the Plan's target for social housing, I am satisfied that the allocation remains sound in this respect. The policy includes provision for custom-build housing (as well as self-build housing), but the wording requires amendment for clarity and effectiveness.

86. As proposed, the co-location of homes and jobs, supported by public transport links and access from the A451 will help to meet economic needs over the Plan period and contribute to sustainable patterns of development. There is insufficient reason to doubt that this element of the allocation will be taken up. The proposed green infrastructure and on-going refinement of the masterplan will assist in minimising the visual impact of the employment area on views from the A451 and the adjacent countryside. However, the policy should be modified in the light of the amended Use Classes Order, and to include provision of start-up units and sustainability measures in the design of the employment site.
87. The infrastructure needs of the new village have been assessed through the infrastructure delivery plan and will be kept under review. The evidence indicates that there are no fundamental constraints that may affect the provision of the required infrastructure in a timely manner. Some of the elements are already committed as part of the development of the former hospital site. But for sustainable development, the policy should require early provision of the community facility.
88. The Plan requires provision of sustainable transport links within and beyond the village. Priority for non-car modes of travel is part of the on-going master planning work, and transport planning and financial investment to date are being directed towards improving sustainable access. There is substantive evidence of close working with the Highway Authority to ensure that integrated, sustainable travel planning will guide the development of the allocation, including improvements to the existing movement networks to create sustainable transport corridors.
89. Also, I am satisfied that the potential impacts of 'rat-running', including on routes to/from the A456, and other transport issues will be further explored and addressed through more detailed studies in due course. However, the policy should be modified to require delivery of highway improvements and bus, walking, and cycling links throughout the development to encourage active travel, although it is not necessary to specify the location of new access points in the policy.

Viability and delivery

90. Viability has been tested specifically for Lea Castle village and as part of the wider assessments for the Plan as a whole, and it has taken account of the remediation and other costs entailed in the redevelopment of the former hospital site. While the residual value will ultimately depend on a range of cost and other factors and the details of the planning permissions that will be approved in due course, there can be reasonable confidence that Lea Castle village is viable and deliverable.
91. The build-out rate of the remainder of the allocation is likely to be assisted by the number of development parcels, and by more dynamic systems that are now in place for disposal of plots to developers, including small and medium sized enterprises. The most up-to-date evidence indicates that, with Homes England funding which has been secured, and if the economy and the performance of the housing market supports it, there is a reasonable prospect

that the development will be completed in accordance with the Plan's requirements by 2036.

Conclusion

92. Provided that the modifications referred to above are made, together with re-ordering of the policy criteria for clarity and to remove duplication of requirements in the Plan that apply to all development, the allocation of Lea Castle Village is justified, effective and consistent with NPPF. Taking account of Homes England's representation, I have amended the modification as published for consultation to enable provision of alternative outdoor sport facilities that may be more suitable in this location than an artificial grass pitch. **MM31.1-MM31.3** make these changes for a sound Plan.

Issue 4 – Is the allocation of Kidderminster Eastern Extension justified, effective and consistent with NPPF?

Background

93. Policy 32 allocates land for Kidderminster Eastern Extension that will provide for more than 1,400 dwellings and supporting infrastructure, including a primary school, other community facilities and extensive areas of natural and semi-natural green space. It comprises 3 main sites, Husum Way, Comberton Lodge Nursery, and Stone Hill North and East of Offmore, which are subject to Policies 32.1-32.3 respectively.
94. The parcels of land described as Stone Hill North and East of Offmore, which were assessed individually in the preparation of the Plan, contain almost all the proposed residential and associated development in the eastern extension, and they are in the control of a national housebuilder. The two smaller sites are expected to come forward for development independently.
95. The overall allocation is bounded for the most part by the A456 (Birmingham Road) to the north, the built-up area of Kidderminster to the west, the A448 (Comberton Road) to the south, and open countryside to the east. It lies within the Green Belt, and almost all of it is in arable use, apart from a landscaping business at Comberton Lodge Nursery.

Green Belt review and site selection

96. As the Green Belt review demonstrates, the parcels of land included in the eastern extension make contributions to the Green Belt's purposes to varying degrees. In particular, the land east of Offmore makes a significant contribution in preventing urban sprawl and encroachment on the countryside. Without mitigatory measures, development on this fringe of the town would undermine the purposes of the Green Belt and have a significant effect on openness, both visually and physically.
97. However, the Plan aims to reduce and mitigate these negative effects on the Green Belt through masterplanning that will define a new eastern edge to Kidderminster. This has the potential to create a fundamental new, positive relationship between town and country. A substantial green buffer is proposed along the eastern boundary to provide a soft-landscaped but defensible edge with the open countryside.

98. Substantive preparatory work for green infrastructure protection and enhancement has already been carried out, and the Kidderminster East Green Infrastructure Concept Statement will positively guide the development. Overall, about 50% of the allocated lands east of Offmore and at Stone Hill North will comprise blue and green infrastructure as natural or semi-natural open space. Of this, about 12ha will remain in the Green Belt, centred on the Hoo Brook and its pools system and water meadows, together with a northern parcel on higher ground with potential for acidic grassland.
99. Also, the proposed extension of Spennells Valley Local Nature Reserve (south of the A448) into the site along the western boundary will be a significant asset for existing and future residents, improving access to the countryside from the existing built-up areas of Comberton and Offmore. While there is currently only a single right of way in the southern end of the site, the planned development will create extensive, traffic-free walking routes for informal leisure, and they will connect into the wider countryside with direct links to Monarch's Way long-distance path.
100. Selection of the sites that will form the eastern extension has followed the systematic, iterative, reasoned, and documented process that has underpinned the choice of the spatial strategy and the site allocations in the Plan (see Issue 2 and relevant background information in Issue 3). As in the case of Lea Castle Village, a cumulative assessment of the sustainability impacts of the combined development parcels was not published until after the examination commenced. However, there is no substantive evidence that this materially prejudiced any interests, and the findings of the cumulative impact assessment do not differ significantly from the individual site assessments.
101. There are significant flood risk, water quality and biodiversity constraints affecting land in the southern part of the eastern extension, and any disturbance of the historic Lord Foley irrigation scheme could have a negative effect on arable land nearby. Also, there are protected species on the lands, and some evidence of bat species at Hodge Hill Farm Barns. However, the Plan includes protection and mitigation measures to avoid harmful impacts on these interests. These include protection for the Hoo and Barnett Brook Local Wildlife Site, Spennells Valley Local Nature Reserve, and the watercourse connections to Wilden Marsh and Meadows Site of Special Scientific Interest.
102. Part of the Husum Way site may be required for junction improvements with the A456, but there is no substantive evidence that development of the eastern extension may endanger the safe movement of existing or future residents. It offers good access by sustainable transport modes to employment, services, education, the railway station, and a wide range of other facilities in Kidderminster and it will benefit from active travel corridor measures on the A448.
103. While the site selection paper summarises the analysis of constraints affecting the individual sites rather than the eastern extension in its entirety, it concludes that they should be brought forward as a strategic allocation. On a fair reading of all the evidence, this conclusion is justified and is underpinned by reasonable planning judgements about the attributes of the individual sites and the potential to develop them in a complementary, co-ordinated way.

Development of this size will provide the critical mass for a sustainable urban extension to Kidderminster.

104. As concluded in Issue 2, there is a significant level of need for new homes in the district that far exceeds the supply of developable and deliverable housing land within the urban areas. Kidderminster Eastern Extension will make a major contribution to meeting the identified needs for housing, together with supporting infrastructure and facilities and environmental protection. There is comprehensive and compelling evidence that there are exceptional circumstances for release of the identified lands within the eastern extension from the Green Belt.

Detailed policy requirements

105. Policy 32.3 of the submitted Plan sets out the overall vision and development principles for the combined development parcels of East of Offmore and Stone Hill North, which together will form most of the eastern extension. Subject to modifications to detailed elements set out below, the vision and development principles will provide for a high-quality new neighbourhood that respects its surroundings, protect and enhance amenities including for existing residents, and provide significant opportunities to link the existing built-up area with the countryside.

106. The new primary school, retail, and other facilities, including the potential to meet primary health care needs, will be provided in a community hub. The policy should be modified to require provision of the community facility in the early phases of the development, for effectiveness and consistency with NPPF. Also, a specific requirement for playing pitches should be included, to meet the expected need.

107. In accordance with the other policies of the Plan, the eastern extension will provide a suitable mix of housing types and densities, with an overall average net density of 35-38dph. But for effectiveness and consistency with NPPF, the policy requirements for self-build and custom-build housing should be clarified.

108. For consistency with NPPF's requirements for high-quality design, the overall design of the development should be expected to adhere to an agreed design code. Also, more detailed requirements for the evaluation and protection of heritage assets, including below-ground archaeology, are justified, and should be included in the policy.

109. Reflecting advice from the Environment Agency, the policy and supporting text regarding site-specific flood risk assessment, water management and biodiversity protection and enhancement should be expanded and modified for justification and effectiveness. For the same reasons, it should be made clear how the rising land to the north-east of Offmore Farm Court will be protected and enhanced, and that a substantial green buffer along the eastern edge of the development and a network of footpaths throughout the site will be required.

110. Finally, for avoidance of doubt about the necessary transport improvements, it should be made clear that buses will be diverted to serve the new development. The design of the main spine road through the new neighbourhood will provide for 2-way bus traffic. **MM32.4** makes the

necessary modifications to the policy and reasoned justification to deal with the above matters, together with re-ordering of the policy criteria for clarity.

