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COMMERCIAL PROPERTY ADVICE



## **SUPPORTING PLANNING STATEMENT**

**Town and Country Planning Act 1990**

**Planning and Compulsory Purchase Act 2004**

**Localism Act 2011**

**Full Planning Application for the Development of 331 Dwellings, Public Open Space and Associated Infrastructure**

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**Land to the West of Pearl Lane, Stourport-on-Severn (Ernley Meadows)**

**On Behalf Of:**

Barratt Homes West Midlands

**Prepared By:**

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Job Ref: P1201

Date: 7 January 2020

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**On behalf of Barratt Homes West Midlands**

**Land to the West of Pearl Lane, Stourport-on-Severn (Ernleye Meadows)**

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**Main Contributors**

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**Issued By**

**Signature:**



**Print Name: SIMON HAWLEY**

**Date: 7 JANUARY 2021**

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**Approved By**

**Signature:**



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**Print Name: SEAN ROONEY**

**Date: 7 JANUARY 2021**

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## 1.0 INTRODUCTION

- 1.1 This Supporting Planning Statement ('**SPS**') has been prepared by Harris Lamb Planning Consultancy ('**HLPC**') on behalf of Barratt Homes West Midlands ('**the Applicant**'). It has been prepared in conjunction with a planning application proposing the residential led development of a parcel of land located to the west of Pearl Lane, Stourport-on-Severn ('**the Application Site**'). The planning application has been submitted as a 'Full' application. The description of development as it appears on the application forms is:

***'Full planning application for the development of 331 dwellings, public open space and associated infrastructure' ('the Scheme').***

- 1.2 The Scheme will deliver market and affordable housing in a highly sustainable location on a site identified as a proposed residential allocation in the emerging Wyre Forest District Local Plan. There are a range of significant benefits associated with the development of the Scheme as detailed in the SPS.

- 1.3 Given that the planning application has been submitted as a full application the principal matters for consideration and determination of the application are:

- Whether the principle of development is acceptable, having regard to the requirements of the Development Plan and wider material considerations.
- Whether the Scheme is capable of accommodating the quantum of development proposed from a technical perspective.
- Whether the design, appearance, landscaping, scale and access arrangement of the Scheme are appropriate, drawing upon Policy requirements and the characteristics and environment of the Application Site and its surroundings.

## **The Supporting Planning Statement**

- 1.4 The SPS has been prepared in order to help inform the determination of the application by demonstrating that the proposed development is suitable and sustainable. A comprehensive review of the planning Policy relevant to the determination of the application has been undertaken. It is HLPC's view that the proposed development is in accordance with the up-to-date policies in the emerging Wyre Forest District Local Plan and there are a series of material considerations that support the grant of planning permission.
- 1.5 The SPS should be read alongside the other application documents and does not seek to repeat information that can be found elsewhere in the submission. For example, it does not seek to reiterate the material contained in the Transport Assessment or review the transport related policies. The SPS relies upon the conclusions of the supporting reports.

## **Pre-Application Consultation**

- 1.6 Prior to the submission of the application, pre-application consultation has been undertaken with Officers of the Wyre Forest District Council (WFDC). This has taken the form of written correspondence and a series of pre-application meetings. It is our understanding that Officers are supportive of the principle of a residential led redevelopment of the Site. The application submission has been prepared in order to respond to Officers' comments regarding technical matters and the design and layout of the Scheme.
- 1.7 As part of the pre-application process HLPC have sought to agree with WFDC the various documents that are required to support the proposed development. In accordance with the pre-application advice the planning application submission consists of:
- Site Location Plan
  - Site Ownership Plan
  - Proposed Layout Plan

- House Type Details
- Landscaping Plan
- Draft Heads of Terms (included within this SPS)
- Statement of Community Involvement
- Design & Access Statement
- Flood Risk Assessment
- Service Water Drainage Strategy
- Phase 1 Ground Investigation Study
- Noise Impact Assessment
- Landscape and Visual Impact Assessment
- Heritage Statement
- Air Quality Assessment
- Transport Assessment and Travel Plan
- Tree Report
- Biodiversity Net Gain Report
- Education Report
- Health Impact Assessment
- Energy Statement

1.8 It is trusted that sufficient information has been provided to register and positively determine an application. However, the Applicant and their representatives would welcome the opportunity to engage with Officers and the statutory consultees during the determination period in order to address any issues that may arise.

## **2.0 SITE DESCRIPTION**

- 2.1 The Application Site comprises a broadly rectangular shaped parcel of land. It extends to approximately 15.09 hectares in size. It comprises a relatively featureless agricultural field adjacent to the built-up edge of the settlement of Stourport-on-Severn.
- 2.2 There are few distinguishing features within the Site itself. There are four trees located towards the centre of the Site, three of which follow the line of a former hedgerow. There are strong defensible boundaries on the Site's northern, eastern and southern edge that are well defined. The western edge of the Site is formed in part by a hedgerow, with interspersed trees on its southern edge and by no particular features towards the northern section.
- 2.3 To the immediate north of the Site is the Dunley Road. The land to the north of the Dunley Road is predominantly agricultural in nature with areas of woodland located throughout. The Burnthorne brook is approximately 200 metres from the northern edge of the Site. There are residential properties, small commercial buildings and farm buildings located sporadically through this area.
- 2.4 To the west of the Site are a series of agricultural fields with areas of woodland separating them. Further west is the settlement of Dunley which consists of a series of residential dwellings and a Care Home, a public house (The Dog at Dunley), and a petrol station. There are various agricultural buildings located within this area.
- 2.5 To the immediate south of the Site is a farm complex. Further south is Redhouse Road. Land to the south of Redhouse Road is predominantly agricultural in nature.
- 2.6 To the east of the Site is Pearl Lane (B4194). The land to the east of Pearl Lane is predominantly residential in nature and comprises the settlement of Areley Kings. There are various services and facilities located within this area including public houses, shops and other community facilities.

- 2.7 The Site has good access to a range of services and facilities. These services and facilities include:
- Areley Kings Post Office
  - Areley Kings Pharmacy
  - A local shop (Londis)
  - 2 public houses – The King's Arms and Astley Cross Inn.
  - St. Bartholomew's Church of England Primary School
  - Areley Kings Village Hall
  - Play facilities and playing pitches
- 2.8 The nearest bus stops to the Site are located at Redhouse Road and Abberley Avenue. These bus stops are served by the No. 3, 294 and 296 bus services. These bus stops provide frequent connections to Kidderminster Town Centre, Bewdley and Worcester City.
- 2.9 The Site is in a sustainable location for residential development. This is confirmed by the fact that the Site is identified as a draft allocation in the emerging Wyre Forest District Local Plan.



