

**TOWN AND COUNTRY
PLANNING ACT 1990 – Section 78**

**PLANNING AND COMPULSORY PURCHASE
ACT 2004**

APPEAL BY;

Lioncourt Strategic Land Limited

**Land At (Os 8666 5944) Dilmore Lane
Fernhill Heath**

Residential development for up to 130 dwellings (Use Class C3), including vehicular access from Dilmore Lane, pedestrian and cycle links, public open space, car parking, drainage, landscaping and other associated infrastructure. All matters reserved except for access.

**APPENDICES TO PROOF OF
EVIDENCE OF JASON M TAIT,
BA (Hons), Dip TP, MRTPI**

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Appendix 1 – Summary Review of Development Plan and NPPF Policy Compliance

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Overview Assessment of Relevant and Important Development Plan Policies

South Worcestershire Development Plan (SWDP) (adopted 25 February 2016)		
Policy	Policy Text	Appellant's Consideration of Policy
SWDP1: Overarching Sustainable Development Principles	<p>A. When considering development proposals, the Local Authority will take a positive approach that reflects the presumption in favour of sustainable development contained in the National Planning Policy Framework. It will always work jointly and proactively with applicants to find solutions that mean proposals can be approved wherever possible and to secure development that improves economic, social and environmental conditions in south Worcestershire.</p> <p>B. Planning applications that accord with the policies in the SWDP (and where relevant, with policies in Neighbourhood Plans) will be approved unless material considerations indicate otherwise.</p> <p>C. Where applications do not accord with policies in the SWDP, the Local Authority will seek to work with applicants with a view to mitigating adverse impacts and identifying sustainable solutions where possible.</p> <p>D. Where there are no policies relevant to the application or relevant policies are out of date at the time of making the decision then the Local Authority will grant permission unless material considerations indicate otherwise – taking into account whether:</p> <ul style="list-style-type: none"> i. any adverse impacts of granting permission would significantly and demonstrably outweigh the benefits, when assessed against the policies in the Framework taken as a whole; or ii. specific policies in the Framework indicate that development should be restricted. 	<p>The policy seeks to echo the government's approach to supporting sustainable development. The proposed development is sustainable. The approach to decision-making would allow development of this site where policy in respect of the provision of housing is out of date in the context of the council's housing land supply position and through the application of a tilted planning balance. The proposals would accord with this Development Plan policy when applied correctly to the proposals.</p>

<p>SWDP2 – Development Strategy and Settlement Hierarchy</p>	<p>A. The Development Strategy and the site allocations in the SWDP are based upon the following principles:</p> <ul style="list-style-type: none"> i. Provide accessible, attractive employment sites and positive policies to deliver job creation opportunities. ii. Provide for and facilitate the delivery of sufficient housing to meet objectively assessed needs to 2030. iii. Safeguard and (wherever possible) enhance the open countryside. iv. Encourage the effective use and re-use of accessible, available and environmentally acceptable brownfield land. v. Maintain the openness of the Green Belt (as shown on the Policies Map). vi. Focus most development on the urban areas, where both housing needs and accessibility to lower-cost public services are greatest. <p>B. Windfall development proposals will be assessed in accordance with the settlement hierarchy below:</p> <p>Table 2 - South Worcestershire Settlement Hierarchy (also see Annex D)</p> <table border="1" data-bbox="495 1118 1581 1390"> <thead> <tr> <th>Category</th> <th>Retail Hierarchy Position / Role</th> <th>Settlements Included</th> <th>Role</th> <th>Policy Implementation</th> </tr> </thead> <tbody> <tr> <td>Urban areas - City</td> <td>First (city centre)</td> <td>Wider Worcester Area (excluding Worcester)</td> <td>Worcester is the administrative centre of the county and</td> <td>The city will continue to fulfil its role, accommodating the largest amount of employment, housing and</td> </tr> </tbody> </table>	Category	Retail Hierarchy Position / Role	Settlements Included	Role	Policy Implementation	Urban areas - City	First (city centre)	Wider Worcester Area (excluding Worcester)	Worcester is the administrative centre of the county and	The city will continue to fulfil its role, accommodating the largest amount of employment, housing and	<p>This policy is considered in some detail in my evidence to which I refer here. The proposals fall in line with the settlement hierarchy and do not conflict with the policy aims to direct development to the most sustainable locations. The proposals only conflict is with the development boundary for Fernhill Heath. This policy is out of date in the context of the council’s 4 year supply position to the extent that the policy is currently restricting the supply of land for housing to meet the shortfall, it is constraining supply and any conflict with it should be given less weight.</p>
Category	Retail Hierarchy Position / Role	Settlements Included	Role	Policy Implementation								
Urban areas - City	First (city centre)	Wider Worcester Area (excluding Worcester)	Worcester is the administrative centre of the county and	The city will continue to fulfil its role, accommodating the largest amount of employment, housing and								

			Technology Park)	provides the greatest range of services. It is the main employment destination for people from Malvern Hills and Wychavon. The city is a sub-regional focus for strategic employment, housing and retail development	retail development. To support implementation in an effective and sustainable manner, significant investment is required in infrastructure. Allocation policies SWDP 43, 44 and 45 are of particular relevance. In principle support for infill development within the administrative area subject to the more detailed Plan policies.
	Urban Areas - Main Towns	Second	Droitwich Spa, Evesham, Malvern	These towns provide a comprehensive range of local services and employment opportunities for their residents and the rural hinterland. The towns will continue to be the focus of balanced growth in Malvern Hills and Wychavon	Housing development and the necessary associated infrastructure delivered through urban extensions, other allocations and infill development within defined development boundaries. Also significant focus upon supporting employment. Relevant allocation policies are SWDP 48-53 and 56.
	Urban Areas – Other Towns	Third	Pershore, Tenbury Wells, Upton - upon - Severn	These are less than a third of the size of the main towns, with fewer high-level	New development is limited in Tenbury Wells and Upton-upon-Severn due to the extent of the floodplains surrounding these towns. Pershore is a

				<p>services. Nonetheless Pershore, Tenbury Wells and Upton-upon-Severn provide a range of services and employment opportunities and act as local service centres.</p>	<p>larger settlement with more available suitable land, part of which is allocated for an urban extension. Provision will need to be made to meet necessary local infrastructure requirements. Relevant allocation policies are SWDP 46, 47, 57 and 58. Infill development within the defined development boundaries is acceptable in principle subject to the more detailed Plan policies.</p>	
	Rural Areas (1)	Fourth	Category 1, 2 and 3 villages	<p>These villages provide varying ranges of local services and facilities. However, the larger settlements generally tend to provide the greatest range. Their role is predominately aimed at meeting locally identified housing and employment needs. They are, therefore, suited to accommodate market and affordable</p>	<p>A number of housing sites of an appropriate scale are allocated in Category 1, 2 and 3 villages to address the need for housing and support local services. Rural employment opportunities of an appropriate scale are also encouraged. Directly relevant policies include: SWDP 12 and 16 together with allocation policy SWDP 59. Infill development within the defined development boundaries is acceptable in principle subject to the more detailed Plan policies.</p>	

			housing needs alongside limited employment for local needs.	
Rural Areas (2)	Fifth	Lower Category villages	These villages tend to be very small and at best offer one or two local services. Their role in providing additional future development is limited.	Infill development within the defined development boundaries is acceptable in principle subject to the more detailed Plan policies. Small scale employment development and rural exception sites are acceptable in principle, as set out in Policies SWDP 12 and 16.
<p>C. The open countryside is defined as land beyond any development boundary. In the open countryside, development will be strictly controlled and will be limited to dwellings for rural workers (see policy SWDP 19), employment development in rural areas (see SWDP 12), rural exception sites (see SWDP 16), buildings for agriculture and forestry, replacement dwellings (see SWDP18), house extensions, replacement buildings and renewable energy projects(see policy SWDP 27) and development specifically permitted by other SWDP policies.</p> <p>D. Development proposals should ensure the retention of the open character of the Significant Gaps.</p> <p>E. The West Midlands Green Belt will be maintained and development proposed within the Green Belt will be considered in accordance with national policy as set out in the Framework. Development at the Major Developed Sites (listed in Table 3 below) will be limited to within their site boundaries as set out on the Policies Map and will be restricted to limited infilling and the redevelopment of previously developed land. Development proposals within a Major Developed Site boundary should not have any greater impact on the openness of the Green Belt and the purposes of including land within it than the existing development.</p>				

	<p>F. Development proposals should be of an appropriate scale and type with regard to the size of the settlement, local landscape character (see SWDP 25), location and the availability of infrastructure.</p> <p>G. Encouragement is given to the redevelopment of brownfield sites. The biodiversity interest of brownfield sites will also be considered.</p> <p>H. The SWDP is supportive of development proposals that are promoted through neighbourhood planning mechanisms, where these proposals do not compromise the delivery of the plan's strategic policies and proposals.</p> <p>I. As required by the Duty to Co-Operate, due consideration will be given, including through a review of the SWDP where appropriate, to the housing needs of other local planning authorities in circumstances when it has been clearly established through the local plan process that those needs must be met through provision in the SWDP area.</p> <p>J. The following three Sub Areas are identified to support the implementation of SWDP 2, including policy set out in SWDP 3:</p> <ul style="list-style-type: none"> • Wider Worcester Area • Malvern Hills (Excluding Wider Worcester Area) Sub Area • Wychavon (excluding Wider Worcester Area) Sub Area 	
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<p>SWDP3 – Employment, Housing and Retail Provision Requirement and Delivery</p>	<p>A. The South Worcestershire Councils (SWC) will plan, monitor and manage the delivery of housing, employment land and retail floorspace from 2006 to 2030, in accordance with Tables 4a, 4b(i), 4b(ii), 4c and 4d and the site allocations set out in SWDP 43 to SWDP 59.</p> <p>B. Employment land provision for about 280ha will be made during the plan period, comprising the area subtotals, which are separate and non-transferable, set out in Table 4a.</p>	<p>This policy sets out the strategic requirement for growth for South Worcestershire including the expected provision for housing. The proposals here are put forward in order to seek to address the failings in delivery and thus support</p>
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Table 4a: EMPLOYMENT LAND PROVISION 2006-2030

EMPLOYMENT LAND PROVISION 2006-2030	SUB-AREA TOTALS (ha)
Wider Worcester Area (WWA)* ⁽⁸⁾	120
Malvern Hills (excluding WWA)	40
Wychavon (excluding WWA)	120
South Worcestershire TOTAL*	280
<i>*of which Worcester City</i>	80

- C. Housing provision will be made for about 28,400 dwellings (net) during the plan period, comprising the area subtotals, which are separate and non-transferable and comprise the related market housing and affordable housing provision sub-totals, as set out in Table 4b(i). The annual requirement rates in Table 4b(ii) will apply when monitoring delivery of the area sub-total targets set out in Table 4b(i), and when calculating the five-year supply requirement for the purposes of Framework paragraph 47.

