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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 110 Dwellings (gross) 109 (net),
Public Open Space and Associated Infrastructure**

**Windermere Grange, Former School Site, Coniston Crescent, Stourport on Severn,
Worcestershire**

**On Behalf Of:
Taylor Wimpey West Midlands and Severn Academies Trust**

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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 Taylor Wimpey West Midlands ("**Taylor Wimpey**") and Severn Academies Educational Trust ('**the Trust**'). It has been prepared in conjunction with a planning application proposing the residential-led development of a parcel of land located to the north of Coniston Crescent, Stourport on Severn ('**the Application Site**') referred to as Windermere Grange. The planning application has been submitted as a 'full' application. The description of development as it appears on the application form is:

'Full planning application for the development of 110 dwellings (gross) 109 dwellings (net), public open space and associated infrastructure.' ('the Scheme')

- 1.2 The Application Site comprises surplus unused land that forms part of Stourport High School. It is owned by the Trust. Taylor Wimpey are in a contractual position with the Trust that allows them to acquire the site when planning permission is granted.
- 1.3 The Taylor Wimpey and the Trust have worked together in the preparation of this planning application that will deliver much needed new housing in a highly sustainable location. Significantly, the proposed development will also help fund essential maintenance works to Stourport High School and fund the delivery of an all-weather playing pitch.

The Supporting Planning Statement

- 1.4 This SPS has been prepared in order to help inform the determination of the application by demonstrating the Scheme is suitable and sustainable and meets the requirements of the three bullets points above. A comprehensive review of the planning policy framework relevant to the determination of the

application has been undertaken. It is HLPC's view that the proposed development is in accordance with the policies in the adopted the emerging Wyre Forest District Local Plan and that there are a series of wider 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 reiterate the findings of the Transport Assessment or summarise the transport-related policies. It does, however, address policy-specific matters, such as the proposed access arrangements, that are directly relevant to the principle of development. The SPS relies upon the conclusions of the supporting reports.

Pre-application Consultation

- 1.6 Prior to the submission of the planning application pre-application consultation was undertaken with Officers of Wyre Forest District Council ('**WFDC**'). This has taken the form of written correspondence and a virtual pre-application meeting. It is the Applicant's understanding that Officers are supportive of the principle of the residential-led development of the Application Site. There are, however, a series of requirements that Officers expect to be address in the submission. The Scheme has been prepared in order to respond to Officers' comments as far as possible. A summary of the pre-application advice is set-out in chapter 6 of the SPS.
- 1.7 As part of the pre-application process, HLPC agreed with Officers the various documents that are required to support the planning application. In accordance with the pre-application advice the planning application submission consist of:
- Site Location Plan
 - Proposed Site Layout Plan

- Proposed Elevation Plans
- Floor Plans
- Street Scheme Plans
- Stourport High School's Structural Condition Survey
- Enabling Assessment for Fund Essential Works and New Sports Pitch (the Enabling Financial Appraisal)
- This SPS
- Statement of Community Involvement
- Playing Pitch Assessment
- Design and Access Statement
- Surface Water Management Strategy
- Transport Assessment and draft Travel Plan
- Ecological Assessments
- Arboriculture Impact Assessment
- Landscape Scheme
- Health Impact Assessment

1.8 During the course of pre-application discussions it was agreed with Officer that the woodland, open space and play area plan and the detailed external lighting scheme can be the subject of conditions. It has also been agreed that the play provision plan can be incorporated into the site layout plan.

1.9 In addition, it was also agreed through online meetings and correspondence with Worcestershire County Council Archaeologist that that there isn't likely to be any archaeology surviving on-site due to the landscaping and former use of the site. A summary of the relevant correspondence is attached at Appendix 4.

- 1.10 It is trusted that sufficient information has been provided to register and positively determine the Application. However, the Applicants and their representatives would welcome the opportunity to engage with Officers and Statutory Consultees during the determination period in order to address any issues that may arise.

2.0 BACKGROUND

- 2.1 The Application Site comprises surplus land that forms part of Stourport High School. This planning application will assist in generating significant funds that the Trust will use to undertake essential maintenance work to the school.
- 2.2 A large proportion of the Stourport High School buildings date back to the 1950s. It was the intention for the school to be demolished and replaced on the same site during the mid-2000s, prior to the last recession. However, following the cancellation of the Building Schools for the Future Programme as part of the austerity measures, this opportunity was lost. There is now no prospect of the Trust receiving funding for a replacement school. They are having to make best use of the buildings that they have and undertake repair work as necessary.
- 2.3 The Trust have commissioned a series of condition surveys of Stourport High School. The most recent of which was produced in October 2020 and forms an application document. This report confirms that approximately £4.9m needs to be spent on the school buildings. In addition, the school should budget for approximately £926,000 for the development of a synthetic all-weather playing pitch.
- 2.4 As detailed in the condition survey, a series of work items have been identified that are of 'significant concern' that could cause full or partial closure of significant parts of the school unless urgent works are programmed. These works include: -
- The concrete frame components in parts of the school are deteriorating and experiencing movement. Panel grouting has failed, causing water ingress and the accelerated deterioration of the structure. The concrete has spalled (coming loose) around the window and door openings, water ingress damage through the concrete requires urgent repair. Without these repair works the concrete structure will fail.

- Parts of the roof covering are life expired. The details at the roof edges have failed, causing water penetration. Metal rainwater goods are at the end of their life and are currently leaking.
- The rooflights are damaged and are leaking.
- The food technology block is beyond economic repair and it is advised that it should be demolished and replaced.
- The changing rooms are in a poor condition in terms of finishes and services. The showers are inoperable. They are located away from the areas of physical activity performed around the school.
- The fire alarm system is totally inadequate and does not come up to standards.
- Internal wiring is out of date, does not come up to current standards and requires replacement.
- The heating system for a number of blocks is out of date and requires replacing.
- External curtain walling has failed in a number of locations, resulting in insufficient ventilation. The glazing has failed and is beyond repair.
- Asbestos has been located in parts of the school buildings.
- The temporary buildings are life expired, are leaking and require replacement.

2.5 As detailed in the Condition Survey the above work all needs to be undertaken in the short-term, i.e. within five-years, with the majority of the work needing to be undertaken within two-years of date of the survey, i.e. by October 2022.

- 2.6 The Trust has explored a variety of different options to fund this work. Whilst the Trust has been successful in obtaining grant funding in the past it no longer qualifies for further funding.
- 2.7 Multi-academy trusts, such as Severn Academies Trust, receive a School Condition Allocation (“**SCA**”) and Developed Formula Capital (“**DFC**”) payment to deploy strategically across their estate to address priority maintenance needs. The Trust cannot apply for Condition Improvement Funding as it receives SCA funding. The amount of money received from SCA and DFC is primarily based on the numbers of pupils in the trust. It takes no account of the condition of the buildings under the care of the Trust.
- 2.8 Under this system each year the Trust receives a set SCA payment of approximately £770,000 and a DFC payment of approximately £74,000. This money has to support all seven school within the Trust and is required for routine maintenance. The Trust are, therefore, in a position whereby the only way they can raise the significant capital funds required for the essential repair works is to sell the surplus land for a higher value use, i.e. residential. Attached at Appendix 1 is a letter from the Trust confirming there are no other funding options available for the maintenance work.
- 2.9 Given this position, the Trust has agreed with the Secretary of State that it is appropriate for the Application Site to be sold for residential development. The Secretary of State’s disposal letter is attached at Appendix 2. As detailed in this letter, the Secretary of State endorses the sale of this parcel of land with the following stipulations:
- The Trust must achieve a minimum sale value of £4m and the sale cannot be subject to overage.
 - After the disposal of this site the school will continue to have 4.3 hectares of playing land available. As detailed in the accompanying Playing Pitch Assessment this is above the required standard. However,

in order to mitigate the loss of playing field land the Trust are required to provide a full size hybrid all-weather pitch within three-years, to a specification relevant to its main use as a rugby pitch.

- All other proceeds will be spent on urgent condition work to the school, as identified by a works schedule and prioritised by an independent surveyor. These works must be started within 18-months of consent being issued, ie 18-months from 18 May 2020.
- The Trust is required to provide the Department for Education ('**DfE**') with an update on the progress of the above actions every six-months from the date of its letter.

2.10 The requirements of the Secretary of State are clearly a material consideration in the determination of this planning application. He has specified the minimum land price to be achieved, the way in which the money must be spent, the appropriate way of mitigating the loss of the playing pitch land and has concluded that the site is surplus to the requirements of the school.

2.11 The Application Scheme is the only realistic way of the Trust generating the funds required to deliver the essential repair works to the school. The Trust has therefore reached an agreement with Taylor Wimpey whereby they will prepare a full planning application for development of the site and will acquire the site from the Trust when planning permission is granted. The Trust will then direct the funds into the projects identified by the Condition Survey.

2.12 It should be noted that there are key timing considerations associated with this planning application. As detailed in the Condition Survey 2020, a number of work items need to be undertaken within one-year of the survey. In addition, the Secretary of State requires work to commence within 18-months of 18 May 2020, i.e. by 18 November 2021. There is, therefore, less than a year for planning permission to be granted, the transfer of the land from the Trust

to Taylor Wimpey and for the repair works to commence. This Application needs to be determined by WFDC promptly.

3.0 SITE DESCRIPTION

- 3.1 The Application Site is a broadly rectangular shaped parcel of land extending to approximately 4.1 hectares in size. It is a part brownfield/part greenfield site. The brownfield element consists of the site of the former sixth form centre, which is located in the south-east corner of the site. The sixth form has been relocated to a new building adjacent to the principal school buildings. The sixth form centre has been demolished to slab level. The other brownfield part of the site is the former caretaker's house located adjacent to Coniston Crescent.
- 3.2 The greenfield element of the site comprises land last used as playing pitches by the school. It has not, however, been in playing field use for a number years and has been left vacant. It is fenced off from the main school site. Stourport High School is in a position where it has a significant amount of playing field and sports facilities land available and the Application Site is entirely surplus to requirements. To confirm, there is not, nor has there been public access to this site for sporting purposes. When the site was used by the school as playing pitch land it was exclusively for use by pupils.
- 3.3 There is a permissive footpath running adjacent to the western boundary of the Site.
- 3.4 The north-eastern boundary of the site immediately adjoins an area of allotments. To the north-east of the allotments is The Kingsway. The south-eastern boundary of the site is formed by a fence separating the site from Burlish Park Primary School and the school's existing playing field land. The south-western boundary of the site adjoins Coniston Crescent. There are two areas of trees adjacent to Coniston Crescent that fall within the site boundary. The north-western boundary of the site is formed a hedgerow with interspersed trees. The land to the north-west of the site is a former golf course, the southern section of which is allocated for residential development by the emerging WFDC Local Plan.

- 3.5 The site immediately adjoins the northern edge of Stourport on Severn. The predominant land use to the south and west of the site is residential. The land to the north of the site, beyond The Kingsway, is undeveloped and separates Stourport on Severn from Kidderminster to the north.

Potential Kingsway Access

- 3.6 The Application Site also includes a strip of land located between The Kingsway and the north-east corner of the development area, to the immediate north-west of the allotments. This land is not in the control of the Applicants and is owned by WFDC. The Scheme does not propose any development within this location, and it is the Applicant's intention to structure the S.106 agreement in such a way that it places no obligation on WFDC should planning permission be granted. In addition, if necessary, this area of land can simply be removed from the planning application if this approach is preferred by Officers.
- 3.7 As explained in the following chapter of this SPS this area of land has been included within the application red line should it be determined appropriate to amend the proposed access arrangements so that a vehicular access is created onto The Kingsway. However, as the Applicants have no ability to provide this access since the land is not in their control, this is not currently a deliverable access.

Access to Services and Facilities

- 3.8 As explained in the accompanying Transport Assessment, the Site is in a highly sustainable location for development. Nearby services and facilities include: -
- Burlish Park Primary School
 - Stourport High School and Sixth Form College

- Stourport Sports Club
- Food shopping opportunities including Nisa Local (located at the junction of Bewdley Road/Woodbury Road), Premier Newtown Stores (located at the Brinley Street/Warwick Street junction) and Burlish Park Post Office and Calder Road Stores (located at Calder Road).
- Public houses
- Churches and other religious institutions
- Areas of public open space, including War Memorial Park
- Stourport Community Centre
- Stourport town centre is approximately 1.4 kilometres from the site.

3.9 The site has good access to public transport opportunities. A bus stop is located at the Coniston Crescent/Windermere Way junction. This bus stop is served by the 15A, 294 and S15 bus services. These bus services provide regular connections to Worcester, Stourport on Severn and Kidderminster. Further details on access to services and facilities and public transport opportunities are set-out in the transport assessment.

3.10 The site is clearly in a sustainable location for residential development, hence its identification as proposed residential allocation in the emerging Local Plan.

4.0 THE PROPOSED DEVELOPMENT

4.1 Full planning permission is sought for the development of 110 dwellings (gross) 109 (net), public open space and associated infrastructure. A detailed description of the development proposals can be found in the accompanying Design and Access Statement. Set out below is a summary of the key aspects of the Scheme: -

- A total of 110 dwellings are proposed. This is a gross figure. The existing caretakers house will be demolished as part of the development. As a consequence the net number of properties proposed is 109.
- Of the 110 properties proposed 92 are market units and 18 affordable. This is below normal affordable policy requirements, however, a reduction in affordable housing is necessary to generate the money required for the repair work to Stourport High School. This matter is explained in the accompanying Enabling Financial Appraisal.
- A mixture of detached and semi-detached properties is proposed. There are a mixture of 2, 3 and 4 bed properties. Each property has on plot car parking provision.
- The hedgerow and trees around the edge of site will be retained and incorporated into the Scheme's landscaping.
- A central area of public open space will be provided that will form a focal point for the development. Houses will front onto this area.
- The woodland in the south-west corner of the site will be retained. A play area will be created next to the woodland.
- A pedestrian footpath will be created through the site, linking Coniston Crescent to the allotments to the north.

- A footpath connection is proposed through the Site connecting Coniston Crescent to the allotments to the north east.
- The properties next to the south-eastern boundary of the site, which adjoins Burlish Primary School and the playing fields associated with Stourport High School, have their rear gardens adjacent to the site boundary. This is to allow a secure and permanent boundary fence to be created that prevents access to the school land and helps protect the amenity of the dwellings in this location.
- Similarly, the dwellings in the north-east corner of the site back onto the allotments to create a secure boundary to the allotments.
- The properties in the north western section of the site face out onto the former golf club. This section of the site has been designed so the residents of properties overlook the former golf club land. When this site is brought forward for development in accordance with the provisions of the emerging Local Plan, the public footpath networks can link together if necessary.
- Vehicular and pedestrian access is proposed from Coniston Crescent. As part of the pre-application process, discussions have been held with Officers of WFDC and Worcester County Council ('**WCC**') Highways regarding the access arrangements. As detailed in the accompanying Transport Assessment, Coniston Crescent is a technically suitable access. Appropriate visibility splays can be created and there will be no adverse off site highways impacts. In addition, the access has the benefit of 'facing' Stourport on Severn. Residents of the development will be able to enter the local road network directly shortening the distance to services and facilities.

- Six car parking spaces are proposed in the southern section of the site located off the Coniston Crescent access to compensate for the loss of on road parking spaces through the construction of the new access.