### 3.0 DESCRIPTION OF DEVELOPMENT

3.1 A detailed description of the proposed development can be found in the accompanying Design and Access Statement. Set out below is a summary of the principal aspects of the development:

- Full planning permission is sought for the development of 331 dwellings. These dwellings will sit on approximately 8.75 hectares of land, equating to 55.7% of the total site area.
- The net density of development is 37.8 DPH.
- 25% affordable housing is provided in accordance with emerging Policy requirements.
- A mix of 1-4 bedroom accommodation will be provided in the form of flats, terrace, detached and semi-detached housing. A schedule of accommodation is set out at Table 1 below.

**Table 1 – Accommodation Schedule**

No. Bedrooms	Amount	Affordable
1 Bed	6	6
2 Bed	102	59
3 Bed	123	14
4 Bed	100	4
<b>Total:</b>	<b>331</b>	<b>83</b>

- 40% Green Infrastructure is provided in accordance with emerging Policy requirements.
- The Green Infrastructure is spread throughout the development. A green corridor is provided around the edge of the Site. The Green Infrastructure splits the residential element of the Scheme into three separate

development cells that are connected by the Scheme's road network, footpath and cycling links.

- The existing trees within the Site will be retained and new tree planting will be implemented across the Scheme within the areas of public open space. A natural play area is also provided within the public open space.
- As part of a drainage strategy and Green Infrastructure network a balancing pond is located in the south-east corner of the Site.
- The dwellings on the western edge of the Site, facing out into the open countryside, have different elevational treatments in order to create visual interest when looking into the Site from the west from public vantage points.
- The existing public footpath that crosses the Site will be retained and enhanced with proper surfacing.
- The northern section of development is pulled back from Dunley Road. The existing vegetation in this location and new tree planting will help create an attractive gateway entrance to this part of the Site.
- There are two points of vehicle access to the Site. The first is located off the Dunley Road on the Site's northern edge. The second point of access is located on Pearl Lane towards the Site's south-eastern corner. These two points of access are connected by the Site's internal road network.
- In order to help create pedestrian connectivity various pedestrian and cycle points of access will be created along the Site's eastern edge on Pearl Lane.
- The majority of the development is 2-storey in height, however 2.5 - 3 storey development is located at key points throughout the site.

- 3.2 The Scheme has been informed by discussions with Council Officers and it is our view that it properly reflects the changes that have been requested through the evolution of the Scheme.

## **4.0 PLANNING POLICY REVIEW**

- 4.1 The starting point for the determination of the Application is the Development Plan, which in this case comprises the Wyre Forest Core Strategy (December 2010) and the Site Allocations and Policies Local Plan (July 2013). The Council have also produced a Kidderminster Central Area Action Plan, which has Development Plan status, however, it is not a relevant consideration in the determination of this Application.
- 4.2 The planning application should be determined in accordance with the Development Plan unless material considerations indicate otherwise. In this case material considerations include national planning policy, the emerging Wyre Forest District Local Plan and local evidence base documents.
- 4.3 Set out below is a summary of the principal planning policies and guidance relevant to the principle of the proposed development. The other supporting reports should be referred to for an analysis of area specific policies, for example, the Design and Access Statement, identifies and reviews the relevant design policies.

### **1. Wyre Forest Core Strategy**

- 4.4 The Wyre Forest Core Strategy was adopted in December 2010. The Core Strategy sets out the amount of development that should be delivered in the District up to 2026 as well as the broad locations for delivering housing employment land, retail and transport infrastructure. It does not deal with site-specific issues. It provides a basis for the preparation of more detailed planning policy documents.
- 4.5 Policy DS01 – Development Locations, advises that the District will accommodate 4,000 net additional dwellings in the period 2006–2026. The Policy’s supporting text advises that the level of development required within the District is based upon the requirements of the former West Midlands Regional Spatial Strategy (RSS).

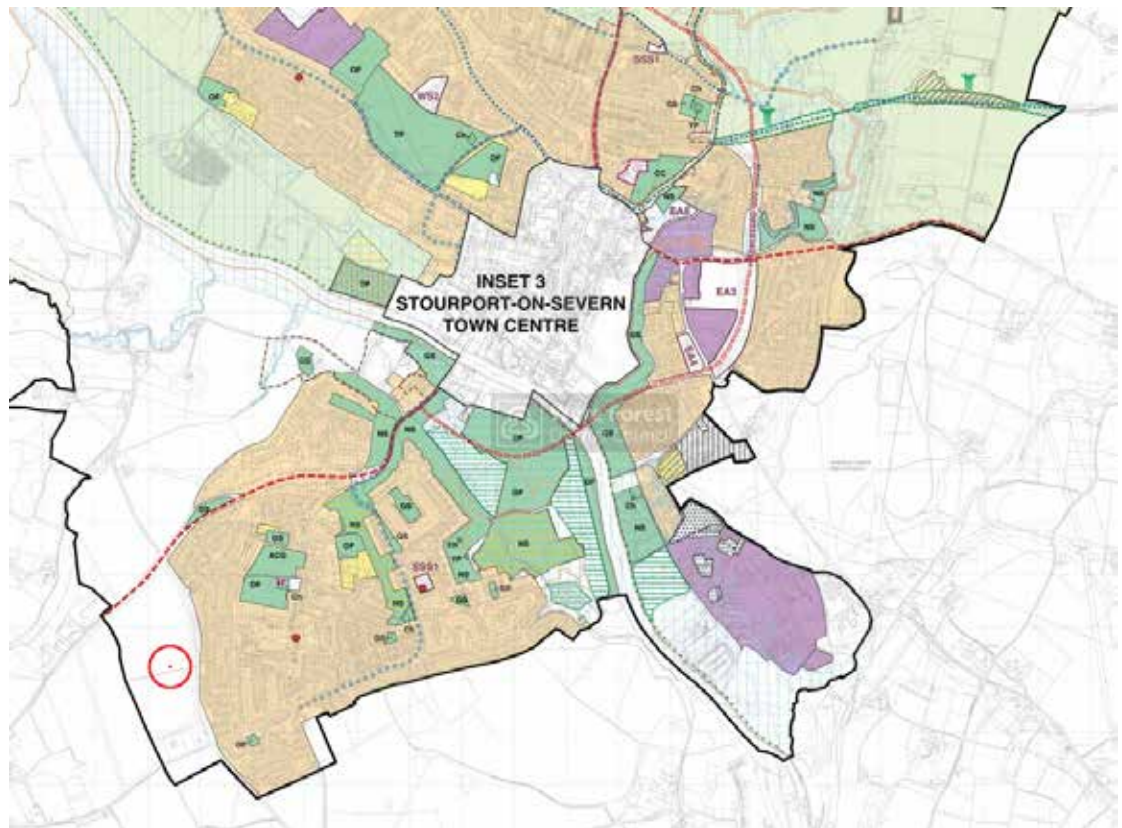
- 4.6 The housing requirement in the Core Strategy dates back to the RSS Phase 2 Review Panel Report of September 2009. The housing requirement and distribution within the Panel Report was designed to restrict the growth in the more rural authorities to assist in the regeneration of the conurbations. That being the case, the housing requirement within the Core Strategy is out-of-date given that it is more than 10 years old and based upon the revoked RSS and its development strategy.
- 4.7 In terms of a location of new development, Policy DS01 – Development Locations, advises that new development will be concentrated on brownfield sites within the urban areas of Kidderminster and Stourport-on-Severn. Development in the open countryside will be 'closely controlled' to safeguard the integrity of the District's Green Belt and landscape character.
- 4.8 The Policy includes a sequential approach to guide the location of development. In summary, it is a brownfield based sequential approach that reflects the settlement hierarchy. The settlement hierarchy included in the Policy is set out below:
- Strategic Centre – Kidderminster
  - Large Market Town – Stourport-on-Severn
  - Market Town – Bewdley
  - Villages – Fairfield, Cookley, Blakedown, Wilden
  - Rural Settlements
- 4.9 Policy DS03 – 'Market Towns', provides guidance on development within the market towns of Stourport on Severn and Bewdley. Due to its role in the settlement hierarchy and mix of employment and service opportunities Stourport on Severn is expected to make an important contribution to meeting the District's requirements for new homes. The 'focus' will be on existing brownfield sites within the town, which will accommodate up to 30 percent of the District's requirement up to 2026. That being the case, whilst development will be 'focussed' on brownfield sites within the town centre, it is not the only location where the policy envisages residential development being acceptable.