111. Turning to the Husum Way site allocation, it will form the northern end of the eastern extension and it adjoins the A456. Policy 32.1 and its reasoned justification should be amended for justification and effectiveness concerning the high standard of development that will be required at this 'gateway' to Kidderminster. Also, it should confirm that part of the site may be required for alterations to the existing junction with the A456. **MM32.2** addresses these matters.
112. Modifications of the policy and reasoned justification for the Comberton Lodge Nursery allocation, which lies at the southern end of the eastern extension, are also required for justification and effectiveness. It is a small, previously developed site with limited potential for development, bearing in mind its biodiversity importance, flood risk and other constraints. As a result, removal of the entire site from the Green Belt is not justified. **MM32.3** sets out the necessary changes, and provided that the Policies Map is amended accordingly, this part of the Plan will be sound.

Viability and delivery

113. The viability of the major part of the eastern extension has been assessed and reviewed as further information on the site's development costs, infrastructure requirements and other factors have become available. This includes the extent to which certain infrastructure costs will be funded from a variety of other sources and/or are worst case estimates. In summary, the evidence for the examination leads me to conclude that the allocation can be viably delivered in accordance with the Plan's requirements, including for provision of affordable housing.
114. Most of the technical evidence to support an application for outline planning permission was in place when the examination hearings took place. Based on expectations for a number of sales outlets on the site, the development can proceed simultaneously on the northern and southern parts of the site, with access from the A456 and A448 respectively. If the economy and the performance of the housing market supports it, there is a reasonable prospect that development of the eastern extension can be completed by the end of the Plan period.

Conclusion

115. Provided that the modifications recommended above are made, together with **MM32.1** which removes duplication in the policy framework for clarity and effectiveness, the allocation of Kidderminster Eastern Extension is justified, effective and consistent with NPPF.

Issue 5 – Are the other allocations for housing and mixed uses sound? And is the addition to the list of reserved housing sites in Policy 7B sound?

Introduction

116. As referred to in Issue 2 above, the Plan's allocations for housing and other uses have been informed by robust, relevant evidence about their suitability,

availability, and deliverability, and they have been subject to sustainability appraisal and public consultation.

117. I have carefully considered the concerns raised about specific allocations, including highway safety and traffic congestion, adequacy of services, and loss of countryside that is valued by the district's residents and visitors. However, for the most part the Plan's detailed policies for development set out the necessary mitigation measures, and subject to the modifications recommended, these policies are sound. Where necessary, the allocation policies set out specific requirements for development that will be applied in addition to the over-arching policies in parts A and B of the Plan.
118. Some allocations on previously developed land are carried forward from the Site Allocations and Policies Local Plan or the Kidderminster Central Area Action Plan. Up-to-date evidence supports the reasonable expectation that these sites will be developed in the Plan period. Recent starts and completions on some of the sites support the level of confidence on this matter.
119. The proposed allocations in Kidderminster Town, Stourport-on-Severn, Bewdley and the rural areas of the district are considered below, but no reference is made to allocations in the submitted Plan that I consider are sound, unless a reference is necessary for context.
120. The introductory text about the site allocations in Chapters 29, 30, 33, 34 and 36 should be amended because site-specific information, including the indicative number of dwellings, should be moved to the relevant allocation policies, for justification and effectiveness. **MM29.1-29.2, MM30.1-MM30.3, MM33.1-MM33.2, MM34.1** and **MM36.1** make these changes and consequential modifications for soundness. However, for ease of reference and to enhance understanding, I refer below to the site-specific policies as 'allocating' the indicative number of dwellings, even though this will not be achieved until the above modifications are made to the Plan. Also, I have amended MM29.1 as published for consultation to retain the explanation about the way in which the indicative number of dwellings on sites has been estimated.
121. Also, some of the allocation policies require modifications to enable clear understanding about what the development should deliver and when it is expected to be carried out. The necessary amendments are included in the main modifications recommended below. The timing of development is informed by the Council's detailed monitoring of the housing land supply, the expected start date on site and the estimated completion date. It does not imply that development will be held back unnecessarily.

Kidderminster Town

122. Some of the allocations within the town are now developed or under construction and therefore the relevant policies should be deleted. This will be achieved by **MM30.4** regarding the former Victoria Sports Ground, **MM30.9** concerning Churchfields, **MM30.11** regarding the BT Building, Mill Street, and **MM30.12, MM30.15** and **MM30.16** that refer to Silverwoods, Stourminster School site, and Sion Hill School site respectively.

Chester Road South

123. Policy 30.1, which allocates the former Chester Road South Service Station for 10 dwellings, should be updated and clarified for justification and effectiveness, having regard to the full planning permission granted in January 2021 for 15 dwellings. This is addressed by **MM30.3**.

Bernie Crossland Walk

124. The residential allocation on land north of Bernie Crossland Walk for 9 dwellings (Policy 30.4) is justified, but for effectiveness and soundness, clarification about the layout of the development is necessary, as set out in **MM30.5**.

Bromsgrove Street (Lion Fields)

125. A large town centre site at Bromsgrove Street (Lion Fields) is allocated for mixed use development (Policy 30.5) that will be brought forward in phases over the Plan period. The regeneration of this land is supported by Future High Streets funding, referred to in Issue 8 below. Updating and other amendments are necessary for clarity about the development mix and for an effective policy that will help to bring forward the renaissance of this key part of Kidderminster town centre. These amendments better reflect changes in the development context that have taken place since the Kidderminster Eastern Gateway Development Framework for the area was adopted by the Council in 2016. As modified, the policy will allow reasonable flexibility, including for an increase in the residential component (a minimum of 35 dwellings), if justified. Based on all the evidence and subject to **MM30.6**, the allocation is sound.

Timber Yard, Park Lane

126. Redevelopment of the Timber Yard, Park Lane for a wholly residential development has been subject to pre-application discussions since the Plan was submitted. For justification and effectiveness, the submitted Policy 30.6 for a mixed-use scheme should be amended accordingly. As a result, the indicative number of dwellings is increased from 55 to 100. Also, the reasoned justification should give additional guidance about how the site's sensitive canal-side location and proximity to heritage assets will be protected and enhanced in the development. These issues are addressed by **MM30.7**, which makes the policy sound.

Boucher Building, Green Street

127. Policy 30.8 allocates the Boucher Building in the Green Street conservation area for residential development of 10 dwellings. Modifications are necessary to clarify that a site-specific flood risk assessment will be necessary to inform any development proposals. **MM30.8** provides for this and other re-wording for clarity and effectiveness to make the policy sound.

Sladen School

128. The site was allocated in the submitted Plan for development of 72 dwellings, following the closure of Sladen Middle School. However, the need for a new 60-place school on the site has since been identified, and it is justified to

reduce the residential capacity to 36 dwellings accordingly. Subject to modifications to update the policy requirements of Policy 30.11 and clarify access arrangements and other matters, as addressed by **MM30.10**, the allocation is sound. It is not necessary for soundness to provide further detail in the Plan about the proposed educational provision on the site.

Severn Grove

129. Policy 30.16 allocates Severn Grove shopping parade for redevelopment for 12 dwellings. For a justified, sound policy the requirement for a small retail unit should be deleted. Together with other updating and clarification that is necessary, this is addressed by **MM30.13**.

Naylor's Field, Sutton Park Rise

130. Naylor's Field is surplus to educational requirements and is suitable for development of 35 dwellings in accordance with Policy 30.17. The northern part of the field is used for informal recreation and local events. For justification and effectiveness, the policy should be amended to confirm that this area will be retained as such, and that the hedgerow that bisects the site will be retained and supplemented for green infrastructure connectivity. Subject to **MM30.14** which addresses these requirements, the policy is sound.

Low Habberley

131. Policy 30.21 allocates 5.6ha of greenfield land at Low Habberley for 120 dwellings. The site lies in an area of Green Belt on the north-western edge of Kidderminster that makes a significant contribution to containing urban sprawl and preventing encroachment into the countryside. However, development of this site entails a limited extension of the town between Habberley Lane, Habberley Road and the bridleway/access to High Habberley House, and it is unlikely to lead to visual or physical coalescence of settlements.

132. Mature woodland on the elevated ground adjoining High Habberley House provides a strong landscape setting and will assist in containing visual intrusion into the countryside to the west. Also, the policy's requirements to supplement and strengthen the hedgerow on the western flank of the site will help to contain encroachment into the countryside and provide a defensible Green Belt boundary.

133. The site forms a small part of a much larger parcel of countryside (over 92ha) that was assessed in the sustainability appraisal report. This identified the potential for a significant adverse impact on biodiversity as well as potential adverse impacts on other interests. However, the allocated site entails only a limited expansion of the built-up area into an arable field. Based on all the evidence and the Plan's policies, as modified, it is reasonable to conclude that the potential impacts on biodiversity, landscape, and other important interests will be managed and mitigated to secure a high standard of development.

134. The Plan's reference to the distance to the town centre is disputed; nonetheless, the site's location offers reasonable accessibility by sustainable travel modes to schools, services, and employment opportunities in Kidderminster. On the balance of all the evidence, the proposed development of the site is justified. For the above reasons and the factors summarised in

paragraph 38 above, there are exceptional circumstances that justify the release of this site from the Green Belt.

135. Nonetheless, some modifications are necessary to clarify and strengthen the policy requirements for development of the site. They include provision for biodiversity net gain, protection of surrounding habitats and species and the setting of High Habberley House. Biodiversity net gain is likely to include habitat compensation measures such as the creation of additional hedgerows and woodland and providing connectivity with supporting habitats and species beyond the site's boundaries.
136. A small increase in the indicative number of dwellings is justified by more up-to-date evidence. The distance of a site from the town centre is not a determinative factor in the site selection process and the disputed reference to it should be deleted. Subject to **MM30.17** which makes the necessary modifications to the policy and reasoned justification, the allocation is sound.

