

Planning Statement

Outline application for the erection of
two self or custom build bungalows
with associated vehicular access
(all other matters reserved)

Land at Rozelle,
Tenbury Road, Rock,
Kidderminster, DY14 9DE

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Introduction and Site Context

1. This supporting statement accompanies an application for outline planning permission for the erection of two self or custom build bungalows on land at Rozelle, Tenbury Road, Rock. The application site lies in countryside situated to the south-western edge of the village of Callow Hill, and within 100m of its settlement boundary as defined in the Wyre Forest District Local Plan. Other than the means of access to the site, all matters are reserved for future consideration.
2. The site is currently in incidental garden use associated with Rozelle and forms part of its lawful curtilage, thereby complying with the definition of brownfield land. An indicative site layout plan has been submitted to illustrate one possible means of achieving two serviced plots alongside the existing bungalow. An improved vehicular access is proposed onto the A456, leading between Kidderminster and Tenbury Wells, which is subject to a 40mph speed limit in this location.
3. The site is not situated in a conservation area or near to any listed buildings; it is not subject to a statutory landscape designation; nor is it subject to any identified risk of flooding. There is however a public right of way (RK-606) running along the eastern boundary of Rozelle. Earnwood Copse and Woodward's Coppice (both Ancient Woodland) also lie within around 150m, with the Wyre Forest SSSI designation situated nearby. Given the boundary hedgerow and tree vegetation and the pond situated to the north of the site, an ecological survey has been carried out.

Legislative and Policy Context

4. Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that planning decisions are taken in accordance with the development plan unless material considerations indicate otherwise. For this application, the development plan comprises the Wyre Forest District Local Plan and the Waste Core Strategy for Worcestershire. The National Planning Policy Framework and Planning Practice Guidance are material considerations that carry substantial weight in decision-making.
5. Section 9 of the Housing and Planning Act 2016 defines self-build and custom housebuilding as *“the building or completion by individuals, associations of individuals, or persons working with or for individuals or associations of individuals, of houses to be occupied as homes by those individuals. It*

does not include the building of a house on a plot acquired from a person who builds the house wholly or mainly to plans or specifications decided or offered by that person”.

6. The Self-Build and Custom Housebuilding Act 2015 (as amended by the Housing and Planning Act 2016) places a duty on local authorities to keep a register of individuals and organisations who wish to acquire serviced plots of land in their area for their own self-build and custom housebuilding. The Housing and Planning Act 2016 also requires local authorities to have regard to its register in carrying out its functions, and to give suitable development permission for enough serviced plots of land to meet the demand for self-build and custom build identified by the register in any given “base period”.
7. Wyre Forest District Council has introduced local eligibility criteria to enable priority to be given to those with a local connection to the area and ensure overall needs are taken into account when determining applications for self or custom build development. In essence, the Register keeps track of all demand for self-build and custom build within the District, which must be met via the grant of sufficient permissions for serviced plots of land. Based on the latest published monitoring report, there were a total of 42 individuals and 1 association on the Register, as of 30th October 2022.

National Planning Policy Framework

8. National policy is set out in the National Planning Policy Framework (the Framework), as supported by the Planning Practice Guidance. The revised Framework was published on 24th July 2018 and most recently updated on 5th September 2023. The Framework, at paragraph 2, repeats that applications for planning permission are to be determined in accordance with the development plan, and reinforces that the Framework is a material consideration in planning decisions.
9. It also sets out that plans and decisions should apply a presumption in favour of sustainable development, which is explained at paragraph 11. For decision-taking this means:

*c) approving development proposals that accord with an up-to-date development plan without delay;
or d) where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date, granting permission unless:*

i. the application of policies in this Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed; or

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

10. The Framework, at paragraph 8, states:

Achieving sustainable development means that the planning system has three overarching objectives, which are interdependent and need to be pursued in mutually supportive ways (so that opportunities can be taken to secure net gains across each of the different objectives):

a) an economic objective – to help build a strong, responsive and competitive economy, by ensuring that sufficient land of the right types is available in the right places and at the right time to support growth, innovation and improved productivity; and by identifying and coordinating the provision of infrastructure;

b) a social objective – to support strong, vibrant and healthy communities, by ensuring that 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 well-being; and

c) an environmental objective – to contribute to protecting and enhancing our 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.

11. Paragraph 12 explains that the presumption in favour of sustainable development does not change the statutory status of the development plan as the starting point for decision-making. Nonetheless, in line with the statutory planning balance described above, it reinforces that local planning authorities may take decisions that depart from an up-to-date development plan where material considerations in a particular case indicate that the plan should not be followed.