- 4.10 Policy DS05 – ‘Phasing and Implementation’, sets out phasing arrangements for the delivery of the Core Strategy housing requirement. In short, the Policy seeks to boost housing delivery towards the beginning of the Plan period with reduced levels between 2021/2022 and 2025/2026. As the Policy is based on Policy DS01, it is an out-of-date Policy.
- 4.11 The Core Strategy Key Diagram identifies the Application Site as falling within the Countryside and subject to the requirements of Policy CP12. The Application Site immediately joins the built-up edge of Stourport. The Key Diagram also identifies the extent of the Green Belt and areas of flood risk. It demonstrates that the Application Site is one of the few non-Green Belt locations for development at Stourport-on-Severn. Kidderminster is surrounded by Green Belt land as is all of the land surrounding Stourport-on-Severn to the north of the River Severn. There are, therefore, limited development opportunities at the two higher order settlements outside of the Green Belt.
- 4.12 Policy CP13 – ‘Providing a Green Infrastructure Network’, advises that all new developments will be expected to provide open space where technically feasible. The Policy does not, however, set standards for Green Infrastructure or open space provision on a quantitative basis.

## **2. Wyre Forest Site Allocations and Policies Local Plan**

- 4.13 The Wyre Forest Site Allocations and Policies Local Plan (**'SAP'**) sets out detailed policies to guide new development across the District. It is based upon the Core Strategy and, amongst other things, makes housing allocations in order to meet the Core Strategy housing requirements in accordance with the settlement strategy. The SAP is accompanied by a Policies Map that identifies the location of the proposed residential allocations and other designations identified by the Plan. An extract from the Policies Map is set out at Figure 1 below.

**Figure 1 – SAP Policies Map Extract**



- 4.14 The Application Site, the broad location of which is identified by the red circle on Figure 1 above, lies adjacent to the 'Area Allocated Primarily for Residential Use by the SAP'.
- 4.15 Policy SAL.DPL1 – 'Sites for Residential Development', advises that in order to meet the housing requirement of Policy DS01 of the Core Strategy, residential development will only be allowed in the following locations:
- Within the sites and areas listed in this section of the SAP and as shown on the Policies Map.
  - On previously developed sites within areas allocated primarily for residential development on the Policies Map.
  - Within areas allocated for mixed use.
  - Within areas allocated for retail use within the Primary Shopping Area.
  - On previously developed sites within areas allocated primarily for community use.

- In Bewdley, on small windfall sites of 5 dwellings or less.

4.16 Residential development outside of the locations identified in the Policy will not be permitted unless in accordance with Policy SAL.DPL2 - Rural Housing, or relevant rural development in Green Belt policies. As the Application Site does not fall within any of the above areas it is subject to the requirements of Policy SAL.DPL2.

4.17 Policy SAL.DPL2 – ‘Rural Housing’, advises that within the rural areas of the District, proposals for residential development will not be permitted unless one of the following exceptional circumstances applies:

- The site is identified by the relevant Town/Parish Council as an exception site to meet the locally identified need.
- The site is required to meet an established existing functional need for a rural worker's dwelling.
- It is for the replacement of a permanent existing dwelling.
- The site is subject to a community Right to Build order.

4.18 The proposed development does not fall within any of the above categories.

4.19 Policy SAL.UB4 – ‘Open Space and Play Provision’, advises on schemes of 200 or more child bed spaces. A Neighbourhood Equipped Area for Play should be provided.

### ***3. Emerging Wyre Forest District Local Plan***

4.20 Wyre Forest District Council is currently in the process of preparing a replacement Local Plan. The Plan is at an advanced and has been submitted to the Secretary of State for examination. An Inspector has been appointed and Hearings are expected to commence January 2021.

4.21 Policy 5A – ‘Sustainable Development’, of the consultation document has been prepared to reflect the guidance on the delivery of sustainable



development set-out in paragraph 11d of the Framework. It is advised that when considering development proposals the Council will take a positive approach which reflects the presumption in favour of sustainable development included within the Framework. Planning applications that accord with policies in the Development Plan will be approved, unless material considerations indicate otherwise. Where there are no policies relevant to an application, or relevant policies are out-of-date at the time of making a decision, the Council will grant permission, unless material considerations indicate otherwise, taking into account whether: -

- i. the application of policies in the Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed; or
- ii. any adverse impacts of doing so would significantly and demonstrably outweigh the benefits when assessed against the policies in the Framework taken as a whole.

4.22 Policy 6A – ‘Development Needs 2016-2036’, of the consultation draft plan advises a minimum of 5,520 (net) will be provided during the course of the plan period 2016-2036 (276 dpa). This is slightly above the Standard Method housing requirement for Wyre Forest of 248 dpa. This is because the Council wishes to be ambitious with its housing requirement figure in order to support economic growth and affordable housing delivery.

4.23 It is acknowledged that flexibility is required in order to achieve the 5,520 dwelling requirement. The emerging Plan therefore includes an over allocation of 15%, to allow for sites not coming forward and to assist in being able to maintain a five-year housing land supply. Provision is made for the development of 6,365 dwellings during the course of the Plan period on this basis.

4.24 Policy 6B – ‘Locating New Development’, advises the development strategy and the site allocations in the plan (as identified by policies 6C-6F) are based on development principles designed to direct development to the most appropriate locations. Stourport-on-Severn is identified as a 'large market town' and the second most sustainable town within the district after

Kidderminster. It should play a supporting role in the provision of largescale housing.