Land to the rear of Zortech Avenue

137. As submitted, Policy 30.22 allocates land to the rear of Zortech Avenue for employment purposes. It was formerly part of Burlish golf course. During the examination, the Council proposed to re-allocate the site for 16 pitches for Gypsies and Travellers. The site lies within an area of the Green Belt that forms a relatively narrow gap between Kidderminster and Stourport-on-Severn.
138. However, it adjoins established residential and employment areas and together with other proposed allocations, it would round-off the settlement boundary of Kidderminster. In combination with the Plan's proposals for the adjoining site of the former clubhouse and the employment allocation off Zortech Avenue (Policy 30.30), its development would have only a limited impact on the Green Belt's purposes and function of the wider area. Minster Road outdoors sports area, which lies to the south of the site, and the adjoining Burlish Top nature reserve, secure openness between Kidderminster and Stourport-on-Severn and will prevent the towns from merging.
139. This allocation, together with Policies 30.29 and 33.8 (see below), entails development of the former golf course that closed some years ago. The evidence indicates that there is insufficient need and demand for the facility, and it is reasonable to expect that any need for more informal golf play that may arise in the Plan period could be provided by the other golf courses in the district, subject to demand. The benefits of the alternative sports and recreational provision that will be provided as part of Minster Road outdoor sports area also weigh in favour of the release of the allocation site and the sites allocated by Policies 30.29 and 33.8 to meet other pressing needs.
140. The re-allocation of the site for Gypsies and Travellers is justified, given the updated evidence of unmet need for their accommodation (see Issue 7), the suitability of the location with access to services and facilities for daily living, and bearing in mind that the site is not required to meet anticipated need for employment land during the Plan period (see Issue 8 below).

141. For the above reasons and taking account of the district-wide factors summarised in paragraph 38 above, there are exceptional circumstances that justify the release of this site from the Green Belt.
142. Consequential modifications to the policy and reasoned justification are necessary to clarify the nature and size of the development and the standards that should be met. The potential for an alternative access from Walter Nash Avenue should be included, since it would provide a more direct link to local schools, shops, and other facilities. **MM30.18** makes the necessary amendments for a justified, sound Plan.

Burlish Golf Course club house

143. Policy 30.29 allocates land at the former Burlish golf course clubhouse for a plot for Travelling Showpeople that will meet the identified need for the Plan period (see Issue 7). The site adjoins the land to the rear of Zortech Avenue (see Policy 30.22 above) and is in the Green Belt. Given the reasons that also apply to the Policy 30.22 site and taking account of the district-wide factors summarised in paragraph 38 above, there are exceptional circumstances that justify the release of this site from the Green Belt.
144. Nonetheless, for a justified and effective policy, **MM30.25** is necessary to clarify the access and other development requirements for the site, including that the scale of the development should meet the specific housing needs of the existing family. Subject to these modifications, the policy is sound.

Rock Works

145. Policy 30.24 concerns Rock Works, a redundant 19th century carpet factory. Modification of the submitted policy is necessary to take account of the recent planning approval for conversion to 22 apartments, and to clarify that development of the site should bring the building back into use and protect biodiversity interests. **MM30.19** addresses these matters for effectiveness and soundness.

Stourport-on-Severn

Cheapside

146. Policy 33.2 allocates Cheapside in the heart of the conservation area for mixed use development. Pre-application discussions were underway at the time of the examination. The policy's requirements include retention and, where possible, enhancement of the site's heritage and natural assets and they are justified, but for clarity and effectiveness re-wording is necessary to avoid ambiguity and repetition and to draw attention to the conservation area character appraisal. Subject to **MM33.3**, the policy is sound.

Queen's Road

147. The allocation of the parade of shops at Queens Road for 12 dwellings is justified as proposed in Policy 33.4. Nonetheless, replacement top-up shopping facilities should not be required on the site, given that there are local shopping facilities nearby. Accordingly, **MM33.4** modifies the policy for soundness.

Pearl Lane

148. Policy 33.5 allocates greenfield land at Pearl Lane on the south-western edge of the town for 250 dwellings. The rural character of the site contributes to the setting of Areley Kings. However, it is well-contained and screened from the adjoining roads by trees and hedgerows. On the balance of all the evidence, high-quality development of the site in accordance with the Plan's requirements is likely to mitigate satisfactorily any harmful impacts on the character and appearance of the area.
149. While the town centre suffers from traffic congestion and related impacts, the site's location offers reasonable accessibility by sustainable modes of transport to services and facilities in the adjoining built-up area, and there is no substantive evidence of fundamental infrastructure constraints that would rule out the proposed residential development of the site. In accordance with Policy 13, the development will be expected to contribute to the provision of sustainable transport infrastructure, technology, and services. Overall, the allocation is justified.
150. Policy 33.5 will ensure that detailed measures to manage flood risk, conserve and enhance biodiversity and other important interests are secured through the development. But the modifications in **MM33.5** are necessary for a justified, effective and up-to-date policy, including that access should also be taken from Dunley Road, and for clarity that the indicative capacity of the site may be exceeded in certain circumstances. This makes the policy sound.

Carpets of Worth

151. The former Carpets of Worth site is allocated for a mix of uses, including residential, in accordance with Policy 33.7 in the submitted Plan. However, some of the policy criteria are no longer achievable and for effectiveness, modifications are necessary to seek a residential development, together with a riverside ecological corridor. The development will create the opportunity to buffer and enhance the major green infrastructure corridor associated with the River Stour. Subject to **MM33.6**, the policy is sound.

Land to the west of the former school site, Coniston Crescent

152. Land to the west of the former school site at Coniston Crescent is allocated for residential development of 200 dwellings in accordance with Policy 33.8. It was formerly part of Burlish golf course, and the site is in an area of the Green Belt that forms a relatively narrow gap between Stourport-on-Severn and Kidderminster.
153. However, the land to the north is part of Minster Road outdoor sports area which will maintain the openness of the Green Belt and prevent the merging of the settlements. Also, residential development of the site, together with the Policy 33.16 allocation to the south-east (see below), will round-off the settlement edge of Stourport-on-Severn.
154. As the evidence shows, there is no need to retain this site for golfing or other sports or recreational purposes. Moreover, the site is in a sustainable location, offering good accessibility to local services and facilities, subject to provision of a new road access. For the above reasons and the factors summarised in

paragraph 38 above, there are exceptional circumstances that justify the release of this site from the Green Belt.

155. The policy states that vehicular access is to be taken from the Kingsway adjacent to the allotments. This would entail construction of a road on Green Belt land outside the site boundary. It is not included in the set of proposed alterations to the Policies Map that accompanied the submitted Plan, but this will be rectified by the map alteration shown in ED59.
156. Modifications to the policy criteria are necessary for clarity and effectiveness. These include a requirement that opportunities for pedestrian links from the site to existing residential developments should be explored to aid permeability and that they should be incorporated in the development, where feasible. Also, substantial landscaping will be required to limit the visual impact on the Green Belt to the north. The modifications are set out in **MM33.7** and are necessary for a sound Plan.

Former school site, Coniston Crescent

157. The former school site at Coniston Crescent that is surplus to educational requirements is allocated for residential development of 115 dwellings in accordance with Policy 33.16. It adjoins the site that is allocated by Policy 33.8 and is also in the Green Belt.
158. The proposed development entails the loss of a disused playing field at Stourport High School. However, in accordance with the agreement between the Severn Academy Education Trust and the Secretary of State, the proceeds from the sale of the land for development will fund the construction of an all-weather playing pitch, in addition to enabling urgent, essential repairs to the school buildings. The evidence makes clear that there are no alternative ways of funding the necessary repairs.
159. The school currently has access to extensive sports facilities at the adjacent Stourport Sports Club, as well as other sports and recreational facilities within the school complex. Bearing in mind all the evidence, including the on-going joint working to implement the Council's playing pitch strategy, I am satisfied that the allocation is unlikely to conflict with the objectives of national planning policy to secure access to high quality sports and recreation facilities.
160. Given the considerations above, the factors summarised in paragraph 38 of this report, and for the same reasons that apply to the Policy 33.8 site, there are exceptional circumstances that justify the release of this site from the Green Belt.
161. Policy 33.16 in the submitted Plan states that vehicular access is to be taken from the Kingsway adjacent to the allotments. But robust evidence which informed the planning application (ref:21/0030/FUL) for development of the site has been provided as part of the consultation on the main modifications. This makes clear that an access from Coniston Crescent is wholly acceptable on highway grounds, based on transport assessments by the applicant, the Highway Authority and an independent assessment on behalf of the Council. However, planning permission was refused by the Council in November 2021 on highway grounds, contrary to the officer's recommendation.

162. I have taken full account of objections from local residents and others to highway access from Coniston Crescent as set out in the report on the planning application and also made during the Plan's preparation, but they do not justify precluding such access. Furthermore, access from Coniston Crescent would avoid any unnecessary loss of Green Belt land to gain access from the Kingsway, and it would improve the viability of the development to contribute to planning obligations, including the provision of much-needed affordable housing. Accordingly, for soundness, I have amended MM33.12 as published for consultation to allow vehicular access to be taken from the Kingsway or Coniston Crescent.

163. In addition, other elements of the policy and reasoned justification should be modified for clarity and effectiveness, including that the development should incorporate measures for protection and enhancement of ecological interests and that it should be designed in conjunction with the Policy 33.8 site. The site size and indicative number of dwellings also require correction. **MM33.12** makes these amendments for a sound Plan.

County Buildings

164. The submitted Plan allocates County Buildings for development of 40 dwellings with the potential for community uses to remain on the site. However, there is no longer a need to provide for community uses, and therefore Policy 33.9 should be updated in accordance with **MM33.8** for soundness.