12. The Framework, at paragraph 60, reinforces that the Government's objective is to significantly boost housing supply. Moreover, paragraph 62 states that the size, type and tenure of housing needed for different groups in the community should be assessed and reflected in planning policies. This includes those who wish to commission or build their own homes. Footnote 28 sets out that Councils should

give enough suitable development permissions to meet the identified demand for such house building, in line with the requirements of the Self Build and Custom Housebuilding Act 2015.

Wyre Forest District Local Plan (WFDLP)

13. The WFDLP is a development plan document which sets out strategic planning policies and detailed development management policies which are a material consideration in the determination of planning applications. The plan also allocates sites for particular types of development and sets out policies on site specific requirements. It covers the period 2016-2036 and was adopted by Wyre Forest District Council on 26th April 2022. The following WFDLP policies are relevant to this proposal and have been given consideration in the preparation of this application.

SP.1 - Spatial Development Strategy 2016 – 2036

SP.2 - Locating New Development

SP.6 - Role of the Existing Villages and Rural Areas

SP.11 - Addressing Rural Housing Needs

SP.12 - Self Build and Custom Housing

SP.16 - Health and Wellbeing

SP.20 - Quality Design and Local Distinctiveness

SP.22 - Landscape Character

SP.23 - Protecting and Enhancing Biodiversity

SP.27 - Transport and Accessibility in Wyre Forest

SP.28 - Green Infrastructure

SP.29 - Water Conservation and Efficiency

SP.30 - Sewerage Systems and Water Quality

SP.31 - Flood Risk Management

SP.32 - Sustainable Drainage Systems (SuDS)

SP.33 - Pollution and Land Instability

SP.35 - Waste

SP.36 - Telecommunications and Broadband

SP.37 - Renewable and Low Carbon Energy

DM.24 - Quality Design and Local Distinctiveness

DM.26 - Landscaping and Boundary Treatment

14. It should be observed that the WFDLP contains a specific policy concerning self-build housing, which states that the District Council will support applications for self-build and custom-build housing, provided they are in keeping with the other policies contained in the WFDLP. Appropriate sites for self-build and custom housing schemes will be subject to the following criteria:
- a. *The numbers of each different type of Self-Build or Custom-Build plots offered in the scheme should reflect the proportion of preference for each type as shown in the register.*
 - b. *Self-Build and Custom-Build plots within the scheme will be developed in accordance with an agreed design code. The design code will ensure the number, scale, and design of Self Build and Custom Build plots should be appropriate to the size and design of the settlement and the surrounding landscape.*
 - c. *The site should be accessible to local services and facilities and within or adjacent to existing settlements.*
 - d. *Where plots have been made available, applicants on the Self-Build and Custom Build register should be notified by developers.*
 - e. *Where plots have been made available, they should be reasonably priced to reflect prevailing market values and average local income.*

Principle of the Development

15. Policy SP.1 of the WFDLP states that the majority of development will be provided within the main three urban centres of the district, with a limited number provided on allocated sites in rural areas. Furthermore, Policy SP.2 states that windfall development will be assessed in accordance with the settlement hierarchy and development beyond settlement boundaries will be strictly controlled and will be limited to dwellings for rural workers, replacement dwellings, rural exception sites and development permitted by other Wyre Forest Local Plan policies.
16. This application is for 2 no. self or custom build bungalows. It relates to land owned by the applicants, who reside at Rozelle, and lies outside the settlement boundary for Callow Hill. Callow Hill falls within "Other villages and rural settlements", as set out in the Wyre Forest Settlement Hierarchy (Table 5.0.4). These settlements contain a varying range of local services and facilities and those found to the west of the River Severn (as in this case) tend to have a widely dispersed catchment for

employment and services. The Hierarchy indicates that suitable development includes *“housing to meet local needs via allocated sites and rural exception sites in appropriate circumstances”*.