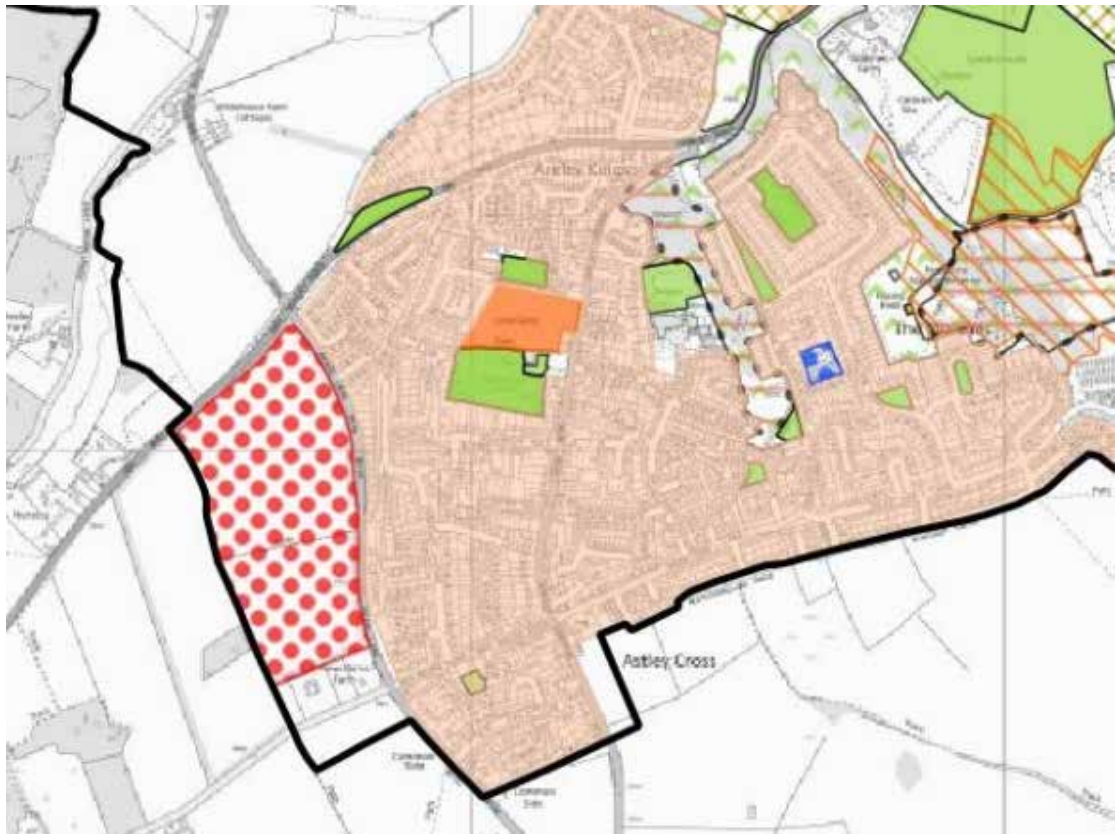
- 4.25 Policy 6E – ‘Role of Stourport-on-Severn and Bewdley as Market Towns’, states that Stourport-on-Severn is expected to make an important contribution to meeting the district's requirement for new homes. The focus will be on existing brownfield sites within the town centre, supplemented by some greenfield release, with specific reference made to the Application Site (Pearl Lane AKR/14) being a suitable greenfield site.
- 4.26 Policy 8A – ‘Housing Density and Mix’, requires greenfield development to come forward at an average of 35 dpa. An indicative mix of affordable housing is provided.
- 4.27 Policy 8B – ‘Affordable Housing Provision’, requires a minimum of 25% affordable housing provision on sites of 10-dwellings or more.
- 4.28 Policy 14 – ‘Strategic Green Infrastructure’, requires greenfield sites of one hectare or more to provide 40% Green Infrastructure provision.
- 4.29 Policy 20C – ‘Provision of Open Space, Sports Pitches and Outdoor Community Uses and Housing Development’, requires the provision of children's play space on new residential developments. The Policy provides requirements for the provision LAPs, LEAPs and NEAPs. The Applicant has, however, through the pre-application process been advised that in this case provision of a 'natural play area' is preferred.
- 4.30 Revised Policy AM33 – ‘Stourport-on-Severn Site Allocations’, identifies various allocations at Stourport in order to meet the emerging Plan's housing requirement. The Application Site is identified as allocation AKR/14 – Pearl Lane, Areley Kings. It is suggested the Site has the capacity to deliver 250 dwellings., however, this can be increased in accordance with the provisions of Policy 33.5.

4.31 Policy 33.5 – Pearl Lane AKR14, confirms the Site is allocated for residential development. It contains a series of development requirements, summarised below:

- Access to be taken from Pearl Lane.
- Additional boundary tree planting will be required along the northern, western and southern boundaries, to reduce the impact on rural landscapes and screen the development from the A451 and Redhouse Lane.
- The development should be sympathetic to the setting of the historic buildings in Dunley.
- There is an opportunity to design an area of open space in the northern part of the Site, to buffer the setting of Dunley
- A full archaeology assessment should be included as part of a Heritage Statement.
- A 10m buffer will be required alongside the Blackstone to Astley aqueduct which runs north/south through the Site.
- The potential to open up the Dunley Brook culvert watercourse, which runs west/east to provide biodiversity benefits to be investigated.
- No additional discharge must be made from the development, as there are issues of surface water flooding on the estate opposite.

4.32 The Policy supporting text advises the development capacity may be limited to 250 dwellings by the ability of local schools to absorb additional pupil numbers. As a consequence, Policy AM33 refers to the Site providing 250 dwellings. This can, however, be exceeded if additional capacity can be created in local primary schools.

4.33 Below is an extract from the Draft Local Plan with the Site's residential allocation indicated through the red spots (Appendix B - Map A - Pre-Submission Policies Map July 2019):



#### **4. The National Planning Policy Framework**

- 4.34 The National Planning Policy Framework (**'the Framework'**) was adopted in February 2019. It sets-out the government's planning policies for England and guidance on how they should be applied. Paragraph 2 confirms planning law requires applications for planning permission to be determined in accordance with the development plan, unless material considerations indicate otherwise. The Framework must be taken into account in preparing development plans and is a material consideration in planning decisions.
- 4.35 The purpose of the planning system is to contribute to the achievement of sustainable development. Three overarching objectives of sustainable development are identified: -
- An economic objective – To help build a strong, responsive and competitive economy, by ensuring sufficient land of the right type is

available in the right place and at the right time to support growth, innovation and improved productivity;

- A social objective – To support strong, vibrant and healthy communities, by ensuring a sufficient number and range of homes can be provided to meet the needs of present and future generations; and by fostering a well-designed and safe built environment, with accessible services and open spaces that reflect current and future needs and support communities' health, social and cultural wellbeing; and
- An environmental objective – To contribute to protecting and enhancing a natural, built and historic environment, including making effective use of land, helping to improve biodiversity, using natural resources prudently, minimising waste and pollution and mitigating and adapting to climate change, including moving to a low carbon economy.