Baldwin Road

165. Policy 33.10 allocates a site on Baldwin Road for residential development. It comprises several land parcels, some of which already have planning permission. There is a need to clarify the planning requirements for the overall site to achieve comprehensive, sustainable development, including that the Plan's requirements for affordable housing will be applied pro-rata to the entire site. The indicative capacity of the site is confirmed as 87-92 dwellings. **MM33.9** makes these changes to the policy and reasoned justification for a sound Plan.

Steatite Way

166. Policy 33.11 allocates land at Steatite Way for residential development. However, the site has now been developed and the policy is no longer required. **MM33.10** deletes the policy.

Land adjacent to Rock Tavern, Wilden Lane

167. Land adjacent to Rock Tavern, Wilden Lane is allocated for a small infill development of 2 dwellings, but the development could come forward in accordance with Policy 25, as modified for consistency with national planning policy on infill development in Green Belt villages. Accordingly, the allocation is not required and **MM33.11** deletes the policy.

Firs View Yard, Wilden Lane

168. Policy 33.17 allocates an existing, private site at Firs View Yard, Wilden Lane for 4 pitches for Gypsies and Travellers. Part of the site lies within the Wilden

Marsh and Meadows Site of Special Scientific Interest, and it is within the Green Belt. A carefully controlled change of use as sought by the policy will deliver significant improvements on the site, and it will protect and enhance the special scientific interests of the wider area while meeting the accommodation needs of the Gypsy and Traveller families. For these reasons and the factors summarised in paragraph 38 above, there are exceptional circumstances that justify the release of this site from the Green Belt.

169. However, modifications are necessary to ensure that the number of pitches and their position on the part of the site that lies outside the floodplain is strictly controlled, in the interests of public safety. **MM33.13** makes the necessary modifications to the policy and reasoned justification for soundness.

Parsons Chain

170. As submitted, Policy 33.18 allocates Parsons Chain for mixed use development and requires that land be safeguarded for a new road link from Hartlebury Road to Worcester Road. However, this link is no longer required. Also, up-to-date evidence in the examination indicates that an element of employment land on the site is not deliverable for viability reasons. **MM33.14** makes the necessary modifications to the policy and supporting text for justification and effectiveness, including that the layout of the development should take account of the adjacent employment uses to ensure that any development does not prejudice their viability.

Bewdley

Bewdley Fire Station

171. Policy 34.1 in the submitted Plan seeks to guide redevelopment of the former fire station site in the centre of Bewdley for residential apartments. Taking account of the subsequent grant of full planning permission, modifications are necessary to include a food store on the ground floor with residential accommodation (6 apartments) above. Also, the policy should confirm that betterment to flood risk will be required, and it should set out more detail on flood defence measures that may be necessary. **MM34.2** addresses these points, as well as re-wording for consistency with NPPF, for a sound Plan.

Stourport Road Triangle

172. Policy 34.2 allocates land at Stourport Road Triangle for 100 dwellings. The site is within an area of the Green Belt that lies between Bewdley, Stourport-on-Severn and Kidderminster. However, given the site's position and strong boundaries, the contributions that it makes to openness and to protection of the countryside from urban sprawl or encroachment are limited. The location of the site enables sustainable access to the town centre, schools, and other facilities. For these reasons and the factors summarised in paragraph 38 above, there are exceptional circumstances that justify the release of this site from the Green Belt.

173. Modification of the policy and the reasoned justification is necessary to clarify and strengthen the requirements in relation to vehicular access, protection and enhancement of heritage assets and green infrastructure, design, and protection from noise. Also, criteria that duplicate other policies in the Plan

should be removed. Subject to **MM34.3** which addresses these points, the policy is sound.

Catchem's End

174. Two parcels of land at Catchem's End are allocated by Policy 34.3 of the Plan, as submitted; the eastern parcel is proposed for 75 dwellings, while the western one is to be provided as open space. They lie within an area of the Green Belt that helps to maintain the separation between Bewdley and Kidderminster.
175. Built development of the eastern parcel will limit openness at this edge of the town, but the surrounding road network, trees and hedgerows strongly bound the site and will contain urban sprawl or encroachment into the countryside. Sensitive layout and design of the development will mitigate the visual impact. Also, the site is in a sustainable location with reasonable access to services and facilities. For these reasons and the factors summarised in paragraph 38 above, there are exceptional circumstances that justify release of the eastern parcel from the Green Belt.
176. Bearing in mind that the western parcel will not be developed, there is no need to include it in the policy, and other modifications are necessary for justification and effectiveness, including the requirement for a noise survey, control of building heights, vehicular access arrangements and blue and green infrastructure. Also, based on up-to-date evidence, the indicative capacity of the site should be increased to 80 dwellings. **MM34.4** sets out these modifications for a sound policy.

Land south of Habberley Road

177. As submitted, the Plan allocates land south of Habberley Road within the Green Belt for 35 dwellings. This entails an eastward extension of the urban area into the countryside gap between Bewdley and Kidderminster, but the reduction in openness will be limited. Also, an hotel in extensive grounds immediately to the east of the site, together with the relatively enclosed nature of the site, will help to reduce the visual impact of the new urban edge. Future residents will have reasonable access to local and town centre facilities and services by sustainable means. For these reasons and the factors summarised in paragraph 38 above, there are exceptional circumstances that justify the release of the site from the Green Belt.
178. However, modifications of Policy 34.4 are necessary to clarify and strengthen the requirements for landscaping along the site's boundaries, for effectiveness. Also, a pedestrian connection to Kidderminster Road should be provided if feasible, to improve the site's accessibility, and a small increase in the number of dwellings is justified by more up-to-date evidence. Subject to **MM34.5** which includes these modifications, the policy is sound.

Rural Wyre Forest

Far Forest

179. In accordance with the submitted Plan, 1ha of land at Lem Hill nurseries (re-named as Bill White nurseries) is allocated for 20 dwellings in Far Forest to

meet local needs. The site lies outside the settlement boundary, but it does not extend beyond the frontage development on the opposite side of the road and it is within walking distance of village services, using the existing footway. Unlike other potential sites that were considered for allocation by the Council, it is not affected by biodiversity constraints.

180. The site can be developed to a high standard in accordance with the Plan's policies and it is justified to help meet local housing needs and support the maintenance and enhancement of services in the village over the Plan period. However, modification of Policy 36.1 is necessary for consistent reference to local needs throughout the Plan, for clarity and effectiveness. Also, the Council has confirmed that the site does not meet the definition of previously developed land; I have therefore amended the main modification as published for consultation. **MM36.2** addresses these matters for a sound Plan.

Bellman's Cross, Shatterford

181. The Plan allocates land for 16 dwellings at Bellman's Cross, Shatterford. Policy 36.6 is sound, provided it is modified for clarity about local needs and other requirements of the policy (**MM36.3**).

Upper Arley

182. Policy 36.4 for residential development on disused allotments in Upper Arley should also be modified for clarity about local needs, and to reduce the indicative capacity of the site from 10 to 5 dwellings, having regard to ecological constraints affecting the site. Subject to **MM36.4** and confirmation in the policy heading that the indicative capacity is 5 dwellings, the policy is sound.

Blakedown

183. The Plan includes two allocations in Blakedown. Land at Station Yard is allocated for station car parking, to address the current shortfall at the rail station and provide capacity for future growth. Updated evidence submitted during the examination substantiates the need for additional car parking at the station (see Issue 10). The evidence also indicates that provision of 80-120 spaces is feasible on the site.

184. Given that access to the car park is proposed from the residential area along Lynwood Drive, the potential for adverse impacts on the amenities of nearby residents is a material consideration. However, provision of a car park is likely to reduce the problems caused by existing patterns of commuter parking on-street in the area. Also, bearing in mind ambient noise levels adjacent to the rail station, measures can be taken to avoid an unacceptable increase in disturbance to residents in the area.

185. As referred to in Issue 10, a detailed scheme for development of the allocation will need to be informed by assessments of potential impacts on residential amenities, highway users' safety and other matters. But for the purposes of plan making, the evidence before me is proportionate and robust and justifies the allocation of the site.

186. However, modifications should be made to Policy 36.6 to clarify that up to 120 car parking spaces are proposed, and to re-word criteria 1 and 3 of the policy for effectiveness and clarity. I have also amended the modification as published for consultation to clarify that the site has a frontage to Lynwood Drive. Subject to **MM36.5**, as amended, the allocation is sound.
187. The submitted Plan also allocates land off Station Drive, Blakedown for 50 dwellings and station car parking. The site forms part of a wide swathe of Green Belt that protects against coalescence of settlements in the eastern part of the district and surrounding areas, and it helps to contain expansion of Blakedown, particularly along the A456 between Kidderminster and Hagley.
188. The allocated site (Policy 36.6A) is on the north-eastern edge of the village with a frontage on the A456, but it has strong, well-defined boundaries on 3 sides, a Local Wildlife Site to the north and a high degree of visual containment. The proposed development will have limited impacts in terms of loss of openness, urban sprawl, or encroachment on the countryside.
189. The allocation of 50 dwellings in the village is justified, given the overall level of housing need in the district and the sustainability of Blakedown as a settlement with a rail station, primary school, shop and other services and facilities within walking or cycling distance. Also, there is no evidence of significant environmental constraints that would outweigh the benefits of the proposed new homes on the site.
190. While the Parish Council and others dispute the scale and nature of local housing needs, the housing register indicates that 70 households in the parish need affordable housing. On the balance of all the evidence, it is reasonable to expect that development of the allocation will help to meet a range of local and district-wide housing needs over the Plan period.
191. As referred to in Issue 10 below, updated evidence on the need for station car parking in the district, including at Blakedown, was submitted during the examination. While it substantiates the need for the proposed car park at Station Yard, it indicates that Policy 36.6A should be modified by safeguarding part of the allocated land for car parking, so that it would be developed, if necessary, to meet future demand after the Station Yard car park has been provided.
192. This is a justified, effective approach that reflects the best available evidence and is consistent with Worcestershire County Council's Local Transport Plan 4. It plans positively for station parking infrastructure that may need to be brought forward during the Plan period, and its selection has been informed by adequate consideration of reasonable alternatives.
193. Taken together with the proposed development of Station Yard, there are a range of matters including traffic generation and highway users' safety that will need to be explored in more detail in due course, but the evidence before me is sufficient to conclude that the allocation is sound, subject to certain modifications. For these reasons and the factors summarised in paragraph 38 above, there are exceptional circumstances that justify release of the site from the Green Belt.