Table 4b(i): HOUSING PROVISION 2006-2030 (net number of dwellings)

SUB AREA	AREA	AREA SUBTOTAL#	Market Housing	Affordable Housing
Wider Worcester Area (WWA)	Wider Worcester Area	12,150	8,350	3,800
	Wider Worcester Area (Worcester City)	6,800	5,100	1,700
	Wider Worcester Area (Malvern Hills and Wychavon*#)	5,350	3,250	2,100

the overall need for housing. The proposals address proactively housing needs, they contribute towards the overall housing provision within the plan and address the Councils current failing housing supply.

Malvern Hills (excluding WWA)	Malvern Hills (excluding WWA)	5,650	3,950	1,700
Wychavon (excluding WWA)	Wychavon (excluding WWA)	10,600	7,300	3,300
	South Worcestershire	28,400	19,600	8,800

Notes to Table 4b(i)

Figures may not sum due to rounding.

* Located within the district(s) of Malvern Hills District and Wychavon District

For monitoring purposes the target (market housing and affordable housing) for that part of WWA within Malvern Hills District is 4,450 and the target for that part of WWA within Wychavon District is 900.

Table 4b(ii): HOUSING PROVISION – ANNUAL REQUIREMENTS (net number of dwellings)

AREA	AREA SUBTOTAL	ANNUAL REQUIREMENT		
		2006-2015	2015-2018	2018-2030
Wider Worcester Area (Worcester City)	6,800	283	371	261
Wider Worcester Area (Malvern Hills)	4,450	0	0	371

	Wider Worcester Area (Wychavon)	900	56 (2014/15 only)	56	56	
	Malvern Hills (excluding WWA)	5,650	235	308	217	
	Wychavon (excluding WWA)	10,600	442	578	407	
	South Worcestershire	28,400	960 (1,016 in 2014/15)	1,314	1,314	
	<p>D. Retail provision will be made for about 50,000 square metres (net floorspace) during the plan period.</p> <p>E. The supply of employment land, housing and retail floorspace to meet the provision requirements is set out in Table 4d.</p> <p>F. Worcester’s growth beyond its administrative boundary will be delivered on the sites allocated by Policy SWDP 45 and not elsewhere within Malvern Hills District or Wychavon District.</p> <p>G. The delivery and availability of housing land will be monitored annually. Any necessary adjustments will be made in order to deliver the overall south Worcestershire housing target and maintain a rolling 5 year supply of deliverable housing land consistent with the area sub-totals set out in SWDP 3 D Tables 4b(i) and 4b(ii).</p>					
SWDP4 – Moving Around South Worcestershire	<p>Managing Travel Demand</p> <p>A. Proposals must demonstrate that: the layout of development will minimise demand for travel, they offer genuinely sustainable travel choices, they address road safety and they are consistent with the delivery of the Worcestershire Transport Plan objectives.</p> <p>B. Travel Plans will be required for all major developments. These must set out measures to reduce the demand for travel by private cars and stimulate cycling, walking and public</p>					The proposals accord with this policy in that they do provide for sustainable accessibility and support travel choices by cycling walking and public transport.

	<p>transport use through agreed targets and monitoring arrangements.</p> <p>C. New development should have regard to the design criteria and principles set out in Manual for Streets, Worcestershire County Council's Local Transport Plan, and Worcestershire County Council's Highways Design Guide.</p> <p>Providing Alternative Modes of Travel</p> <p>D. Priority will be given to improving public and community transport provision, walking and cycling infrastructure during the plan period. In accordance with policy SWDP 7, developments will be expected to contribute to the provision of sustainable transport infrastructure necessary to support them, either through direct investment in facilities or by financial contributions.</p> <p>E. In order to promote more transport choice in rural areas, community transport and innovative transport projects, including those that promote the use of new vehicle technology, will be encouraged in conjunction with new development proposals.</p> <p>F. All town centre development will need to show that the needs of alternative powered vehicles have been considered.</p> <p>Delivering Transport Infrastructure to Support Economic Prosperity</p> <p>G. The following transport schemes, as identified within the Worcestershire Local Transport Plan, are the most significant for the successful implementation of the SWDP:</p> <ul style="list-style-type: none"> i. Worcester Transport Strategy. ii. Worcestershire Parkway Station. iii. Urban transport packages for the towns of Malvern, Tenbury Wells, Upton-upon-Severn, Pershore, Evesham and Droitwich Spa. 	
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	<p>H. Development proposals will not be permitted if they are likely to prejudice the implementation of the transport schemes set out in clause G, the implementation of identified highway improvements or traffic management schemes, or the operation of existing or proposed public transport facilities.</p> <p>I. Phase 1 of the Worcester Transport Strategy only addresses existing transportation needs at 2010 along with projected background growth in travel demand. The provision of 12,200 dwellings and 120ha of employment land in the Wider Worcester Area up to 2030 will, therefore, require the phased implementation of additional elements of the Worcester Transport Strategy, including:</p> <ul style="list-style-type: none"> iv. Dualling of the A4440 Southern Link Road between Powick Hams and Whittington, including the Carrington Bridge. v. Multi-modal enhancements on all the remaining key radial and orbital transport corridors in Worcester City. vi. Additional walk and cycle route enhancements. iv. The upgrade of Worcester Shrub Hill station and associated improvements to the local highway network. v. Smarter Choices (Choose How You Move) measures at all new developments <p>J. The following sites and corridors, as shown on the Policies Map, will be safeguarded from development that would prejudice future enhancements to the rail network:</p> <ul style="list-style-type: none"> i. Worcestershire Parkway Station. ii. Cotswold and Malvern Line. iii. Droitwich Spa to Stoke Works. 	
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	<p>IV. Stratford to Cheltenham Line including the former Chord Lines at Honeybourne Junction.</p> <p>Transport Assessment Strategy</p> <p>K. Transport Assessments are required for all major developments and must be carried out as required by the Local Transport Plan and the following supporting policies and guidance:</p> <ul style="list-style-type: none"> i. Worcestershire Local Transport Plan 3 Development Control (Transport) policy. ii. Worcestershire Local Transport Plan 3 Requirements for Transport Assessments and Statements. iii. Worcestershire Local Transport Plan 3 Highways Design Guide. <p>Implementation</p> <p>L. Financial contributions from development towards transport infrastructure will be secured either through the Community Infrastructure Levy charging schedule or developer contributions as appropriate.</p>	
<p>SWDP5 – Green Infrastructure SWDP7 – Infrastructure</p>	<p>A. Housing development proposals (including mixed-use schemes) are required to contribute towards the provision, maintenance, improvement and connectivity of Green Infrastructure (GI) as follows (subject to financial viability:)</p> <ul style="list-style-type: none"> i. For greenfield sites exceeding 1ha (gross) - 40% Green Infrastructure (GI). ii. For greenfield sites of less than 1ha but more than 0.2ha (gross) – 20% Green Infrastructure (GI). iii. For brownfield sites – no specific Green Infrastructure (GI) figure. 	<p>The proposals comply within this policy in that they make provision for 40% green infrastructure across the development as well as arrangements in place to maintain the provision of the green space in perpetuity.</p>

	<p>B. The precise form and function(s) of GI will depend on local circumstances and the Worcestershire Green Infrastructure Strategy’s priorities. Developers should seek to agree these matters with the local planning authority in advance of a planning application. Effective management arrangements should also be clearly set out and secured. Once a planning permission has been implemented, the associated GI will be protected as Green Space (SWDP 38 refers).</p> <p>C. Other than specific site allocations in the development plan, development proposals that would have a detrimental impact on important GI attributes within the areas identified as “protect and enhance” or “protect and restore”, as identified on the Environmental Character Areas Map, will not be permitted unless:</p> <p style="padding-left: 40px;">a. A robust, independent assessment of community and technical need shows the specific GI typology to be surplus to requirements in that location; and</p> <p style="padding-left: 40px;">b. Replacement of, or investment in, GI of at least equal community and technical benefit is secured.</p>	
<p>SWDP6 – Historic Environment</p>	<p>A. Development proposals should conserve and enhance heritage assets, including assets of potential archaeological interest, subject to the provisions of SWDP 24. Their contribution to the character of the landscape or townscape should be protected in order to sustain the historic quality, sense of place, environmental quality and economic vibrancy of south Worcestershire.</p> <p>B. Development proposals will be supported where they conserve and enhance the significance of heritage assets, including their setting. In particular this applies to:</p> <p style="padding-left: 20px;">i. Designated heritage assets; i.e. listed buildings, conservation areas, scheduled monuments, registered parks and gardens and registered battlefields, as well as undesignated heritage assets (25).</p> <p style="padding-left: 20px;">ii. The historic landscape, including locally distinctive settlement patterns, field systems, woodlands and commons and historic farmsteads and smallholdings.</p> <p style="padding-left: 20px;">iii. Designed landscapes, including parkland, gardens, cemeteries, churchyards, public parks, urban</p>	<p>The policy isn’t entirely consistent with the NPPF as it doesn’t contain the public benefits balance. The Policy cross references to SWDP 24 which does refer to the need for proposals to comply with the NPPF and to which the proposals comply.</p>