4.36 These objectives should be delivered through the preparation and implementation of plans. They are not criteria against which every decision can or should be judged.

4.37 So that sustainable development is pursued in a positive way, at the heart of the Framework is a presumption in favour of sustainable development; this is set-out in paragraph 11. For plan-making, the presumption in favour of sustainable development means: -

- approving development proposals that accord with an up-to-date development plan without delay; or
- where there are no relevant development plan policies, or the policies which are most important for determining the application are out of date, grant planning permission unless: -
  - i. the application of policies in the Framework that protect areas or assets of particular importance provide clear reasons for refusing the development proposed; or
  - ii. any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the Framework taken as a whole.

- 4.38 The protected areas and assets of particular importance are identified in footnote 6 of the Framework. The Application Site does not fall within any of these designations.
- 4.39 The Framework advises that policies in Local Plans should be reviewed to assess whether they need updating at least once every five-years and then should be updated as necessary in accordance with regulation 10A of the Town & Country Planning (Local Planning) (England) Regulations 2012. Reviews should be completed no later than five-years from the adoption date of the plan and should take into account changing circumstances affecting the area, or any relevant changes in national Policy. Strategic policies will need updating at least once every five-years if their applicable local housing needs figures changed significantly; and they are likely to require early review if the local housing need is expected to change significantly in the near future.
- 4.40 The 'Determining Applications' section of the Framework provides guidance on the weight that may be attached to relevant policies in the emerging plans. The relevant considerations are: -
- the stage of preparation of the emerging plan, the more advanced the preparation, the greater the weight that may be given;
  - the extent to which there are unresolved objections to relevant policies, the less significant the unresolved objection, the greater the weight it may be given; and
  - the degree of consistency of the relevant policies in the emerging plan to the Framework, the closer the policies in the emerging plan to the policies in the Framework, the greater the weight that may be given.
- 4.41 Paragraph 49 of the Framework advises that, in the context of the Framework and in particular the presumption of favour of sustainable development, arguments that an application is premature are unlikely to justify a refusal of planning permission, other than in the limited circumstances where both: -

- the development proposals are so substantial, or its cumulative effect would be so significant, that to grant planning permission would undermine the plan-making process, by predetermining decisions about the scale, location or phasing of new development;
- the emerging Plan has reached the stage but not yet formally part of the development plan for the area.

4.42 Refusal of planning permission on grounds of prematurity will seldom be justified where a draft plan is yet to be submitted for examination. Where planning permission is refused on grounds of prematurity, the Local Planning authority will need to indicate clearly how granting planning permission for the development concerned will prejudice the outcome of the plan-making process (paragraph 50).

4.43 Section 5 – ‘Delivering Sufficient Supply of Homes’, advises it is the government's objective to significantly boost the supply of homes. To determine the minimum homes needed, strategic policies should be informed by a local housing needs assessment, conducted using the 'Standard Method', unless exceptional circumstances justify an alternative approach. The Standard Method guidance is set-out within the National Planning Practice Guidance and is effectively a formula-based approach to establishing the housing requirement linked to demographic change and affordability.

4.44 Strategic policies should include a trajectory illustrating the expected rate of housing delivery over the plan period. Local Planning Authorities should identify and update annually a supply of specific deliverable sites sufficient to provide a minimum of five-years' worth of housing against the housing requirement set-out in adopted strategic policies, or the local housing need figures where strategic policies are more than five-years old. The supply of specific deliverable sites should include a buffer, moved forward from later in the plan period, of: -

- 5%, to ensure choice and competition in the market for land;



- 10%, where the Local Planning authority wishes to demonstrate a five-year supply of deliverable sites in an annual position statement or a recently adopted plan;
- 20%, where there has been significant delivery of housing over the previous three-years, to improve prospects of achieving plan supply.

4.45 The definition of 'deliverable' is included within the glossary of the Framework. To be considered deliverable, sites for housing should be available now, offer a suitable location for development now and be achievable with a realistic prospect that housing will be delivered on the Site within five-years. In particular: -

- a. sites which do not involve major development and have planning permission and all sites with detailed planning permission should be considered deliverable until the permission expires, unless there is clear evidence that homes will not be delivered on the site within five-years;
- b. where a site has outline planning permission for major development, has been allocated in the development plan, has a grant of planning permission in principle, or is identified on the brownfield register, it should only be considered deliverable where there is clear evidence that housing completions will begin on-site within five years.

#### **Five-Year Housing Land Supply report**

4.46 The Council's most recent Five-Year Housing Land Supply report provides the Council's stated position of its five-year housing land supply as of 1 April 2019. Table 4 – 'Five-year Housing Land Supply Calculation' suggests there is 7.18-years' supply of housing land in the District. The sites expected to contribute toward the housing requirement are set-out in appendices B-E. The Application Site is identified as site AKR/14 – Land west of Pearl Lane, Areley Kings. It is expected to contribute 100-dwellings during the course of the five-year period and it, therefore, forms a component part of the Local Authority's five-year housing land supply position. We are of the view that we will exceed this figure with the bulk of the development being delivered within the five-year period.



## **5.0 CASE FOR THE APPLICANT**

5.1 Section 38(6) of the Planning & Compulsory Purchase Act 2004 and Section 70(2) of the Town & Country Planning Act 1990 requires planning applications to be determined in accordance with the Development Plan, unless material considerations indicate otherwise. In this case, the Development Plan comprises the Wyre Forest Core Strategy and Site Allocations document. Material considerations in the determination of an application include:

- The National Planning Policy Framework
- Local Plan evidence-based documents
- The Council's five-year housing land supply position

5.2 The planning application has been submitted as a 'full' application. It is the Applicant's view there are three principal matters for consideration in the determination of the application:

- 1) Whether the principle of the development is acceptable, having regard to the requirements of the Development Plan and wider material considerations.
- 2) Whether the scheme is capable of accommodating the quantum of development proposed from a technical perspective.
- 3) Whether the design, appearance, landscaping, scale and access arrangements of the scheme are appropriate, drawing upon Policy requirements and the characteristics and environment of the application site.

5.3 The SPS concentrates on addressing matter 1 and explains why the principle of development should be considered acceptable.

5.4 The application is accompanied by a series of technical reports, listed in paragraph 1.7 of the SPS, that demonstrate the Application Site is capable of accommodating the quantum of development proposed, subject to

appropriate mitigation, as detailed within these documents. These documents address matter 2 above.

- 5.5 The application plans and accompanying Design and Access Statement demonstrate that the design, appearance and scale of development is appropriate, based upon local and national level policy requirements and the character and environment of the wider area. The accompanying Transport Assessment and Travel Plan confirm the access arrangements are appropriate and the Scheme will have an acceptable impact on the local highways network. These reports should be referred to for a detailed explanation as to how matter 3 is addressed.