The Kingsway Access

- 4.2 The emerging Local Plan suggests access should be taken from The Kingsway to the north-east of the site. The Applicants do not control the land required to deliver this access, it is within the ownership of WFDC. During the course of the last 18-months the Applicants have sought to engage with WFDC in order to reach an agreement that would allow an access road to be constructed in this location. However, an agreement is yet to be reached. As such, it is undeliverable at the present time.
- 4.3 Furthermore, the creation of an access onto The Kingsway would be a less sustainable solution. It would result in the construction of an additional length of road and a new footpath along the southern section of The Kingsway, using unnecessary resources. It will result in vehicles leaving the site having to access The Kingsway, travel past Stourport High School and turn right onto the A451 in order to gain access to Stourport on Severn's services and facilities. This is a longer and less convenient route and increases the length of journeys undertaken by car. No detailed rationale has been provided by WFDC, or WCC Highways, as to why The Kingsway access should be preferred.
- 4.4 The creation of a vehicular access onto Coniston Crescent is relatively simple and substantially more cost effective than The Kingsway access. Creating an access onto The Kingsway would result in significant additional development costs associated with the construction of a road, the public footpath along the southern length of The Kingsway and other off-site junction improvements, including improvements to The Kingsway/A451 junction. These additional development costs will reduce the amount of money available to the Trust to spend on the essential repair works to the School.

- 4.5 Nevertheless, the planning application includes an area of land between the development site and The Kingsway that is suitable for development of an access road. The Applicants will continue to engage with WFDC in order to establish whether an agreement can be reached that will allow for the construction of an access through this area of land. However, the additional costs associated with the construction of this access will impact upon the funding required for the school. This may result in the Enabling Financial Appraisal having to be revisited through the determination process if an agreement is reached with WFDC. If an agreement can be reached, it is envisaged the application will be amended to propose vehicular access from The Kingsway, with a pedestrian access only onto Coniston Crescent.

Green Infrastructure Provision

- 4.6 The total application site area is 4.08 ha. Approximately 0.42ha of the site area comprises the area of land required for the potential Kingsway access. Consequently, the site area excluding The Kingsway access land is 3.66 ha.
- 4.7 A total of 0.73 ha of Green Infrastructure is proposed within the main site i.e. excluding The Kingsway access land. As such c. 20% of the main site area comprises Green Infrastructure.
- 4.8 If The Kingsway Access strip is included in the Green Infrastructure calculation, the total amount of Green Infrastructure proposed increases to approximately 1 ha, this includes provision for the construction of the road through this area. As such, c. 25% of the total site area would be Green Infrastructure.

5.0 PLANNING HISTORY

- 5.1 There are two planning applications relating to the Application Site and Stourport High School that are relevant to the determination of this planning application.
- 5.2 On 5 February 2016 outline planning application 15/0583/OUTL was granted by WFDC. It is an outline planning permission for the development of a new sixth form block and two-storey classroom block to replace temporary classrooms. Condition 6 of this planning permission requires the existing sixth form block (that forms part of the Application site) to be demolished within three-months of the first occupation of the new sixth form block. The site should then be restored to playing fields in accordance with Condition 12 of the permission. Condition 12 required the replacement playing fields to be provided on the site of the existing sixth form block in accordance with the planning application drawings and the detail agreed under Condition 14. The playing fields should be made available for use within six-months of the date of first operation of the new sixth form block.
- 5.3 On 5 October 2016, reserved matters application 16/0420/RESE was approved, which granted permission for the development of the new sixth form block. The sixth form block has now been constructed and is in operational. However, conditions 6, 12 and 14 of the outline planning permission have not been complied with. The sixth form block has been demolished but the site has not been converted to playing fields.
- 5.4 WFDC are currently determining planning application 18/0352/S73. This planning application seeks to vary conditions 6 and 12 of planning permission 15/0583/OUTL to allow changes to the time limits for the demolition of the old sixth form block and the restoration of the site. This application remains undetermined as discussions have been ongoing with Officers regarding the residential development of the Application Site. It has been agreed with Officers that it would be prudent to deal with both applications simultaneously.

- 5.5 The implications of the above planning permissions/application have been discussed with Officers through the pre-application process. In essence, if the outline planning permission conditions had been complied with, the site of the former sixth form block would have been converted to playing fields use. As such, this planning application treats the entirety of the Application Site as playing field land for the purposes of determining the impact on playing pitch provision and appropriate mitigation.

6.0 PRE-APPLICATION ADVICE

- 6.1 As part of the preparation of the Planning Application, the Trust, and more latterly Taylor Wimpey, have held a series of pre-application meetings with WFDC Officers. The most recent pre-application meeting was held virtually on 26th August 2020 and Officers provided written advice on 11 September 2020. A copy of the pre-application advice letter (ref:20/0089/PAE) is attached at Appendix 3. The following key matters are raised in the pre-application advice letter:

Recent Planning History

- 6.2 The potential implications of planning applications 15/0583/OUTL and 18/0352/S73 have been raised. Specifically, the fact that not all of the conditions on the outline planning permission have been complied with, and the site for the former sixth form block was not converted to playing field use. This matter will be addressed by treating the entirety of the application site as playing fields for the purposes of assessing the impact of the development on playing field provision.

Emerging Site Allocation

- 6.3 It is confirmed the site is identified as a proposed residential allocation in the emerging Local Plan that has been submitted for examination. Officers continue to support this allocation.

Principle of Development

- 6.4 The Application Site is in the Green Belt. Whilst the emerging Local Plan proposes the removal of the site from the Green Belt and its allocation for residential development it is advised that if a planning application is submitted before the adoption of the emerging Local Plan, the Green Belt policy requirements set out in the adopted Local Plan, and national planning policy

must be applied. As a consequence, it is necessary to demonstrate 'very special circumstances' in order for planning permission to be granted. A series of 'benefits' are identified to assist with a very special circumstances case.

Loss of Playing Fields

6.5 As the Application Site was last used as playing fields it is advised that planning policy guidance on the development of playing fields applies. The implications of development on playing field land are set-out in the accompanying planning application document, 'Playing Field Assessment'.

6.6 In short, it is the Applicant's view that the starting point in determining the implications of the development on playing field land are the requirements of the development plan. If the development meets the requirements of the development plan, planning permission should be granted. If there is a conflict with the provisions of a development plan material considerations must be considered in order to establish whether they outweigh the harm to the plan. Material considerations include: -

- The guidance on playing field development contained within the Framework.
- The Sport England guidance on playing field development,
- The requirements of the emerging Local Plan,
- The findings of the Secretary of State on the site being surplus to requirements and what mitigation is required; and
- The findings of WFDC's Playing Pitch Strategy

Planning Obligations

6.7 Potential planning obligations are identified.

Design and Layout

- 6.8 A series of comments were raised on the draft design and layout of the development. In order to respond to these comments, the layout has been fundamentally revised.

Green Infrastructure

- 6.9 It is advised that the emerging Local Plan requires 40% Green Infrastructure provision on greenfield sites. This requirement would *'only come into play when additional weight can be applied to the emerging local plan'*. In this regard it is the Applicant's view that the weight attached to the policies in the emerging Local Plan should be applied consistently. For example, if WFDC do not attach full weight to the proposed residential allocation in the emerging Plan, full weight should not be attached to the Plan's Green Infrastructure policy.

7.0 PLANNING POLICY REVIEW – DEVELOPMENT PLAN

7.1 The starting point for the determination of the Application is the Development Plan, which in this case comprises the Wyre Forest Core Strategy and the Site Allocations and Policies Local Plan. The Kidderminster Central Area Action Plan (AAP) also has Development Plan status; however, it is not a relevant consideration in the determination of this Application as the Application Site falls outside of the AAP area. The Planning Application should be determined in accordance with the Development Plan, unless material considerations indicate otherwise.

7.2 Set out below is a summary of the principal Development Plan policies and guidance relevant to the principle of the proposed development. Material planning considerations are identified in the following chapter of the SPS.

1. Wyre Forest Core Strategy

7.3 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.

7.4 Core Strategy Key Diagram identifies the Application Site as falling within the Green Belt and subject to the provisions of Policy DS01 – Development Locations. Policy DS01 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”).

- 7.5 The housing requirement in the Core Strategy dates back to the RSS Phase 2 Review Panel Report of September 2009. The housing requirement and development distribution within the Panel Report was designed to restrict growth in the more rural authorities to assist in the regeneration of the conurbations. As such Wyre Forests housing requirement was suppressed. That being the case, the housing requirement within the Core Strategy is out-of-date given that it is more than 11 years old and based upon the revoked RSS.
- 7.6 In terms of the 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. Paragraph 5.13 of the Core Strategy advises that planning applications proposing development in the Green Belt will be determined in accordance with the requirements of PPG2 – Green Belt. PPG2 was revoked when the original version of the Framework was published in 2012.
- 7.7 Policy DS01 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

- 7.8 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.
- 7.9 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.
- 7.10 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

- 7.11 The Wyre Forest Site Allocations and Policies Local Plan ('**SAP**') was adopted in July 2013, it 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.

- 7.12 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 supported on the allocated housing sites and in a series of locations identified by the policy. The Application Scheme does not fall within any of the identified locations.
- 7.13 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 the Policy SAL.UP1 – Green Belt.
- 7.14 Policy SLA.UP1 advises that within the Green Belt, that is designation on the Policies Map, development will not be permitted except in “Very Special Circumstances”, unless one of the series of criteria’s applied. The proposed development does not fall within the criteria identified by the policy. It is, therefore, necessary for very special circumstances to be demonstrated in order for the provision of Policy SLA.UP1 to be met.
- 7.15 Policy SLA.DPL12 – Education Sites, provides guidance on developments at sites identified for educational use. Stourport High School and its grounds are not identified for education use by the Policies Map; however, they are clearly in an education use. It is, therefore, the Applicants view that the provisions of Policy SLA.DPL12 are relevant planning consideration.
- 7.16 The policy advises that within the areas identified for education use proposals will be supported provided that;
- a) they do not form part of a playing field or sports pitch, or if they do that;
 - i. compensatory provision is delivered elsewhere; or
 - ii. competent the education function of the site; or

- iii. demonstrate that there is no longer any need for the land or builds to meet education requirements or community needs.

7.17 Given the use of the word “**or**” in this policy it is only necessary for one of the above three bullet points to be met in order for the development to gain the support of the first part of the policy SAL.DPL12.

7.18 In addition to the above provisions, the policy requires developments to;

- b) not diminish the amount or recreational open space within the locality and;

- c) be compatible with the neighbouring or adjoining uses.

7.19 The policies supporting text confirms that as a consequence of the cancellation of the Building Schools of the Future programme the district lost the building or partial re-building of five secondary schools. This includes Stourport High School. As is a consequence of the cancellation of the Building Schools of the Future programme 11 schools within the Wyre Forest face an uncertain future regarding their accommodation.

8.0 PLANNING POLICY REVIEW – MATERIAL PLANNING CONSIDERATIONS

- 8.1 There are a series of material planning considerations relevant to the determination of the Scheme. These material considerations are identified below.

1. Emerging Wyre Forest District Local Plan

- 8.2 WFDC are currently in the process of preparing a replacement Local Plan. The Plan is at an advanced stage and has been submitted to the Secretary of State for examination. An Inspector has been appointed and the examination Hearings are due to commence in January 2021.
- 8.3 Policy 5A – Sustainable Development, of the submitted draft Plan reflects 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.
- 8.4 Policy 6A – Development Needs 2016-2036, of the emerging Plan states that a minimum of 5,520 (net) will be provided during the course of the plan period 2016-2036 (276 dpa). 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 allocated sites not coming forward as expected 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.
- 8.5 Policy 6B – ‘Locating New Development’, advises that 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 large-scale housing.

- 8.6 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.
- 8.7 Policy 7A – Strategic Green Belt Review, advises that in accordance with the provisions of paragraph 136 of the Framework a number of changes were being made to the Green Belt boundary to support strategic development. These changes include changes to the Green Belt boundary at Stourport on Severn to enable the development needs of the District to be met in the most sustainable and accessible locations. The policy's supporting text confirms that there is insufficient land available in the District to meet the housing requirement without Green Belt land release.
- 8.8 Policy 8A – Housing Density and Mix, requires greenfield development to come forward at an average of 35 dph. An indicative mix of housing is provided. The greatest need is for 3 bedroom + properties.
- 8.9 Policy 8B – Affordable Housing Provision, requires a minimum of 25% affordable housing provision on sites of 10-dwellings or more. However, a reduced amount of affordable housing will be considered acceptable if individual site characteristics mean that this level of provision is achievable. In such circumstances the applicant will need to provide evidence to support this position.
- 8.10 Policy 14 – Strategic Green Infrastructure, requires greenfield sites of one hectare or more to provide 40% Green Infrastructure provision. There is no

specific figure for brownfield sites. The policy advises that Green Infrastructure requirements may be reduced, subject to viability constraints.

- 8.11 Policy 20A - Community Facilities, advises that proposal for the provision or enhancement existing community facilities will be supported, subject to satisfying the sequential test in the Framework, where applicable. Proposals for new community facilities which can offer an increased overall provision will be supported subject to the proposal not conflicting with other policies contained within the Local Plan. The policy's supporting text confirms that educational establishments such as school and colleges are community facilities for the purposes of the policy.
- 8.12 Policy 20B – Open Space, confirms that the “Open Spaces” identified on the Policies Map includes a range of private and public Open Spaces and associated community facilities. The supporting text confirms that for the purposes of this policy Open Spaces including playing fields. The policy advises that Open \Space will be safeguarded from development unless a series of criteria can be met. Through the plan making process, it has been determined that the Application Site should not be identified as Open Space by the Policies Map, and it is not, therefore, subject to protection from development by policy 20B.
- 8.13 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 includes requirements for the provision LAPs, LEAPs and NEAPs. The Applicants have been advised through the pre-application process that in this case provision of a 'natural play area' is preferred.
- 8.14 Policy 33 – Stourport on Severn Site Allocations, identifies a series of sites that should be developed in accordance with the criteria identified in their respective policies. The Application Site forms proposed allocation MI/38-School Site Coniston Crescent. It is identified as being suitable for

development of 115 dwellings and 3.64 hectares in size. The policy confirms that it is being removed from the Green Belt.

8.15 The extent of the allocation is identified on the Policies Map. It does not include the land required to provide a vehicular access to The Kingsway. This accounts for the discrepancy between the site area referred to in Policy 33 and the extent of the Application Site.

8.16 Specific guidance of the development are the Application Site is set out in Policy 33.16 – School Site Coniston Crescent MI/38. It is advised that the site is removed from Green Belt and allocated for residential development. The development criteria include;

- Vehicle access should be taken from The Kingsway adjacent to the allotments.
- Existing trees should be enhanced to develop a buffer between the existing dwellings on Coniston Crescent and the new development.
- An Ecological Appraisal should be submitted as part of any future planning application.

8.17 The policy's supporting text confirm that the site is surplus to educational requirements. It was, until recently, used as a sixth form block by the neighbouring Stourport High School. The new sixth form block has now been provided. The playing fields were part of the provision for Burlish Middle School which closed following the Wyre Forest Schools re-organisation 2007. The School exceeds the playing field requirements and also has agreement to use the Stourport Sports Club facilities on the adjacent land. A major rebuilding of the high school is required, and the sale of the site will help towards the funding.

2. The National Planning Policy Framework

- 8.18 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.
- 8.19 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.

- 8.20 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.
- 8.21 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.
- 8.22 The protected areas and assets of particular importance are identified in footnote 6 of the Framework. This includes Green Belt land.
- 8.23 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.

8.24 The 'Determining Applications' section of the Framework provides guidance on the weight that may be attached to relevant policies in 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.

8.25 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.

- 8.26 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).
- 8.27 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.
- 8.28 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.

8.29 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: -

- 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;
- 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.

8.30 Guidance on development within the Green Belt can be found in Section 13 – Protecting Green Belt Land. Paragraph 144 advises that when considering planning applications proposing development within the Green Belt Local Planning Authorities should ensure that substantial weight is given to any harm to the Green Belt.

8.31 Paragraph 143 confirms that “inappropriate” development is, by definition harmful to the Green Belt and should not be approved unless in very special circumstances existing. Very special circumstances will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm resulting from the proposal, is clearly outweighed by other considerations.