	<p>open spaces and industrial, military or institutional landscapes.</p> <p>iv. Archaeological remains of all periods.</p> <p>v. Historic transportation networks and infrastructure including roads and trackways, canals, river navigations, railways and their associated industries.</p> <p>vi. The historic core of the cathedral city of Worcester, with its complex heritage of street and plot patterns, buildings, open spaces and archaeological remains, along with their settings and views of the city.</p> <p>vii. The civic, religious and market cores of south Worcestershire’s city, town and village fabric with their wide variety of building styles, materials and street and plot patterns.</p>	
SWDP7 – Infrastructure	<p>A. The partner authorities will work closely with their partners, especially the County Council, to bring forward the appropriate and proportionate infrastructure that is required in order to deliver the Plan.</p> <p>B. Development will be required to provide or contribute towards the provision of infrastructure needed to support it.</p> <p>C. Where new infrastructure is needed to support new development, the infrastructure must be operational no later than the appropriate phase of development for which it is needed.</p>	<p>Appropriate infrastructure improvements accompany the appeal proposals, include a range of financial contributions to support travel, education and recreation provision within the s106. The proposals have no conflict with this policy.</p>
SWDP13 – Effective Use of Land	<p>A. To deliver places that are more sustainable, development will make the most effective and sustainable use of land, focusing on:</p> <ul style="list-style-type: none"> i. Housing density; ii. Reusing previously developed land; and iii. Making only exceptional use of the Best and Most Versatile Agricultural Land. <p>Housing Density</p> <p>B. Housing development in south Worcestershire will make the most effective and efficient use</p>	<p>The proposals here raised no fundamental conflict with policy here. The housing density of the proposals will be in line with policy aspirations. In respect of agricultural land the wording of policy is not entirely consistent with the NPPF which expresses the need to recognise the economic and</p>

	<p>of land, with housing density designed to enhance the character and quality of the local area, commensurate with a viable scheme and infrastructure capacity.</p> <ul style="list-style-type: none"> i. Housing density will be greater on sites with a high level of accessibility, including sites located in or close to city and town centres, or close to public transport stations. ii. The form and density of housing will vary across larger sites, in response to current and future accessibility and other characteristics of each part of the site. Variations in density across a site should be used to develop different character areas. iii. Subject to parts B, C and D above, on sites allocated for housing or for mixed use that includes housing, the following broad indications of appropriate average net densities shall apply: iv. On sites within the city of Worcester and allocations for more than 100 new dwellings in Droitwich Spa, Evesham and Malvern, development should achieve an average net density of 40 dwellings / ha. v. On sites within Worcester city centre and the town centres of Droitwich Spa, Evesham and Malvern, development of mainly flatted units should achieve an average net density of 75 dwellings / ha. vi. In Pershore, Tenbury Wells, Upton-upon-Severn and the villages, and on sites of less than 100 dwellings in Droitwich Spa, Evesham and Malvern outside their identified town centres, new development should be provided at an average net density of 30 dwellings / ha. vii. In the allocated urban extensions, densities will be determined through masterplanning and the development management process, subject to the overriding requirement that the number of dwellings indicated in the allocation policy for each urban extension is achieved. viii. Where urban extensions and other large developments abut open land or sensitive locations such as conservation areas, listed buildings, areas of archaeological interest or ecological / biodiversity value, their design should reflect the sensitivity of those areas. 	<p>other benefits of the best and most versatile agricultural land and doesn't include for the sequential approach as set out in Policy here, however in any event my evidence explains that the potential loss is not considered as significant and in any event agricultural land will be essential in order to meet housing needs. The benefits of housing here outweigh the loss of BMV and therefore the proposals can be seen to accord with policy.</p>
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	<p style="text-align: center;">Development densities immediately adjacent to such areas should be adjusted downwards as appropriate to ensure that impact on them is minimised, whilst maintaining the overall average density of the site.</p> <p>Windfall Sites</p> <p>F. Windfall housing developments should be assessed against the density criteria (parts B, C, D and E above) relevant to their locality and the character of the built and natural environment context, including heritage assets.</p> <p>Use of Brownfield Land (Previously Developed Land)</p> <p>G. The Plan includes an indicative monitoring target of 40% of housing development in the Plan period to be located on Brownfield Land.</p> <p>Best and Most Versatile Agricultural Land</p> <p>H. Windfall development proposals which would result in the loss of more than two hectares of Best and Most Versatile (BMV) agricultural land will be required to demonstrate that:</p> <ul style="list-style-type: none"> i. The proposed development cannot be reasonably accommodated on non-BMV agricultural land; and ii. The benefits of the development significantly outweigh the loss of BMV agricultural land. <p>I. In addition, the effect of the loss of BMV agricultural land on farm economics and management will be considered. Where development would fragment farm holdings, planning permission will be granted only where mitigation is possible e.g. the land can be incorporated into surrounding holdings and where there is no severance of agricultural buildings from the land.</p>	
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<p>SWDP14 – Market Housing Mix</p>	<p>A. All new residential developments of five or more units, having regard to location, site size and scheme viability, should contain a mix of types and sizes of market housing. The mix will be informed by the latest Strategic Housing Market Assessment and / or other local data, for example, Neighbourhood Plans, Parish Surveys, Parish Plans and developers' assessments.</p> <p>B. Worcester and the main / other towns will be the focus for housing to help meet the needs of residents with specific housing requirements, such as people with disabilities. Elsewhere, proposals to help meet these specific needs should demonstrate that the scheme has good access to public transport, healthcare, shopping and other community facilities.</p> <p>C. Permission for the sub-division or multiple occupancy of dwellings within the city boundary or development boundaries, including changes of use to hostels and guest houses, will be granted provided that the property has four or more bedrooms and is no longer suitable for single family occupation. In the case of hostels, the property must be detached.</p> <p>D. An application for change of use to a House in Multiple Occupation (HMO) will only be permitted where it does not lead to, or increase an existing over-concentration of such uses in the local area. The use of Article 4 Directions to control changes of use will be considered.</p>	<p>A planning condition is being imposed to ensure that the proposed development at the reserved matters stage appropriately accords with the requirements of this policy to ensure an appropriate market mix of dwellings to support needs.</p>
<p>SWDP15 – Meeting Affordable Housing Needs</p>	<p>A. All new residential development, including conversions, above the thresholds in SWDP 15 B (and adjacent land, if it is anticipated that it will form part of a larger site) will contribute to the provision of affordable housing.</p> <p>B. The number, size, type, tenure and distribution of affordable dwellings to be provided will be subject to negotiation, dependent on recognised local housing need, specific site and location factors and development viability and having regard to the sliding scale approach set out below:</p> <p>i. On sites of 15 or more dwellings on greenfield land, 40% of the units should be affordable and provided on site.</p> <p>ii. On sites of 15 or more dwellings on brownfield land within Worcester City and Malvern Hills, 30% of the units should be affordable and provided on site. On sites</p>	<p>The proposals are in line with this policy in that they make full provision for 40% affordable housing within the development. This is secured within the planning obligation which provides for secure arrangements to ensure the development of the affordable housing will be protected in perpetuity.</p>