### **The Principle of Development**

- 5.6 The Local Plan Proposals Map identifies the Application Site as falling outside of, but adjacent to, the settlement boundary of Stourport on Severn. Policy DS01 – ‘Development Locations’, advises that during the course of the plan period 4,000 dwellings will be provided. New development will be concentrated on brownfield sites in the urban area of Kidderminster and Stourport-on-Severn. Development in the open countryside will be closely controlled to safeguard the integrity of the District's Green Belt and landscape character.
- 5.7 SAD Policy SAL.DPL1 – ‘Sites for Residential Development’, advises in order to meet the housing requirement of Policy DS01 of the adopted Core Strategy residential development will only be allowed in certain locations, as referred to in paragraph 4.B of the SPS. The Application Site does not fall within any of these categories. The Policy advises that residential development outside of the locations identified above will not be permitted unless it is in accordance with the Plan's rural housing policy or Green Belt policies.
- 5.8 The proposed development conflicts with policies DSA1 and SAL.DPL1 of the Development Plan. It is, however, necessary to consider the weight that should be attached to Policies DS01 and SAL.DPL1 in the decision-making

process and whether there are other material planning considerations that outweigh the conflict with these policies.

- 5.9 The Framework advises that existing Local Plan policies should not be considered out of date simply because they were adopted or made prior to the publication of the Framework. Due weight should be given to them according to their degree of consistency with the Framework. It is therefore necessary to consider whether Policy DS01 and Policy SAL.DPL1 are consistent with the Framework.
- 5.10 Correspondence has been received from the Local Authority confirming Policy DS01 is an out of date Policy (Helen Hawkes, Principal Development Management Officer's e-mail of 22.11.19 to Simon Hawley of HLPC). This conclusion is agreed with by the Applicant. Policy DS01 is clearly an out of date Policy. The housing requirement in Policy DS01 was based upon the requirements of the former West Midlands Regional Spatial Strategy Phase 2 Panel's report, produced in June 2009. It is therefore more than 10 years old and the RSS has been revoked. The methodology for calculating housing requirements has been superseded by the Objectively Assessed Housing Needs test in the 2012 version of the Framework and now by the Standard Method requirement within the Framework 2019. The housing requirement does not reflect local housing needs. The Policy is therefore out of date on this ground alone.
- 5.11 Whilst it is agreed Policy DS01 is out of date, the Council has suggested SAD Policy SAL.DPL1 is an up-to-date Policy which should be afforded weight in the decision process. The Applicant disagrees with this conclusion.
- 5.12 The introductory sentence to Policy SAL.SPL1 advises:

***'In order to meet the housing requirement of Policy DS1 of the adopted Core Strategy, residential development will only be allowed in the following locations ...'***

- 5.13 It is therefore clear the purpose of Policy SAL.DPL1 is to establish a Policy approach designed to deliver the housing requirement set by Policy DS01. Given Policy DS01 is considered to be out of date, it immediately follows Policy SAL.DPL1 must also be out of date, given the purpose of the Policy is to facilitate the delivery of Policy DS01. This reasoning is entirely consistent with the findings of Inspector Mike Robins in the Land East of Common Barwell, Leicestershire appeal (Ref: APP/KT420/W/17/3188948) attached at Appendix 1. Paragraph 41 of the decision states:

***'It was common ground that the Core Strategy seeks to provide for housing across the district drawn from an earlier requirement now found to be lower than the assessed need now. As a consequence, these policies can be considered to be out of date, as must the SADMP policies which similarly draw on the Core Strategy approach. The scheme, otherwise arises from conflict with the policies, must therefore be considered against the weight of all relevant material considerations.'***

- 5.14 The same situation arises in this instance. The Standard Method housing requirement identified by the submission version of the emerging Local Plan is greater than included within the adopted Local Plan. Policy DS01 and the policies seeking to deliver the DS01 housing requirement should all be considered out of date.
- 5.15 In addition, the approach of the emerging Local Plan clearly confirms Policy SAL.DPL1, in seeking to prevent development beyond settlement boundaries, is inappropriate, given the emerging Local Plan seeks to allocate residential development both on land currently identified as open countryside by the adopted Local Plan and also Green Belt land. If Policy SAL.DPL1 was an up-to-date Policy, no such requirement would have existed.
- 5.16 Indeed, it is the Applicants view the Core Strategy as a whole should be considered to be an out of date plan for the purposes of the determination of this application. Paragraph 33 of the Framework requires policies in Local Plans and spatial development strategies to be reviewed to assess whether they need updating at least once every five-years and then updated as necessary. This is a requirement of Regulation 10A of the Town & Country

Planning (Local Planning) (England) Regulations 2012. Reviews should be completed no later than five-years from the adoption of a plan and should take into account change in circumstances affecting the area, or any relevant changes in national Policy. Relevant strategic policies will need updating at least once every five-years if the applicable local housing needs figure has changed significantly.

5.17 Given the Core Strategy was adopted in 2010 it is substantially more than five-years old. It cannot, therefore, be considered to be an up-to-date plan for the purposes of determining planning applications. Since its publication, there have been significant changes to national Policy, including the publication of the Framework 2012, and more latterly the Framework 2018 and 2019. The evidence-based documents underpinning the adopted Core Strategy are out of date and have been replaced by more recent evidence-based documents produced by the Local Authority.

5.18 The Council has commenced the review process required by the Framework and Regulations. The submission version of the replacement Local Plan includes a housing requirement over and above that in the previous Core Strategy and this clearly demonstrates the approach and strategy of the adopted Core strategy and supporting SAD are out of date.

### **Material Considerations**

5.19 The Framework is a material consideration in the determination of housing planning applications. The Framework seeks to significantly boost the supply of housing. Paragraph 11d of the Framework advises that where there are no relevant Development Plan policies, or the policies which are most important for determining an application are out of date, planning permission should be granted unless: -

- the application of policies in the Framework that protect areas or assets of particular importance provide a clear reason for refusing the development proposed; or

- any adverse impacts of doing so will significantly and demonstrably outweigh the benefits, when assessed against the policies in the Framework taken as a whole.

5.20 As it is acknowledged Policy DS01 is an out of date Policy, the requirements of paragraph 11d of the Framework are engaged. As referred to above, it is our view that Policy SAL.DLP1 are also out of date. However, it is only necessary for one Development Plan Policy to be out of date in order for paragraph 11d of the Framework to be engaged.

5.21 None of the restrictive policies designations identified by footnote 6 of the Framework apply to the Application Site. As such planning permission should be granted unless any adverse impacts of doing so will significantly and demonstrably outweigh the benefits, when assessed against the policies in the Framework are taken as a whole. In this instance, it is clear there are significant benefits to the grant of planning permission that outweigh any impacts.

### **1) The Emerging Local Plan**

5.22 The emerging Local Plan has been submitted for examination. Paragraph 48 of the Framework provides guidance on the weight local authorities may give to emerging plans in the decision-making process, three tests are identified. In this regard it should be noted:

- The emerging plan has been submitted and Hearing sessions are scheduled to commence January 2021.
- Whilst there have been objections to the scheme the applicant and council continue to support the allocation.
- The emerging Plan is consistent with the requirements of the Framework. Its housing requirement is based upon the Standard Method and allocations are made in order to assist in boosting the supply of housing.