8.32 Paragraphs 145 and 146 provide guidance of form of development that should not be considered appropriate development. The Scheme as a whole does not fall within any of these categories. However, engineering operations are

identified by paragraph 146b as not being an inappropriate form of development in the Green Belt providing, they preserve its openness and do not conflict with the purpose of including land within it. The construction of The Kingsway access road would fall within this category should the application be amended.

8.33 Paragraph 133 of the Framework confirms that the fundamental aim of Green Belt policy is to preserve urban sprawl by keeping land permanently open, the essential characteristics of Green Belt are the openness and their permanence. Paragraph 134 advises that the Green Belt serves 5 purposes;

- To check the unrestricted sprawl of large built up areas;
- To prevent the neighbouring towns merging into one another;
- To assist in safeguarding the countryside from encroachment;
- To preserve the setting of special character of historic towns; and
- To assist in urban regeneration by encouraging recycling of derelict and other urban land.

8.33 Paragraph 94 of the Framework advises that it is important that sufficient choices of school places are made available to meet the needs of existing and new communities. Local planning authorities take a proactive, positive and collaborative approach to meeting this requirement. They should, amongst other things, give “great weight” to the need to create, expand or alter schools through the preparation of plans and decisions of applications.

3. Five-Year Housing Land Supply Report

- 8.34 The most recent Five-Year Housing Land Supply Report, produced by WFDC is up to date as of 1st April 2020. It concludes that there is an 8.21 year supply of housing land available at 1st April 2020.
- 8.35 A series of sites have been identified which are expected to come forward for residential development within the 5 year period in order for a Five Year Housing Land Supply to be demonstrated. This includes the Application Site, which is identified as site MI/38. It is anticipated that it will deliver 118 dwellings within the 5 year period. The first 50 units are expected to be completed in 2021/2022, with a further 50 in the following monitoring year and the final 18 dwellings in 2023/2024. The Council are relying upon 467 dwellings being delivered on sites that do not currently have the benefit of planning permission during the 5 year period. The Application Site is, therefore, a component part of the councils five-year housing land supply position and is expected to deliver development promptly.

4. HELAA

- 8.35 The Council's most recent Housing and Economic Land Availability Assessment ("**HELAA**") was produced in August 2019. The Application Site is identified as site MI/38 – School Site Coniston Crescent. There are no constraints identified to the development of the site, with the exception of its Green Belt status. It is advised that the development of the site would extend the built form of Stourport northwards into the open landscape. However, development would be in line with the development of Burlish Park Estate to the west and the allotments/ Kingsway will form a firm boundary to the Green Belt.
- 8.36 Vehicular access is described as "good". It is noted that the local road suffers from some congestion with school traffic. However, this is not identified as an overriding constraint to development. The access arrangements to the site

are not specified. Access to local facilities is described as “good” with local shops within walking distance and the site being adjacent to a Primary and Secondary school. Public transport access is described as “good”. It is advised that the site is in a sustainable location with easy access to employment and services.

5. Update to Playing Pitch Strategy

8.37 WFDC produce the most recent Playing Pitch Strategy addendum in September 2019. The updated addendum, amongst other things, corrects the error of the original appraisal’s assessment of Stourport High School. In the “Update to Stourport High School Facilities” section it is confirmed that the last use of the application site was for a 11x11 junior pitch. It is noted that this area has not been used for several years and it would be expensive for the school to repair and maintain the site. It is also advised that *“The school is proposing to install a 3G pitch replacing its existing grass pitch (this is the pitch that would be funded by the development of the application site). This will offer a greater playing field in capacity and evening play and will be consistent with FA policy”*.

8.38 The PPS Addendum assess the quantum and quality of pitches which are available across the District. This process includes establishing what the impacts on pitch requirements will be from each proposed development site in the submission draft Local Plan (table pages 9-12). It also acknowledges that part of the Stourport High School pitches are proposed for residential development. Drawing this together it is advised in the summary section that;

“The update to the addendum has revised playing pitch demand for 2016-2036, as based on the new playing pitch calculator from Sport England. Taken with the playing pitch strategy this will seek to improve pitch quality and capacity on existing pitches via S.106 contributions, and to seek installation of 2 new 3G pitches in the District to meet future demand. This will be consistent with the

***NPPF Paragraph 96 in regards to good quality and open space
and also Local Plan Policy 9 in promoting health and wellbeing.”***

- 8.39 In short, the PPG Addendum suggests that the local authority should be seeking to improve quality and capacity of existing pitches and provide 2 new 3G pitches. It does not conclude that new pitches are required (other than the two 3G pitches) and this conclusion is reached in the knowledge that Stourport High school site subject to this application is allocated for residential development in the emerging plan.
- 8.40 In terms of provision of the two 3G pitches, paragraph 4.3.60 of the Infrastructure Delivery Plan states that one of these will be provided within the LEA Castle development. The second pitch location is yet to be determined (4.3.62) This development will provide the second pitch required by the Planning Pitch Strategy.
- 8.41 While it is has now being superseded the April 2017 Playing Pitch Strategy advises at Table 2.14 – Spare Capacity / Overplay of youth 11v11 Pitches, that there is space capacity of youth 11v 11 pitches in Stourport on Severn at the present time. Indeed, all of the spare capacity in the District is in Stourport on Severn. Whilst this reduces over the plan period this is as a consequence of new development in Stourport on Severn and Wyre Forest generally, and the deficit should be addressed from developer contributions from all allocated sites, not just the Application Site. Table 2.1.4 is produced below for ease of reference.

Table 2.14: Spare capacity/ overplay of youth 11v11 pitches

Analysis area	Actual spare capacity ¹⁰	Demand (match equivalent sessions)			
		Overplay	Current position	Future demand	Total
Bewdley	-	-	-	-	-
Kidderminster	-	-	-	0.5	0.5
Rural East	-	-	-	1	1
Rural West	-	-	-	-	-
Stourport	1.5	-	1.5	2	0.5
Wyre Forest	1.5	-	1.5	3.5	2

- 8.42 It's appreciated that paragraph 129 of the document advises that some 11v11 games are played on adult pitches, and this may distort the figure. However, there is surplus capacity in Stourport on Severn that could be taken advantage of if one of the teams chooses to do so. There it is not, therefore, a shortage in playing pitch capacity locally that needs to be addressed.

9.0 CASE FOR THE APPLICANTS

9.1 Section 38(6) of the Planning and Compulsory Purchase Act 2004 and Section 70(2) of the Town and Country Planning Act 1990 require 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 Plan. Material considerations in the determination of this planning application include:

- The emerging Wyre Forest District Local Plan
- The National Planning Policy Framework
- The need to generate funds for repair work at Stourport High School and the findings of the Secretary of State regarding the disposal of the Application Site for development.
- Emerging Local Plan evidence base documents
- The Council's five-year housing land supply position.

9.2 The Planning Application has been submitted as a “full” application. It is the Applicant's view that there are three principle matters for consideration in the determination of this application:

1. Whether the principle of development is acceptable, having regard to the requirements of the Development Plan and wider material considerations.
2. Whether the Application Site is capable of accommodating the Scheme 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.

- 9.3 The SPS focuses on addressing matter 1 above and explains why the principle of development should be considered acceptable.
- 9.4 The Application is accompanied by a series of technical reports, listed in paragraph 1.7 of the SPS, that demonstrates that 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.
- 9.5 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 planning policy requirements, and the character and environment of the wider area. These reports should be referred to for a detailed explanation as how matter 3 is addressed.

The Principle of Development

- 9.6 There are a number of considerations relevant to the principle of development. Each of these matters are addressed below. The relevant Development Plan policies are identified alongside the corresponding material planning considerations.

1) The Green Belt

- 9.7 The Application Site is identified as Green Belt land by the adopted Local Plan. Local Plan Policy DS01 - Development Locations, advises that development in the open countryside will be closely controlled to safeguard the integrity of the District's Green Belt. Paragraph 5.13 of the Core Strategy advises that planning applications proposing development in the Green Belt will be determined in accordance with the requirements of PPG2 - Green Belt. The provisions of PPG2 have now been superseded by the equivalent Green Belt guidance within the Framework.

- 9.8 SAP Policy SLA.UP1 – Green Belt, states that development within the Green Belt will not be permitted except in very special circumstances unless one of a series of criteria apply. The proposed development does not fall within any of the criteria identified by the policy.
- 9.9 Policy SLA.UP1 is consistent with the guidance in the Framework on Green Belt development. The Framework confirms that local planning authorities should regard the construction of new buildings as inappropriate development in the Green Belt with a series of exceptions, none of which apply to the Scheme. The proposed development therefore represents an “inappropriate” form of development in the Green Belt and it is necessary for very special circumstances to be demonstrated for planning permission to be granted. Very special circumstances will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm resulting from the proposal, is clearly outweighed by other considerations.
- 9.10 The very special circumstances test identified by the Development Plan and the Framework is a “planning balance” test. It is necessary to identify the harm to the Green Belt that would occur as a consequence of development. Any harm to the Green Belt should be afforded “substantial weight” in accordance with the requirements of paragraph 144 of the Framework. It is then necessary to identify any other harm that would result from the proposed development. The identified harm is then weighed against the benefits of the scheme to see if the harm is “clearly outweighed” by the benefits. This planning balance exercise is undertaken below.

Harm to the Green Belt and Other Harm

- 9.11 Paragraph 133 of the Framework advises that the essential characteristics of the Green Belt are their openness and permanence. Paragraph 134 identifies the five purposes of Green Belt land. It is, therefore, necessary to consider what impact the Scheme will have on the openness and purposes of the Green Belt in order to establish the level of harm.

- 9.10 In the first instance it should be noted that this task has already been undertaken by WFDC in the preparation of the emerging Wyre Forest District Local Plan. WFDC produced a number of evidence base documents, including a Green Belt Review, to establish the sensitivity of potential Green Belt residential allocations. The Application Site has been assessed through this process and it has been determined that it is suitable for allocation in the emerging Plan. WFDC are currently in the process of asking the Local Plan Inspector to endorse this conclusion through the Local Plan Examination process.
- 9.11 That being the case, it is apparent that WFDC have already concluded that the harm caused to the Green Belt by the residential development of this site is outweighed by the benefits of a residential allocation. If the residential led development of this site would cause an unacceptable level of harm to the Green Belt it would not have been allocated for residential development in the emerging Plan.
- 9.12 The development of this site will impact upon the openness of the Green Belt. It will also result in development encroaching into the countryside (purpose c). This is, however, true of all built development on greenfield sites within the Green Belt. Such schemes will inevitably diminish the openness of the Green Belt and result in a level of encroachment to some degree.
- 9.13 The impact on the openness of the Green Belt and by way of encroachment is limited in this regard, given that the site has previously been the subject of significant built development i.e. the former Sixth Form Block. In addition, as part of a school it has been in an “urban” use.
- 9.14 In this regard it is also noteworthy that the HELAA produced by WFDC acknowledges that the site is in the Green Belt and would extend the built form of Stourport on Severn northwards into the open landscape. However, the development would be in line with the Burlish Park Estate to the west and the allotments / Kingsway form a firm boundary to the Green Belt. The

HELAA's conclusions suggest that the development of the site will result in limited encroachment.

- 9.15 Turning to the other purposes of Green Belt land identified by the Framework the proposed development will not result in the unrestricted sprawl of a large built-up areas (purpose a). As referred to above, the development is in line with the Burlish Park Estate and has a clear and defensible Green Belt boundary.
- 9.16 It will not result in neighbouring towns merging into one another (purpose b). The gap between Stourport on Severn and Kidderminster will be preserved.
- 9.17 The development of the site will not have any impact on the setting and special character of a historic town (purpose d). The development will not adversely impact upon urban regeneration by encouraging the recycling of derelict and other urban land (purpose e). It has been established though the emerging Plan that the housing requirement cannot be met without substantial Green Belt land release. There are not enough urban brownfield regeneration sites available to meet development needs.
- 9.18 It is the Applicant's view that whilst there is some harm to the Green Belt by way of impact on openness and encroachment, the harm is limited.
- 9.19 In terms of other harm it is the Applicant's view the proposed development is in accordance with the Development Plan and supported by other material planning considerations (as explained below). The accompanying application reports do not identify any development constraints that cannot be mitigated. Therefore, no further harm exists.

The Benefits of the Scheme

- 9.20 There are a series of significant benefits that together constitute very special circumstances that outweigh the harm to the Green Belt, and any other harm. These are identified below.

i) An “Enabling” Development

- 9.21 An “enabling” development is a development that would usually be considered harmful but is considered acceptable because the resulting benefits outweigh the harm.
- 9.22 The principal reason the Trust have entered into an agreement with Taylor Wimpey to promote the site for residential development is to generate funds to support essential repair work to Stourport High School. As referred to in Section 2 of this SPS a significant proportion of the Stourport High School buildings date back to the 1950s. The school was due to be demolished and replaced in the early 2000s as part of the Building Schools for the Future Programme. This funding was, however, withdrawn as part of the austerity measures.
- 9.23 The supporting text to SAP Policy SLA.DPL12 - Education Sites, confirms that as a consequence of the cancellation of Building Schools for the Future, the District lost the funding for the partial or complete rebuilding of five secondary schools. A number of schools in the District therefore face an uncertain future regarding their accommodation. The emerging Local Plan confirms at paragraph 33.28 that a major rebuilding programme of the High School is required, and the sale of the Application Site will help towards this funding.
- 9.24 In order to establish the condition of the school buildings and the associated costs of their repair the Trust have commissioned a series of Condition Surveys. The most recent Condition Survey, undertaken in October 2020, is provided as an application document.

- 9.25 The Condition Survey 2020 identifies a number of significant deficits with parts of the school buildings. There are a number of “significant concern items” identified, some of which could cause full or partial closure of significant parts of the school, unless urgent works are programmed. These works include repairs to the concrete frame of a number of the buildings, which are deteriorating and have the potential to fail in the short term. Roofs and rooflights are leaking and require repairing or replacing. Temporary buildings that are beyond economic repair require replacing and parts of the electrical, alarm and heating system require replacing.
- 9.26 The Condition Survey identifies the total costs of these works as c.£4.938 million. It concludes that the majority of these works need to be undertaken within a two-year period from the date of the survey, and all of the works should be completed within a five year period.
- 9.27 In addition, the Condition Survey establishes that the all-weather pitch required to mitigate the development of the site will cost £925,837 (this matter is explained further below).
- 9.28 The Trust have explored various ways of generating the funds required to deliver the repair works. As explained in paragraphs 2.7 and 2.8 of the SPS, there are no grant funding opportunities available to the Trust to fund this work. The disposal of the Application Site for residential development is the only realistic way of generating the funds required to repair and undertake maintenance work to the buildings.
- 9.29 Stourport High School is the only secondary school in Stourport on Severn and is clearly a vital community facility. It is imperative that it can continue to function and offer a good quality of education to its pupils. That being the case, the fact that the planning application is the only realistic way of funding these works is a material consideration of significant weight that on its own constitutes a very special circumstance sufficient to outweigh any conflict with

the Green Belt. There are, however, further benefits that need to be considered.

ii) The Findings of the Secretary of State for Education

- 9.30 Given the above situation the Trust have been in discussions with the Secretary of State for Education regarding the opportunity to dispose of the Application Site for residential development. As part of this process the Trust have had to demonstrate that the site is surplus to requirements. The Secretary of State for Education wrote to the Trust on 18th May 2020 setting out his findings.
- 9.31 The Secretary of State has granted consent for the disposal of the Application Site for development, subject to a series of conditions. These include the Trust obtaining a minimum sale price of £4 million. The capital receipt must be spent upon a full-sized hybrid all-weather playing pitch within three years, to a specification relevant to its main use as a rugby pitch to mitigate for the loss of the playing field land. All other proceeds must be spent on the “urgent condition works” to the school as identified in a Works Schedule prioritised by an independent surveyor. These works must be started within eighteen months of consent being issued. The Trust is required to provide the Department of Education with an update on these matters every six months.
- 9.32 The letter also confirms that it does not imply support for these projects in the event that the capital generated is insufficient to cover the planned works.
- 9.33 The fact the Secretary of State for Education has determined that the site can be disposed of for a higher value use in order to support essential repair works to the school is a material consideration of significant weight.