	<p>of 15 or more dwellings on brownfield land within Wychavon, 40% of the units should be affordable and provided on site.</p> <p>iii. On sites of 10 – 14 dwellings, 30% of units should be affordable and be provided on site.</p> <p>iv. On sites of 5 – 9 dwellings, 20% of units should be affordable and be provided on site.</p> <p>v. On sites of less than 5 dwellings a financial contribution towards local affordable housing provision should be made, based on the cost of providing the equivalent in value to 20% of the units as affordable housing on site.</p> <p>C. Where a robust justification exists, off-site contributions may be accepted in lieu of on-site provision.</p> <p>D. Secure arrangements will need to be put in place to ensure that the affordable housing provided in accordance with this policy will remain affordable (or that the subsidy will be recycled for alternative affordable housing provision) and, for sites outside the city or towns, available to meet the needs of local people.</p> <p>E. The final tenure mix of affordable housing on individual sites will be subject to negotiation. Generally the preference will be for social rented, unless for example a contribution from an alternative affordable housing tenure is required to achieve scheme viability or local need has been demonstrated for a different affordable housing tenure.</p> <p>F. On sites where it has been demonstrated that the proportion of affordable housing sought by SWDP 15 B would not be viable, the maximum proportion of affordable housing will be sought that does not undermine the development’s viability. Financial viability assessments conforming to an agreed methodology will be required and, where necessary, the Local Authority will arrange for them to be independently appraised at the expense of the applicant.</p> <p>G. Further details of the manner in which the policy will be implemented will be set out in an Affordable Housing Supplementary Planning Document.</p>	
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<p>SWDP21 – Design</p>	<p>A. 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 and their settings. New and innovative designs will be encouraged and supported where they enhance the overall quality of the built environment.</p> <p>B. Applications should demonstrate, through a Design and Access Statement or other supporting evidence, how the objectives outlined in criterion A have been addressed. They will also need to address the following matters:</p> <p>i. Siting and Layout</p> <p>The siting and layout of a development should reflect the given characteristics of the site in terms of its appearance and function. Orientation should take advantage of passive heating and cooling systems, offer shade as appropriate and provide for the use of renewable energy.</p> <p>ii. Relationship to Surroundings and to Other Development</p> <p>Development proposals must complement the character of the area. In particular, development should respond to surrounding buildings and the distinctive features or qualities that contribute to the visual and heritage interest of the townscape, frontages, streets and landscape quality of the local area.</p> <p>iii. The Settings of the City and Towns</p> <p>Design proposals should ensure that the prominent views, vistas and skylines of Worcester city and the towns are maintained and safeguarded, particularly where they relate to heritage assets, existing landmark buildings, and ‘gateway’ sites. Development at the urban edges should respect the rural setting.</p> <p>iv. Neighbouring Amenity</p>	<p>The proposed development is of a high design quality and therefore accords with the policy. The proposals integrate and reinforce local distinctiveness and provide for a positive relationship to the setting of the village. The proposed development has been assessed within the design and access statement in the context of this policy to ensure that the proposals can provide for a high quality development noting that some of the aspects of the policy will be appropriately addressed at the reserved matters stage.</p>
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	<p style="text-align: center;">Development should provide an adequate level of privacy, outlook, sunlight and daylight, and should not be unduly overbearing.</p> <p>v. Settlement Character</p> <p style="text-align: center;">The distinct identity and character of settlements should be safeguarded.</p> <p>vi. Mix of Uses</p> <p style="text-align: center;">To create vitality and interest, proposals should incorporate a mix of uses where appropriate to the location.</p> <p>vii. Flexible Design</p> <p style="text-align: center;">Buildings should incorporate flexible designs, addressing access to public open spaces and enabling adaption for future needs and uses in terms of internal spaces and extensions.</p> <p>viii. Scale, Height and Massing</p> <p style="text-align: center;">The scale, height and massing of development must be appropriate to the setting of the site and the surrounding landscape character and townscape, including existing urban grain and density.</p> <p>ix. Links, Connectivity and Access</p> <p style="text-align: center;">Design and layouts should maximise opportunities for pedestrian and cycle linkages to the surrounding area and local services and should be generally accessible for all users, including those with disabilities. Vehicular traffic from the development should be able to access the highway safely and the road network should have the capacity to accommodate the type and volume of traffic from the development.</p>	
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	<p>x. Detailed Design and Materials</p> <p>The detailing and materials of development should be of high quality and appropriate to its context. Design should have regard to sustainable construction approaches and ensure adaptability to changes in the climate.</p> <p>xi. Appropriate Facilities</p> <p>Development should incorporate the required parking facilities and provision for the storage of bicycles. Satisfactory access and provision for the parking, servicing and manoeuvring of vehicles should be provided in accordance with the recognised standards.</p> <p>xii. Landscaping</p> <p>Development should provide high quality hard and soft landscaping. The importance of soft landscaping, using appropriate species and incorporating arrangements for long-term management is emphasised.</p> <p>xiii. Public Realm</p> <p>Public realm and open spaces should be well-designed, appropriately detailed and maintained via management agreements. They should also incorporate active frontages where appropriate. Proposals should include hard and soft surfaces, public art, street furniture, shade, lighting and signage as appropriate to the development.</p> <p>xiv. Creating a Safe and Secure Environment</p> <p>Opportunities for creating a safe and secure environment and providing surveillance should be included, principally through the layout and positioning of buildings, spaces and uses. Where appropriate, development should incorporate measures for crime reduction that are consistent with those recommended by the Secured by Design guides.</p>	
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	<p style="text-align: center;">Buildings and their surrounding spaces should incorporate fire safety measures and be designed to allow rapid access by the emergency services.</p> <p>xv. Advertisements</p> <p style="text-align: center;">Illuminated signage will only be permitted where lighting is unobtrusive or not considered to be harmful to the character and appearance of the site or surroundings. Consent will be granted for outdoor advertisements (including poster hoardings) provided the display will not adversely affect the amenities of the area or impact on public safety.</p>	
<p>SWDP22 – Biodiversity and Geodiversity</p>	<p>A. Development which would compromise the favourable condition of a Special Area of Conservation (SAC) or other international designations or the favourable conservation status of European or nationally protected species or habitats will not be permitted.</p> <p>B. Development likely to have an adverse effect on a Site of Special Scientific Interest (SSSI) will not be permitted, except where the benefits of the development at that site clearly outweigh both its likely impact on the features of the site that make it of special scientific interest and any broader impacts on the national network of SSSIs.</p> <p>C. Development which would result in the loss or deterioration of an Ancient Woodland (AW), a Veteran Tree (VT), or a nationally protected species will not be permitted unless the need for and the benefits of the proposed development in that location clearly outweigh the loss or deterioration.</p> <p>D. Development which would compromise the favourable condition or the favourable conservation status of a Grassland Inventory Site (GIS), a Local Wildlife Site (LWS), a Local Geological Site (LGS), an important individual tree or woodland and species or habitats of principal importance recognised in the Biodiversity Action Plan, or listed under Section 41 of the Natural Environment and Rural Communities Act 2006, will only be permitted if the need for and the benefits of the proposed development outweigh the loss.</p> <p>E. Where the policy requirements of B, C or D have been met, full compensatory provision, to include establishment (secured through a legal agreement where appropriate), commensurate with the ecological / geological value of the site will be required. In the first instance this should be through on-site mitigation, the details of which should be agreed with the Local Planning Authority. Off-site mitigation will only be acceptable where on-site mitigation is shown not to be possible.</p>	<p>The proposals raise no conflict with this policy in that the development seeks to enhance biodiversity and conserve on site biodiversity features. The development also provides opportunities for biodiversity enhancements the implementation of which is covered by planning conditions.</p>

	<p>F. Development should, wherever practicable, be designed to enhance biodiversity and geodiversity (including soils) conservation interests as well as conserve on-site biodiversity corridors / networks. Developments should also take opportunities, where practicable, to enhance biodiversity corridors / networks beyond the site boundary.</p>	
<p>SWDP24 – Management of the Historic Environment</p>	<p>A. Development proposals affecting heritage assets will be considered in accordance with the Framework, relevant legislation and published national and local guidance.</p> <p>B. Proposals likely to affect the significance of a heritage asset, including the contribution made by its setting, should be accompanied by a description of its significance in sufficient detail to allow the potential impacts to be adequately assessed. Where there is potential for heritage assets with archaeological interest to be affected, this description should be informed by available evidence, desk-based assessment and, where appropriate, field evaluation to establish the significance of known or potential heritage assets.</p> <p>C. The sympathetic and creative reuse and adaptation of historic buildings will be encouraged. Such proposals, and other proposals for enabling development that provide a sustainable future for heritage assets identified as at risk, will be considered in accordance with SWDP 24 A.</p> <p>D. Where a material change to a heritage asset has been agreed, recording and interpretation should be undertaken to document and understand the asset’s archaeological, architectural, artistic or historic significance. The scope of the recording should be proportionate to the asset’s significance and the</p>	<p>The policy requires proposals affecting heritage assets to be considered in accordance with the Framework. My evidence gives details consideration to policy of the Framework and where heritage harm is less than significant, this harm is balanced against and is outweighed by the public benefits.</p>
<p>SWDP25 – Landscape Character</p>	<p>A. Development proposals and their associated landscaping schemes must demonstrate the following:</p> <ul style="list-style-type: none"> i. That they take into account the latest Landscape Character Assessment and its guidelines; and ii. That they are appropriate to, and integrate with, the character of the landscape setting; and iii. That they conserve, and where appropriate, enhance the primary characteristics defined in character assessments and important features of the Land Cover Parcel, and have taken any available opportunity to enhance the landscape. 	<p>This policy is addressed within the evidence of Mr Lishman, but the proposals can be seen to raise no direct conflict with the policy or its aims.</p>

	<p>B. A Landscape and Visual Impact Assessment (LVIA) will be required for all major development proposals and for other proposals where they are likely to have a detrimental impact upon:</p> <ul style="list-style-type: none"> i. A significant landscape attribute; ii. An irreplaceable landscape feature; or iii. The landscape as a resource. <p>C. The Landscape and Visual Impact Assessment should include proposals to protect and conserve key landscape features and attributes and, where appropriate, enhance landscape quality.</p>	
<p>SWDP27 – Renewable and Low Carbon Energy</p>	<p>Incorporating Renewable and Low Carbon Energy into New Development</p> <ul style="list-style-type: none"> A. To reduce carbon emissions and secure sustainable energy solutions, all new developments over 100 square metres gross or one or more dwellings should incorporate the generation of energy from renewable or low carbon sources equivalent to at least 10% of predicted energy requirements, unless it has been demonstrated that this would make the development unviable. B. Large scale development proposals should examine the potential for a decentralised energy and heating network. If practical and viable, a decentralised energy and heating network should be provided as part of the development. <p>Stand Alone Renewable and Low Carbon Energy Schemes</p> <ul style="list-style-type: none"> C. With the exception of wind turbines (see D below) proposals for stand-alone renewable and other low carbon energy schemes are welcomed and will be considered favourably having regard to the provisions of other relevant policies in the Plan. D. Proposals for stand-alone wind turbines will only be considered favourably if: <ul style="list-style-type: none"> i. The site is identified as suitable for wind energy development in a Neighbourhood Plan; 	<p>in line with this policy a condition is being imposed to ensure that the proposed development provides for at least 10% of the predicted energy requirements to be made from sustainable energy sources.</p>