5.23 The Application Site is identified as a proposed allocation by the emerging Plan (Ref:AKR/14). Unlike in a number of the proposed allocations within the emerging Plan it is not currently within the Green Belt. The Local Authority

has, therefore, identified the Application Site as one of the preferred sites to meet the standard method housing requirement.

- 5.24 It has previously been suggested by Officers that granting planning permission at the present time would be premature ahead of the adoption or submission of the emerging Plan. Guidance on the use of prematurity as a refusal reason can be found in paragraphs 49-50 of the Framework. Here it is advised arguments that an application is premature are unlikely to justify refusal of planning permission. Refusal of planning permission on grounds of prematurity will seldom be justified where a draft Plan has yet to be submitted for examination. However, in this case, the proposed development is identified as a draft allocation in the Plan in any event and, therefore, is entirely consistent with the approach of the emerging Plan.
- 5.25 Where planning permission is refused on grounds of prematurity, the Local Planning Authority is required to indicate clearly how the grant of planning permission for the development concerned will prejudice the outcome of the plan-making process.
- 5.26 The Application Site provides opportunities to deliver a relatively significant amount of residential development on a non-Green Belt site. The submission version of the Plan acknowledges in Policy AM6E – ‘Role of Stourport on Severn & Bewdley as Market Towns’, that suitable greenfield sites such as Pearl Lane are required to support Stourport on Severn's role in the settlement hierarchy. The grant of planning permission would in no way harm the Plan making process, it would be entirely consistent with the emerging strategy.

## **2) Five-Year Housing Land Supply**

- 5.27 The Framework requires local authorities to be able to demonstrate a five-year housing land supply. The Council sets out its five-year housing land supply position in the Five-Year Housing Land Supply report, of 1 April 2019. It is suggested 7.18 years' supply of housing land is available. The various sites expected to contribute toward the Council's five-year housing land

supply position are identified in the appendices to the document. This includes the Application Site, identified as an 'Other deliverable site included in the five-year housing land supply' (5YHLS).

- 5.28 The Application Site is expected to contribute 100 dwellings to the five-year housing land supply during the course of the five year period. Given the Application Site forms a component part of the Council's five-year housing land supply position, planning permission needs to be granted in order for it to deliver. It would, therefore, be inappropriate for the Council to resist the grant of planning permission on the grounds of principle, given there is an expectation it will come forward for development in the short-term.

### **3) Affordable Housing**

- 5.29 An emerging Policy level provision of affordable housing is proposed. Given the pressing need for affordable housing in the district this is a material consideration of significant weight.

### **4) Economic Benefits**

- 5.30 New jobs will be created through the construction of the proposed development. Each house built will create in the region of 1.5 full-time equivalent jobs. As a consequence, the development (as advised by the Barratt Internal Economic Toolkit) will result in the creation of:

- 75 Direct construction jobs per annum over a 6-year build programme;
- 113 indirect or induced jobs supported elsewhere in the economy from construction;
- 48 indirect or induced jobs from resident's expenditure impacts.

- 5.31 In addition, the residents of the development will increase footfall in local shops, services and facilities, supporting their viability and vitality.



## **5) Reducing the requirement for Green Belt land**

- 5.32 The emerging Local Plan acknowledges Green Belt land release is required in order to meet the emerging Local Plan housing requirement. The Framework advises at paragraph 137 that before concluding exceptional circumstances exist to justify changes to the Green Belt boundary, the strategic plan-making authority should be able to demonstrate it has examined fully all other reasonable options for meeting its identified need for development. Given the emerging Local Plan makes Green Belt land allocations, it is our understanding the Council is satisfied this test has been met. As a consequence, if for any reason the Pearl Lane allocation does not come forward for development, the Council will need to examine the potential for further Green Belt allocations in the Plan for the residual housing requirement.

## **6) Provision of public open space**

- 5.33 The proposed development will deliver significant new open space. 40% Green Infrastructure provision is proposed, in accordance with emerging Policy requirements. The public open space on-site will be available both to the residents of the development but, also, the local community as a whole.

## **7) Biodiversity**

- 5.34 As detailed in the accompanying biodiversity report, there will be net biodiversity gain as a consequence of the development.

## **8) Flood risk and drainage**

- 5.35 There are incidents of the flooding of residential properties within the vicinity of the Application Site. The flood risk and drainage mitigation scheme proposed by this development will not only facilitate the successful drainage of the Application Site but will also relieve local flood risk issues.

## **9) Prompt Delivery**

- 5.36 The Site is being promoted by a major housebuilder – Barratt Homes. It is Barratt's intention to commence development promptly following the grant of planning permission. This sets the Site apart from applications being promoted by other parties where outline applications have been made. There is a significant benefit to providing much needed market and affordable housing promptly. Once planning permission is granted the Site will meet the 'deliverable' part A test within the Framework and 'clear evidence' will not be required in order for the Council to include it within its five-year housing land supply calculations.
- 5.37 The adverse impacts of granting planning permission are highly limited. Whilst the Site is a greenfield site, it has been assessed to be of limited ecological value. There are no overarching landscape constraints, or other, technical constraints that cannot be addressed. It provides the opportunity to deliver a high-quality residential scheme in a sustainable location. The benefits of granting planning permission clearly outweigh the adverse implications.

### **The Quantum of Development**

- 5.38 Emerging Policy AM33 suggests the Site should deliver 250-dwellings during the course of the plan period. It is, however, explained in the supporting text to Policy 33.5 Pearl Lane AKR/14, the 250-dwelling capacity figure is based upon the current capacity of local primary schools to accommodate pupils from the proposed development. This figure can, however, be exceeded if additional capacity is created. In order to address this matter, appropriate development contributions will be made to the local primary school to create the necessary primary school capacity. This matter is addressed in the accompanying EFM Education Report. This approach has been discussed with Severn Academies Trust, who manage the local primary school, and Worcestershire County Council education.

## **6.0 PLANNING OBLIGATIONS**

6.1 The Core Strategy advises the Council's Planning Obligations SPD will be used as the basis of securing development contributions. The most recent Planning Obligations SPD was produced in September 2016. It is the Applicant's intention to provide a Policy compliant planning obligation package. This will be agreed with Officers during the course of the determination period. It is expected this will include:

- Affordable housing – as discussed with Officers through the pre-application process, this application will be prepared to meet the policies and requirements of the emerging Local Plan. On this basis, 25% affordable housing provision is proposed in accordance with emerging Policy 8B.
- 40% Green Infrastructure provision is proposed in accordance with Policy 14. This will be secured through the proposed layout.
- Relevant contributions will be made toward primary and secondary school provision in accordance with the submitted School Capacity Assessment prepared by EDF.
- If required, an appropriate contribution will be made to offsite playing pitch provision.
- Necessary highways improvements, as set-out on the accompanying Transport Assessment, secured through either the S.106 or S.278 Agreement.