17. The scheme is largely to be considered against Policy SP.11 (Addressing Rural Needs) and Policy SP.12 (Self Build and Custom Housing). Policy SP.11 says, inter alia, that the provision of residential development to meet specific local needs within the District’s designated rural settlements will be encouraged; and that residential development will be permitted where it is in accordance with the relevant rural development policies as contained within the Local Plan.
18. This leads us onto Policy SP.12, which says that the District Council will support applications for self-build and custom-build housing, provided they are in keeping with the other policies contained in the WFDLP. Whilst the policy appears to be written in the expectation of delivery of plots being facilitated through larger development sites (over 50 dwellings), it goes onto say that the District Council will work closely with partners to identify appropriate sites. The policy does not discount smaller sites coming forward that fulfil the relevant defined criteria.
19. One of these criteria is that the site should be accessible to local services and facilities and within or adjacent to existing settlements. Whilst acknowledging that the site is not contiguous with the settlement boundary for Callow Hill, leading to some policy tension, the importance of small sites in delivering self and custom build housing is reinforced. Indeed, paragraph 69 of the NPPF recognises that small and medium sized sites can make an important contribution to meeting the housing requirement of an area, and are often built-out relatively quickly.
20. Moreover, the short distance between the site and the villages at Callow Hill and Far Forest means that future occupiers would enjoy a range of transport options, including walking and cycling. The following amenities all reside within 1km of the site, with appropriate footway connectivity. It can be seen that the site lies in a reasonably sustainable location, with ongoing access to built-up urban areas.
 - The village hall and church at Far Forest
 - Londis convenience store at Far Forest
 - Far Forest Lea Memorial Primary School
 - Far Forest Tennis Club and Rock Sports Football Club
 - Two public houses (The Royal Forester and The Plough)
 - Bus stops nearby (within 165m)

21. Turning to the question of local need, this is more of a grey area in terms of the evidence base available. The findings of a housing needs survey undertaken by Rock Parish Council (May 2019) are discussed in an April 2022 appeal decision for a self or custom build scheme located in Far Forest (APP/R1845/W/21/3284761). Please see the decision at **Appendix 1**. It was argued by the LPA that the survey demonstrated there was no local requirement for the proposed development. However, in allowing the appeal, the Inspector held that it is likely that local housing needs have subsequently changed as the survey was undertaken prior to the onset of the pandemic; and given the low response rate to the survey, it does not provide a robust analysis of local housing need. On this basis, the survey should be attributed very limited weight in determining the current application.
22. The Self and Custom Build Register is more helpful insofar as it sets out preferred locations, size and type. In terms of location, 27 individuals expressed a preference for Far Forest and 22 people said Rock; indicating that there is strong demand for serviced plots in this area. As regards size, 3 and 4 bed units are the most popular; and for type of housing, it is relevant to observe that 33 individuals wish to buy a plot and build their own home to their own specification.
23. The LPA's latest monitoring report (November 2022) fails to say whether the Council is complying with its duty to give suitable development permission for enough serviced plots of land to meet the demand for self-build and custom build identified by the Register in any given 'base period'. However, the delegated Officer report informing the decision to refuse application 23/0247/FUL on 29th June 2023, advises that from 31st October 2019 to 30th October 2022 WFDC registered 13 individuals on the Register and, in the same period, permitted 10 self and custom build plots. Although the application was refused, it has been recognised that there is a current shortfall in the requirement and this amounts to a significant material consideration in decision-making.
24. Moreover, although the development plan status has changed, there are some similarities between the above appeal and the current application, in terms of tension between the development strategy and the site location. Although the current site lies outside the boundary defined for Callow Hill, it is situated within a reasonable distance of day-to-day services, particularly when its proximity to Far Forest is considered. There would be a positive contribution to the vitality of Callow Hill and Far Forest as rural communities and in this regard paragraph 79 of the Framework is relevant.

25. A further Worcestershire appeal decision is found at **Appendix 2**, highlighting a proposal for self-build housing that was allowed despite the site lying outside a settlement boundary. Paragraph 10 of the decision at Church Lane, Whittington (APP/H1840/W/20/3255350) concludes that whilst there was conflict with development plan policies seeking to protect the countryside, *“I have identified an undersupply of self-build housing, and the policy objectives under Paragraph 61 of the Framework, as a material consideration carrying substantial weight in favour of the proposal that outweighs the limited harm from conflict with the development plan in this particular case”*.
26. It can be construed that the current application proposal would also accord with the Government’s ambition to boost housing supply and thereby fulfil the social dimension of sustainable development. It is emphasised that whether a local planning authority can demonstrate a five-year supply is not of itself a reason for refusing planning permission for new housing development. A five-year supply of deliverable housing land is not a ‘ceiling’. Rather, it is the minimum that needs to be demonstrated at all times when applying paragraph 74 of the Framework.
27. Drawing together the above, the site is reasonably well located in a village fringe location and would provide for realistic options for sustainable travel modes. It cannot reasonably be said to be ‘isolated’ given its relationship to existing development and local amenities (including a shop and school). The scheme accords with the Government’s ambition to boost housing supply and with the objectives of paragraph 62 of the Framework. Significant weight should be given to this proposal for self or custom build housing in light of the undersupply of plots within Wyre Forest District, and suitable control over its delivery could be achieved through a condition or s106 UU. It is understood that no affordable housing contributions are necessary pursuant to the thresholds under Policy SP.10 of the WFDLP.