	<p style="text-align: center;">and</p> <p style="text-align: center;">ii. Following consultation, it can be demonstrated that any significant planning impacts identified by the affected local community have been fully addressed and that the proposal has the local community’s backing.</p> <p>The South Worcestershire Councils (SWC) will set out associated advice and guidance on the implementation of this policy in a Renewable and Low Carbon Energy Supplementary Planning Document.</p>	
<p>SWDP28 – Management of Flood Risk</p>	<p>A. In order to minimise the impacts of and from all forms of flood risk the following is required:</p> <p>i. Other than sites allocated in this Plan all development proposals must clearly demonstrate that the Sequential Test, as set out in the latest version of the Strategic Flood Risk Assessment (SFRA), has been applied.</p> <p>ii. If the Sequential Test has been satisfied, development proposals, other than those allocated in this Plan, must also satisfy the Exception Test in all applicable situations as set out in the latest version of the SFRA.</p> <p>iii. Site specific Flood Risk Assessments (FRAs), informed by the latest version of the SFRA, where:</p> <ul style="list-style-type: none"> • The development proposal is over 1ha in size. • The development proposal includes land in Flood Zones 2 and 3 (as defined by the latest Environment Agency mapping). • The development proposal (includes Flood Zone 1) affects land where evidence, in particular the SFRA, indicates there are records of historic flooding or other sources of flooding, e.g. due to critical drainage problems, including from ordinary watercourses and / or a need for more detailed analysis. 	<p>The proposals here appropriately address matters of flood risk and drainage and include arrangements for the management of surface water in a sustainable Manor. Conditions are proposed to ensure the provision of suitable detailed arrangements for managing flood risk in line with the general strategy set out within the supporting flood risk assessment of the drainage strategy submitted with the application.</p>

	<p>Flood Risk Assessments</p> <p>B. All development proposals must adhere to the advice in the latest version of the SFRA and will:</p> <ul style="list-style-type: none"> i. Provide level for level, volume for volume, floodplain compensation where necessary. ii. Ensure no increase in flood risk or harm to third parties. iii. Explore opportunities to reduce flood risk overall, including contributions where appropriate. iv. Ensure development is safe from flooding for its lifetime. v. Ensure development is appropriately flood resistant and resilient. vi. Take into account all forms of flooding. vii. Include appropriate allowances for climate change. viii. Ensure safe access and exits are available for residential development in accordance with DEFRA guidance (table 13.1 from FD2320 – Danger to People for Combinations of Depth and Velocity – see below). Access to “safe refuges” or “dry islands” are unlikely to be considered safe as this will further burden the Emergency Service in times of flood. ix. Provide an assessment of residual risk. x. Provide satisfactory Evacuation Management Plans, where necessary, including consultation with the Emergency Services and Emergency Planners. xi. Ensure development layouts are informed by drainage strategies incorporating sustainable drainage systems (SuDS), as set out in SWDP29. 	
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	<p>Urban areas</p> <p>C. SWDP 28 C applies to areas of high flood risk (Flood Zones 3a and 3b) at Worcester, Droitwich Spa, Evesham, Malvern, Tenbury Wells and Upton-upon-Severn and must be adhered to:</p> <p>i. Floodplain [“Blue Zone”]</p> <p>Functional Floodplain – This is identified as the “Blue Zone” on the Policies Map. The Blue Zone is functional floodplain and development will not be permitted here.</p> <p>ii. Floodplain [“Red Zone”]</p> <p>New development (including extensions) and redevelopment will not be permitted in areas of existing or previously existing floodplain flow [as defined by the Environment Agency] shown as “Red Zone”, or within eight metres of the top of both banks of other watercourses, as shown on the Policies Map. Where options for managed retreat or land swap exist, developers should explore these with the Local Planning Authority.</p> <p>iii. Floodplain [“Yellow Zone”]</p> <p>Redevelopment of existing sites within the floodplain in areas not subject to significant flood flows (as defined by the Environment Agency), shown as “Yellow Zone” on the Policies Map, will be permitted provided:</p> <ul style="list-style-type: none"> • It is for less vulnerable or water compatible uses (as defined in Table 2 ‘Flood Risk Vulnerability Classification’ of the National Planning Practice Guide). • Ground floor levels of all buildings are set above the 1 in 100-year flood level including an allowance for climate change, with an appropriate freeboard to be agreed with the Local Planning Authority and should be flood-free during an extreme flood event. 	
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	<ul style="list-style-type: none"> • Safe access is available for the lifetime of the development and is supported by flood warnings and suitable evacuation plans being in place. • Car parking is designed to have regard to potential flood depths and hazards and mitigation measures are put in place (no basement car parking shall be permitted). • There is no impairment to the available flood storage capacity of the floodplain and additional flood storage is created. • Unnecessary obstructions to flood flow are removed, restoring flood flow pathways. <p>Flood Risk and caravans, mobile homes and chalet parks</p> <p>D. Development for caravan, mobile home and chalet parks will not be permitted within the 1% plus climate change (“high risk”) floodplain. Where existing caravan, mobile home and chalet parks are already located within the “high risk” floodplain, permission will not be granted for intensification of the park through additional caravans and / or increased occupancy. Options for the relocation of the existing development to a suitable area of lower flood risk should be considered.</p> <p>Protection and enhancement of watercourses</p> <p>E. Planning permission for development will only be granted where:</p> <ul style="list-style-type: none"> i. The natural watercourse profiles are not adversely affected and opportunities explored to enhance river corridors. ii. A minimum 8m access strip is provided adjacent to the top of both banks of any watercourse for maintenance purposes. It should be appropriately landscaped for open space and biodiversity benefits (this width may be reduced in exceptional circumstances where agreed by the Local Planning Authority). iii. It would not result in the loss of open water features through draining, culverting or enclosure by other means and culverts are opened up wherever possible. 	
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<p>SWDP29 – Sustainable Drainage Systems</p>	<p>A. To minimise flood risk, improve water quality and groundwater recharge and enhance biodiversity and amenity interest, all development proposals (as appropriate to their nature and scale) will be required to:</p> <ul style="list-style-type: none"> i. Demonstrate through a Water Management Statement that site drainage and runoff will be managed in a sustainable and co-ordinated way that mimics the natural drainage network. ii. Manage surface water through Sustainable Drainage Systems (SuDS). SuDS schemes must protect water quality and, wherever practicable, reduce the risk of diffuse pollution by means of treating at source and following the <u>management train approach</u>. iii. Secure the long-term maintenance of SuDS schemes. iv. As a minimum, demonstrate that for a Greenfield site, the post-development surface water run-off rate will not increase. Proposals on brownfield land must show a 20% reduction in surface water run-off rates compared with the pre-development situation. A greater reduction in surface water run-off rates may be sought in areas identified, e.g. in a Worcestershire Surface Water Management Plan as having surface water flooding problems. In all cases, development proposals must not increase surface water flood risk beyond the site. v. Prior to the submission of a planning application, consult with Severn Trent Water to ensure appropriate water infrastructure is secured (surface water sewer capacity). vi. Avoid culverting of any watercourses and secure adequate maintenance access. Open up any culverted watercourses unless this will clearly compromise public safety. vii. Demonstrate that the submitted landscaping scheme will preserve and wherever possible improve the ecological status of on-site watercourses and water bodies, including integration into the wider blue and green infrastructure. 	<p>See above – there is no conflict with this policy and the proposals make full provision for sustainable drainage systems.</p>
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	<p>viii. Demonstrate compliance with the Water Framework Directive, exploring opportunities to help meet its targets.</p> <p>B. Lack of space, prohibitive costs, inadequate infiltration and land contamination will not be accepted as reasons for not including SuDS. Given the wide range of SuDS techniques (see Table 9 below) available, there is a sustainable drainage solution to suit all sites.</p>	
SWDP30 – Water Resources, Efficiency and Treatment	<p>A. All development proposals must demonstrate that there are or will be adequate water supply and water treatment facilities in place to serve the whole development. For phased development proposals, each phase must demonstrate sufficient water supply and water treatment capacity.</p> <p>B. Development proposals in areas where there is no mains foul drainage provision should consider the hierarchy of drainage options set out in the National Planning Practice Guidance.</p> <p>C. For housing proposals, it must be demonstrated that the daily non-recycled water use per person will not exceed 110 litres per day.</p> <p>D. For business / commercial proposals up to 1 April 2016, it must be demonstrated that the water use meets the British Research Establishment Environmental Assessment Methodology (BREEAM) “very good” standard. Beyond 1 April 2016 the BREEAM “excellent” standard must be achieved.</p> <p>Proposals that would result in an unacceptable risk to the quality and / or quantity of a water body or water bodies will not be permitted.</p>	There is no conflict in the proposals with the requirements set out within this policy the proposals will provide for adequate water supply and treatment in consultation with the local water authority. The development will meet full standards of the building regulations.
SWDP33 – Waste	Proposals for new development should incorporate adequate facilities into the design to allow occupiers to separate and store waste for recycling and recovery unless existing provision is adequate.	These are matters which will be readily addressed at the reserved matters stage and the proposals therefore raised no conflict with these.
SWDP39 – Provision for Green Space and Outdoor Community Uses in New Development	A. Development proposals exceeding 5 dwellings should make provision for Green Space and outdoor community uses as set out in Table 10, together with secure arrangements for its long-term management and on-going maintenance. Enhancing accessibility to these open spaces, e.g. through improvements to the Rights of Way Network, is strongly encouraged. The total amount of Green Space will be within the overall quantum of Green Infrastructure required by	The proposals accord with this policy in their provision for green space and play space within the proposed development. Whilst in