iii) The Emerging Wyre Forest District Local Plan

- 9.34 The emerging Wyre Forest District Local Plan is in the latter stages of its preparation. It has been submitted for Examination, with the Examination scheduled to start in January 2021. The emerging Plan proposes to remove the Application Site from the Green Belt and allocate it for residential development. Policy 33 - Stourport on Severn Site Allocations, identifies the site as being suitable for the development of 115 dwellings. Policy 33.16 - School Site Coniston Crescent MI/38, contains additional criteria guiding the residential led development of the site.
- 9.35 The emerging Plan cannot be afforded full weight in the decision-making process as it is not adopted. However, the proposed residential allocations in the emerging Plan shows a clear direction of travel. The fact that the emerging Plan proposes the development of the Site can be afforded significant weight in the decision-making process given the Plans late stage in the Examination process, and as the housing requirement in the Development Plan is significantly out of date. By proposing the site for residential development, the emerging Plan confirms that it is WFDC's view that the site is suitable for residential development, despite the fact that it is currently within the Green Belt.
- 9.36 The emerging Plan makes it clear that it is not possible for WFDC to meet its current housing requirement without removing land from the Green Belt. The adopted Core Strategy housing requirement is out of date. It is based upon the requirements of the former RSS Panel Report which dates back to 2009. It predates both the Standard Method, and the previous Objectively Assessed Housing Need guidance. It is not fit for purpose. That being the case, the conclusions of the emerging Plan regarding the need to remove land from the Green Belt to meet the housing requirement can be afforded significant weight. The Application Site has been identified as one of the most appropriate locations for Green Belt land release to meet the Districts housing requirement.

iv) Supporting Educational Development

- 9.37 Paragraph 94 of the Framework advises that it is important that a sufficient choice of school places are made available to meet the needs of existing and new communities. Local Planning Authorities should take a pro-active, positive and collaborative approach to meeting this requirement. They should, amongst other things, give “great weight” to the need to create, expand or alter schools through the preparation of plans and the determination of applications.
- 9.38 Emerging Local Plan Policy 20A - Community Facilities, advises that proposals for provision and enhancement of existing community facilities, such as schools, will be supported.
- 9.39 Given that this planning application will directly support much needed education facilities it affords substantial support from the provisions of the Framework and policy 20A of the emerging Plan.

v) Economic Development

- 9.40 The proposed development will create jobs in the construction process as the houses are built. In addition, further jobs will be created in the construction process when repair works to the school buildings are undertaken. The residents of the development will increase footfall in local shops, services and facilities supporting their viability.

vi) Delivering Housing

- 9.41 The Application Site forms a component part of the Council’s five-year housing land supply calculation. The Five-Year Housing Land Supply Report advises that it is expected that the entirety of the site will be delivered in a five year period. It is, therefore, expected to deliver residential development in the short term.

- 9.42 Whilst a reduced amount of affordable housing is proposed, the provision of affordable housing can still be afforded weight in the decision-making process.

vii) The Timing of the Application

- 9.43 The Application has been submitted at the present time, as the Trust are in a position where they need to generate the funds to repair the Stourport High School buildings in the short term. There are two reasons for this. As detailed in the Condition Survey of October 2000 there are a number of urgent work items that need to be undertaken within one year. Furthermore, the Secretary of State has directed that the Trust dispose of the site and commence works on the school buildings within eighteen months of agreeing to the disposal of the site, i.e. 18th November 2021. This therefore leaves a very limited amount of time for the Local Authority to grant planning permission and the Trust to transfer the land to Taylor Wimpey. The Trust cannot wait for the emerging Plan to be adopted before the submission of this Application.

Conclusions - Very Special Circumstances

- 9.44 Drawing the above together, it is clear that significant very special circumstances exist that outweigh any harm to the Green Belt. That being the case, the principle of a residential led redevelopment of the site should be supported.

2) The Tilted Planning Balance

- 9.45 The adopted Core Strategy is an out-of-date Development Plan document. As referred to above, its housing requirements are more than ten years old and its allocations are not capable of meeting the current identified housing need. Both the Framework and the Town and Country Planning (Local Planning) (England) Regulations 2012 require Local Plans to be reviewed “no

later” than five years from the adoption date. This is not the case in this instance.

- 9.46 As a consequence of the Core Strategy being out-of-date the tilted balance, identified in paragraph 11.d of the Framework is engaged. The planning application should be approved unless the application of policies in the Framework that protect areas of importance provide a clear reason for refusing the development, or the adverse impacts of doing so would significantly and demonstrably outweigh the benefits.
- 9.47 Whilst the site is within the Green Belt and is therefore subject to one of the Frameworks protected area policies, very special circumstances can be demonstrated resulting in the scheme being compatible with the Green Belt policies within the Framework.

3) Access Arrangements

- 9.48 Planning permission is sought for the development of the site with access taken from Coniston Crescent to the south. The emerging Local Plan suggests that access should be taken from the Kingsway to the north. This is not, however, deliverable.
- 9.49 The Applicant has undertaken detailed highways work in order to support this planning application. This includes pre-application discussions with WCC Highways who have confirmed that the Coniston Crescent access arrangements proposed by the Scheme are acceptable. There will be no adverse off-site highways impacts as a consequence of the development. The provision of six car parking spaces at the entrance to the site will address the impact of the loss of on-site parking provision as a consequence of the construction of a new access. There are, therefore, no highways grounds to warrant refusal of the Scheme.

- 9.50 It should also be noted that this is not the first time that development on the Application Site has been accessed from Coniston Crescent. The Application Site formerly accommodated Burlish Middle School, and more latterly Stourport High School Sixth Form College. Vehicle movements associated with the Primary School and the Sixth Form College enter directly onto Coniston Crescent.
- 9.51 There is no explanation within the emerging Plan, or its evidence base documents, as to why the Kingsway access is preferred. However, it is understood that there is concern from local residents that the development of the site will result in additional and unacceptable vehicle movements onto Coniston Crescent. In this regard, whilst the scheme will result in additional vehicle movements onto Coniston Crescent from the residential development, these are likely to be less concentrated than the vehicle movements associated with the former School and Sixth Form Centre on the site. The bulk of the traffic movements from the education uses would have been associated at the beginning and the end of the school day, compounding the traffic issues arising from Burlish Park Primary School.
- 9.52 The Applicants have sought to actively explore the possibility of delivering the Kingsway access, as opposed to Coniston Crescent. However, the land required to construct this access is under the control of WFDC. During the course of the last eighteen months the Applicants have sought to establish a position to gain across this land. However, this has not been possible. That being the case, the Applicant has had little choice other than to pursue the Coniston Crescent access. If, however, an agreement can be reached with WFDC where access can be taken over the Kingsway land in the short term, the Applicants would like to enter into discussions with Officers about amending the Application to remove the vehicular access from Coniston Crescent.
- 9.53 It should, however, be noted that the Kingsway access is a significantly more expensive option than the Coniston Crescent access. It will result in the

creation of a new length of road and require the provision of a footpath along the Kingsway. It is also likely to result in the need for upgrades to the Kingsway junction to the east of the Application Site. These additional development costs will need to be fed into the Enabling Financial Appraisal and are likely to affect the Heads of Terms currently proposed.

4) Green Infrastructure

- 9.54 Policy CP13 - Providing a Green Infrastructure Network, of the Core Strategy advises that all new developments are expected to provide open space where technically feasible. The policy does not, however, set a standard for green infrastructure provision or public open space.
- 9.55 The emerging Local Plan advises at Policy 14 - Strategic Green Infrastructure, that greenfield sites should provide 40% green infrastructure. However, through the pre-application process it is confirmed that this policy cannot be afforded full weight.
- 9.56 In addition, the emerging Plan must be read as a whole. Policy 33 - Stourport on Severn Site Allocations, advises that the Application Site should deliver in the region of 115 dwellings on 3.64 hectares of land. If 40% of the site area were to be provided as green infrastructure this would leave a net developable area of 2.1 hectares. This would mean that the entirety of the net developable area would need to achieve a density in excess of 50 dph. As a suburban location next to low density development it is not realistic to expect this site to deliver such a high density.
- 9.57 There is, therefore, a clear tension between the specific requirements of Policy 30, and the generic requirements of Policy 14. It is the Applicant's view that the specific policy requirements should outweigh the generic.
- 9.58 In any event, as explained below the quantum of development proposed is required to generate the necessary funds for repair work to the school.

Reducing the number of dwellings by increasing the amount of public open space would mean that the money required to repair the school would not be available. This, in the Applicant's view, outweighs the emerging Plan's green infrastructure requirements.

5) Playing Pitch Protection

- 9.59 The accompanying Playing Pitch Assessment establishes the impact of the development on playing pitch provision. In short, whilst this area of land would no longer be available for use by the school it is surplus to requirements. It has not been used by Stourport High School for playing field purposes for a significant period of time. In addition, the Secretary of State has confirmed that the school has significantly more playing pitch land available to them than is required by standards. There will, therefore, be no harm to physical education provision at Stourport High School as a consequence of development of the site. However, in any event the Secretary of State has directed that the school provide an all-weather 3G pitch to mitigate the loss of this land.
- 9.60 There is not, and has not been, any community access to this site. The redevelopment of the site will not, therefore, cause any harm to public playing pitch provision. However, it is the Trust's intention to make the 3G pitch that will be funded by the development available to members of the public outside of school hours. There will, therefore, be a net improvement in public playing pitch provisions as a consequence of the development.
- 9.61 In addition, the Council's Playing Pitch Strategy Addendum, concludes that there is not a requirement for additional pitches in the District, taking into account the fact that the Application Site is allocated for residential development. Instead, the Playing Pitch Strategy Addendum suggests that existing facilities should be enhanced, alongside two new 3G pitches. This development will be directly responsible for delivering one of these 3G pitches.

- 9.62 In terms of the delivery of the off-site playing pitch this is controlled by the Secretary of State letter, and there does not need to be a condition on the Decision Notice or included in the S.106. If, however, WFDC are of the view that a condition would be an appropriate way of controlling the provision of the playing pitch the Applicants would be happy to enter into discussions with Officers in that regard.
- 9.63 Drawing the above matters together there is significant support in policy and by material considerations for the Scheme.

10.0 HEADS OF TERMS

- 10.1 The Planning Application is accompanied by an Enabling Financial Appraisal. This document calculates the planning obligation package that the Scheme can afford based upon the quantum of development proposed, and the necessary money that needs to be spent on repairing the Stourport High School buildings. This report concludes that the scheme is capable of providing 18 affordable dwellings (16.4%) which is below the emerging policy requirement of 25% provision. These 18 affordable dwellings should be provided as 12 socially rented properties and 6 shared ownership.
- 10.2 In terms of wider contributions, if education contributions were sought, they would be directed back to the Trust in any event. There is, therefore, little benefit in education contributions being sought by WFDC and WCC County.
- 10.3 The Enabling Financial Appraisal is based upon access being taken from Coniston Crescent to the south. If the application is amended to take access from the Kingsway the Enabling Financial Appraisal will need to be revisited. The Kingsway access is a more expensive option, given that it involves the construction of approximately 100 metres of new road between the edge of the Application Site and the Kingsway to the north, and the creation of a new junction. It is also expected that it will be necessary to create a footpath along the southern edge of the Kingsway to provide an access to the Secondary School. These additional development costs would need to be fed into the Enabling Financial Appraisal and could result in alterations to the proposed Heads of Terms.

11.0 THE PLANNING BALANCE

11.1 A planning balance exercise has been undertaken, the results of which are set out in Table 1 below. The planning balance has been undertaken in the context of the Green Belt guidance within the Framework. As the proposed development is an “inappropriate” form of development within the Green Belt it is necessary to attach substantial weight to any harm to the Green Belt, and any other harm in the planning balance. In addition, given that the adopted Local Plan is out of date the tilted balance identified in paragraph 11d of the Framework is engaged, in the context of the Green Belt policy tests.

Table 1 - The Planning Balance

ISSUE	COMMENT	BENEFIT OR HARM
S.38 (6) of Act	It is the Applicant's view that the proposed development is Development Plan compliant. Whilst the Application Site is in the Green Belt very special circumstances have been demonstrated removing any conflict with the Development Plans Green Belt policies.	Benefit
Impact on the Green Belt	The proposed development will have an impact on the openness of the Green Belt, and by way of encroachment. This impact does, however, need to be considered in the context that WFDC have concluded that the site is a suitable location for residential development in the emerging Plan, and that Green Belt land release is required to meet WFDC housing requirements. However, in accordance with the provisions of the Framework any harm to the Green Belt must be afforded significant weight.	Harm to the Green Belt by way of openness and encroachment.
Funding repair work at Stourport High School	The proposed development is the only way of funding essential repair work at Stourport High School. The funds from the sale of the site will be directed into delivering essential repair work that is required to prevent parts of the school buildings closing. This is a consideration of significant weight.	Significant benefit.
Conclusions of the Secretary of State for Education	The Secretary of State for Education has concluded that it is appropriate for the site to be disposed of for residential development on the basis that the money received from the sale of the site will be directed into School repair projects and the provision of a replacement 3G pitch.	Significant benefit
The emerging Plan	The emerging Local Plan identifies the Application Site as a residential allocation. The Local Plan has been submitted for Examination and the Local Authority have advised the Inspector that it is their	Significant benefit

	view that the site should be a preferred location for residential development.	
Meeting housing needs	The emerging Local Plan has concluded that it is not possible to meet WFDC's housing requirement without Green Belt land release. This site has been identified as a preferred location to deliver residential development.	Significant benefit
Supporting educational development	The Framework advises that "great weight" should be attached to the need to support educational development. Emerging Local Plan Policy 20A - Community Facilities, seeks to support proposals to enhance community facilities such as school provision.	Significant benefit
Economic development	The application scheme will create jobs in the construction process through both the construction of the dwellings and repair work to the school. Residents of the development will increase footfall in local shops, services and facilities supporting their viability.	Significant benefit
Playing pitch provision	The Council's Playing Pitch Strategy Addendum concludes that there is not a requirement for additional playing fields within the District. It is, however, suggested that additional playing facilities should be upgraded and two new 3G pitches should be provided. The proposed development will deliver one of these two 3G pitches.	Benefit
Affordable housing	16.8% affordable housing provision is proposed. Whilst this is below a policy compliant level, due to the financial issues surrounding the funding of the essential repair work to the School, it is still a benefit of the scheme.	Benefit
The provision of on-site open space	New open space will be created on site to the benefits of all. This is a benefit of the development.	Benefit

11.2 It is the Appellant's view that the benefits of granting planning permission significantly outweigh any harm.

12.0 CONCLUSIONS

- 12.1 This SPS has been prepared to support a full planning application proposing the development of 110 dwellings (gross) 109 (net), public open space and associated infrastructure on surplus land that forms part of Stourport High School. Taylor Wimpey have worked with Severn Academies Trust in the preparation of the planning application. The proposed development will deliver much needed housing in a highly sustainable location. Significantly, the development will also fund urgent repair works to Stourport High School.
- 12.2 Stourport High School was originally constructed in the 1950s. It was due to be demolished and replaced in the 2000s as part of the Building Schools for the Future programme. However, following the cancellation of this programme as part of the austerity measures this opportunity has been lost. The Trust have, therefore, found themselves in a position where they are having to repair and maintain the existing buildings as best they can.
- 12.3 The Trust have instructed a series of condition surveys of the buildings on site. The most recent of these surveys was undertaken in October 2020 and is provided as an application document. This survey confirms approximately £4.9million needs to be spent on repair and maintenance work. A number of “significant concern” items are identified that could result in full or partial closure of the school if they are not addressed. The survey advises that the majority of the work items should be undertaken within two years, with the remaining work items undertaken within a five-year period.
- 12.4 The Trust are unable to obtain grant funding for this work. The proposed residential development of the application site is the only realistic way of generating the funds required for the works.
- 12.5 The Trust have been in discussions with the Secretary of State for Education regarding the proposed development. The Secretary of State has agreed that the Application Site is surplus to requirements and the Trust can dispose

of it for development. There are, however, a number restrictions placed upon the Trust. With the exception of the funding required to provide a new 3G pitch all of the money from the sale of the site must be spent upon repair works to the school buildings. In addition, the repair works must be started within 18 months of the consent been issued by the Secretary of State, i.e. 18th November 2021. This planning application, does, therefore, need to be determined promptly.