Design, Character and Residential Amenity

28. Good design is a key theme outlined in the revised Framework as a fundamental component of sustainable development. Paragraph 126 highlights the importance that well-designed buildings can have in improving the lives of people and communities. Paragraph 130 goes on to state that planning policies and decisions should ensure that developments:

a) will function well and add to the overall quality of the area, not just for the short term but over the lifetime of the development;

b) are visually attractive as a result of good architecture, layout and appropriate and effective landscaping;

c) are sympathetic to local character and history, including the surrounding built environment and landscape setting, while not preventing or discouraging appropriate innovation or change (such as increased densities);

d) establish or maintain a strong sense of place, using the arrangement of streets, spaces, building types and materials to create attractive, welcoming and distinctive places to live, work and visit;

e) optimise the potential of the site to accommodate and sustain an appropriate amount and mix of development (including green and other public space) and support local facilities and transport networks; and

f) create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users; and where crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion and resilience.

29. Policy DM.24 of the WFDLP deals specifically with design and states that *“all development will be expected to be of a high design quality. It will need to integrate effectively with its surroundings, in terms of form and function, reinforce local distinctiveness and conserve, and where appropriate, enhance cultural and heritage assets, landmarks and their settings. New and innovative designs which promote high levels of inclusivity and sustainability will be encouraged and supported where they enhance the overall quality of the built environment.”* Policy SP.20 is also relevant and underpinned by relevant guidance in the Wyre Forest Design Guide SPD (June 2015). Policies concerning landscape character, such as SP.22, are also relevant to the assessment to be made.

30. The proposed site is currently laid to lawn and the presence of new build development would therefore cause a degree of harm insofar as it would reduce the sense of openness and have some impact on the verdant character of the rural area. This harm is however lessened by the relationship to other built development and outweighed by the social and economic benefits of providing two serviced plots. In the context of a shortfall in serviced plots, it should be recited this modestly sized site is likely to be capable of delivery within a short timeframe. The applicants are willing to endorse a legal agreement, or any other form of planning control, to ensure that the site is developed as self or custom build dwellings that are initially prioritised for individuals on the Register.

31. Reinforcing the suitability of the site, it can be seen that Callow Hill and Far Forest enjoy a close relationship, with the proposed site lying in the intervening land between the two settlements. The

countryside is not designated in this area and neither are there any listed buildings or locally identified heritage assets that would be affected. Given the relationship of the site to other built development along the A456 and Buckeridge Lane, the proposed dwellings would not be visually isolated or unduly intrusive in the rural landscape. The villages have evolved organically over time, largely through wayside housing, and this development proposal would serve to reinforce that pattern.

32. Turning to Green Infrastructure, the indicative layout demonstrates that there would be no loss of important GI assets, and the reserved matters submissions will provide for an appropriately detailed scheme of new planting and landscaping. Furthermore, ecological proposals have been prepared which seek to ensure biodiversity net gain in accordance with national policy, as discussed below.
33. Finally, as regards amenity, the proposed bungalows and associated curtilages would be likely to provide high quality accommodation and generous outdoor spaces. Accommodation over a single storey would meet the needs of older people or potentially those with disabilities. Two dwellings can be comfortably situated upon the site without resulting in any adverse impacts on the amenities of neighbouring residential occupiers, in accordance with paragraph 130 (f) of the Framework.
34. In summary, the indicative site layout and single-storey scale of the proposed dwellings demonstrate that the amount of development could be acceptably accommodated within the site. Any subsequent reserved matters details can ensure a good standard of residential amenity for existing and future occupiers, in accordance with paragraphs 126 and 130 of the Framework. Whilst some harm would occur to the openness of the rural landscape in this location, this is outweighed by the social and economic benefits of providing two serviced plots. A detailed scheme of landscaping with associated planting specification can be secured via the reserved matters submission(s).

Ecology

35. A Preliminary Ecological Appraisal has been conducted by **Focus Ecology**, which was informed by a site survey undertaken on **2nd August 2023**. It should be noted that the site area surveyed encompasses managed grassland with some scattered trees and patches of scrub; all bounded by native species hedgerows. The immediate site surroundings include residential property, set within pastoral farmland and with areas of Ancient Woodland and the Wyre Forest SSSI lying nearby.

36. As part of a precautionary approach, a range of avoidance and mitigation measures are recommended within the PEA report that can form the basis of a detailed Ecological Mitigation and Enhancement Strategy to be secured via condition. These measures include external lighting controls and tree protection. New tree, shrub and hedgerow planting would be provided, in addition to physical measures such as bird nesting boxes. Therefore, subject to a suitably worded condition, there would be no detrimental impact on any protected species, habitat or the natural environment. The scheme provides opportunities for 'net gain' through native planting that responds to local character, in accordance with Policy SP.23 of the WFDLP and paragraph 174 of the Framework.