	<p>SWDP5. In addition to Table 10, the precise amount, form and type of outdoor community use will be informed by local evidence, e.g. Parish and Town Plans, Neighbourhood Plans, Village Design Statements.</p> <p>B. In cases where it will be impractical and inappropriate to deliver all the openspace typologies on site, developer contributions towards off-site provision will be sought and secured through a legal agreement. For large scale proposals, in particular the urban extensions, most of the typologies must be delivered on site. In all cases the developer will be required to secure the long-term maintenance / management arrangements for all Green Space / outdoor community uses both on and off-site.</p> <p>C. Requirements for new and improved formal sports pitches will be assessed on a case by case basis using the most up-to-date available evidence.</p> <p>D. On-site provision of Green Space will have regard to the following accessibility standards:</p> <p>Children’s Play Space (safe walking distances to dwellings)</p> <ul style="list-style-type: none"> i. Local Area for Play (LAP) – within 100m. ii. Local Equipped Area for Play (LEAP) – within 400m. iii. Neighbourhood Equipped Area for Play (NEAP) – within 1km. <p>Playing Pitches</p> <ul style="list-style-type: none"> iv. Within 1.2km of all dwellings or within 20 minutes drive time in rural areas 	<p>outline the proposals provide for a clear understanding of the expected development parameters which include extensive green infrastructure as well as open green space which will provide for children’s play. Off site provision is being made via the planning obligation to support provision in the wider area for more formal facilities</p>
<p>SWDP62 – Implementation</p>	<p>A. Planning obligations through Section 106 agreements will continue to be sought to provide funding to mitigate negative impacts relating to specific developments. A Developer Contributions SPD will be produced to provide detailed guidance to be used in conjunction with the Community Infrastructure Levy charging schedule.</p>	<p>A planning obligation accompanies the proposals which alongside the community infrastructure levy will appropriately mitigate any potential</p>

	B. Progress on the delivery of the SWDP will be monitored annually and a partial or whole Plan review commenced if the Plan is significantly failing to meet its objectives, or if the policy context requires a review.	adverse impacts of the development. The proposals raised no conflict with this policy.
North Claines Neighbourhood Plan (2017)		
NCH1A- New Residential Development	Additional new housing provision within the existing development boundary of Fernhill Heath will be allowed provided that it accords with other relevant policies of the NCNP and the SWDP. New residential development at Sling Lane/Old Drive in Fernhill Heath will be allowed provided it accords with other relevant policies of the NCNP and the site specific requirements within Policy NCH1B. Proposals for further new residential development beyond the existing development boundaries of Worcester and Fernhill Heath will be resisted unless it is demonstrated that there is not a five year supply of deliverable housing sites and that no other policies within the NCNP and SWDP would preclude development on the site such as Green Belt, Local Green Space or locations at risk of flooding.	The particularly relevant part of this policy is where it refers to the absence of a 5 year supply of deliverable housing. Wychavon cannot deliver such a supply and in the circumstances here the policy states that it would not resist further new housing development outside of development boundaries providing not other policies of the NCNP or SWDP would preclude development such as Green Belt, Local Green Space or risk of flooding. No of these preclusive policies apply to this site.
NCH2 -New Housing and Infrastructure	Proposals for new housing within the NPA should demonstrate they provide the appropriate infrastructure, utilities and services necessary to serve the development without causing an unacceptable adverse impact on existing provision. Where necessary, proposals may require to mitigate for its impact through the provision of phased infrastructure, utilities and services to meet the needs of the development.	Appropriate infrastructure improvements accompany the appeal proposals, include a range of financial contributions to support travel, education and recreation provision within the s106. The proposals

		have no conflict with this policy.
NCH3 - Housing Mix	<p>In order to maintain a balanced sustainable community, proposals for new residential development of 5 or more units should demonstrate that they take account of local housing needs identified within an up to date Local Housing Needs Survey and/or Strategic Housing Market Assessment.</p> <p>An assessment of how the proposals meet local need should be provided in the form of a Local Housing Provision Statement and submitted to support planning applications for the proposed development.</p>	This policy sets out similar requirements to policy within the SWDP. The draft conditions include for provision of a housing mix to be agreed and inform the Reserved Matters submission.
NCT1 - Transport and Development	<p>Proposals for all new development, including change of use, that create 10 or more dwellings, are over 1,000 sq m of floorspace or are on sites over 0.3ha in area will only be supported provided that it meets, where appropriate, all the following criteria:</p> <ol style="list-style-type: none"> 1. It has adequate vehicular access arrangements onto the highway; 2. It is appropriate in terms of its impact on the local highway network in terms of capacity and road safety; 3. It provides adequate vehicular and cycle parking in accordance with standards adopted by Wychavon District Council; 4. It is, or can be, appropriately accessed by public transport; and 5. It prioritises the safe and efficient movement of the mobility impaired, pedestrians and cyclists. 6. The design of proposed roads, pavements and cycle routes create a safe and efficient layout for all users including emergency service and refuse vehicles. <p>Relevant planning applications will be supported by evidence, either within the Design and Access Statement or a Transport Statement depending on the scale of development, that demonstrates how the proposal meets the above requirements.</p>	The proposals have not conflict with this policy. The include for adequate access to the highway, they create no undue impact on the highway network in terms of traffic, vehicle and cycle parking will be dealt with in accord with standards at the RM stage, sustainable access including good connections to the new pedestrian and cycle link to Station Road is promoted. The proposals are fully supported by detailed transport assessments and have raised no objection from WCC Highways as the Highway Authority.
NCLE1A - Connections with the Countryside – Landscape	<p>Appropriate landscape provision on the boundary of proposals within the countryside or at the edge of settlements should provide a strong and defensible buffer to enhance the interface of the development on the visual appearance of the area.</p>	In many respects the proposals improve upon the current edge of Fernhill Heath at this point

		delineated by the recent Taylor Wimpey development. The proposals provide for 40% green infrastructure, part of which will be accommodated on the northern boundary with new landscaping to create a high quality landscape edge to the development.
NCLE2 - Local Heritage Assets	Non-designated heritage assets enhance local distinctiveness and should be conserved in a manner appropriate to their significance. Applicants should describe the significance of the non-designated heritage asset and proposals should seek to protect the significance of and, where possible enhance, the non-designated heritage asset (above and below ground) and their setting, as well as the historic landscape character, and put in place measures to avoid, minimise or mitigate any impact that may be caused to its significance.	This policy is not entirely consistent with policy in the NPPF – nevertheless the appellant has met the requirements for assessment of local heritage assets and seeks to protect their significance and minimise impacts including with the way the masterplan provides for a retained open area of landscaping to the western end of the site.
NCLE6 - Trees and Woodland and Development	<p>Developments which involve the loss of woodlands, trees of local significance or significant lengths of mature and biodiversity rich hedgerows will not generally be allowed unless adequate compensatory measures are put in place which will result in a net gain to the overall quality of the environment.</p> <p>Adequate tree survey information should be provided to assess the value of the existing trees and hedgerows and the impact of the proposals on them. Trees not to be retained as a result of the development are to be replaced on a two-for-one basis and hedgerows on a like-for-like basis. Additional new trees and hedgerows should be planted on the site as part of a wider planting scheme to help reflect and enhance the landscape character of the site.</p> <p>Where it is not possible or appropriate to secure this new or replacement tree planting on site, trees</p>	The proposals raise no conflict with this policy, more will plant significantly more trees and hedgerows within the development as part of the proposals in excess of 10% biodiversity net gain.

	<p>should be planted at a suitable location outside the site such as on LGS and AGS or other publicly owned land.</p> <p>Planning conditions or legal agreements will be used to secure the above.</p>	
<p>NCD1 - Development and Design Principles</p>	<p>Where appropriate proposals should demonstrate through a Design and Access Statement that they achieve high quality and inclusive design and integrate into the existing area in terms of landscape, character, design and density by meeting all of the following criteria where relevant:</p> <ol style="list-style-type: none"> 1. The development responds to and reflects the local character integrating positive attributes within the area into their design; 2. Is of an appropriate scale and mass to its surroundings; 3. Makes efficient use of land whilst ensuring that the amenity of the area and neighbouring residents is not unacceptably adversely impacted; 4. Creates a safe and accessible environment that integrates into the existing environment through the application where relevant of Secured by Design: Manual for Streets and the Worcestershire County Council's Highways Design Guide 5. Takes account and reinforces the existing landscape character and biodiversity assets of the site; and 6. Provides a visually attractive architecture, landscaping and public realm that reinforces and promotes the Parish's aesthetic. 7. It takes account of the water environment by providing sustainable drainage to help manage surface water run-off and reduce flood risk and incorporating measures to improve water efficiency. <p>The Design and Access Statement are encouraged to address the following themes as part of explaining the design approach:</p> <ul style="list-style-type: none"> • Context and character • Historic character • Connection with the countryside 	<p>Some aspect of this policy are more relevant to the Reserved Matters stage, however the illustrative proposals even at this stage show how the development could readily comply with the aims and requirements of this policy on design. No least the proposals are in line with local character, and scale of housing in the area, they respect local amenity, will create a safe and accessible addition to the community, and take account of the local landscape and enhance biodiversity. A comprehensive Design and Access Statement was submitted.</p>

	<ul style="list-style-type: none"> • Crime and security through the application of Secured by Design • Development quality • Disposal or re-use of excavated material, landscape quality and biodiversity • Environmental sustainability, sustainable drainage and flood risk • Travel and access. 	
NCD3 - Sustainable Design	<p>All new developments, including change of use, should seek to incorporate measures that improve energy efficiency of existing and proposed buildings consistent with Government policy. Proposals for renewable energy generation, including micro-generation on dwellings and other smaller scale buildings will be supported providing it meets the following criteria:</p> <ol style="list-style-type: none"> 1. It does not in itself, or cumulatively, have an adverse visual impact on the character of the local area; and 2. It does not in itself, or cumulatively, have an adverse impact on the amenity of neighbouring residents and occupiers. 	<p>The proposals commit to sustainable energy efficiency measure and a condition is proposed.</p>
NCC1 - Community Infrastructure	<ol style="list-style-type: none"> 1. New residential development should, where applicable and possible, provide appropriate and proportionate new facilities and infrastructure on site or make appropriate and proportionate contributions to related off-site facilities and infrastructure. 2. The loss of important and valued facilities for the local community, such as those registered (but not exclusively) as an Asset of Community Value, will be resisted unless it can be demonstrated that the continued use of the premises or site for community use is no longer commercially viable and that the site or premises has been marketed for at least 12 months for that or any other suitable community use. 	<p>Appropriate infrastructure improvements accompany the appeal proposals, include a range of financial contributions to support travel, education and recreation provision within the s106. The proposals have no conflict with this policy.</p> <p>New plays spaces, open space and community orchard are included in the proposals for new and existing residents alike.</p>

<p>NCC3 - Healthy Communities</p>	<p>Proposals for new residential development of 10 or more dwellings should either demonstrate that there is sufficient capacity within General Practice and Dental Services within the catchment area of the NPA or make an appropriate contribution through a S106 agreement or by Community Infrastructure Levy payment to address any identifiable and increased need.</p>	<p>S106 contributions are included for health. A Health Impact Assessment was included in the application and explained many positive benefits of the proposals to health and wellbeing.</p>
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National Planning Policy Framework (December 2023)

Similar to my review of Development Plan policy above, I have provided below a review of Government Policy within the Framework. The review shows how the proposals comply with the Framework as a whole.