194. In addition to the modification required above, the policy and reasoned justification should also be amended to provide clear, effective guidance for high quality development of the site. And for effectiveness, I have amended the wording of the policy, as published for consultation, to clarify how the safeguarding of the land for potential car parking need will be managed. Subject to **MM36.6** which makes these changes, this part of the Plan is sound.

Chaddesley Corbett

195. The Plan allocates a small site at Fold Farm, Chaddesley Corbett for 6 dwellings to meet local needs. During the examination a planning application for 4 dwellings on the site was withdrawn. The Highway Authority opposed the application for reasons concerning the safety of highway users, including the intensification of use of a substandard access onto the main road.

196. Based on this latest evidence, the allocation is not developable and is unsound. Taking account of the responses of the Council and the landowner's agent to my notes [ED61 and ED61B], it is justified and fair to delete the allocation set out in Policy 36.7. This will be achieved by **MM36.7**, as amended. The emerging review of the neighbourhood plan includes proposals for designation of the Fold Farm site as an Important Green Space and for an alternative site that has potential to meet affordable housing need.

Lowe Lane, Fairfield

197. The northern part of the land at Lowe Lane, Fairfield (Policy 36.8) is also designated as a reserved housing site in Policy 7B. Reference to it in Policy 36.8 should be deleted to remove this duplication. **MM36.8** addresses this for clarity and effectiveness.

Caunsall

198. The Plan makes 2 allocations in Caunsall village which is washed over by the Green Belt. The former car park of the Rock Tavern is allocated by Policy 36.9 for 3 dwellings. Subject to **MM36.9** which modifies the wording on local needs for clarity and effectiveness, the policy is consistent with NPPF paragraph 149 and is sound. For the same reason, modifications are necessary to Policy 36.10 for 4 dwellings on land at Caunsall Road, and to clarify other parts of the policy for effectiveness (**MM36.10**).

Reserved housing sites

199. Land at Lawnswood, Cookley is designated as a reserved housing site (safeguarded land) in accordance with Policy 7B. This is in addition to the 4 reserved housing sites that are carried forward by the policy from the extant development plan (see Issue 2). Development of this small site (about 0.3ha) would not give rise to urban sprawl or any significant encroachment on the countryside, and the loss of openness would be limited by the enclosed character of the site. For these reasons and the factors summarised in paragraph 38 above, there are exceptional circumstances to remove the site from the Green Belt, subject to the provisions of Policy 7B which are sound.

Conclusion

200. In conclusion on this issue, provided that the recommended MMs above are made to the Plan, the other allocations for housing and mixed uses and the addition to the list of reserved housing sites in Policy 7B are sound.

Issue 6 – Does the Plan make provision for an adequate supply of developable and deliverable sites to meet the housing requirement? Are there reasonable prospects that a rolling 5-year supply of deliverable sites will be maintained?

201. As concluded in Issue 2 above, the housing requirement for the Plan period is 5,520 Class C3 dwellings. During the examination, the Council has published updated information about the housing land supply, with a base date of 1 April 2021. This indicates that the supply is 6,734 dwellings. Adjusting this figure by applying a 4% lapse rate for commitments that have not been started, it provides 'headroom' of more than 20% above the housing requirement.

202. The Council has submitted comprehensive evidence on the components of the housing land supply which has been tested through the examination. Dwelling-capacity, lead-in times and build-out rates of allocations and other commitments have been thoroughly assessed and are reasonable. The Council's close working with agents and developers to monitor and update the supply position is reflected in annual statements of engagement, and it supports confidence in the Plan's provisions for a continuous supply of housing land.

203. The 4% lapse rate is founded on analysis of the data since 2002 that distinguishes between small and large sites. It shows there is a minimal level of planning approvals that are not implemented in the district, and the lapse rate is justified.

204. Analysis of small site windfall completions since 2011, and the evidence of the contributions from prior approvals since 2014/2015, justify the allowance for 72 dwellings per year from small windfall sources (from year 4 onwards, following the adoption of the Plan). A marked increase in the conversion of offices to residential apartments is taking place in the town centres, especially Kidderminster. Also, the Plan's policies will enable small windfall sites to come forward throughout the district. In summary, there is compelling evidence for expecting that a substantial supply of housing will continue to be delivered from these sources during the Plan period.

205. Overall, based on the sites allocated in the Plan or identified in the brownfield register, more than 10% of the housing requirement is likely to be delivered on sites that are no larger than 1ha. This accords with national planning policy.

206. It would be reasonable in principle and consistent with national planning policy guidance to factor in the contribution that is likely to be made to the stock of Class C3 dwellings by new Class C2 accommodation for older people. While the Plan does not factor in a contribution, the relatively low number of new Class C2 units that are expected to be provided during the Plan period will not significantly affect the magnitude of the land supply 'headroom' for Class C3 dwellings.

207. There is no substantive evidence that would justify a reduction in the housing land supply, even though it includes land that is being removed from the Green Belt as part of the Plan. In accordance with national planning policy, the supply provides reasonable flexibility to allow for sites that may not come forward as expected, and it improves the prospect of achieving the required number of new homes to meet the identified need for the Plan period. Also, the housing requirement is a minimum figure, and there is no substantive evidence that growth above this level would be likely to conflict with the overall spatial strategy and the objectives of sustainable development.
208. Taking the above into account, together with my conclusions on the site allocations and other policies for housing, I consider that the overall supply of land for the Plan period is justified, developable and deliverable, and likely to meet the identified need for new homes. However, for clarity and effectiveness, **MM6.4** and **MM6.10** are necessary to confirm that there is headroom in the land supply to allow for sites that may not come forward for development; for consistency with the data and for clarity, I have amended the precise wording to refer to headroom of more than 20%.
209. Also, **MM6.5** is necessary to provide updated figures for the sources of supply on 1 April 2021, for justification. For the same reason, footnote 8 should be amended to clarify that the commitments figure in Table 6.0.3 does not include lapse rates, and to set out the net figure, including the lapse rate (**MM6.6**).

The 5-year supply and the overall trajectory

210. Based on the updated supply position (April 2021), the 5-year housing land requirement for the period 2021-2026 is 1,656 dwellings. This includes a 20% buffer in the supply, in compliance with the Government's housing delivery test rule for local planning authorities, including Wyre Forest, that achieved less than 85% of their housing requirement during the 3-year period 2017-2020. The land supply requirement also includes the shortfall in house completions in the district, compared with the housing requirement, since the commencement of the Plan period.
211. The Council has put forward a range of scenarios to consider the potential 5-year supply using different parameters and based on the site-specific trajectory for annual delivery that was tested during the examination. On the balance of the evidence, the trajectory is realistic and achievable. All the scenarios indicate that there is a reasonable prospect that at least a 7-year supply will be maintained from the adoption of the Plan.
212. Based on the Government's housing delivery measurement for 2021, published in January 2022, the required buffer in the housing land supply is reduced to 5%. Nonetheless, it would not be justified or in the interests of positive planning to re-consider the spatial strategy and site allocations for that reason. Uncertainties remain about effects related to the Covid-19 pandemic, supply chain difficulties, economic and other factors that may diminish the rate of housing delivery over the 5-year period. The Plan's provision for housing land supply is sound in principle and it allows reasonable flexibility to respond to changes in circumstances. There is insufficient evidence to justify an alternative strategy.

213. It is necessary, however, to add a consequential modification to include the updated housing trajectory dated 1 April 2021, as published in ED48, in place of the out-of-date trajectory in the submission Plan (**MM37.2**).

Conclusion

214. Subject to the MMs recommended above, the Plan makes provision for an adequate supply of developable and deliverable sites to meet the housing requirement for the Plan period. Also, there is a reasonable prospect that a rolling 5-year supply of housing land will be maintained.

Issue 7 – Are the Plan's policies for specific elements of new housing provision sound?

Housing mix and density

215. Policy 8A, which sets out the mix of dwellings that is likely to be required during the Plan period, is justified by the evidence in the housing needs assessment. However, for clarity and effectiveness, the policy and the reasoned justification should be amended to explain that the actual mix will be influenced by the site's context, market needs and most up-to-date housing needs that are specific to the location. Also, amendments to confirm that the minimum density is expected to be 35dph unless robustly justified by relevant evidence, and to set out the indicative densities expected in different parts of the district, are necessary for a clear, effective, evidence-based policy and consistency with NPPF paragraph 125 (**MM8.1**).

Affordable housing

216. The housing needs study (2018) concluded that there will be an annual need for 158 affordable dwellings over the Plan period. While the level of need in the district remains high, the Council's updated evidence during the examination indicates factors that may have reduced the level of need, compared with the 2018 figure. Also, the number of 100% affordable housing schemes completed since 2018 has helped to re-house those in greatest need. It remains unrealistic, however, to expect the full need for affordable housing to be met through the Plan, given the extent of reliance on market-led schemes to deliver affordable housing, subject to viability.