Access

37. The proposed dwelling would be provided with an improved access onto the A456, which is subject to a 40mph speed limit in this location. These improvements would require a short section of hedgerow to be removed, to further enhance the visibility in both directions afforded by the footway and verge. Around 100m is achievable to the north-east and circa 80m would be available to the south-west. Ample off-road parking and turning facilities would be provided, with the indicative site layout plan reflecting room for at least three parking spaces within the curtilage of each property. In addition, secure cycle parking for bicycles could be accommodated within garden sheds.
38. There would be no detriment to safe access and parking arrangements at Rozelle, with a new turning head and parking area to be provided within its front garden.
39. It is considered that the proposed access arrangements meet the requirements of Policy SP.27 and given the modest traffic generated there would be no detrimental impact on highway safety as a result of the development, in accordance with Section 9 of the Framework. Sustainable travel options are available through the footway and bus service connections previously described. It should also be noted that there would be no adverse impact on the adjacent public footpath (RK-606).

Water Management

40. With regard to water management, the revised Framework sets out at paragraph 167 that *"when determining planning applications, local planning authorities should ensure that flood risk is not*

increased elsewhere.” Further advice is set out in the Planning Practice Guidance, including the use of SuDS, at paragraph 55 of the guidance on Flood Risk and Coastal Change. This gives priority to the use of sustainable drainage systems as they are designed to control surface water run-off close to where it falls, and mimic natural drainage as closely as possible.

41. The Environment Agency has issued standing advice regarding the need for surface water drainage information in relation to development proposals of less than 1ha in Flood Zone 1, which includes the site of the proposed bungalows. In summary, that guidance indicates that surface water run-off must be managed to ensure that new development does not increase flood risk either on-site or elsewhere. Together with Part H of the Building Regulations 2010, it establishes a hierarchy for surface water disposal, which encourages a SUDs approach beginning with infiltration where possible.
42. It is proposed that surface water run-off from roof areas would be discharged by means of a sustainable drainage system. Permeable surfacing, such as gravel, will be used for driveway and parking areas beyond the initial 5m adjoining the public highway. Ground investigation will be undertaken prior to commencement of works to assess the soil infiltration rate, depth to groundwater and to note any geotechnical implications. The infiltration rate of the ground at the site will be determined within trial pit(s). Subject to suitable soil conditions, the feasibility of soakaways will be considered, albeit the existing ditch provides a secondary option for attenuated discharge.
43. The proposed dwellings will incorporate measures to reduce water consumption, such as the use of water efficient fittings and appliances, or the use of grey water recycling systems. Foul water will be connected to the local mains sewer network, subject to agreement with Severn Trent Water. These are detailed matters which could be addressed by conditions.
44. In summary, following detailed on-site investigation, the proposal will make use of appropriate sustainable drainage measures and techniques with the objective of ensuring that run-off rates from the developed site are no greater than the rate of run-off from the existing site.

Conclusion and ‘Planning Balance’

45. This outline application proposes the erection of two self-build bungalows on land at Rozelle, Rock, near the villages of Callow Hill and Far Forest. Whilst the site lies outside of any settlement boundary

defined in the WFDLP, there is an identified shortfall in serviced plots to meet demand found on the Self-Build and Custom Housebuilding Register for the District. The site is reasonably well located in a village fringe location, would provide for realistic options for sustainable travel modes and could not reasonably be argued to be 'isolated'. These matters carry significant weight in favour of the proposal.

46. There are clear economic and social benefits associated with the proposed development that are not outweighed by any adverse impact. The proposal represents a sustainable form of development, and notwithstanding the tension with strategic policies and the defined settlement boundaries, material considerations in this case dictate that permission should be granted. The proposal would contribute towards the shortfall in the need for serviced plots and increase the housing stock and choice in the locality, in accordance with paragraph 62 of the Framework. Given these factors, it is respectfully suggested that the principle of residential development be accepted.
47. Turning to access, the proposed improvements to the existing site entrance would ensure safe and suitable access onto the A456 at a point where suitable visibility can be achieved; and no highway safety issues arise from the modest level of traffic generated. Moreover, subject to appropriate mitigation and enhancement, there would be no detrimental environmental impact associated with the development in terms of protected species and habitats. The scheme also provides opportunity for soft landscaping and natural SuDS, which can be secured as part of the reserved matters.
48. It is respectfully suggested that planning permission be granted without delay.