At the heart of the NPPF is the ***“presumption in favour of sustainable development”*** (paragraph 10). Paragraph 11 sets out 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.”

Footnote 8 sets out that policies which are most important for determining applications involving the provision of housing are out of date where the local planning authority cannot demonstrate the required supply of deliverable housing

Achieving Sustainable Development

The objectives of sustainable development are summarised at paragraph 7 of the NPPF as ***“meeting the needs of the present without compromising the ability of future generations to meet their own needs¹.”***

Paragraph 8 sets out that to achieve sustainable development, there are three overarching objectives which need to be pursued in mutually supportive ways. These are the economic, social and environmental objectives. I have set out in my evidence how the proposal meets each of these overarching objectives to achieve sustainable development and in doing so will result in significant and demonstrable benefits far outweighing any harm arising from the scheme.

Delivering a Sufficient Supply of Homes

Paragraph 60 of the NPPF provides support for the Government’s objective of significantly boosting the supply of homes. In doing so, the NPPF sets out that it is important that a sufficient amount and variety of land can come forward where it is needed, that the needs of groups with specific housing requirements are addressed and that land with permission is developed without unnecessary delay.

¹ Resolution 42/187 of the UN General Assembly

Paragraph 61 sets out that strategic policies should be informed by a Local Housing Need (LHN) assessment, conducted using the standard method in national policy guidance². Paragraph 63 follows by saying that within this context, the size, type and tenure of housing needed for different groups in the community should be assessed and reflected in planning policies and paragraph 64 says where a need for affordable housing is identified planning policies should specify the type of affordable housing required and expect it to be met on site in the first instance. Where major development involving provision of housing is proposed³, planning policies and decisions should expect at least 10% of the homes to be available for affordable home ownership unless this would exceed the level of affordable housing required in the area, or significantly prejudice the ability to meet the identified affordable housing needs of specific groups. The proposal includes provision of 40% affordable housing which is compliant with local Development Plan policy.

Paragraph 76 of the NPPF sets out that for Local Planning Authorities such as Wychavon District where their adopted plan is more than 5 years old, they should identify and update annually a supply of specific deliverable sites sufficient to provide a minimum five years' worth of housing. However transitional arrangements for implementation in Annex 1, paragraph 226 reduce this to 4 years where the Council have submitted a Plan for Examination. In either 4 or 5 years, the council cannot demonstrate this minimum supply

The appeal proposals can readily be delivered in part within five years with a local housebuilder with a positive track record. The appeal proposals will contribute towards housing needs of the District meeting the Government's objective to boost significantly the supply of market and affordable homes and in an area where there is a significant shortage in supply.

Building a Strong, Competitive Economy

Paragraph 85 of the NPPF sets out that ***"significant weight should be placed on the need to support economic growth and productivity, taking into account both local business needs and wider opportunities for development."*** Whilst this policy is primarily aimed at employment development, the Government remains committed to substantially increasing the amount of housing as a key component in the wider drive towards continued economic growth.

In this context it should be acknowledged that in falling short in their supply, they will not be realising the full scale of economic benefits which new housing can deliver, the appeal proposals will generate a number of economic benefits as I set out in my evidence and these should be given substantial weight in accordance with paragraph 85 of the NPPF.

Promoting Sustainable Transport

Paragraphs 108 to 117 of the NPPF set out how transport matters should be taken into account when considering development proposals. The appeal proposals are supported by a Transport Assessment which demonstrate that they are acceptable in highway and transportation terms.

Paragraph 115 of the NPPF states that ***"Development should only be prevented or refused on highway grounds if there would be unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe."*** The Highways Note and SOCG on Highways confirms the proposals are acceptable in highways

² unless exceptional circumstances justify an alternative approach

³ Defined as 10 or more homes in the NPPF's Annex 2

and accessibility terms and any residual impacts are not severe. The proposals have sought to maximise opportunities for the take up of sustainable modes of transport advocated by the Framework through provision of, connectivity to and improvements to footpaths/cycleways and to public transport.

Achieving Well-Designed Places

The NPPF states that good design is a **“key aspect of sustainable development”** and that the creation of high quality, beautiful and sustainable buildings and places is fundamental to what the planning and development process should achieve (paragraph 131). Paragraph 135 sets out that planning policies and decisions should (inter alia) ensure that developments function well, are sympathetic to local character and history (including the surrounding built environment and landscape setting), optimise the potential of a site to a accommodation an appropriate amount and mix of development (including green and other public space) and create places that are safe, inclusive and accessible and which promote health and well-being.

The appeal proposals are in outline with all matters (except for details of the main site access) reserved. The Design and Access Statement demonstrates how the site will deliver a high quality sustainable residential development that is sympathetic to its surrounding character.

The proposals have taken into account constraints and opportunities presented by the site and consideration has been given to achieve a sensitive integration between the proposed development and existing settlement.

Promoting Healthy and Safe Communities

Paragraph 96 of the NPPF promotes healthy, inclusive and safe places including through the provision of Green Infrastructure. The Design and Access Statement sets out that the proposals make significant provision for Green Infrastructure and include children’s play space.

The Green Infrastructure will provide a range of functions and provision including Public Open Space, Recreation and Play (including a new Play Space and new recreational footways), retention and enhancement of trees and hedgerows, Biodiversity enhancement and a Sustainable Drainage System (SUDS) are proposed to be provided.

Conserving and Enhancing the Natural Environment

Ecology

Paragraph 180 (part d) of the NPPF sets out that planning policies and decisions should contribute to and enhance the natural and local environment by minimising impacts on biodiversity and providing net gains in biodiversity, including by establishing coherent ecological networks that are more resilient to current and future pressures. The proposed Green Infrastructure is intended to provide a range of functions and benefits and is capable of demonstrating demonstrable biodiversity gains.

Landscape

Paragraph 180 of the NPPF states that the planning system should contribute to and enhance the natural and local environment by (inter alia) protecting and enhancing valued landscapes (in a manner commensurate with their statutory status or identified quality in the development plan) and recognising the intrinsic character and beauty of the countryside, and the wider benefits form natural capital and ecosystem services – including the economic and other benefits of the best and most versatile agricultural land, and of trees and woodland.

The evidence of Mr Lishman explains the landscape principles within the proposals which provide mitigation for landscape and visual effects. Wider consideration of landscape matters, including the need to recognise the intrinsic character and beauty of the countryside are addressed and weighed in the planning balance in my evidence.

Areas of agricultural land, including some Best and Most Versatile land, is likely to be needed to meet development needs. The appellant has provided the LPA with a agricultural land classification report. The quantity of the loss of BMV is modest and wouldn't in my view be seen as a significant development scale in the context of the housing needs and extent of land required for housing noting that BMV is prevalent in South Worcestershire, recent and proposed housing developments have incurred some losses in order to meet housing needs.

Air Quality and Noise

Paragraph 191 of the NPPF requires planning policies and decisions to ensure that new development is appropriate for its location. It goes on to state that the effects of pollution on health, natural environment or general amenity and the potential sensitivity of the area to adverse effects from pollution should be taken into account.

The site is not located within an area with identified air quality concerns. The proposal will not give rise to any noise concerns which would prevent development of the site as proposed and which cannot be resolved through careful consideration of Reserved Matters or addressed by planning condition. In addition, controls over construction times and the provision of planning conditions requiring detailed construction management plans mean that impact of construction and construction vehicles will not be significant.

Conserving and Enhancing the Historic Environment

Paragraph 200 of the NPPF sets out that Local Planning Authorities should identify and assess the particular significance of any heritage asset that may be affected by a proposal (including by development affecting the setting of a heritage asset) taking account of the available evidence and any necessary expertise. They should take this into account when considering the impact of a proposal on a heritage asset, to avoid or minimise any conflict between the heritage asset's conservation and any aspect of the proposal. Paragraph 208 states that where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use.

The SOCG on heritage sets out consideration of heritage significance, including that derived from setting, of the Tappenhill Farmhouse. This identifies low levels of less than substantial harm to the heritage significance. I undertake a heritage balancing exercise and conclude that in weighing solely the moderate heritage harm against all the benefits of the development, these readily outweigh the harm, such that there is no conflict with Development Plan Policy or the Framework and this is common ground.

Meeting the Challenge of Climate Change, Flooding and Coastal Change

Paragraph 165 of the NPPF is clear that inappropriate development should be directed away from areas at highest risk of flooding. Paragraph 173 states that when determining applications, Local Planning Authorities should ensure flood risk is not increase elsewhere, and that applications should be supported by site specific Flood Risk

Assessments. Paragraph 175 sets out that major development should incorporate sustainable drainage systems unless there is clear evidence that this would be inappropriate.