217. Policy 8B sets a minimum annual average target of 90 affordable dwellings. This remains reasonable and achievable, based on all the evidence before me. While it may mean that greater reliance will be placed on the private rented sector to meet affordable needs, this does not make the Plan unsound. The overall strategy seeks to maximise the opportunities in sustainable locations to provide new housing, including affordable dwellings, and changes in affordability will be monitored and the implications for the Plan's policies will be kept under review.

218. The policy requires at least 25% of the total number of dwellings on qualifying sites to be provided as affordable housing. This is based on the whole Plan viability assessment and is a justified figure. However, some amendments are necessary for consistency with revised NPPF and PPG and to clarify that site-specific prioritisation of infrastructure requirements will be considered in accordance with the Council's Section 106 Planning Viability Priorities [ED13].

219. Also, for a clear, effective policy, clarifications are necessary about the indicative tenure split that will be sought, the way in which Vacant Building Credit will be applied, and how affordable housing-led schemes, build to rent schemes and entry-level exceptions schemes will be considered. **MM8.2** makes these changes for soundness.

220. I have considered whether an early update of the Plan may be necessary to take account of the new national policy on First Homes. On balance, this matter is best left to the Council to decide in due course, having regard to the specific circumstances in the district.

Rural housing

221. Policy 8C of the Plan addresses rural housing needs, including provisions for rural exception sites and replacement dwellings in the open countryside. For clarity and effectiveness in applying the Plan as a whole, the policy and reasoned justification should include references to designated rural settlements, community-led housing schemes, and the expectation that rural exception sites will deliver 100% affordable housing to meet local housing needs. **MM8.4** modifies these elements accordingly.

222. As set out in Policy 28A, the re-use and adaptation of existing rural buildings for residential purposes requires specific justification, but it should also control future extension of the building to protect the character and appearance of the countryside. **MM28.1-MM28.2** modify the policy and reasoned justification for effectiveness and consistency with NPPF.

Self-build and custom housing

223. As submitted, Policy 8D requires that developers of sites of 0.5ha or more, or for 10 or more dwellings, will be required to show how the needs of self-builders have been taken into consideration, and that sites of more than 50 dwellings will be considered as most suitable for delivering self-build dwellings. However, there is insufficient evidence to indicate that the policy is justified and likely to be effective in the district. A more flexible policy for sites for 50 or more units, and which clarifies the way in which the criteria will be applied, including marketing of the plots, is justified for soundness. This will be achieved by **MM8.5** which modifies the policy and the reasoned justification accordingly.

Housing for older people and others with special requirements

224. Policy 8E concerns provision of a range of types of housing for older people and others with special requirements, and it specifies the level of need for Class C3 dwellings for older people and for Class C2 accommodation over the Plan period. However, a more flexible approach is necessary to respond to the variety of needs at all ages and to take account of new and emerging models for their provision. Also, while the policy is evidence-based, updating and clarification is required about the way in which the Building Regulations (2010) for adaptable and accessible dwellings will be applied, taking account of the financial viability testing. Subject to **MM8.6** which modifies the Plan accordingly, it is sound in this respect.

Provision for the needs of Gypsies, Travellers and Travelling Showpeople

225. Policy 8F sets out provisions for the accommodation needs of Gypsies and Travellers. However, the submitted Plan was not based on up-to-date evidence of needs. In the light of a robust, updated assessment that was carried out in 2020, amendments to the policy and reasoned justification are necessary. Re-allocation of the site to the rear of Zortech Avenue, Kidderminster (Policy 30.22) will accommodate the outstanding need for 16 pitches for Gypsy and Traveller families that fall within the planning definition set out in the Government's Planning Policy for Traveller Sites.
226. For consistency with national planning policy, the Plan should also explain how planning applications for unallocated sites will be considered. And having regard to the Public Sector Equality Duty, the housing needs of families that do not meet the planning definition but have a cultural need for pitches should be addressed.
227. The updated evidence identifies a need for 4 transit pitches in the district. I agree that temporary stop over orders and/or negotiated stop over rights are an acceptable way of meeting this need, based on the evidence and the Council's experience in managing this relatively low level of need by using several of the Council's car parks. This should be clarified in the Plan.
228. The updated evidence of needs for the Plan period shows that one plot is required for a family of Travelling Showpeople. This will be met by allocation of land at the former Burlish golf course (Policy 30.29). The evidence also identifies the wider cultural need for 22 pitches for Gypsy and Traveller families who do not meet the definition in Planning Policy for Traveller Sites; modifications to Policy 18D (see below) seek to address this need.
229. Subject to **MM8.7-MM8.8** which update and modify Policies 8F and 8G and the reasoned justification accordingly, this part of the Plan is sound.

Viability, infill development, residential caravans, mobile homes, and houseboats

230. Policy 18A sets out how the financial viability of development proposals will be considered by the Council. For consistency with the updated Planning Practice Guidance and for an effective Plan, the policy should be modified as set out in **MM18.1**; this clarifies the circumstances in which site-specific viability assessments may be justified, reasonable costs incurred by the Council may be recouped, and the way in which transparency will be sought.
231. Proposals for residential infill development within settlements in the district are guided by Policy 18B. This section of the Plan requires amendments for clarity and consistency with Policy 6B that sets out the principles for location of development throughout the district. This is achieved by **MM18.2** which explains the circumstances in which infill development will be permitted in the villages and other rural settlements, and it confirms that inappropriate development in the Green Belt will not be permitted.
232. The use of residential caravans and mobile homes is addressed by Policy 18D. The policy and reasoned justification should be modified to clarify how temporary accommodation for carers will be considered. Also, it should allow

for circumstances in which accommodation is required for Gypsy and Traveller families that do not meet the planning definition.

233. There is currently insufficient evidence about the need for residential houseboat moorings in the district. If further evidence demonstrates that there is such a need, the Council will work with the Canal and River Trust to bring forward suitable policy in the review of the Plan. This is a justified approach, and it will be addressed by a modification to Policy 18D. I have amended MM18.3 as published for consultation to better reflect the role of the Canal and River Trust in this matter and to refer to it in the policy heading. Subject to **MM18.3** the Plan is sound in this respect.

Conclusion

234. Provided that the Plan is amended in accordance with the main modifications identified above, its policies for specific elements of new housing provision are sound.

Issue 8 – Are the Plan's provisions for employment, retail, town centre and leisure development sound?

Employment land

235. Based on evidence in the Employment Land Review (2018), at least 29ha of land should be allocated for employment development during the Plan period. This will be brought forward through Policy 10A and the site allocation policies. Table 10.0.1 of the Plan, as submitted, identifies a total land supply exceeding 35ha. This requires updating to reflect recent development, re-allocation of the Policy 30.22 site to meet the need for Gypsy and Traveller accommodation, and other modifications of the Plan. The revised supply figure is 31.4ha. There is no reason to doubt that this supply will be sufficient to foster continued growth and diversification of the economy over the Plan period, taking account of the location, size and type of the sites and all other evidence.

236. In addition to updating Table 10.0.1, Policy 10A and the reasoned justification should be updated for consistency with the amended Use Classes Order and NPPF, and to set out a more logical structure for the urban and rural policies under this heading and confirm that the employment land supply will be monitored annually. Also, complimentary changes should be made to Chapter 21 of the Plan. Policies 21A and 21C, dealing with employment development on unallocated sites and live work units respectively, should be strengthened regarding potential impacts on surrounding uses, while not restricting live-work units to sites within settlement boundaries. Subject to **MM10.1-MM10.4** and **MM21.1-MM21.5** which make the necessary modifications, these parts of the Plan are justified, effective and sound.

Site allocations and other policies for employment uses

237. Turning to the site allocations for employment uses, the policies should be modified to reflect the amended Use Classes Order, and where necessary to ensure that the policy and/or reasoned justification is clearly expressed and effective. Therefore, the allocation policies for the Kidderminster area should be modified accordingly (**MM30.20-MM30.21** and **MM30.24**). Regarding the South Kidderminster Enterprise Park, the text should be amended to clarify

how the adjacent Wilden Marsh and Meadows Site of Special Scientific Interest and the associated former settling ponds (west of Wilden Lane) will be protected and enhanced (**MM30.27**).

238. Policy 30.26 (Easter Park extension) allocates a site of about 2.5ha for employment purposes, adjoining the existing business park. It lies within the Green Belt, but it makes a very limited contribution to the purposes of this designation, being strongly bounded on all sides and relating much more closely to the urban uses to the north and west than the countryside to the south and east.
239. Development of the site in accordance with the detailed policy requirements will make a valuable contribution to meeting employment needs over the Plan period. For these reasons and taking account of the district-wide factors summarised in paragraph 38 above, I am satisfied that there are exceptional circumstances to release this land from the Green Belt. Subject to **MM30.22** which amends the policy wording for effectiveness and updates it to reflect the amended Use Classes Order, the policy is sound.
240. Policy 30.30 allocates a 1.96ha site off Zortech Avenue, on the southern edge of the South Kidderminster Enterprise Park, for employment use. It lies within part of the Green Belt that forms a relatively narrow gap between Kidderminster and Stourport-on-Severn. But taken together with the adjoining allocations to its west and north-west (Policies 30.29 and 30.22), it will not significantly reduce the gap between the 2 towns; also, Minster Road outdoor sports area, to the south of the site, and the adjoining Burlish Top Nature Reserve, secure openness between the towns and prevent their coalescence.
241. For these reasons and taking account of the district-wide factors referred to in paragraph 38 above, there are exceptional circumstances to release this parcel of land from the Green Belt. Provided that the policy is modified to reflect the changes to the Use Classes Order and for other updating (**MM30.26**), it is justified and sound.
242. The allocation for workshop units at Hoobrook (Policy 30.27) should be deleted because the development has taken place (**MM30.23**).
243. In the Stourport-on-Severn area, Policy 33.19 allocates 0.22ha of land to the north of Wilden Lane industrial estate for employment uses. While the site lies within the Green Belt, it has a certificate of lawfulness for open storage and it is part of the wider industrial area. Its removal from the Green Belt would have a minimal effect on openness and other Green Belt purposes. These factors amount to exceptional circumstances for the removal of the site from the Green Belt. The allocation policy regularises the situation and sets out justified requirements for any future development of the site. Subject to **MM33.15** which modifies the policy to reflect the amended Use Classes Order and clarifies the development criteria for effectiveness, this allocation is sound.
244. Policy 33.20 sets out necessary guidance for further development on Wilden Lane industrial estate. Provided that it is modified in accordance with **MM33.16** to reflect the amended Use Classes Order and for clarity and precision, the policy is justified, effective and sound overall.