- 12.6 The Development Plan relevant to the Application Site comprises the WFDC Core Strategy, adopted in 2010, and the Site Allocations Plan, adopted in July 2013. Significant proportions of the Development Plan are now out of date. The housing requirement is based upon the revoked RSS Phase 2 Review Panel Report. The Core Strategy was produced prior to the publication of any version of the Framework. Legislation and the Framework require Local Plans to be reviewed every five years, and this task is yet to be completed. However, the Core Strategy and Site Allocations Plan retain Development Plan status and are the starting point for the determination of the application.
- 12.7 The Application Site is within the Green Belt. The proposed development forms an inappropriate form of development in the Green Belt. It is, therefore, necessary to demonstrate very special circumstances for planning permission to be granted. The harm the development will cause to the Green Belt, and any other harm, must be outweighed by the benefits of the Scheme.
- 12.8 The proposed development will result in new built form within the Green Belt, and therefore causes harm to the openness of the Green Belt and results in some encroachment. This harm is, however, limited by the fact that there was previously significant built development on part of the site in the form of the Sixth Form block that has now been demolished, and as the site was used as part of the school it has been in urban use. In addition, there are clear defensible boundaries to the north in the form of the allotments and the

Kingsway. The development of this site will not extend Stourport on Severn further north, it will be in line with the Burlish Park Estate to the west.

12.9 This limited harm is outweighed by the significant benefits of the Scheme. These include: -

- The development is essential to fund repair works to Stourport High School. The Scheme represents the only realistic way of delivering this work and protecting the only secondary school in Stourport on Severn.
- The Secretary of State for Education has declared the site surplus to requirement and advised that he will support the release of the site for redevelopment, on the basis that it will fund repair work to the school and provide a 3G pitch.
- WFDC have decided to allocate the site for residential development in the emerging Local Plan. The Plan is in the latter stages of the examination process and is currently the subject of examination.
- Paragraph 94 of the Framework advises that “great weight” should be placed on the need to create and expand schools through the determination of planning applications.
- The development will assist in creating economic growth by creating jobs through the construction of houses and in the repair of the school buildings. Residents of the development will increase footfall in local shops, services and facilities supporting their viability.
- The Application Site forms a component part of the Council’s five year housing land supply. The Council’s most recent Five Year Housing Land Supply report advises that the entirety of the site is expected to

be delivered within the five year period, with initial completions taking place in 2021/2022 monitoring year.

- 12.10 The significant benefits of the Scheme outweigh the harm to the Green Belt.
- 12.11 In addition, as the adopted Development Plan is out of date, and as very special circumstances can be demonstrated in accordance with Green Belt policy, the tilted balance identified in Paragraph 11.d of the Framework is engaged. This creates further support for the grant of planning permission.
- 12.12 The emerging Local Plan suggests that the Application Site should deliver 115 dwellings. Planning permission is sought for the development of 110 dwellings (gross) 109 (net). As such, the development is broadly consistent with the quantum of development directed to it by the emerging Plan.
- 12.13 The adopted development plan does not include any set Green Infrastructure requirements. However, the emerging Plan suggests that 40% Green Infrastructure should be provided on greenfield sites. It is not, however, possible to achieve 40% Green Infrastructure on the Application Site without the density exceeding 52 dpa. This is not considered appropriate given the suburban nature of the Application Site and the surrounding land uses. As a consequence, the development provides approximately 20% Green Infrastructure (excluding the Kingsway access land). There is no conflict with the adopted Local Plan in this regard.
- 12.14 This approach is considered appropriate as the emerging Plan's Green Infrastructure policy cannot be afforded full weight. This has been confirmed to the Applicants during the pre-application process. There is clearly a tension between the requirements of the emerging Plan, that seeks to deliver 115 dwellings on the Application Site and also achieve 40% Green Infrastructure. The Green Infrastructure policy within the emerging Plan is a generic policy, whereas the residential allocation policies are specific. It is our view that the specific policies should take precedence over the generic

policies. In addition, the 115 dwellings proposed are required to generate the necessary money to fund repair works to the school. This matter is addressed in the accompanying Enabling Viability Appraisal.

- 12.15 On this matter, a total of 18 affordable properties are proposed. This is below emerging policy requirements which would require 27 affordable properties. However, it has been necessary to reduce the quantum of affordable housing in order to ensure that the Scheme can generate sufficient funds to fund repair works to Stourport High School. This matter is addressed in the accompanying Enabling Financial Appraisal.
- 12.16 The Scheme takes its vehicular access from Coniston Crescent. The access arrangements have been subject to pre-application discussions with WCC Highways. As detailed in the accompanying Transport Assessment the Coniston Crescent access is perfectly acceptable.
- 12.17 The emerging Plan suggests that access should be taken from The Kingsway to the north. This is, however, undeliverable as the Applicant does not control the necessary land to construct an access between the development site and the Kingsway. The required land is within the ownership of WFDC. The Applicants have sought to agree a position with WFDC whereby an access can be constructed in this location, however, this has not been possible at the time of the submission of the application. In order to remain flexible, the planning application red line includes a strip of land that would allow for an access to be constructed on to The Kingsway, should an agreement be reached with WFDC. It is the Applicants' intention to continue discussions with WFDC during the course of the determination process in order to see if an agreement can be reached. If so, the planning application will be amended accordingly so that vehicular access is no longer proposed from Coniston Crescent, with access taken from the Kingsway.
- 12.18 The Application Site was last used as playing fields by Stourport High School. It has not, however, been used as playing fields for a significant

period of time. The playing field use of the site has been declared surplus to requirements by both the Trust and the Secretary of State for Education. The Secretary of State for Education has concluded that in order to mitigate the loss of the pitches on site the school should provide a new 3G playing pitch.

- 12.19 This approach is completely consistent with the findings of the WFDC Playing Pitch Strategy Addendum. It concludes that the District Council should focus on enhancing existing pitches and seek to provide two new 3G pitches. The proposed development will deliver one of the required 3G pitches.
- 12.20 It should also be noted that there is no public access to the Application Site. However, it is the Trust's intention to make the new 3G pitch available for community use outside of school hours. This is a benefit of the scheme.
- 12.22 In summary, the benefits of the development of the Application Site are significant. It is an enabling development that will help ensure that Stourport High School can continue to function and provide the best possible educational environment to its pupils. It will deliver housing on a site allocated for residential development in the emerging Plan. It will enhance playing pitch provision locally and provide new public open space and affordable housing. It is, therefore, respectfully requested that planning permission is granted.

APPENDIX 1

SCHOOL LETTER ON FUNDING

20 October 2020

Mr C King, MSc PGCE NPQH
Chief Executive Officer

Mrs H Hawkes
Principal Development Manager
Development Control
Wyre Forest District Council
Finepoint Way
Kidderminster
Worcestershire
DY11 7WF

Dear Helen

I understand that both the Council and Sport England have queried the use of the old Sixth Form site that we plan to sell.

For context, the old Stourport High School 6th Form site (previously Burlish Middle School) was closed and fenced off, in July 2017, ahead of the completion of the new 6th **Form Block in Sept 2017. The school doesn't** use the area as it is, as recognised by the Secretary of State for Education, surplus to its sporting and educational needs. Prior to this, the existing old playing surfaces had not been used by the school for several years due to a number of reasons including:

- In the past the site had been used as a cricket pitch. However, the hard wicket pitch had become worn and dangerous and the costs of maintaining the outfield to safe standard had become prohibitive in the educational financial climate. The school used and still uses Stourport Cricket Club pitches for matches as members of the club are teachers at the school and many of the Club's junior players are from the school. There is a long term and successful relationship with the club. School cricket practice sessions take place in the nets of the school's Sports Hall, the Sports Dome and 3 artificial surfaces. Other summer activities such as rounders and softball take place on the existing grass fields, Sports Dome, artificial surfaces and Stourport Sport Club athletics central grass area.
- The site was last laid out as 11v11 junior pitch. However, it has not been used as a football pitch for a number of years. The school has the use of another grass football pitch and 2 suitable onsite artificial surfaces for football practices and matches as appropriate.

There is not, and never has been, any public access to this site. It was solely used by the school. The Trust will not, under any circumstances, be restoring this area of land to playing field use to allow for public use due to the costs involved.

As part of the arrangement with the Secretary of State (SoS) to dispose of this land, an all-weather multi-sport surface (suitable for both rugby, football and other multi-sports) will be provided. This should fit in with the Wyre Forest Playing Pitch Strategy (PPS) which identified the need for two additional artificial playing surfaces within the area. The SoS agreement states that we must provide the pitch within 3 years, but the Trust plans to build as soon as funding from the sale becomes available. Whilst it will be principally used by the pupils of the School, it will also be made available to Members of the Public outside of School hours. This is a net sporting gain.

The Trust is a founding member of Stourport Sports Club (along with WFDC, Stourport Hockey Club and Kidderminster and Stourport Athletics Club) and along with Kidderminster & District Netball League and Wyre Forest Cycle Racing Club have signed a 125-year Management Agreement (110 years left to run) to use, provide, manage and maintain the wide range of onsite sporting facilities. Stourport High School (a Trust school) has use of all the sporting facilities during the school day, Monday to Fridays during the School Term.

'Built-in the 1950's, Stourport High School, was identified by the Government's Building School for the Future (BSF) project as the first secondary school to be rebuilt in the Wyre Forest area due to the condition of the building. Up until the project was shelved in the last economic crash, the basic maintenance of the school was funded by both the local authority (following the Wyre Forest Educational Review) and later by the Academy Trust. As such, no essential structural works were undertaken at all, with the buildings deteriorating further.

Since the project was shelved the Trust has explored and exhausted all funding mechanisms (CIF, Section 106, direct appeals to the EFSA and SoS for Education) to finance all the required outstanding building improvements required at Stourport High School. Whilst we have had some success, this has not addressed the fundamental repairs needed and due to the time it has taken through both the planning process and also the sign off process with the SoS for Education, further deterioration has occurred.

In terms of present capital funding streams, the Trust is only eligible for annual School Condition Allocation (SCA) funding and Devolved Formula Capital (DFC) which are primarily based on a pupil numbers formula. To receive direct SCA, multi-academy trusts must meet both eligibility criteria below:

- the trust must have 5 or more open schools at the start of September 2019;
- those open schools (or their predecessor schools) must have had at least 3,000 pupils counted in the spring 2019 census.

The Trust comprises 7 schools and well over 3,000 students. The Trust therefore cannot apply for Condition Improvement Funding (CIF) as it receives SCA funding.

According to the DFE guidelines, SCA funding should be prioritised on keeping school buildings safe and in good working order by tackling poor building condition, building compliance, energy efficiency, and health and safety issues. According to the DFE guidelines, DFC funding is for individual institutions to maintain their buildings and fund small capital projects.

The annual SCA funding is roughly £770,000. The DFC is roughly £74,000. This funding has to cover all 7 schools many of which are well over 100 years old. The two large secondary schools were built in the 1950s. All schools require substantial and ongoing maintenance/repairs and therefore this is simply not enough money to undertake the improvements needed.

As a Trust we want our students and their families not just to benefit from the very best educational facilities but from those that are also simply fit for purpose. This scheme will provide an investment in the young people that attend the school, their families and the subsequent wider economic benefits to our local community for many more generations to come. Failure to address these fundamental issues will inevitably lead to full or partial closures due to structural condition of the school.

Yours sincerely

A handwritten signature in black ink, appearing to read 'C King', written in a cursive style.

Mr C King
Chief Executive

APPENDIX 2

CORRESPONDENCE WITH SECRETARY OF STATE FOR EDUCATION



Department for Education
Sanctuary Buildings
Great Smith Street
London SW1P 3BT

Tel: 0370 000 2288

schoolsassets.EFACAPITAL@education.gov.uk

Ref: LT-00885
18 May 2020

Chris King
Accounting Officer
Severn Academies Educational Trust
c/o The Stourport High School
Minster Road
Stourport-on-Severn
DY13 8AX

By email only: chrisking@saet.co.uk

Dear Mr King,

Notification to the Secretary of State for Education of a disposal of non-playing and playing field land under Schedule 1, Part 3 of the Academies Act 2010

Application for the consent of the Secretary of State to a disposal of non-playing and playing field land under the Academies Financial Handbook and the Funding Agreement

The Stourport High School & 6th Form College, Minster Road, Stourport-on-Severn DY13 8AX

Thank you for your application seeking consent to dispose of non-playing field and playing field land at The Stourport High School & 6th Form College, Minster Road, Stourport-on-Severn DY13 8AX, which comprises part of registered title number WR144193. The land concerned is 36,883m² and is shown coloured purple on the plan at Annex A to this letter.

The disposal is by way of a freehold transfer.

The seller is Severn Academies Trust; the purchaser is to be confirmed; the price is at least £4million; and the sale is not subject to overage.

The school's amount of playing field land after the disposal will be 43,584m².

This letter confirms that the Secretary of State does not intend to make a direction in relation to the land under Schedule 1, Part 3 of the Academies Act 2010 and that consent to the

disposal has been given under the Academies Financial Handbook and the trust's Funding Agreement.

Consent has been given on the following conditions:

a) The trust obtains a minimum sale price of £4 million;

b) to mitigate the loss of playing field the applicant will build a full size hybrid all-weather pitch within 3 years and to a specification relevant for its main use as a rugby pitch;

c) all other proceeds will be spent on urgent condition works as identified in work schedule and prioritised by an independent surveyor. We require the trust to follow a published process to ensure they achieve value for money (i.e. the AFH and Schools Buying Guide) and to inform us when the improvements are completed with the provision of independent completion certificate(s). These works must be started within 18 months of consent being issued;

d) The trust provides the Department with an update of progress on (a) to (c) above every 6 months of this letter; and

e) the trust confirms acceptance of these conditions and confirms it will comply with them/ by returning an acknowledgement in the form of the letter at Annex B on behalf of the trust.

It is the school's responsibility to manage its improvement projects and consent to this application does not imply consent to any other land transaction which may arise as a result of those projects, nor does it imply support for those projects in the event that the capital generated is insufficient to cover the planned works.

This consent does not provide or imply any additional funding.

The trust remains responsible for managing any safeguarding issues which arise.