6.2 The applicant will enter into discussions with Officers during the course of the determination period in order to confirm the exact requirements of the obligation package.

## **7.0 CONCLUSIONS**

- 7.1 This Supporting Planning Statement has been prepared to support a full planning application proposing the development of 331 dwellings, public open space and associated infrastructure on land off Pearl Lane, Stourport. The Application Site is located outside of, but adjacent to, the settlement boundary of Stourport-on-Severn. The Site is allocated for residential development in the submission version of the emerging Wyre Forest District Local Plan.
- 7.2 The adopted Wyre Forest District Local Plan comprises the Core Strategy adopted in December 2010, and the Site Allocations Local Plan, adopted in July 2013. Policy DS01 – ‘Development Locations’, of the Core Strategy requires the provision of 4,000 dwellings between 2006 and 2026. Policy SAL.DPL1 – ‘Sites for Residential Development’, identifies locations for development in order to meet the housing requirements of Policy DS01 of the adopted Core Strategy.
- 7.3 Policy SAL.DPL1 advises that residential development outside of the locations identified within the Policy will not be permitted under normal circumstances. As the Application Site does not fall within any of the criteria identified by Policy SAL.DPL1, there is a conflict with this Policy. However, both Policies DS01 and SAL.DPL1 are out-of-date policies and as a consequence significantly reduced weight should be afforded to them in the decision making process.
- 7.4 The Council accept that Policy DS01 is an out-of-date Policy. The housing requirement of Policy DS01 is based upon the requirements of the RSS Phase 2 Review Panel Report. The RSS has been revoked, and since the adoption of the Core Strategy the Framework has been published that fundamentally changes the approach for setting housing requirements. The Local Authority have produced a Standard Method housing calculation in support of the emerging Plan which identifies a housing requirement significantly in excess of that included within the Core Strategy. The Applicant therefore agrees with the Local Authority that Policy DS01 is out-of-date.

- 7.5 Given that Policy DS01 is out-of-date, Policy SAL.DPL1 must also be out-of-date. The purpose of Policy SAL.DPL1 is to identify an approach towards delivering the adopted Core Strategy's housing requirement. Therefore, it immediately follows that this Policy is out-of-date.
- 7.6 Paragraph 11d) of the Framework advises that where policies which are most important for determining planning applications are out-of-date, planning permission should be granted unless the application of policies in the Framework that protect areas or assets of importance provide a clear reason for refusal, or any adverse impacts of doing so would significantly and demonstrably outweigh the benefits when assessed against the policies in the Framework taken as a whole. Paragraph 11d is engaged given that the Development Plan policies are out-of-date. The Application Site does not fall within any of the policy designations identified in footnote 6 of the Framework. It is, therefore, necessary to consider the benefits and disadvantages of granting planning permission in the planning balance. This exercise is undertaken in Table 2 below.

**Table 2 - The Planning Balance**

Issue	Comment	Planning balance
S38(6) of the Act	There is a limited conflict with Policy SAL.DPL1 of the SAD, as the Policy seeks to prevent development within the rural areas. However, this is an out-of-date policy. As such no harm arises.	Neutral Impact
S38(6) of the Act	The development is in conformity with the other Development Plan policies as a whole.	Significant Benefit

Issue	Comment	Planning balance
The emerging Local Plan	The Site is allocated for development in the submission version of the emerging Local Plan. It is, therefore, expected to deliver housing to help meet the emerging housing requirement.	Significant Benefit
Five Year Housing Land Supply	The Application Site is identified as one of the sites that is expected to come forward for development in order for the Local Authority to be able to demonstrate a five year housing land supply. It also forms an allocation in the emerging Plan allocated to help meet the Standard Method housing requirement.	Significant Benefit
Affordable housing requirement	25% affordable housing provision is proposed in accordance with emerging Policy requirements.	Significant Social Benefit
Economic development	New jobs will be created through the construction of the properties on Site. Residents of these properties will use services and facilities within Stourport-on-Severn.	Significant Economic Benefit
Sustainable development	The Application Site is located in a sustainable location for development adjacent to the second largest settlement within Wyre Forest District. It has good access to a range of services and facilities and transport opportunities.	Significant Benefit

Issue	Comment	Planning balance
Impact on the open countryside	The proposed development is in an area of open countryside. However, it is allocated for development in the emerging Plan. The Application Report is supported by an LVIA, Heritage Impact Assessment and other supporting reports that demonstrate that the proposed development can be appropriately accommodated on the Site.	Neutral Impact.
Heritage assets and Archaeology	The application is accompanied by a Heritage Statement that assesses the heritage impacts of development. Trial trenching has also been undertaken in order to explore the possibility for archaeological remains. There are no heritage or archaeological constraints to development.	Neutral Impact
Residential amenity	Existing residential amenity will be maintained given the separation distance of the proposed properties to the nearest dwellings on Pearl Lane. The scheme is being designed in order to ensure that all future occupants have a high quality residential environment.	Minor Positive Impact
Design/density	The density of development is appropriate for the location of the Site. A significant amount of Green Infrastructure is provided on the Site resulting in a low gross density and a high quality green scheme.	Minor Positive Benefit

Issue	Comment	Planning balance
Highways	The application is accompanied by a Transport Assessment and Travel Plan that confirms that the Site is accessible by means of a private car, public transport and has good pedestrian and cycle connectivity. All other highways impacts have been mitigated.	Neutral Environmental Factor
Flood risk	The accompanying FRA and drainage strategy demonstrates that an appropriate flood risk solution can be developed on the Site. In addition it will result in existing off-site flood issues being addressed as far as possible.	Positive Environmental Factor
Ecology	The ecology report has confirmed that there are no ecological constraints to the development of the Site.	Neutral Impact
Impact on Green Belt	The Application Site is within the open countryside, as oppose to the Green Belt. A number of the allocations in the emerging Wyre Forest District Local Plan are within the Green Belt due to a lack of urban capacity. The Application Site provides the opportunity to deliver housing without impact upon the Green Belt.	Significant Positive Benefit.

7.7 Given that the benefits of the scheme clearly outweigh any adverse impacts it is our view that planning permission should be granted in accordance with the requirements of paragraph 11d of the Framework.



- 7.8 A total of 331 dwellings are proposed on the Application Site. Policy AM33 of the emerging Local Plan advises that it is envisaged that 250 dwellings will come forward on the Site, however, this figure can be exceeded if it is established that local school capacity is not a constraint to development. This matter is addressed in the accompanying EFM Education Report. This has previously been discussed with Officers at both the District and County level as well as Severn Academies Trust, who are the operators of the local primary school. This matter is not, therefore, a constraint to development.
- 7.9 The Site provides the opportunity to help deliver an emerging Local Plan allocation demonstrating its deliverability. It provides much needed market and affordable housing in a highly sustainable location. It is, therefore, respectfully requested that planning permission is granted.

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