Employment and leisure use on previously developed sites in the Green Belt

245. Two large previously developed sites in the Green Belt at Rushock trading estate and Cursley distribution park are used for employment purposes, and a large part of the West Midlands Safari and Leisure Park consists of previously developed land. Proposed development on these sites is guided by Policy 35 of the Plan and it also sets out criteria upon which proposals for other previously developed sites in the Green Belt will be considered.
246. For a clear, justified, up-to-date and effective framework for these matters, Table 35.0.1 should be deleted since it is not necessary, and the content of the chapter should be updated. Also, the employment uses should reflect the amended Use Classes Order, and consistency with NPPF about proposals for limited infilling is necessary. **MM35.1-MM35.7** make the necessary changes to the policy and reasoned justification to address the above matters, subject to which this part of the Plan is sound.

Town centres, other centres, retailing and hot food takeaways

247. The submitted Plan sets out comprehensive policy guidance for the district's town centres, informed by the Retail and Commercial Leisure Needs Study and other evidence, and it seeks to respond to their distinctive character and needs. The Plan's policies are likely to address the limited need for additional convenience and comparison shopping floorspace. However, the drivers of change in town centres and retailing have increased, and the Plan requires updating to take revised national policy, statutory and other changes into account and to help widen the appeal of the district's centres.
248. As a result, **MM10.4-MM10.8** are necessary to provide an updated context for the important regeneration sites in Kidderminster town centre that will benefit from the £20.5M award from the High Streets Fund, and to encourage appropriate alternative uses of vacant retail units in the towns' high streets. And **MM22.1-MM22.4** are required to provide clarity about the role of primary and secondary shopping frontages in maintaining or enhancing the vitality and viability of the town centres, take account of the amended Use Classes Order, and make other amendments for justification and effectiveness. Policy 22B concerning edge-of-centre and out-of-centre development also requires modifications for effectiveness by clarifying how it will be applied (**MM22.5-MM22.6**).
249. As submitted, Policies 22C- 22F guide development proposals in other centres and locations and for food and drink retailing. Taking account of the changes to the Use Classes Order, Policy 22C is no longer required, but modifications to some of the other policies and the reasoned justification should be made to reflect the Use Classes amendments, protect existing retail and commercial units within village or neighbourhood centres, and for consistency with NPPF (**MM22.7-MM22.10**).
250. Policy 22G sets out criteria for development of hot food takeaways, including that outside of designated centres they will not be permitted within 400m of the boundary of a school. The policy is informed by substantive evidence on public health in Worcestershire and the district and the prevalence of obesity in children who are exposed to fast food outlets in proximity to their home and school. The 400m distance is based on a reasonable estimate of walk time that

would discourage children from going to takeaways during lunch breaks or after school.

251. The policy is precautionary, consistent with planning policy guidance and supported by research and guidance from the UK Health Security Agency, proportionate and justified. Subject to modifications for consistency with the amended Use Classes Order, clarification about the measurement of the 400m distance, and to provide more detail on the up-to-date evidence that informs the policy (**MM22.11-MM22.12**), this part of the Plan is sound.

Tourism

252. The Plan lays out a policy framework for sustainable tourism in the district principally in Policies 10C and 23A-C. Amongst other things, Policy 10C seeks sustainable transport links and infrastructure to promote ease of access to various parts of the district. But for a justified and effective policy it should be made clear that these will be sought where it is practical and viable to do so (**MM10.9**). The modifications set out in **MM23.1-MM23.2** update the reasoned justification for consistency with the revised NPPF, and they delete text referring to a masterplan for the West Midlands Safari and Leisure Park that is no longer relevant since the planning approval has lapsed. Subject to these modifications, these parts of the Plan are sound.

Conclusion

253. Provided that the Plan is amended in accordance with main modifications identified above, its provisions for employment, retail, town centre and leisure development are sound.

Issue 9 – Does the Plan promote healthy and safe communities, support the achievement of well-designed spaces, and provide for conservation and enhancement of the natural and historic environments?

254. Overall, the Plan's policies comprehensively and clearly address these matters, with district-wide policies supplemented by site-specific requirements set out in the allocation policies, where necessary. Taken together with other parts of the Plan, many of these policies also help to ensure that development mitigates, and adapts to, climate change impacts. For the most part, the Plan is sound on these matters.
255. However, reflecting the Plan's role in addressing health inequalities in the district, Policy 9 and its reasoned justification needs updating and clarification for a justified, effective Plan. This will be achieved by **MM9.1-MM9.5**.
256. Policies 11A-D, 26 and 27 are generally consistent with NPPF in expecting that all development within the district will exhibit high quality design and that the historic environment, landscape character and biodiversity will be protected and enhanced. Nonetheless, modifications are necessary to clarify that design should be inclusive. Also, the Plan's role in protecting and enhancing the natural and local environments needs to be confirmed, including managing any development that may have direct or indirect impacts on watercourses used by protected species and on canal-side environments.

257. In addition, a more precautionary approach is warranted where development might have a harmful impact on veteran trees. And to ensure that the Plan and the policies map are clear and consistent with one another, 'natural space' should be defined in Table 1 (Important Sites for Biodiversity). Clarification is also necessary that the Council's supplementary planning documents do not have the same status as policy. **MM11.1-MM11.9** and **MM27.1-MM27.11** address these points for a justified and effective Plan and for consistency with national planning policy.

258. Policy 26 sets out how the historic environment of the district will be safeguarded. Provided that the policy and reasoned justification are modified in accordance with **MM26.1-MM26.2**, to avoid any misinterpretation of support for proposals for enabling development, it is justified and sound.

Green infrastructure

259. Policy 14 (Strategic Green Infrastructure) seeks to ensure that a comprehensive network of green spaces and corridors will be provided and protected in the district to promote active lifestyles, support biodiversity, address climate change and safeguard and enhance the area's unique landscape character. It includes safeguarding of areas in the Stour Valley for development as a country park.

260. For justification and effectiveness, it should also acknowledge the associated role of blue infrastructure and clarify the approach to previously developed sites and private gardens. In addition, it should explain how proposals will be considered if they could have a detrimental impact on existing assets, as well as clarifying how different types of green infrastructure will be protected by relevant policies in the Plan. The policy should also give specific protection to the proposed Burlish Country Park which will make a major contribution to the district's green infrastructure. **MM14.1-MM14.2** make the necessary changes to the policy and its reasoned justification for a sound Plan.

Community facilities, open space, and recreation

261. Provision and protection of community facilities is guided by Policy 20A. It requires modification of its structure for clarity about how the policy will be applied, and thus for effectiveness, and to delete paragraph references to the superceded version of NPPF. **MM20.1-MM20.2** address these points. For the same reasons, **MM20.3-MM20.4** are necessary for the soundness of Policy 20B that concerns open space provision, and **MM20.5-MM20.8** are necessary for Policy 20C which sets out provisions for open space, sports pitches and outdoor community uses in housing development. Subject to these modifications, the policies are sound.

262. Policy 33.21 allocates about 77ha of Green Belt land at Minster Road, Stourport-on-Severn for outdoor sports facilities. Modifications of the policy and reasoned justification are necessary for clarity, justification, and effectiveness, recognising the Green Belt, nature conservation and outdoor sports interests affecting the wider area. I have deleted the reference to 3G pitches in paragraph 33.38 of the published MMs schedule and replaced it by artificial grass pitches, for accuracy. **MM33.17** addresses these matters and subject to this, the policy is sound.

Conclusion

263. Provided that the Plan is modified in accordance with my recommendations above, its provisions for promoting healthy and safe communities, supporting the achievement of well-designed spaces, and providing for conservation and enhancement of the natural and historic environments are sound.

Issue 10 – Has the other key infrastructure and resource management that is likely to be required for sustainable development of the district been properly identified, and are the Plan's provisions justified and consistent with national planning policy?

264. The Infrastructure Delivery Plan provides substantive, proportionate and credible evidence about the key infrastructure requirements for implementation of the spatial strategy, including funding sources and timescales for delivery. As a 'living document', the delivery plan will be kept up-to-date. Policy 12 sets the overall context for infrastructure provision. Subject to **MM12.1**, which is necessary to clarify how planning obligations will be used to fund a range of infrastructure requirements, the policy is sound. As referred to earlier in the report, specific requirements for allocated sites are laid down in the relevant policies of the Plan, where necessary.

Transport and accessibility

265. The evidence shows that the Council has worked pro-actively and positively with the Highway Authority and other stakeholders, including through the duty to co-operate, to assess the implications of the Plan's spatial strategy for transport and accessibility. The Plan is soundly guided by national planning policy objectives to promote sustainable transport and actively manage patterns of growth in support of these objectives.