Yours sincerely

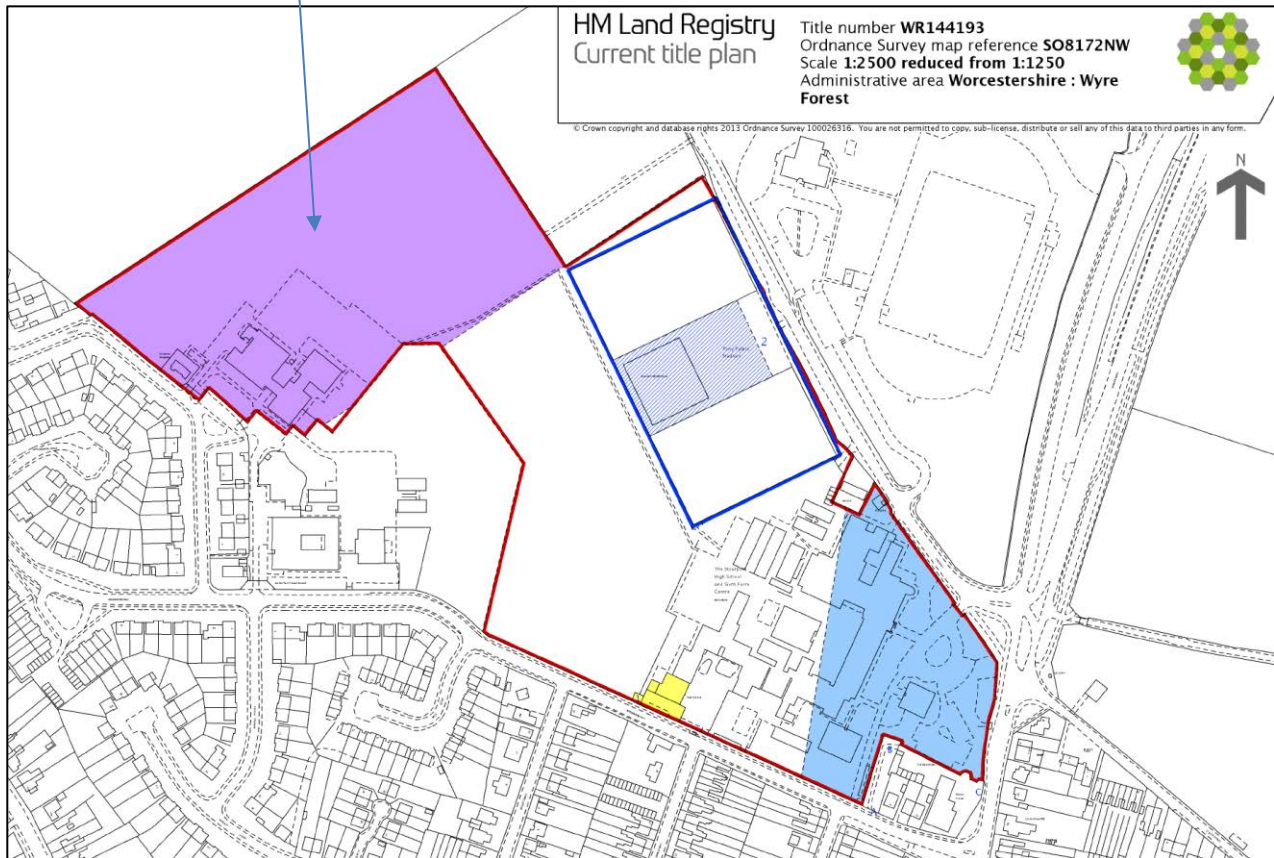
A handwritten signature in black ink, appearing to be 'Caroline Morland', written in a cursive style.

Caroline Morland

Signed in my capacity as G6 official acting for and on behalf of The Department for Education
Legal & Transactions, Capital Group

Cc Rob Giles, Case Manager, Legal and Transactions - Robert.giles@education.gov.uk

Annex A – plan showing the land to be disposed of by freehold transfer at The Stourport High School & 6th Form College, Minster Road, Stourport-on-Severn, DY13 8AX and coloured purple



Annex B – form of acknowledgement letter

Department for Education
Sanctuary Buildings
Great Smith Street
London SW1P 3BT

2020

Dear Sirs

Acceptance of conditions of the consent of the Secretary of State for Education to a disposal of playing field and non-playing field land under the Academies Financial Handbook and the trust's Funding Agreement.

**The Stourport High School & 6th Form College, Minster Road, Stourport-on-Severn
DY13 8AX**

I confirm the trust's acceptance of the conditions of consent set out in the Department's letter dated 18 May 2020, a copy of which is attached to this letter, and confirm that the trust will comply with those conditions.

Yours faithfully

Accounting Officer/Chief Executive

APPENDIX 3

PRE-APPLICATION ADVICE LETTER



To Mr Simon Hawley
Harris Lamb Limited
Grosvenor House
75-76 Francis Road
Edgbaston
Birmingham
B16 8SP

case officer: Helen Hawkes
tel: 01562 732517
fax: 01562 732556
Helen.hawkes@wyreforestdc.gov.uk
our ref: 20/0089/PAE
your ref: N/A

date: 11 September 2020

Dear Simon,

Pre-application enquiry for 118 houses on land formerly occupied by Sixth Form Block and playing fields for Stourport High School

I understand from your pre-application letter that the proposed scheme involves the redevelopment of land that was previously occupied by a Sixth Form Block and disused school playing fields with 118 residential homes, including associated infrastructure and works.

Existing site – The site is part brownfield approximately 1 hectare, having been previously occupied with the former Sixth Form block, which was demolished as part of the Outline Approval 15/0583/OUTL, however it is noted that this land should have been reinstated as playing field in accordance with Conditions 6, 12 and 14. The remaining part is greenfield and relates to school playing fields. The entire site is washed over by the West Midlands Green Belt. The site is relatively flat in ground levels and includes a woodland area along its road frontage with Coniston Crescent. There are several trees within the site that are subject to Tree Preservation Order No. 441 (and these include 2 Oak, 2 Lime and 1 Elm and small woodland block of mixed species).

The site is adjoined to the north by the former Burlish Golf Course, to the northwest by allotments, to the east by the remaining playing fields to Stourport High School and residential properties lie to the southwest.

Recent planning history – A number of planning applications have been considered in relation to Stourport High School and Sixth Form, with the most relevant being:

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18/0577/FULL - Erection of two storey Science Block: Approved 19.12.2018.

18/0352/S73 - Variation of conditions 6 and 12 of permission 15/0583/OUTL to allow changes to time limits for demolition and restoration: Awaiting decision.

17/0661/RESE - New Maths and English classroom block (reserved matters following permission 15/0583/OUTL, to address appearance, landscaping, scale and the disposal of foul and storm water from site): Approved 17.01.2018

16/0420/RESE - New two storey 6th form block and two storey classroom teaching block (reserved matters following outline permission 15/0583/OUTL, to address access, appearance, landscaping and scale): Approved 5.10.2016

15/0583/OUTL - Outline application for new two storey 6th Form block and two storey classroom teaching block to replace temporary classrooms. (Layout to be agreed with all other matters reserved): Approved 5.02.2016

Condition 6 – Within 3 months of the first occupation of the sixth form block hereby approved the existing sixth form block shall be demolished and removed from the site in its entirety and the site shall then be restored to playing field in accordance with Condition 12 of this permission.

Reason: to prevent harm to the open in accordance with Policy SAL.UP1 of the Site Allocations and Policies Local Plan and to preserve on site facilities for outdoor sport and recreation in accordance with Policy SAL.DPL12 of the Site Allocations and Policies Local Plan.

Condition 12 – The new replacement playing fields to be provided on the site of the existing sixth form building shall be provided in accordance with Drawing No. 14/1170-12 and the details agreed under condition 14 of this permission. The playing fields shall be made available for use within 6 months of the date of first occupation of the sixth form block hereby approved.

Reason: To preserve on site facilities for outdoor sport and recreation in accordance with Policy SAL.DPL12 of the Site Allocations and Policies Local Plan.

Condition 14 – No development shall commence until a playing field restoration scheme for the site of the existing sixth form block and its associated curtilage as shown on Drawing No. 14/1170-01 has been submitted to and approved in writing

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by the Local Planning Authority. The restoration scheme shall provide details of the following:

- i. Existing and proposed ground levels;
- ii. Existing and proposed soil profiles;
- iii. Measures to dispose of/accommodate waste materials on the site;
- iv. Drainage measures including where appropriate under drainage;
- v. Proposed seeding, feeding, weeding and cultivation measures;
- vi. Boundary treatment;
- vii. Five year aftercare and maintenance arrangements;
- viii. Installation of equipment (e.g goal posts);
- ix. Restoration and maintenance programme.

All works shall proceed in strict accordance with the approved details.

Reason: To preserve on site facilities for outdoor sport and recreation in accordance with Policy SAL.DPL12 of the Site Allocations and Policies Local Plan.

Site allocation – The site is washed over by the Green Belt and the land use is playing fields, and whilst part of the site was previously occupied by a building there is are planning conditions imposed to 15/0583/OUTL which requires the land to be provided as replacement playing field.

The site has also been put forward as a strategic site allocation for housing in the emerging Local Plan for up to 115 houses under Policy 33.16, having been considered as surplus to school playing field requirements. This policy requires access to the site to be from Kingsway, as this is the best option for delivering the Council's vision of housing in this location.

The emerging Local Plan was submitted for examination on 30 April 2020 and is a material consideration, however, the weight to be attributed to the emerging plan if an application was forthcoming, would be given in line with Paragraph 48 of the National Planning Policy Framework, which states the following:

48. Local planning authorities may give weight to relevant policies in emerging plans according to:

- a) the stage of preparation of the emerging plan (the more advanced its preparation, the greater the weight that may be given);
- b) the extent to which there are unresolved objections to relevant policies (the less significant the unresolved objections, the greater the weight that may be given); and

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c) the degree of consistency of the relevant policies in the emerging plan to this Framework (the closer the policies in the emerging plan to the policies in the Framework, the greater the weight that may be given).

Principle of development - *Whether inappropriate development in the Green Belt*

The National Planning Policy Framework advises that the fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open' the essential characteristics of Green Belts are their openness and their permanence. It further notes that local planning authorities should ensure that substantial weight is given to any harm to the Green Belt and that inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances.

Paragraph 145 of the National Planning Policy Framework refers to the construction of new buildings in the Green Belt as inappropriate development unless they accord with the identified exceptions. The proposed development would not fall within any of these exceptions. Policy SAL.UP1 of the Adopted Site Allocations and Policies Local Plan also applies similar exceptions as the Framework. As such, the development would amount to inappropriate development in the Green Belt.

Very Special Circumstances – The NPPF allows the harm to the Green Belt to be weighed against any other material considerations in order to determine if there are very special circumstances which may justify inappropriate development.

In any forthcoming application, the Planning Statement will need to set out other material considerations including economic, social and environmental benefits. For this development, I consider that the following benefits would be provided:

Economic - construction jobs and increased local spending power

Social - new houses within Stourport-on-Severn; range of house sizes/types including some affordable housing; contributing to maintaining the Council's five year housing land supply; on site open space and access to wider area of open space; access to local facilities; and improvements to education facilities (Stourport High School – please see section on this below).

Environmental - the development would not involve the loss of environmentally sensitive land; houses would not be at risk of flooding and would not cause flooding elsewhere; existing woodland would be retained and managed; bat and bird boxes would be provided as part of the development; additional tree planting would be

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provided as part of the development; it would be beneficial if each house would have an electrical vehicle charging point, ecological enhancements such as bird and bat boxes, new wildlife friendly planting; and hopefully, it will be demonstrated that the development would not cause severe off site highway issues.

I note that the Council can demonstrate a 5 year housing land supply and therefore only limited weight would be given to this Social benefit.

Also, any reduction in affordable housing (i.e. below policy requirement) would reduce the Social benefit afforded in the Planning Balance.

In terms of the proposed 'improvements' to the existing school buildings, it is acknowledged that the National Planning Policy Framework, in paragraph 94, advises that great weight should be given to the need to create, expand and alter schools through the decisions on applications. Policy SAL.DPL12 of the adopted Site Allocations and Policies Local Plan refers to Educational Sites and seeks to provide a positive framework to enable sites to develop to meet their educational needs.

I have reviewed the Condition Survey Assessment, Stourport High School and Sixth Form Centre (September 2016) which gives a total anticipated expenditure for immediate and years 1 – 5 being in the figure of £4,246.004

However, it is difficult to establish how much weight to apply to this assessment due to the following:

- The length of time since the assessment was carried out.
- Whether any of the works identified in the assessment has been carried out since 2016, this includes works to:
 - a) Asbestos
 - b) Concrete Frame and components
 - c) Windows
 - d) Mechanical
 - e) Electrical
- If no 'urgent works' have been carried out, what are the reasons given that the school has been receiving funding annually and has remained open.
- Did the school receive the 2017/2018 CIF bid as highlighted in the assessment and has the asbestos removal and consequential renewal of

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heating system been undertaken. If these works have been carried out, then this cost should be deducted from Priority 1 costings listed in the assessment.

- The assessment includes repair works to the 'Temporary Buildings', however, the new Science, English and Maths Blocks (approved under application 18/0577/FULL and 17/0661/RESE) replaced a number of modular temporary buildings. As such, this cost should also be deducted from the overall cost.
- The Locational Drawings 16/1262/01, 16/1262/02 and 16/1262/03 have not been included and therefore, it is unclear what buildings were reviewed and whether buildings are still existing and being used by the school.

It is also unclear what other ways the school has sought to finance the repair/improvement works to the school building since 2016 and what other grant funds have been applied for and discounted.

Furthermore, it is unclear what the monies generated by this development would be put towards and the timescales for implementing and completing each area of work identified. I consider that a new building condition survey should be undertaken given the length of time since the previous assessment was commissioned and that the identified areas of work should be clearly set out in a table with cost and timescales for completing the works given.

Overall, I am supportive of the principle of enabling development to help the school, but on the understanding that this is fully proven within a planning balance framework.

Principle of development - Loss of Playing Field – Paragraph 97 of the National Planning Policy Framework makes it very clear that existing playing fields should not be built on unless:

- a) an assessment has been undertaken which has clearly shown the open space, buildings or land to be surplus to requirements; or
- b) the loss resulting from the proposed development would be replaced by equivalent or better provision in terms of quantity and quality in a suitable location; or
- c) the development is for alternative sports and recreational provision, the benefits of which clearly outweigh the loss of the current or former use.

The school is currently in breach of planning conditions attached to 15/0583/OUTL, which has part of the very special circumstances put forward for the replacement Sixth Form Block, that the land occupied by the former school building would be

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reinstated as replacement playing field following its demolition. I can accept that this land is surplus to requirements, however, it would still be required as part of this proposed development that the loss is replaced with equivalent or better provision in terms of quantity and quality in a suitable location.

Secondly, the proposed development would also result in the loss of existing playing field, and I note that the Secretary of State has confirmed that it is surplus to the school's requirement and also Policy 33.16 of the Emerging Local Plan also accepts that it is surplus, on the basis that the school has an agreement with the adjoining Stourport Sports Club to use their sporting facilities and an alternative cricket pitch.

As part of any forthcoming application, it would be necessary for you to demonstrate that the existing playing field is surplus and that the school also has a long-term agreement with Stourport Sports Club.

It would also be required that the loss of the existing playing field would be replaced by equivalent or better provision in terms of quantity and quality in a suitable location.

I understand as part of the proposed scheme that it is intended to construct an all-weather rugby field on the existing school playing fields. However, the adopted Playing Pitch Strategy advises that the current and future demand for play provision for rugby union is being met, and therefore there is no requirement for any additional rugby pitches but that existing stock should be improved. I am also concerned that this will only be used by Worcester Warriors given that the school has an agreement with this club and that the proposed facility would not be available on many days/hours for community use.

As part of your forthcoming application, it would be necessary for you to identify from the adopted Playing Pitch Strategy (PPS) what new playing pitch provision would be delivered as part of the development that would be for community use in order to accord with Paragraph 97(b) of the NPPF.

I note that the PPS identifies the following shortfalls in play provision for Stourport which could be provided as part of this development to compensate for the loss of playing field.

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WYRE FOREST PLAYING PITCH STRATEGY STRATEGY & ACTION PLAN

STOURPORT ANALYSIS AREA

Table 6.10: Stourport Area summary

Sport	Analysis area	Current picture	Future demand (2033) ²¹
Football (grass pitches)	Stourport	Shortfall of 2 adult and 0.5 youth 9v9 match sessions	Shortfall of 2.5 adult, 0.5 youth 11v11 and 1.5 youth 9v9 match sessions
Football (3G pitches for training) ²²	Wyre Forest	Shortfall of 2 full size 3G pitches to meet current and future demand for training and to accommodate all mini and 9v9 match play.	
Cricket	Stourport	Current demand is being met	No spare capacity for future demand
Rugby union	Stourport	Current demand is being met	Shortfall of 1 match equivalent session
Hockey (Sand AGPs)	Wyre Forest	Current demand is being met	Future demand is being met

Possibly, you could consider redeveloping unused land at the adjoining sports club or providing a new full size 3G pitch on the existing playing fields at Bewdley Leisure Centre through a financial contribution.