A Flood Risk Assessment was submitted with the application demonstrating that all of the proposed housing will be in Flood Zone 1, the lowest category of flood risk and is suitable for housing development. A drainage scheme incorporating SUDS is proposed to manage surface runoff from the development, comprising an attenuation basin designed to maintain run off at pre-development rates. A condition requiring submission, and approval, of a details of drainage is included in the suggested list of conditions. The appeal proposals would be operated with minimal risk from flooding, would not increase flood risk elsewhere and are compliant with the requirements of the NPPF in this regard.

Planning Conditions and Obligations

Paragraph 55 to 58 of the NPPF restate previous policy and guidance on conditions and obligations and Community Infrastructure Levy charges, emphasising their impact on viability. Footnote 23 of the NPPF refers to legislative requirement for applicants to provide their written agreement to the imposition of any pre-commencement conditions.

The appellant is working with the Council to agree a list of suggested conditions prior to the opening of the Inquiry. A complete planning obligation will also be submitted to the Inquiry to provide for the necessary community infrastructure and mitigation.

Appendix 2 – Summary Response to Comments by Third Parties

Summary of Appeal Comments and Appellant Summary Response

Topic	Summary of comments	Appellant Response
Principle and Housing Need	<ul style="list-style-type: none"> • Outside the designated boundaries of village buildings • Development doesn't enhance the village and community materially. • Not wanted by local community. • The village would become part the Worcester or Droitwich urban sprawl. • Loss of open countryside • Loss of agricultural land currently being farmed. • Fernhill Heath becoming over developed already and has accommodated it's share of new housing to the Wychavon District plan. • Not appropriate to side step the plan on the grounds it is out of date. • The development is in contravention to polices 1,4 5 7 13, 15 and 39 of the SWDP. • It is not an allocated site. • There are numerous brownfield sites within Wychavon that are allocated for development and these should be utilised before building on open countryside. • Developing the area around Worcestershire Parkway station in Wychavon would deliver the required housing supply in the district without building on open countryside outside of the Fernhill Heath village boundary. 	<ul style="list-style-type: none"> • In circumstances where the Council are not meeting the minimum housing land supply and the development boundary is constraining delivery of new homes, then weight to any conflict with the development boundary should not weigh strongly against the proposals. Indeed the Neighbourhood Plan states that new housing wouldn't be resisted outside of development boundaries when supply is below 5 years. • The development does positively contribute to the village, with high quality housing in a development which will include extensive new green spaces. • Some of the village have objected, but less than many other developments and less than proposals on other sites in the past. By far the majority of the village has not commented on the proposals. • The proposals retain the identity of Fernhill Heath and do not cause any degree of coalescence with Worcester or Droitwich • There will be some loss of countryside and agricultural land, but this is inevitable if currently unmet housing needs are to be met. • Fernhill Heath is suitable to accommodate some additional development and the proposals mitigate any pressure on infrastructure • The proposals are in accord with the Development Plan as set out in my evidence, including in accord with the Neighbourhood Plan. • There are insufficient brownfield sites to meet need • The Parkway development is many years away from delivery of new homes and will not deliver homes in the next 5 years • The percentage of affordable homes at 40% is significant and a major benefit of the proposals.

Topic	Summary of comments	Appellant Response
	<ul style="list-style-type: none"> • Fernhill Heath has had sufficient new build housing built over the recent years for the size of the village. • The site is not in accordance with the Neighbourhood Plan and is not supported by local residents. • Weight should continue to be given to the Neighbourhood Plan which shows this land as good farming land, outside of the village boundary. • The land falls outside the South Worcestershire Development plan - the land which was identified as suitable in Fernhill Heath has already been developed. • At committee, the developer was unable to demonstrate that other sites in the area had been investigated for potential development and was also unable to demonstrate the benefit this development would bring to the local community. • Only a percentage will be for affordable housing. 	
Cumulative Impacts	<ul style="list-style-type: none"> • The village of Fernhill Heath has already seen 2 large scale housing developments in recent years without any improvement to local facilities and infrastructure. • Overdevelopment within the village. • Dilmore Lane is already under pressure to traffic with the existing new estate. 	<ul style="list-style-type: none"> • The proposals mitigate any potential pressure they may add to local infrastructure • There is no evidence to suggest why Fernhill Heath couldn't accommodate this scale of additional housing. • Traffic impacts of the development have been fully assessed.

Topic	Summary of comments	Appellant Response
Sustainability, Highway and Pedestrian Safety	<ul style="list-style-type: none"> • Location will mean an increase the use of cars which in turn increases traffic flow, air pollution, noise and decreases the quality of local life. • Increased traffic pressure through the village and on Station Road. • The junction onto the A38 is busy during rush hour taking cars a long time to pull out into a busy road, this will be exacerbated by more houses. If these houses get built, Dilmore Lane will need to have traffic management measures put in place. • Increases the probability of accidents. • There is no continuous footpath on Dilmore Lane from the proposed site to the village. • The incomplete pavement at the Junction to Danes Green is dangerous. • The application and scheme is not in accordance with Government Policy and sustainability criteria for ‘brownfield first’ as the application site is not a brownfield site and not situated in a sustainable location. • The subject site is not in a sustainable location. • Busses are over crowded (by school children). • The closest bus stop is around a 15-minute walk away, so car usage is likely to be higher in this location due to inconvenience. 	<ul style="list-style-type: none"> • The site is access by foot, cycle and public transport • There is no evidence of noise, air pollution from the development which would cause harm • Traffic volumes from the development have been fully assess. The site will not add to traffic on Station Road • The A38 junction has been assessed and is able to work with the additional traffic without any material adverse impact • There is no accident records which suggest any trends, or any likelihood of additional accidents as a result of this development • The development residents do not necessarily need to use Dilmore Lane for access into the centre of the village as they can access Station Road through the new footpath cycle link • Bus stops are within a reasonable walk from the site • Public transport has capacity

Topic	Summary of comments	Appellant Response
	<ul style="list-style-type: none"> Public transport is sporadic so people will need cars. 	
Residential Amenity	<ul style="list-style-type: none"> No proposed benefit to the village. Community Infrastructure Levy, mentioned by the Planning Committee, would apparently benefit other areas, not Fernhill Heath. No benefits to the community - the hinted at 'village hall' is laughable especially given its distance from the epicentre of the village! Inadequate proposals for other additional ancillary services to support the increase in population. 	<ul style="list-style-type: none"> 25% of CIL goes to the Parish Council The new housing is a significant benefit to the village as it will provide homes for those looking for a new home and also affordable homes There are other benefits of new play space, green infrastructure which will benefit new and existing residents alike The village hall was not seen as CIL compliant
Infrastructure	<ul style="list-style-type: none"> Local schools are at capacity / oversubscribed. Lack of facilities in village - no surgery, three small general stores. No dentists taking on patients (wider Worcester) The Hospital is stretched beyond capacity (wider Worcester). Services need to be vastly improved to support building of more houses. Would support new housing if changes to local infrastructure are made. 	<ul style="list-style-type: none"> Contributions to enhanced school place provision is being made The village has a basic range of day to day facilities and more are available in nearby main towns There are dentists in Worcester taking on patients There is a contribution to support health capacity
Ecology and biodiversity	<ul style="list-style-type: none"> The loss of natural wildlife habitat is considerable - rich diversity of species and habitats, including, birds, butterflies, bees and bats. 	<ul style="list-style-type: none"> Full survey of potential ecology impacts have been undertaken The proposals have the potential to achieve in excess of 10% biodiversity gain at the RM stage

Topic	Summary of comments	Appellant Response
Flooding and Drainage	<ul style="list-style-type: none"> • Dilmore Lane floods 	<ul style="list-style-type: none"> • The development will positively manage surface water to the benefit of any local flood risk issues
Other Issues	<ul style="list-style-type: none"> • The negative impact on the village would change it's character and the rural surroundings. • The local economy will benefit very little from the development construction but will be burdened with great inconvenience for a number of years. • The scheme will infringe the human rights of the existing communities. • The proposals (and the Developer's responses) are particularly dismissive of consultations and reviews, especially in respect of the Parish Council. • Wouldn't want new houses to use park, for which a ground maintenance fee is paid, for free. • Residents have had years of noise, disruption and inconvenience from other building sites and Fernhill Heath needs a time to settle as a community. 	<ul style="list-style-type: none"> • The local character of the village here is at least in part residential – the proposals will positively contribute to the village in terms of its built character • The economic benefits of the development are quantified and significant particularly in the context of national economic growth challenges • The proposals do not in any way affect local human rights • The concerns of local residents who have commented have not been dismissed but have been acknowledged and address. • Construction impacts will be temporary and managed through a construction management plan

Further comments raised at application stage:

Summary of comments	Appellant Response
<ul style="list-style-type: none"> • There is no disabled-persons access to the site. • The emergency access at Firlands Close is a safety concern. • Impact on privacy. • There is no cycling infrastructure. 	<ul style="list-style-type: none"> • The development will have accessible dwellings • There is no adverse safety issues for Firlands Close • The RM stage will be able to readily consider any potential issues of privacy in the layout of the development

- The area for the proposed LEAP is poorly located.
- Housing mix doesn't reflect local demographics.
- The development would encroach into the Conservation Area.
- No more capacity on refuse collection rounds.
- Loss of views.

- The proposals will have cycle infrastructure
- The LEAP is in the heart of the scheme, accessible for all
- Housing Mix is condition and will reflect the latest evidence of need
- There is no conservation area
- There is no evidence of capacity issues with refuse collections – the development residents will pay council tax
- Some views will be affected, but this is minimal.