266. Worcestershire County Council has used multi-modal modelling to assess the probable impact of the Plan on the local and wider transport networks and to identify the infrastructure that will be necessary to support the proposed growth. The model has a base year of 2011 and in normal circumstances it would have been re-validated before now, using more recent traffic data. However, this would have little value, given uncertainties about the way in which changes in working patterns and travel behaviour due to the Covid-19 pandemic may continue or evolve.

267. Against this background, additional evidence was provided by the County Council during the examination, using existing national and local data sources to evaluate the changes in travel behaviour between 2011 and 2017 (Jacobs Data Suitability Report Wyre Forest Transport Model). This shows that significant changes in traffic count data have been very limited in this period (only 3% in the AM peak and 12% in the PM peak).

268. On balance, the Plan has been adequately informed by the best available evidence on transport impacts and the need for mitigation, and it is fit for purpose, having regard to the Government's planning practice guidance.

269. The potential traffic impacts of the Plan on Hagley, in Bromsgrove District, as well as other areas within and outside Wyre Forest, are a material consideration for the soundness of the Plan. Hagley is located at the

intersection of the A456 and A491, both of which have been put forward for inclusion in the Government's proposed Major Road Network. The evidence indicates that the A456 is the principal route between the Wyre Forest towns and the M5, and Hagley village experiences significant peak time congestion.

270. However, there is insufficient reason to differ from the County Council's evidence (including the report on Transport Demand in the Hagley Area (January 2020)) that indicates that the travel demand on the A456 arising from the Plan's growth proposals will be limited. Also, the potential impact will be mitigated by the effects of the Plan's integrated policies to reduce the need to travel and encourage modal shift towards sustainable modes of transport.
271. Furthermore, other measures are being brought forward across the sub-region to manage demand on the road network and improve the safety and convenience of non-car users. The County Council is working with Hagley Parish Council and with Midlands Connect to mitigate the traffic impact on the Hagley area and other 'hotspots', and funding for improvement schemes is being sought. Overall, the Plan's implications for safe, sustainable movement on the highways network have been adequately addressed and there are reasonable prospects that the required improvements to the network will be delivered during the Plan period.
272. Turning to rail travel and commuter parking at stations, the evidence indicates that car parking capacity at Kidderminster and Blakedown rail stations is critical for boosting use of public transport as an alternative to the car. Additional capacity is likely to reduce highway use by commuters driving to other stations outside Wyre Forest. The Plan provides for improvements at Kidderminster and Blakedown stations as part of an integrated strategy for meeting transport needs, including the suppressed demand for parking at Kidderminster. This will help to mitigate potential adverse effects on Wyre Forest and neighbouring areas over the Plan period in a sustainable way.
273. Further studies completed during the examination have robustly assessed the potential impacts of the Covid-19 pandemic on rail passenger demand and related issues. Inevitably there are uncertainties that affect projections of growth in rail travel during the Plan period. But even with a worst-case scenario of a 30% drop in rail passenger numbers persisting into the future, there is insufficient reason to doubt the conclusion of the studies that additional parking at Blakedown will be required, with a base case future capacity requirement for 125 spaces.
274. There are technical and other issues, including rail and highway users' safety, highway capacity, residential amenity and other matters that will need to be considered in more detail in due course. Nonetheless, the evidence is sufficient to conclude that the Plan's strategy to address the need for rail station parking at Blakedown, by making provision on 2 sites (Station Yard and land off Station Drive), is sound. I deal with the necessary main modifications to the allocations in Issue 5 above.
275. Modifications to Policy 13 are also necessary for clarity and effectiveness, to identify the connections between the district and the strategic road networks and the roles they serve. Also, for clarity and effectiveness, it should be confirmed that, while the increase in potential trips on the strategic road

network associated with the Plan's growth proposals will be minor, it is likely that improvements at some of the M5 junctions will be required to address cumulative growth impacts in the wider sub-region. And for consistency with NPPF, some modifications to the detailed wording of the policy are necessary. **MM13.1-MM13.8** set out these changes, and subject to their inclusion, this part of the Plan is sound.

Other infrastructure needs, environmental protection, and resource management

276. Water management, including conservation of resources, quality and flood risk are addressed in the Plan and it sets a justified water efficiency standard that is evidence-based. However, Policy 15A requires amendment to make clear that both criterion (i) and (ii) should be met, and the supporting text should be updated about water bodies that are at risk or have been impacted by abstraction.
277. Updating and clarification of Policy 15B and paragraph 15.12 on sewage systems and water quality is also necessary for an effective Plan and consistency with NPPF, including seeking to improve water quality. Similarly, modifications are required to Policy 15C concerning flood risk management, to ensure that the Plan is effective and consistent with NPPF. Subject to **MM15.1-MM15.6** which make the necessary amendments, these elements of the Plan are sound.
278. Amongst other things, Policy 16A deals with development proposals in areas where there are risks from land instability. For an effective policy, it should be clear that it also applies to areas where underground mining took place in the past. **MM16.1-MM16.2** address this and update the reference to NPPF for consistency and soundness.
279. While the Plan should not go beyond its remit in dealing with minerals and waste planning matters, it should set out its implications for the Worcestershire Minerals Local Plan and the Worcestershire Waste Core Strategy. **MM16.3-MM16.6** address these concerns and update references to NPPF for justification, effectiveness, and consistency with national planning policy.
280. Policy 24A lays down requirements for provision of telecommunications and broadband infrastructure in new development. Updating and other modifications of the submitted policy and the supporting text are necessary to reflect technological progress and other changes that have taken place, and for a clear, effective policy. There is insufficient evidence that it would place an unreasonable financial or other burden on developers. Subject to **MM24.1-MM24.3**, this part of the Plan is sound.
281. Policy 24B supports the transition to a low carbon future in a changing climate by setting out requirements for new development and, where possible, redevelopment of existing buildings, and it is broadly consistent with NPPF. However, some amendments are necessary for clarity, justification, and effectiveness. Accordingly, **MM24.4** updates the Plan with reference to the Council's declaration of a climate emergency, and it adds information about the potential impacts of climate change on the district and action that needs to be taken to mitigate it.

282. Also, for a justified, effective policy, it should be clear that all new residential, employment or commercial development should include charging points for electric vehicles, and that new development should be built to the highest standards of energy efficiency, subject to viability and feasibility. For clarification, I have amended MM24.5 as published for consultation to refer to the Government's policy for national technical standards. The circumstances in which decentralised energy and heating networks should be installed requires clarification. Furthermore, the Plan should include an explanation why no areas within the district have been identified as suitable for wind turbines.
283. **MM24.5** addresses the points above, and **MM24.6-MM24.7** amends and updates the reasoned justification, including reference to the proposed introduction of the Future Homes Standard. I have found no compelling evidence that the Plan, if modified accordingly, would render development unviable.

Conclusion

284. Subject to the main modifications recommended above, the other key infrastructure and resource management that is likely to be required for sustainable development of the district has been properly identified, and the Plan's provisions are justified and consistent with national planning policy.

Assessment of Other Aspects of Legal Compliance

285. My examination of the other aspects of the Plan's legal compliance is summarised below. I conclude that the Plan satisfies all the legal requirements.
286. The Plan has been prepared in accordance with the Council's Local Development Scheme (June 2019), notwithstanding that there has been slippage in the timetable for its adoption.
287. Consultation on the Plan and the proposed main modifications was carried out in compliance with the Council's Statement of Community Involvement (February 2013). While distribution of leaflets to households in some areas of the district was unsatisfactory at an early stage of the Plan's preparation, this was resolved in the later stages. Taking account of the Regulation 22 Statement of Consultation, I am satisfied that the Council has exceeded the legal requirements to involve its community in the preparation of the Plan.
288. The Council carried out a sustainability appraisal of the Plan, prepared a report of the findings of the appraisal, and published the report along with the Plan and other submission documents under regulation 19. The appraisal was updated to assess the main modifications. I have found no substantive evidence of any flaw or error in the sustainability appraisal process that materially undermined its purpose of informing the Plan. I am satisfied that the sustainability appraisal process was adequate.
289. The Habitats Regulations Assessment Screening Report (February 2018) has determined that the Plan will not lead to likely significant effects, either alone or in combination, on the qualifying features of 2 European Sites (Lyppard Grange Ponds Special Area of Conservation, and Fens Pool Special Area of

Conservation). They lie about 12.9km and 8.7km respectively from the district's boundary and are unlikely to be influenced by the provisions of the Plan. I have no reason to differ from this conclusion. Therefore, no further appropriate assessment is required.

290. The development plan, taken as a whole, includes policies to address the strategic priorities for the development and use of land in the local planning authority's area.

291. The development plan, taken as a whole, includes policies designed to secure that the development and use of land in Wyre Forest district contribute to the mitigation of, and adaptation to, climate change. These include the overall spatial development strategy and the site allocations that seek to direct new development to the most sustainable locations in the district, policies to avoid and reduce the risk of flooding, to protect and enhance the natural environment, and promote the use of renewable and low-carbon energy.

292. The Plan complies with all other relevant legal requirements, including in the 2004 Act (as amended) and the 2012 Regulations (as amended).

Overall Conclusion and Recommendation

293. The Plan has some deficiencies in respect of soundness for the reasons set out above, which mean that I recommend non-adoption of it as submitted, in accordance with Section 20(7A) of the 2004 Act. These deficiencies have been explained in the main issues set out above.

294. The Council has requested that I recommend main modifications to make the Plan sound and capable of adoption. I conclude that the duty to cooperate has been met and that, with the recommended main modifications set out in the Appendix to this report, the Wyre Forest District Local Plan 2016-2036 satisfies the requirements referred to in Section 20(5)(a) of the 2004 Act and is sound.

Mary Travers

Inspector

This report is accompanied by an Appendix containing the Main Modifications.