In terms of cost a 60 or 65mm 3G pitch is required for football play to competition standard. This costs £965,000 or £985,000 respectively to install. This also includes lighting. If use is intended for adults, a changing room facility is also recommended to be provided.

Length (mm)	Installation Cost (£)	Sinking Fund (%)	Per Annum (£)	Maintenance (%)	Per Annum (£)
60	965,000	3.2	30,880	0.5	4,825
65	985,000	3.2	31,520	0.5	4,925

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All 3G pitches should last for 10 years of play before being replaced. This would result in a sinking fund and maintenance requirement of £357,050 for the 60mm length and £364,450 for the 65mm length pitch. Sinking funds are for major replacements costs, while maintenances costs would cover day to day repairs and planned preventive maintenance.

The proposed development for housing would also increase demand on existing play provision which would also need to be considered, please see planning obligations below.

Sport England have provided the following response:

Sport England –Statutory Role and Policy

The site is considered to constitute playing field, or land last used as playing field, therefore Sport England advises that this proposal would require statutory consultation, under the terms of the Town and Country Planning (Development Management Procedure) (England) Order 2015, at the formal planning application stage.

Sport England considers proposals affecting playing fields in light of the National Planning Policy Framework (NPPF) (in particular Para. 97) and against its own playing fields policy, which states:

‘Sport England will oppose the granting of planning permission for any development which would lead to the loss of, or would prejudice the use of:

- all or any part of a playing field, or
- land which has been used as a playing field and remains undeveloped, or
- land allocated for use as a playing field

unless, in the judgement of Sport England, the development as a whole meets with one or more of five specific exceptions.’

Sport England Policy Exceptions	
E1	A robust and up to date assessment has demonstrated, to the satisfaction of Sport England, that there is an excess of playing field provision in the catchment, which will remain the case should the development be permitted, and the site has no special significance to the interests of sport.

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E2	The proposed development is for ancillary facilities supporting the principal use of the site as a playing field, and does not affect the quantity or quality of playing pitches or otherwise adversely affect their use.
E3	The proposed development affects only land incapable of forming part of a playing pitch and does not: <ul style="list-style-type: none"> ▪ reduce the size of any playing pitch; ▪ result in the inability to use any playing pitch (including the maintenance of adequate safety margins and run-off areas); ▪ reduce the sporting capacity of the playing field to accommodate playing pitches or the capability to rotate or reposition playing pitches to maintain their quality; ▪ result in the loss of other sporting provision or ancillary facilities on the site; or <ul style="list-style-type: none"> ▪ prejudice the use of any remaining areas of playing field on the site.
E4	The area of playing field to be lost as a result of the proposed development will be replaced, prior to the commencement of development, by a new area of playing field: <ul style="list-style-type: none"> ▪ of equivalent or better quality, and ▪ of equivalent or greater quantity, and ▪ in a suitable location, and ▪ subject to equivalent or better accessibility and management arrangements.
E5	The proposed development is for an indoor or outdoor facility for sport, the provision of which would be of sufficient benefit to the development of sport as to outweigh the detriment caused by the loss, or prejudice to the use, of the area of playing field.

Sport England's Playing Fields Policy and Guidance document can be viewed via the below link:

https://www.sportengland.org/how-we-can-help/facilities-and-planning/planning-for-sport#playing_fields_policy

Background

As you know, the issue of the loss of playing field has been discussed previously and is a significant concern. The site contains an area of playing field and the former sixth form block. The 6th form was re-built on another part of the school playing field. The relevant planning consent requires the old 6th form block to be demolished and the area laid out to provide a replacement area of playing field. Subsequently, a Section 73 application was submitted to vary the planning

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conditions, for which Sport England objected. If I understand correctly, this application is presently still to be determined?

The proposed loss of playing field equates to an area of 3.8 hectares or thereabouts, being capable of providing two football or rugby pitches. I have previously explained that there has previously been two cricket pitches at the school playing fields, including one of the pitches in the area of playing field loss and so this also needs to be taken into account (see historical images below)



The image above shows there to have been two football pitches and a cricket pitch in the central part of the playing field in the past, however this area has since been sub-divided by a fence to enclose part of the playing field area within the curtilage of Burlish Park Primary School. This means that the cricket pitch can no longer be used and also affects the size of football pitches that can be accommodated in this part of the site. Nonetheless, the site has previously been laid out to provide a total of 4 football/rugby pitches and two cricket pitches.

The documents provided include a site layout plan, an assessment of the works required to improve the quality of the school buildings and a letter from Department of Education to the school in relation to the intended disposal of the site. This sets out the terms for the Secretary of State to agree the disposal including a condition to

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mitigate the loss of the playing field by building a full size hybrid all-weather pitch within 3 years and to a specification relevant for its main use as a rugby pitch. No plans are provided to show the layout of the site to include the proposed AGP, though I expect this would be situated on an existing area of grass playing field, if so would then mean a further loss of grass pitches and capacity to provide a range of winter and summer sports.

Assessment against Sport England Policy

In order to consider whether or not the area of playing field to be lost could be considered surplus, it is necessary to evidence this through a robust and up-to-date assessment of specific needs and quantitative and qualitative deficits or surpluses of open space, sports and recreational facilities in the local area in accordance with the guidance in paragraph 97 of the NPPF.

The applicant has not provided any evidence to assess the loss of playing field. It is recommended that they provide such an assessment so that their case for the loss and the mitigation proposed can be understood and fully assessed. To date, no evidence has been presented that playing field is surplus for sports use in accordance with para 97a) of the NPPF and Exception E1 of Sport England's Policy.

Whilst the site has been deemed surplus for education needs, does not necessarily mean its surplus for sports use. Sport England's policy explains that assessments prepared for the purposes of gaining the consent of the Secretary of State for Education for the disposal or change of use of school playing field land do not provide adequate assessments to meet this exception. This is because they focus on the needs of the school and do not assess the wider sporting and community need for playing fields. So, whilst the school may be able to meet the baseline requirements of DFE regulations, I do not consider that this provides the case required to meet exception E1.

The Council's evidence base for playing pitches is set out in the adopted Playing Pitch Strategy (PPS) which was adopted in November 2017. Subsequently, the Council have updated the PPS by way of an addendum to support the Local Plan Review. This primarily relates to using Sport England's Playing Pitch Calculator to identify the demand generated by the proposed housing allocations. The addendum has not updated the demand and supply data. In respect of the references to the site, there have been no changes to the strategy.

The PPS identifies the site as having two youth 11v11 football pitches and a non-turf cricket pitch. The football pitches are identified in the PPS as having some

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community use, however in the past the school have disputed this, stating that there is no community use of the site's pitches. Nonetheless, if made available, the site could make a contribution to meeting the needs for playing pitches.

The PPS includes the site as part of the supply of pitches with community access. The quantitative findings for football are that in the Stourport area there is a shortfall of 2 adult and 0.5 youth 9v9 match sessions now, and that in 2033 there is a predicted shortfall of 2.5 adult, 0.5 youth 11v11 and 1.5 youth 9v9 match sessions. I also note that the PPS states that many youth 11v11 teams are playing on adult pitches, which in part may be due to a lack of youth 11v11 pitches rather than a preference for adult pitches. The PPS also states that despite current spare capacity, some of this exists on school pitches which may not remain secure in the longer term. Indeed, given that it is confirmed that there is no current community use of the site, the extent of the shortfalls would be exacerbated by two pitches not forming part of the supply that has been counted in the PPS.

The recommendations in the PPS are to protect the existing quantity of football pitches (unless replacement provision is provided). The PPS also recommends that the Council should work to provide security of tenure for all clubs using educational sites through community use agreements, and to maximise community use of education sites where there is a need to do so.

In respect of how the school meets its own need for a range of sports, whilst it is generally accepted that the school has the benefit of use of the facilities at Stourport Sports Club, which includes artificial grass pitches, athletics track etc, the loss of grass playing field is likely to have some negative effect in terms of reducing the amount of playing field available to be flexibly used for a range of other sports such as cricket, rounders, softball etc, that cannot be provided at the nearby sports club. This point still needs to be addressed.

In terms of potential community use, the school's playing field currently has capacity to provide natural turf pitches for football/rugby which have potential to make a significant contribution to the supply of grass playing pitches in Stourport, in the context of the identified shortfalls in the PPS. Given the shortfalls of pitches in Stourport, and recommendations to protect supply, the applicant should assess the implications to the school of providing community access of their sports facilities so that this can be taken into account when judging the benefits of what's proposed against the proposed playing field loss.

Sport England's current position is that there is no evidence presented to date that robustly demonstrates that the playing field is surplus for provision of playing pitches, particularly for football where the site could make a valuable contribution for

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local teams if it were to be made available. As such, the applicant will need to demonstrate that the loss of playing field to provide the proposed new housing will be mitigated by providing a replacement area of playing field that is equitable in quantity and quality in a suitable location, in accordance with para 97b) of the NPPF and Exception E4 of Sport England's guidance. In the absence of a package of mitigation to re-provide a replacement area of playing field equitable to the 3.8 hectares that are being lost, Sport England are likely to object to this proposal.

Whilst I note that the site is proposed to be allocated in the Local Plan Review, you will no doubt be aware that Sport England has objected to this allocation in the absence of the policy wording making clear provision for replacement provision to meet Exception E4 of Sport England's Playing Fields Policy and para 97b) of the NPPF. It is Sport England's view that this draft policy should therefore be given little weight at this time, given the outstanding objection to it.

In the absence of any plans for the 3G AGP its difficult to comment on it. However, some points I have raised previously are as follows:

- The provision of a 3G pitch will also lead to a loss of playing field that will need to be justified under Exception E5 and para 97c) of the NPPF. Evidence of need for the 3G pitch should be provided, in the form of a draft timetable of use by the school and partner organisations/teams who are intended to hire the pitch for community use. The PPS points to a need for 2 additional 3G pitches in the District, so it should be possible for the school to identify potential partner clubs. Once this has been demonstrated, the benefit to community football (and rugby) could be taken into account. There would be a need to provide further details of the terms of community access (hours of availability, pricing, management, booking arrangements etc) in order to take this into account. This would need to be secured through a community use agreement (Sport England has a model agreement that could be tailored accordingly).
- In Sport England's view, the provision of a 3G AGP would not provide sufficient mitigation for the loss of playing field to housing, as there will still be a net loss of playing field (area) where there are current shortfalls of grass pitches. A replacement area of playing field (to provide at least 2 replacement full size pitches) will still be required even if the school wish to proceed to provide a new AGP to meet the terms of the disposal.
- Is the proposed 3G pitch fully funded? When will this facility be provided? I would not expect grant funding would be forthcoming towards a facility being put forward as mitigation for the loss of playing field. It will be for the developer to fully fund such a proposal. Is this the case?

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- I'm concerned that the location of the AGP could raise concerns regarding noise and lighting affecting the proposed new housing. This will need to be properly assessed and addressed. It will not be appropriate to provide an AGP if it can't then be used until 10pm each evening, without giving rise to noise complaints from new residents. Sport England reserves the right to object to any new sports facility if it does not meet our design guidance on sporting lighting and noise.

Conclusion

Based upon the information provided, I do not consider the proposed loss of playing has been demonstrated to meet exception E1, and a package of mitigation to meet E4 has not been put forward and agreed. As such, I anticipate Sport England raising an objection to this application. In order to move this proposal forward, as I have explained previously, I consider that an equitable replacement area of new playing field should be provided that can provide a minimum of two replacement football or rugby pitches, as this relates to the loss of capacity that results from the proposed housing development. I would therefore suggest that some options for replacement playing field provision are identified for further consideration. Whilst the provision of an AGP on another part of the playing field may be proposed, for the reasons explained, I don't see this as equitable mitigation for the loss of playing field, and for this reason I have to maintain my position to object to this proposal.

Planning Obligations – The local planning authority would be seeking planning obligations in order to make the development acceptable in planning terms, and in no particular order, these would be:

Affordable Housing

Affordable housing provision of a minimum of 30% will be required, in accordance with Policy CP04 of the Adopted Core Strategy with housing tenure to be 70% social rented housing and 30% intermediate (shared ownership) housing. I note from the submitted drawing that the proposed scheme would provide 45% affordable, which goes beyond what is required under Policy CP04 and is therefore welcomed. The proposed scheme would need to ensure tenure blindness is achieved.

Policy 8B of the Emerging Local Plan requires a minimum of 25% affordable housing provision with 65% to be affordable rent housing and 35% intermediate affordable housing.

Further guidance can be obtained from the Adopted Affordable Housing SPD.

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If this level would render the development unviable then an alternative level of provision may be considered, subject to a viability assessment being submitted and vetted by our independent valuer (with full expense being paid by the applicant).

The Council have appointed Cushman & Wakefield to check and undertake an appraisal of financial viability assessments that have been submitted in support of planning applications. I have emailed Jonathan to make him aware of your pre-application proposals.

Jonathan Tutt
Associate
Development & Planning, Birmingham

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The proposed development would also need to ensure that the scheme is tenure blind i.e. that the affordable housing is mixed into the layout and that the house types/sizes/appearances and parking layout/landscaping is not different than that provided for the open market housing within the site.

Education

Policy CP07 (Delivering Community Wellbeing) of the Adopted Core Strategy requires developer contributions for education and learning.

Worcestershire Children First have advised that they will provide a response on Monday 14th September and I will forward this to you.

Play, Open Space and Public Amenity

Policy CP07 of the Adopted Core Strategy sets out that developer contributions will be sought for sport, recreation, youth facilities, play space and amenity space. Policy SAL.UP4 (Open Space and Play Provision) of the Site Allocations and Policies Local Plan sets out that proposals for new residential development must include adequate children's play space in accordance with the most up-to-date guidance on developer contributions. Policy 20C of the Emerging Local Plan also sets out requirements for on-site provision which meets local needs for open space, sport and play.

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Mike Parker, Director of Economic Prosperity & Place

A Local Equipped Area for Play (LEAP) would be required, which should be a minimum of 400sq.m in size and provide at least 5 types of play equipment and/or small games area. It would be expected that the developer maintains the LEAP either themselves or via a management company.

If play/public open space provision cannot be provided on-site, then the off-site financial contribution based on Drawing No. ALCC 01 Rev. C would be £144,097.92.

Public Open Space

	No of Market Child bed Spaces	No of Affordable Child Bed Spaces
	239	18
Rate (2017)	£581.04	£290.52
Total Public Open Space Contribution		£144,097.92

In terms of playing pitch provision, the revised playing pitch calculators confirms the following requirement:

Site	Ref	Current Housing Capacity	Population increase*	Total Capacity Cost (£)	Total Life Cycle Cost PA (£)
Coniston Crescent	MI/38	118	264	38,320	5,618

*Based on 2.24 occupancy rate per household, taken from the Wyre Forest objective assessment of housing need.

However, it is important to consider that the PPC results are looked at alongside the findings, recommendations and action plan of the PPS for the area to help determine the most appropriate way of meeting the demand and justifying any resulting proposals.

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Transport Impact

I would anticipate that there will be local concern about traffic generation and highway safety implications as a result of the access being proposed from Coniston Crescent via Windermere Way. You will also be aware that Policy 33.16 of the emerging Local Plan sets out that the site would have vehicular access taken from the Kingsway adjacent to the allotments and therefore there is already local expectation that the development of this site would not be accessed from existing residential roads. It is therefore vital that you demonstrate through a robust Transport Assessment that the proposed access from Coniston Crescent would not result in an unacceptable or severe impact on highway safety, as per paragraph 109 of the NPPF. I note that you are having pre-application discussions with the Highway Authority and they will be able to scope the Transport Assessment for this development and the likely planning obligations to offset the transport impact.

Scale, Layout and Appearance - The site is situated within a suburban area of Stourport-on-Severn and would form a new urban edge to the settlement. The pattern of development in the immediate area is one of meandering roads, cul-de-sac and crescents where houses are generally set back from the road on a relatively deep and regular building line and behind frontage parking with complementary green open space on the corners and between plots to help soften the street scene and provide a spacious and attractive mature suburb. There is a mix of house types including semi-detached, detached and bungalows.

The proposed development would need to be well designed that builds on the positive characteristics of the surrounding area and integrates well into its surroundings. It will need to be sensitive to its urban edge location and should take the opportunities to enhance the positive features of the site, such as the woodland along the west boundary; views into the open countryside to the north; and its close proximity to schools and Stourport Sports Club.

My suggestions would be to have an urban grain that reflects the fluid and meandering roads, and focuses on extending the existing woodland through the site to create a green linear wedge which provides an attractive public realm to the housing development, and a pleasant pedestrian and cycle route and also adds to the overall quality of the area and to wildlife.

It would be necessary to provide a Local Equipped Area for Play (LEAP) given that there are no children's play areas within 400 metres of the site and this should be designed to reflect the proximity of the site to the open countryside and comprise a themed natural play area, potentially linear along the green wedge. Also, due to the site being mostly greenfield, there is a wonderful opportunity for this site to integrate

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SuDs into the development including swales and rainwater gardens in the grass verges of the roads.

The houses should follow a defined building line that provides a sense of enclosure to the roads but there should be a mix of house types and wider separation gaps between buildings along the perimeter of the west and north boundaries to allow views beyond the plots to ensure good appreciation of the greenery and open countryside and of trees/woodland when viewed from the roads. Also, houses should be positioned to provide focal and vistas at key points such as at entrances into the new streets, on corners and at road junctions. Building materials should reflect the local context and the appearance of the development should be visually interesting and attractive that exhibit character and good design. Adequate bedroom sizes, rear garden sizes and separation distances between the rear of opposing houses and blank gable walls would need to be provided to ensure an acceptable living environment can be achieved for future occupiers. I would also look to provide a green buffer between the proposed housing development and the allotments and the remaining playing field to ensure an acceptable outlook from residential properties and for safeguarding of school children.

Car parking should be well integrated into the development to ensure it does not dominate the street scene. Boundary treatments should also consist of brick walls when they can be viewed in the public realm and there should also be good amount of land provided for new planting. Street trees are especially encouraged where possible.

The layout of the site should also protect and enhance, where necessary, existing walking routes across the site and provide new pedestrian/cycling routes that connect with the wider open countryside and also open up opportunities for the adjoining land to have shorter and a direct routes to the high school/sixth form and primary school in order to promote walking and cycling and discourage the use of private cars for travel.

It is also imperative that the proposed development does not turn its back to the future development of the adjoining land for housing and should show how it would ensure a well-integrated development of both sites.

The requirement to provide 40% Green Infrastructure on the greenfield part of the site would only come into play when additional weight can be applied to the emerging Local Plan, such as when the public examination has been undertaken.

It would also be necessary to demonstrate how the development has been designed to address climate change as part of Policy CP01 of the Adopted Core Strategy.

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Biodiversity – The application would need to be supported by a preliminary ecological assessment and it would be necessary for you to show that the development would minimise harm and ensure a net gain to the biodiversity value of the site is achieved.

The Council's Countryside and Parks Manager has advised the following:

The land will require a biodiversity survey.

There is some potential for biodiversity in the form of badger, bat and potentially herpetofauna.

The application will see a net loss of biodiversity through the loss of low-quality grassland if this left unmitigated. However easy potential exists to provide this mitigation on site within good levels of new landscaping and green infrastructure opportunities as well as on the former golf course land adjacent to the access track through the creation of wildflower areas to offset this loss.

I am happy to chat this through with the developer.

With my open space hat on. The council has aspiration to maximise the recreational value of the adjacent former golf course land. Hence, I would like to suggest that the development on this site makes clear and easy pedestrian links to this area and potentially in lieu of playground provision looks to contribute to the development of this areas recreational value.

Trees – The Council's Arboricultural Officer has made the following comments:

Although I'm happy to see the existing TPOed trees retained, I have major concerns about how other trees, not covered by a TPO will fair with a soakaway dug into the RPAs. The overall design, to my eye, is quite poor. With token trees identified for planting in front gardens and a very small amount of POS around the outside of the development. This is a peri-urban development. It is a development on the edge of the town and therefore, I feel, needs to reflect that. I understand the need for number of units, but there needs to be more POS within the heart of the development as well as street tree planting and more enhancement of the boundary trees.

Potential Noise Nuisance - Worcestershire Regulatory Services have reviewed documents associated with the above pre-application and have no adverse comments to make in relation to noise/nuisance.

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Potential Contaminated Land - Worcestershire Regulatory Services has reviewed available documents and records in respect of potential contaminated land (PCL) issues at the above application site. Due to the proximity of the site to a known landfill with unknown contents, and the historic site use for sewage treatment, WRS recommend the following condition wording is applied to the application, should any permission be granted to the development, to ensure PCL issues on site are appropriately addressed.

Recommendations: The history of the site suggests that contamination issues may potentially be a significant issue. As a result, in order to ensure that the site is suitable for its proposed use and accordance with The National Planning Policy Framework, Conditions are recommended below for inclusion on any permission granted.

The National Planning Policy Framework advises that Planning Decisions should ensure the site is suitable for its proposed use taking account of ground conditions, pollution arising from previous uses and any proposals for mitigation including land remediation. The Framework also requires adequate site investigation information be prepared by a competent person is presented. Little information is known or has been provided on this site and consequently a Phase I study is recommended.

Recommended Condition - Tiered Investigation

Unless otherwise agreed by the Local Planning Authority development, other than that required to be carried out as part of an approved scheme of remediation, must not commence until conditions 1 to 6 have been complied with:

1. A preliminary risk assessment must be carried out. This study shall take the form of a Phase I desk study and site walkover and shall include the identification of previous site uses, potential contaminants that might reasonably be expected given those uses and any other relevant information. The preliminary risk assessment report shall contain a diagrammatical representation (conceptual model) based on the information above and shall include all potential contaminants, sources and receptors to determine whether a site investigation is required and this should be detailed in a report supplied to the Local Planning Authority. The risk assessment must be approved in writing before any development takes place.
2. Where an unacceptable risk is identified a scheme for detailed site investigation must be submitted to and approved in writing by the Local Planning Authority prior to being undertaken. The scheme must be designed to assess the nature and extent of any contamination and must be led by the findings of the preliminary risk

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assessment. The investigation and risk assessment scheme must be compiled by competent persons and must be designed in accordance with DEFRA and the Environment Agency's "Model Procedures for the Management of Contaminated Land, CLR11"

3. Detailed site investigation and risk assessment must be undertaken, and a written report of the findings produced. This report must be approved by the Local Planning Authority prior to any development taking place. The investigation and risk assessment must be undertaken by competent persons and must be conducted in accordance with DEFRA and the Environment Agency's "Model Procedures for the Management of Contaminated Land, CLR11"

4. Where identified as necessary a detailed remediation scheme to bring the site to a condition suitable for the intended use by removing unacceptable risks to identified receptors must be prepared and is subject to the approval of the Local Planning Authority in advance of undertaking. The remediation scheme must ensure that the site will not qualify as Contaminated Land under Part 2A Environmental Protection Act 1990 in relation to the intended use of the land after remediation.

5. The approved remediation scheme must be carried out in accordance with its terms prior to the commencement of development, other than that required to carry out remediation, unless otherwise agreed in writing by the Local Planning Authority.

6. Following the completion of the measures identified in the approved remediation scheme a validation report that demonstrates the effectiveness of the remediation carried out must be produced and is subject to the approval of the Local Planning Authority prior to the occupation of any buildings.

7. In the event that contamination is found at any time when carrying out the approved development that was not previously identified it must be reported in writing immediately to the Local Planning Authority. An investigation and risk assessment must be undertaken and where necessary a remediation scheme must be prepared, these will be subject to the approval of the Local Planning Authority. Following the completion of any measures identified in the approved remediation scheme a validation report must be prepared, which is subject to the approval in writing of the Local Planning Authority prior to the occupation of any buildings.

REASON To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors

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Mike Parker, Director of Economic Prosperity & Place

Air Quality - Noting the location and size of the development, Worcestershire Regulatory Services standard recommendations for air quality relating to EV charging readiness, Low NOx Boilers (if gas boilers are chosen heating source) and secure cycle parking would apply.

Based on the available information at this time it is considered an Air Quality Assessment is not required, but please note formal recommendations are subject to the information received upon full application.

Flood Risk and Drainage - The North Worcestershire Water Management Officer has made the following comments:

To my knowledge this site is not at risk of flooding from any source. I understand that the site is currently Greenfield.

It is the Council's policy that discharge of runoff should be made via infiltration where ground conditions allow (permeability and contamination) and that all developments fully consider the use of SuDS. The Council has a SuDS guidance document which can be found here:

<https://www.wyreforestdc.gov.uk/media/3586203/Wyre-Forest-SuDS-DESIGN-EVALUATION.PDF>.

Appendix 6 attached to your email includes drainage details. From this I understand that the proposal is to discharge surface water from the entire development via infiltration. I believe that it is likely that this site will be suitable for infiltration drainage, but on-site permeability testing would be required to confirm that infiltration is indeed possible and to inform the sizing of the infiltration SuDS.

As this application will be a major application, a Surface Water Management Strategy will need to be submitted as part of a future planning application that demonstrates that the proposed scheme is in compliance with the non-statutory technical standards for SuDS (Defra, 2015). The site is currently Greenfield, which means that development has the potential to result in an increase in surface water runoff which could increase flood risk elsewhere. For this Greenfield site standards 2 and 4 as well as 7, 8 and 9 are the most important.

I note that the drainage details contained in appendix 6 show communal soakaways for the properties and a number of highway soakaways. The drainage of the highway will need to be discussed with Worcestershire County Council Highways. The communal soakaways are marked as private. Some are located in back

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gardens, some near existing trees and some underneath boundary fences. The Council is generally reluctant to accept communal soakaways in private areas as this complicates future maintenance.

If communal soakaways are being proposed, then I would like to ask that the applicant as part of the Surface Water Management Strategy sets out why individual soakaways cannot be provided for this site. If communal soakaways are required then I would like to see explained why these cannot be provided in communal areas for which the upkeep is already a joint responsibility and I would like to know how potential conflict with the root protection zones of existing trees will be prevented. For any communal drainage assets, we require details regarding the future maintenance responsibility and how this will be communicated with future home owners.

The applicant is probably aware that Severn Trent Water has implemented new rules on surface water sewers that will allow them to now adopt a wider range of sewer types, including those with sustainable elements, than they have done in the past. This will hopefully overcome some of the difficulties experienced in the past, including regarding the discharge of highway runoff to SuDS systems. Early engagement with my team (North Worcestershire Water Management), WCC Highways and Severn Trent Water is certainly encouraged.

The surface water drainage strategy proposed will need include an assessment that demonstrates that the proposed design provides sufficient treatment. For this the simple index approach set out in CIRIA's SuDS manual can be utilised.

I note that there is a foul water sewer system present in the vicinity and that a pumped connection to this is shown in appendix 6. This would require the permission of Severn Trent Water. Where possible discharge should always be by under gravity, so the applicant will need to demonstrate why this would not be possible for (parts of) this site.

Green Infrastructure requirements – The Emerging Plan sets out a requirement for all greenfield sites to provide at least 40% green infrastructure within the proposed development. Within the attached 2018 viability report, this site is listed with 100 dwellings at appendix 5 on page 127 and shows 40% GI provided across the whole site.

Validation Requirements - If you decide to submit an application, it would be necessary to submit the following documents/plans:

- Application form and fee

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- Location Plan 1:1250
- Proposed Site Layout Plan 1:500 or 1:200 (to include tracking details of refuse vehicles and parking layout, cycle storage, landscaping, pedestrian and cycle routes, location of affordable housing etc)
- Proposed Elevation Plans
- Floor Layout Plans
- Street scene Plans where necessary
- Planning Statement including Statement of Community Involvement and draft Heads of Term
- Playing Pitch Assessment
- Financial Viability Report (if necessary)
- Design and Access Statement
- Surface Water Management Strategy
- Transport Assessment and draft Travel Plan
- Ecological Assessment
- Arboricultural Impact Assessment
- Landscape Scheme
- Play Provision Plan (if possible, necessary)
- Woodland, Open Space and Play Area Management Plan (if possible)
- Detailed External Lighting Scheme (if possible to show no harm to biodiversity i.e. bat commuting routes)
- Health Impact Assessment (if submitted once Emerging Plan has been examined)

The main issues I can foresee in any forthcoming application are likely to be:

- a. Whether any very special circumstances exist to outweigh the harm to the Green Belt. For this, it is essential that you provide more clarification on the amount/cost and timescales of improvement works to the school building;
- b. Whether an appropriate provision of replacement playing pitch can be provided of equivalent quality and quantity to offset the loss;
- c. Whether a high-quality design can be achieved that provides an acceptable residential environment and integrates well with the existing residential area, future housing development on adjacent land and the natural environment;
- d. Provides net gains in biodiversity; and
- e. Whether the development can achieve acceptable impact on highway safety.

I would welcome a further meeting to discuss the proposed development with you before you formally submit the application and hopefully we can work together, proactively, to secure a development that provides high quality housing in this part of the District.

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Mike Parker, Director of Economic Prosperity & Place

I note that this letter represents an informal Officers view only and without prejudice of any future decision the Local Planning Authority may wish to make. I would strongly encourage you to have further meaningful discussions with the Council prior to submitting a formal planning application.

Yours faithfully

Helen Hawkes
Principal Development Management Officer

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APPENDIX 4

CORRESPONDENCE WITH WCC ARCHAEOLOGIST

Appendix 4 – Correspondence with WCC Archaeologist

As a follow-up to our video call of last week, find attached the figures that we spoke to and used to illustrate our findings. The Site Investigation report is also attached. (FYI – no Figure 1 is attached). In summary:

- OS mapping from 1927 depicts 'sluices' associated with the 'Sewage Farm' across the general area of the Site (see Fig.3). Although the specific locations of these ditches are not surveyed, in my experience this is often due to the extensive nature of the features (i.e. too much effort for the surveyors!).
- Further OS mapping from the 1970s (see Fig.4) depicts the eastern third of the Site as allotments. It is assumed that landscaping and levelling of the area was required to remediate the ground after the sewage farm was closed.
- Air photos available on Google Earth show the various playing pitches and athletics tracks that have been laid out across the north and western part of the Site over the past 25 years. As with the creation of the allotments, it is assumed that further, more extensive, landscaping and levelling of the Site was required to remove the allotments and any remaining sluices. The current allotments lie c1m higher than the north-eastern part of the Site; potential a result of the landscaping within the Site.
- A recent topographical survey and the most recent air photo on Google Earth depict an area of 'mounds' (see Fig.2) or dumped construction material, potentially derived from the building of the school to the east. The presence of this was confirmed during my site visit.
- The removal of the former school and playground / car park has created a c1m depression across most of the former footprint (see Fig.2).
- In summary, although not 100% conclusive, this initial research strongly suggests several phases of large-scale disturbance across the Site during the 20th and 21st century; of a type that in all likelihood would have removed or truncated any pre-medieval buried archaeological remains.
- Furthermore, I suggest that any additional desk-based research or field surveys (geophysical or trial trenching) would be a disproportionate response to further investigate the very limited potential for archaeological remains within the Site.
- It is my understanding, based on our discussions last week, that you agree that i) no further work would be required; ii) no formally reporting would necessary; and iii) that this correspondence will suffice to bring the matter to a close.

clearthinking

commercial property advice



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